

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0243-00

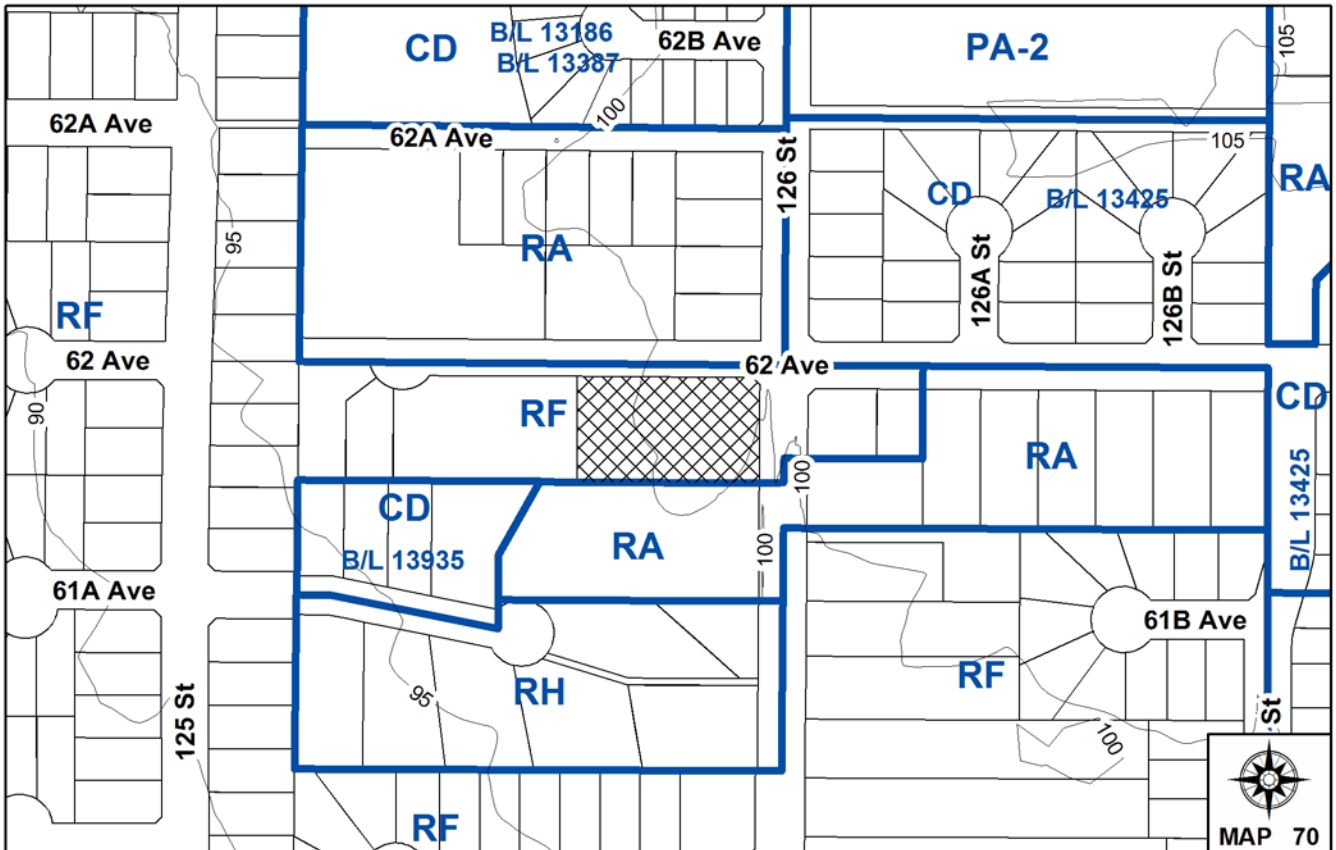
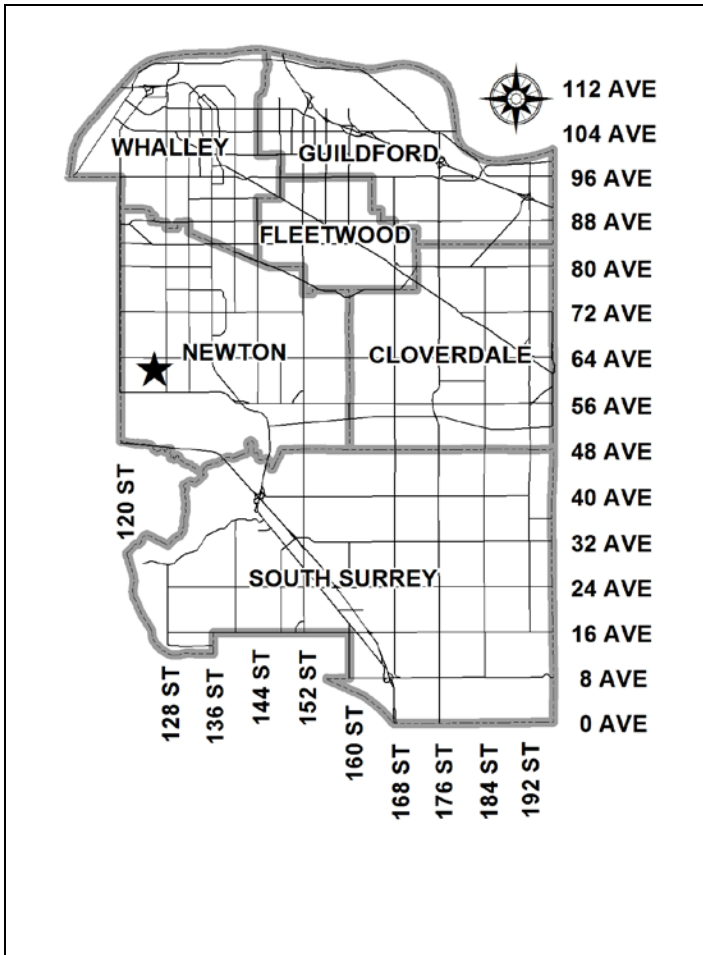
Planning Report Date: February 28, 2011

PROPOSAL:

- **Development Variance Permit**

to relax the front yard setback in order to permit the construction of a two-car garage along the flanking sideyard that is affected by the B.C. Hydro corridor.

LOCATION: 12598 – 62 Avenue
OWNER: Kuldeep Singh and Nasib Kaur Sekhon
ZONING: RF
OCP DESIGNATION: Urban
NCP DESIGNATION: Single Family Residential



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Application seeks approval to vary a portion of the front yard setback on 126 Street from 7.5 metres (25 ft.) to 5.0 metres (16 ft.) and 3.0 metres (10 ft.) to accommodate a double attached garage on a single family dwelling.

RATIONALE OF RECOMMENDATION

- The majority of the lot is encumbered by a Hydro corridor, which severely restricts the lot's developable area.
- The proposed maximum house size will be limited to reflect the reduced setbacks.
- The applicant will provide quality landscaping on the side of the house to soften the impact of the proposed setback variance.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0243-00 (Appendix II) varying the following to proceed to Public Notification:
 - (a) To reduce the minimum front yard (easterly) setback of the RF Zone from 7.5 metres (25 ft.) to 5.0 metres (16 ft.) at the southern portion and 3.0 metres (10 ft.) at the northern portion of the building in order to accommodate a double attached garage on a single family dwelling.
2. Council instruct staff to resolve the following issues prior to approval;
 - (a) registration of a Section 219 Restrictive Covenant to limit maximum house size to 306.6 sq. m. (3,300 sq. ft.).

REFERRALS

Engineering: The Engineering Department has advised that there are no additional Engineering requirements relative to the issuance of the Development Variance Permit.

BC Hydro: No objection as there is no road dedication involved affecting BC Hydro's rights.

SITE CHARACTERISTICS

Existing Land Use: Vacant residential lot.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 62 Avenue):	Single family dwelling.	Urban	RA
East (Across 126 Street):	Single family dwelling.	Urban	RF
South:	Single family dwelling.	Urban	RA
West:	Single family dwelling.	Urban	RF

DEVELOPMENT CONSIDERATIONS

Background

- The subject property at 12598 – 62 Avenue is located at the southwest corner of 126 Street and 62 Avenue. The property is zoned Single Family Residential (RF) Zone and is designated “Urban” in the Official Community Plan (OCP) and “Single Family” in the West Newton South Neighbourhood Concept Plan (NCP). The buildable area of the property has an unusual three-sided configuration as the majority of the lot is encumbered by the BC Hydro corridor, considerably restricting the lot’s developable area.
- The subject property was part of an approved development application (File No. 7903-0477-00), which created four single-family residential lots. That application received final adoption on January 15, 2007.
- Under the previous application (7903-0477-00), a Development Variance Permit (DVP) was also approved for this property. The DVP relaxed the front yard setback on 126 Street from 7.5 metres (25 ft.) to 5.0 metres (16 ft.) and relaxed the flanking side yard setback on 62 Avenue from 3.6 metres (12 ft.) to 3.0 metres (10 ft.). A Restrictive Covenant amendment was also approved under another application (7907-0099-00) to relax the 5.0 metre (16 ft.) setback from the BC Hydro right-of-way to 3.0 metres (10 ft.).
- The applicant has now conducted a detailed house design, and has determined that a two-car garage will be difficult to fit within the allowable setbacks.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Vary the minimum front yard (easterly) setback under the RF Zone from 7.5 metres (25 ft.) to 5.0 metres (16 ft.) and 3.0 metres (10 ft.) in order to accommodate a double attached garage.

Applicant’s Reason:

- The proposed single family dwelling will not be able to accommodate a double garage on the west side of the lot from the previously approved variance permitting a 5.0 metre (16 ft.) front yard setback from 126 Street.

Staff Comments:

- The lot has an irregular shape due to the encumbrance by the Hydro corridor.

- Staff have requested that the applicant incorporate additional landscaping to mitigate the impact of having a portion of the house closer to the street; applicant has provided an acceptable landscaping plan.
- A Section 219 Restrictive Covenant needs to be registered on title to limit the maximum house size to 306.6 sq.m. (3,300 sq.ft.).
- Staff support the proposed variance to address the unique constraints/configuration of the lot.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners, Action Summary and Project Data Sheets and Survey Plan

Appendix II. Development Variance Permit No. 7910-0243-00

Original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

CAL/kms/dlg

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Kuldeep S. Sekhon
 Address: 5865 – 124 Street
 Surrey, BC
 V3X 1Y2
 Tel: 604-306-3004

2. Properties involved in the Application

- (a) Civic Address: 12598 – 62 Avenue
- (b) Civic Address: 12598 – 62 Avenue
 Owner: Kuldeep Singh Sekhon and Nasib Kaur Sekhon
 PID: 026-994-178
 Lot 1 Section 7 Township 2 New Westminster District Plan BCP28726

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7910-0243-00.

DEVELOPMENT DATA SHEET

Existing Zoning: RF

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	3,452.16 m ²	
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 m	3.0 m – 5.0 m
Rear	7.5 m	3.0 m
Side #1 (N,S,E, or W)	3.6 m	3.0 m
Side #2 (N,S,E, or W)		
Side #3 (N, S, E or W)		
BUILDING HEIGHT (in metres/storeys)		
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	YES/NO	Tree Survey/Assessment Provided	YES/NO
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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO. 7910-0243-00

Issued To: KULDEEP SINGH SEKHON & NASIB KAUR SEKHON
(the "Owner")

Address of Owner: 5865 - 124 Street
Surrey, BC V3X 1Y2

- 1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
- 2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 026-994-178
Lot 1 Section 7 Township 2 New Westminster District Plan BCP28726

12598 - 62 Avenue

(the "Land")

- 3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

- (b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:

- 4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 16 Single Family Residential Zone (RF) the minimum front yard setback is reduced from 7.5 metres (25 ft.) to 5.0 metres (16 ft.) and 3.0 metres (10 ft.) as

as shown on attached Schedule A. which is attached heretoon and forms part of this development variance permit.

5. This development variance permit applies to only the that portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.

6. (a) The landscaping shall conform to the drawing numbered 7910-0243-00 (A) (the "Landscaping").

(b) The Landscaping shall be completed within six (6) months after the date of the final inspection of the buildings and structures referred to in the Drawings.

(c) Prior to the issuance of the building permit for this development, security is to be submitted to ensure satisfactory completion of the Landscaping. The security for the Landscaping is to be submitted as follows:

Cash or an Irrevocable Letter of Credit, in a form acceptable to the City, in the amount of \$3,000.00

(the "Security")

(d) i. When the Landscaping is substantially complete as determined by the City, without the City having to use the Security, 90% of the original Security will be returned. When the Landscaping receives final approval by the City, not earlier than twelve (12) months after the date of substantial completion of the Landscaping, 10% of the original Security will be returned.

ii. If final approval of the Landscaping is not given by the City, the City has the option of using the Security to complete the Landscaping and any remaining money shall be returned. The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Landscaping.

iii. If the City elects not to enter upon the Land to complete the Landscaping and the Owner does not complete the Landscaping, the Security is forfeited to the City five (5) years after the date of the provisional or final inspection of the buildings and structures referred to in the Drawings.

7. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

8. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.

9. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

10. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan

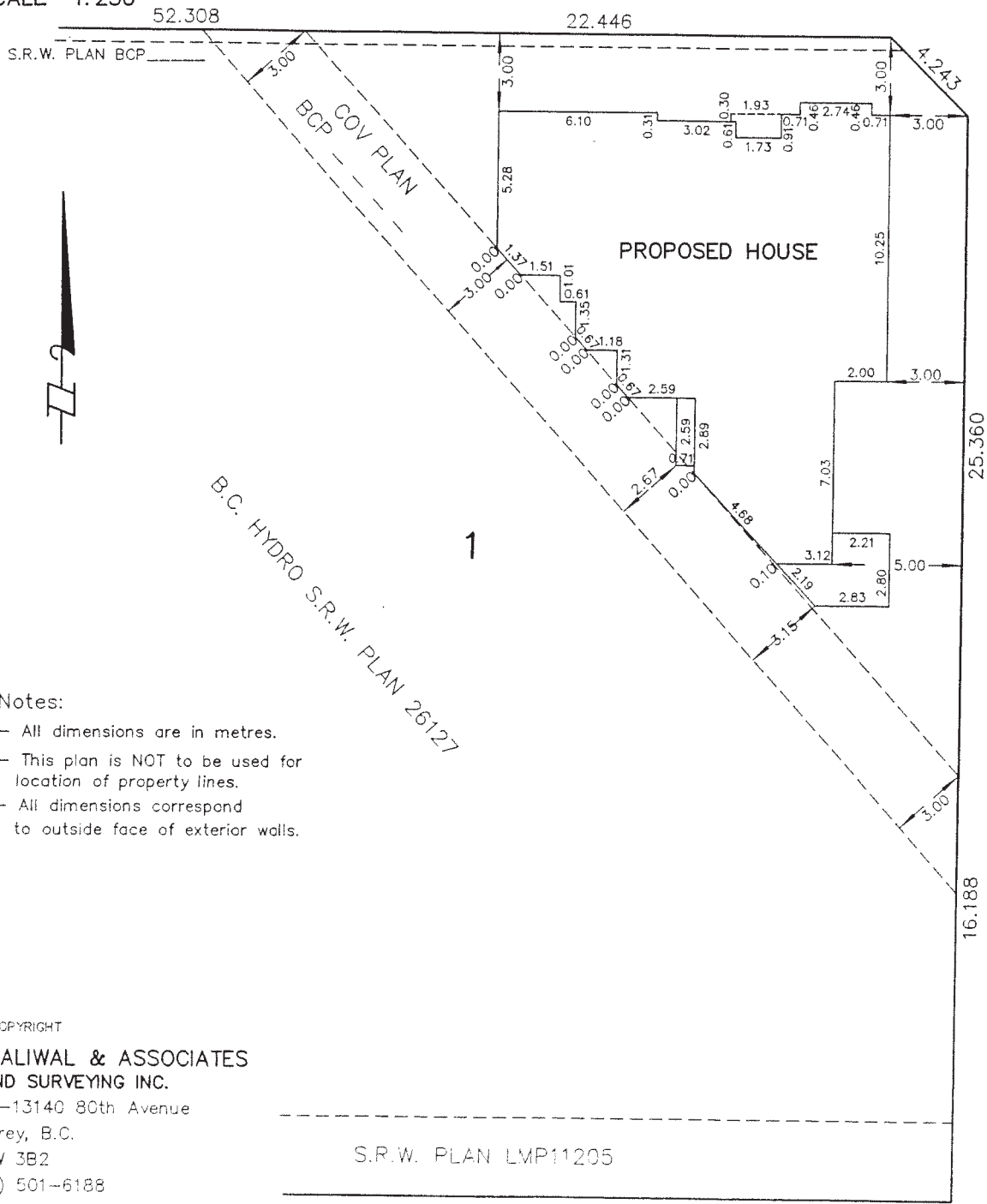
BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION
 OF PROPOSED HOUSE ON LOT 1 SECTION 7
 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN BCP28726

Current civic address:
 12598 62nd Avenue
 Surrey, B.C.

62nd AVENUE

126th STREET

SCALE 1:250



Notes:

- All dimensions are in metres.
- This plan is NOT to be used for location of property lines.
- All dimensions correspond to outside face of exterior walls.

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DHALIWAL & ASSOCIATES
 LAND SURVEYING INC.

121-13140 80th Avenue

Surrey, B.C.

V3W 3B2

(ph) 501-6188

(fx) 501-6189

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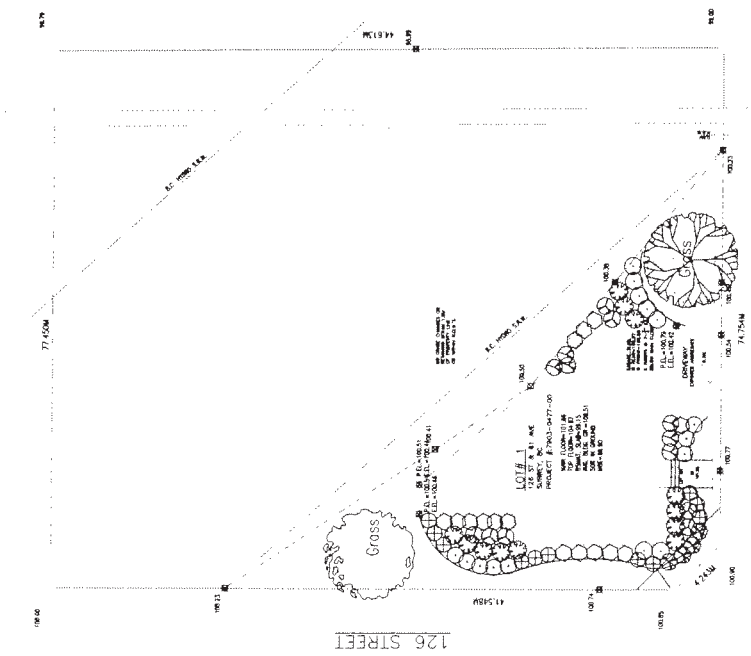
S.R.W. PLAN LMP11205

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15th DAY OF FEBRUARY 2011



KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE	SPACING	REMARKS
	MAGNOLIA GALAXY	GALAXY MAGNOLIA	1	6 CM CAL	AS SHOWN	B & B
	PRUNUS YEDENSIS AKEBONO	DAYBREAK CHERRY	1	6 CM CAL	AS SHOWN	B & B
	AZALEA JAPONICA LOUISE GABLE	PINK AZALEA	8	7 POT	85 CM O.C.	
	AZALEA JAPONICA THMO CRINSON	CRINSON AZALEA	11	7 POT	85 CM O.C.	
	AESCIA EDMUNDO COUCHER AESCIA	EDMUNDO COUCHER AESCIA	15	7 POT	90 CM O.C.	
	MAGNOLIA DOMESTICA	HEAVENLY BAMBOO	6	7 POT	90 CM O.C.	
	RHODODENDRON TAK SAITO INOKURUMI	TAK SAITO RHODODENDRON	7	7 POT	90 CM O.C.	
	RHODODENDRON TAK SAITO INOKURUMI	TAK SAITO RHODODENDRON	7	7 POT	90 CM O.C.	
	RHODODENDRON TAK SAITO INOKURUMI	TAK SAITO RHODODENDRON	7	7 POT	90 CM O.C.	
	JUNIPERUS HORIZONTALIS HUGHES	HUGHES JUNIPER	4	7 POT	90 CM O.C.	
	GRASS		130m ²			

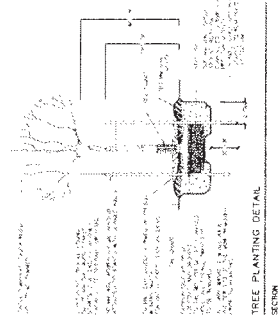


DATE: 10/15/10
 PROJECT: 7910-0243-00
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 CHECKED BY: [Name]

SCALE: AS SHOWN
 PROJECT: 7910-0243-00
 DRAWN BY: [Name]
 CHECKED BY: [Name]

DATE: 10/15/10
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TREE PLANTING DETAIL
 SECTION



PLANTING DETAIL - SHRUBS & GRID COVER PLANTS
 SECTION

NTS

NTS