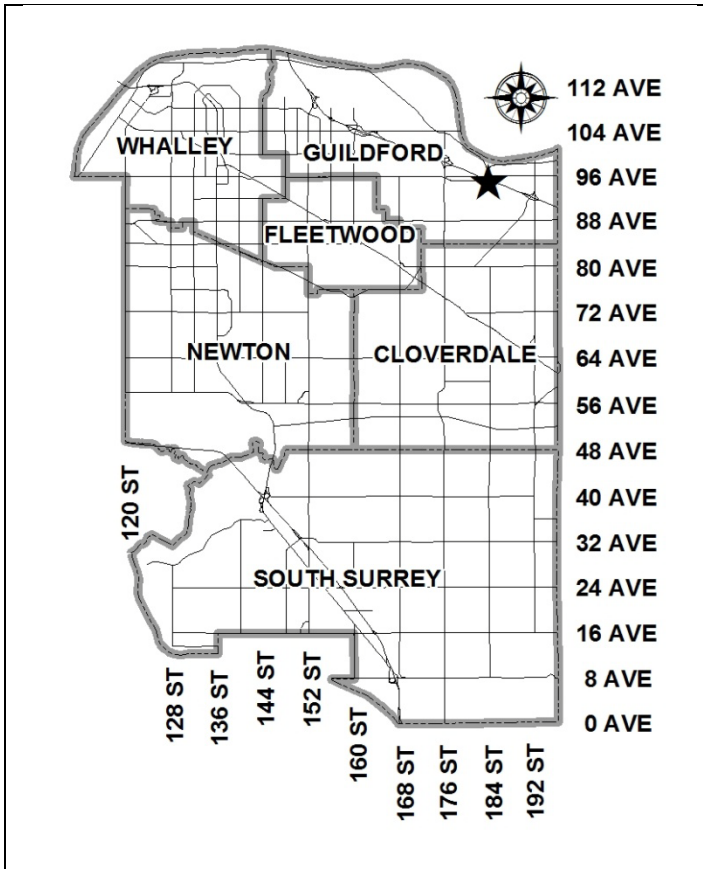


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0021-00

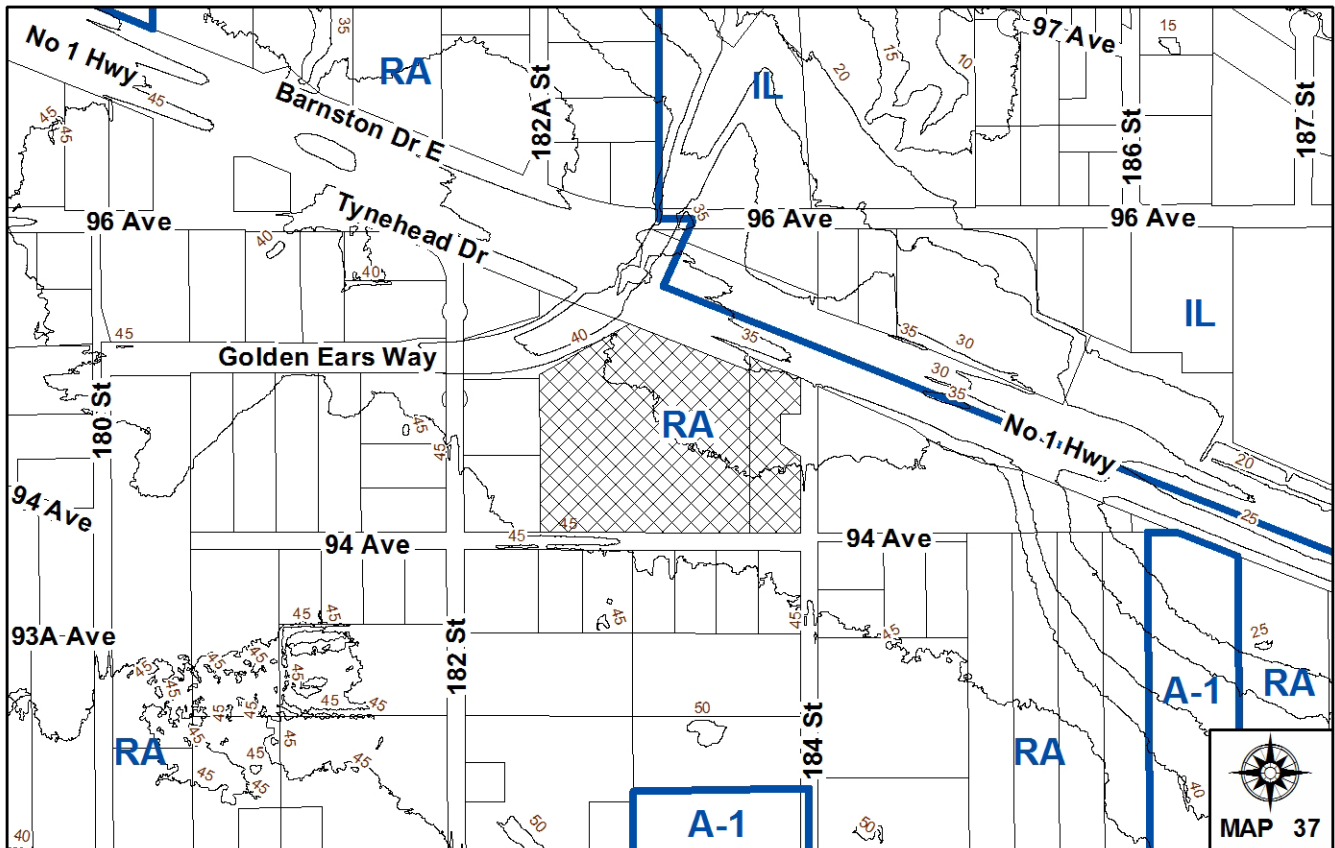
Planning Report Date: September 10, 2012



PROPOSAL:

- **Development Variance Permit**
 in order to vary the works and services requirement of the Subdivision and Development By-law, to facilitate a 2-lot subdivision.

LOCATION: 18379 and 18305 - 94 Avenue
OWNER: 654139 BC Ltd., Inc. No. 654139
ZONING: RA
OCP DESIGNATION: Suburban
NCP DESIGNATION: Industrial Business
 Park/Buffer/Cluster Residential, 10-15 upa



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- To defer the works and services requirements of the Subdivision & Development By-law for proposed Lots 1 and 2.

RATIONALE OF RECOMMENDATION

- At the time proposed Lots 1 and 2 develop, the works and services requirements can be achieved.
- Approving the proposed DVP will allow a lot-line adjustment to be considered by the Approving Officer, to create two relatively equivalent-sized lots.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7912-0021-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to vary the Subdivision & Development By-law by deferring the provisions of works and services for proposed Lots 1 and 2.

REFERRALS

Engineering: The Engineering Department can support the issuance of the Development Variance Permit.

Ministry of Transportation & Infrastructure (MOTI): The Ministry advises that Preliminary Approval is granted for one year, subject to the conditions as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Vacant rural residential land.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across No.1 Hwy) (Golden Ears Way):	Industrial and rural residential.	Industrial and Suburban	IL and RA
East (Across 184 Street):	Rural residential.	Suburban and Industrial Business Park & Landscape Buffer in Anniedale-Tynehead NCP	RA
South (Across 94 Avenue):	Single family residential.	Suburban and Medium Density 10-15 upa in Anniedale Tynehead NCP	RA
West:	Rural residential.	Suburban and Medium High Density 15-30 upa in Anniedale-Tynehead NCP	RA

DEVELOPMENT CONSIDERATIONS

- The subject site comprises two (2) lots located between 182 Street and 184 Street along Golden Ears Way and Highway No. 1 in the Anniedale-Tynehead Neighbourhood Concept Plan (NCP) area. The site is designated Suburban in the Official Community Plan and Industrial Business Park/Buffer/Cluster Residential (10-15 upa) in the NCP, and is zoned One-Acre Residential Zone (RA).

- The existing property at 18305 - 94 Avenue is 5.0 hectares (12.35 acres) in size and the property at 18379 - 94 Avenue is 1.0 hectare (2.5 acres) in size.
- The applicant wishes to adjust the common lot line between the properties in order to sell proposed Lot 2.
- The applicant would like to increase the size of the existing property at 18379 - 94 Avenue (proposed Lot 2) in order to sell off a larger portion of land that can more easily be developed in accordance with the Anniedale-Tynehead Neighbourhood Concept Plan (NCP).
- Proposed Lot 1 will be 2.19 hectares (5.42 acres) in size and proposed Lot 2 will be 3.81 hectares (9.42 acres) in size.
- The applicant is requesting a Development Variance Permit to defer the works and services requirements of the Subdivision and Development By-law, which are triggered due to the proposed subdivision, until these two properties are rezoned at some time in the future, in accordance with the Anniedale-Tynehead NCP.
- As a condition of subdivision, a no-build Restrictive Covenant will be registered on proposed Lots 1 and 2, preventing development until adequate services are provided.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the Subdivision and Development By-law, No. 8830, by deferring the provision of works and services and the provision of service connections, for proposed Lots 1 and 2.

Applicant's Reasons:

- No development is planned for proposed Lots 1 and 2 at this time, however re-subdivision is proposed to facilitate the sale of one lot.

Staff Comments:

- When proposed Lots 1 and 2 are rezoned, the road works and services and site servicing connections will be required and a no-build Restrictive Covenant will be a condition of subdivision.
- The proposed Development Variance Permit will not jeopardize the Anniedale-Tynehead NCP.
- Staff support this Development Variance Permit application.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
- Appendix II. Proposed Subdivision Layout
- Appendix III. MOTI Summary
- Appendix IV. Development Variance Permit No. 7912-0021-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

LM/kms

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. 9/6/12 1:54 PM

Information for City Clerk

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

1. (a) Agent: Name: Peter Zebroff
 Royal Pacific Realty Corp.
 Address: 650 West 41 Avenue Suite 550
 Vancouver BC V5Z 2M9
 Tel: 604-266-8989

2. Properties involved in the Application

- (a) Civic Addresses: 18379 and 18305 - 94 Avenue
- (b) Civic Address: 18379 - 94 Avenue
 Owner: 654139 BC Ltd., Inc. No. 654139
Director Information:
 Avtar Bains
 Kamal Binpal
 Sewa Birring
 Hardev Dosanjh

No Officer Information Filed as at September 9, 2012

PID: 008-981-353
 Parcel A District Lot 99 Group 2 New Westminster District Plan 28296

- (c) Civic Address: 18305 - 94 Avenue
 Owner: 654139 BC Ltd., Inc. No. 654139
Director Information:
 Avtar Bains
 Kamal Binpal
 Sewa Birring
 Hardev Dosanjh

No Officer Information Filed as at September 9, 2012

PID: 026-038-242
 Lot 2 Except: Parcel A (Statutory Right of Way Plan BCP23000); District Lot 99 Group 2
 New Westminster District Plan BCP13185

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7912-0021-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

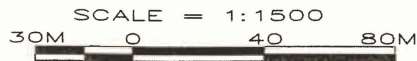
SUBDIVISION DATA SHEET

Proposed Zoning: RA

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	14.8
Hectares	6
NUMBER OF LOTS	
Existing	2
Proposed	2
SIZE OF LOTS	
Range of lot widths (metres)	131 metres – 165 metres
Range of lot areas (square metres)	
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	n/a
Lots/Hectare & Lots/Acre (Net)	n/a
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	n/a
Estimated Road, Lane & Driveway Coverage	n/a
Total Site Coverage	n/a
PARKLAND	
Area (square metres)	n/a
% of Gross Site	n/a
Required	
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	
	NO
MODEL BUILDING SCHEME	
	NO
HERITAGE SITE Retention	
	NO
BOUNDARY HEALTH Approval	
	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	YES
Building Retention	NO
Others	NO

**B.C. LAND SURVEYOR'S PLAN OF PROPOSED SUBDIVISION OF
LOT 2 EXCEPT: PARCEL A
(STATUTORY RIGHT OF WAY PLAN BCP23000);
PLAN BCP13185 AND PARCEL A PLAN 28296
BOTH OF DISTRICT LOT 99 GROUP 2
NEW WESTMINSTER DISTRICT**

CITY OF SURREY
BCGS 92G.017



"ALL DISTANCES ARE IN METRES"

The intended plot size of this plan is 432mm (17") in width
by 280mm (11") in height (B Size) when plotted at a scale of 1:1500

P.I.D. 026-038-242 (Rem LOT 2)
SUBJECT PROPERTY MAY BE AFFECTED BY
STATUTORY RIGHT OF WAY 104907C (PLAN 4614-BCH&PA),
STATUTORY RIGHT OF WAY AB203279 (BC GAS) AND
COVENANT BW414699.
CIVIC ADDRESS: #18305 94th AVENUE

P.I.D. 008-981-353 (PARCEL A)
SUBJECT PROPERTY MAY BE AFFECTED BY
STATUTORY RIGHT OF WAY 104907C (PLAN 4614-BCH&PA),
STATUTORY RIGHT OF WAY AB203284 (BC GAS) AND
COVENANT BT468590 (PLAN BCP3069).
CIVIC ADDRESS: #18379 94th AVENUE

Lot dimensions are derived
from LAND TITLE OFFICE RECORDS

Lot dimensions are derived
from Plans BCP13185, BCP23000 and 28296

NOTE:
PROPOSED LOT LAYOUT SUBJECT TO CITY OF SURREY
AND MINISTRY OF TRANSPORTATION
PLANNING and/or BUILDING DEPARTMENT APPROVAL

THIS PLAN NOT TO BE USED
TO DEFINE BOUNDARIES

SOUTH FRASER LAND SURVEYING LTD.
#101-7485 130th STREET
SURREY, B.C.
604-599-1886
12812_PROPOSEDSD

SEC. 32
TP. 8

"A"
(L95923E)
PLAN 1720

D.L.
BOUNDARY

S. 1/2
5
PLAN 1720

PROPOSED LOT 1
2.194 ha
(5.42 ac)

PROPOSED LOT 2
3.811 ha
(9.42 ac)

D.L. 99
GP. 2

B.C. GAS R/W

PLAN 4614
POSTING PLAN U41629
B.C. HYDRO & P.A. R/W

94th AVENUE

REM.
N. 1/2 11

REM.
23

E. 56.998
23

34

35

36

37

PLAN 34012

PLAN 58819

PLAN 65221

12812_PROPOSEDSD



182nd STREET

184th STREET

PLAN LMP49867
Rem 4
PLAN 1720

1
PLAN BCP46770

TRANS CANADA HIGHWAY
PLAN 28296
PLAN BCP1681

45.93

133.00

165.00

165.00

12.48

117.46

134.15

16.14

45.81

16.93

PLAN BCP3069

41.66

22.86

33.53

26.64

87.94

PLAN 18098

131.07



RECEIVED

Your File #: 7912 0021 00

JUL 25 2012

BC MoT File #: 2012-03424

Date: July 19, 2012

PLANNING & DEVELOPMENT
DEPARTMENT

LM	7912-0021-00

City of Surrey
14245 – 56th Avenue
Surrey, BC V3X 3A2

Attention: Leita Martin
Planning Technician
North Planning Area

Re: Proposed Lot Line Adjustment/Subdivision
Pcl. A of DL 99, Gp. 2, NWD, Plan 28296
Lot 2, DL 99, Gp. 2, NWD, Plan BCP13185

This Ministry advises that Preliminary Approval is hereby granted for one year, subject to the following conditions:

- No direct access to Highway 1.
- All storm water shall be directed to a municipally maintained storm drainage system.
- The developer needs to be aware these properties are abutting Highway 1; therefore any visual barrier or noise attenuation will be the responsibility of the developer and to be constructed on private property.

Please submit final plans to this office for approval by the Provincial Approving Officer, Ministry of Transportation & Infrastructure, with BC MoT file number: 2012-03424, under the signature block.

If you have any questions, please contact the undersigned at (604) 660-8322.

Yours truly,

Glenn W. Callander
Area Development & Operations Technician
Email: Glenn.Callander@gov.bc.ca

Local District Address
<p>Lower Mainland District 200-1065 Columbia Street New Westminster, BC V3M 6H7 Canada Phone: (604) 660-8300 Fax: (604) 660-8371</p>

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0021-00

Issued To: 654139 BC LTD.,
("the Owner")

Address of Owner: 9458 - 155A Street
Surrey, BC
V3R 8T8

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: 008-981-353
PCL A OF DL 99 GRP 2 SE SEC 6 T9 PL 28296

18379 - 94 Avenue

Parcel Identifier: 026-038-242
LT 2 DL 99 GP 2 PLBCP13185

18305 - 94 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 Subdivision and Development By-law, 1986, No. 8830, as amended is varied as follows:
 - (a) In Part V – Highway Dedication, Servicing and Construction Standards, Section 24(a), the requirement to provide vehicular and pedestrian highway systems, water distribution, sanitary sewer and drainage works, underground wiring and street lighting systems is deferred for proposed Lots 1 and 2.
5. This development variance permit applies to proposed Lots 1 and 2 as shown on the preliminary subdivision plan shown on Schedule A which is attached hereto and forms part of this development variance permit.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
7. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
10. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
11. This development variance permit is not a building permit.

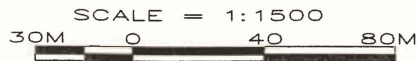
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan

**B.C. LAND SURVEYOR'S PLAN OF PROPOSED SUBDIVISION OF
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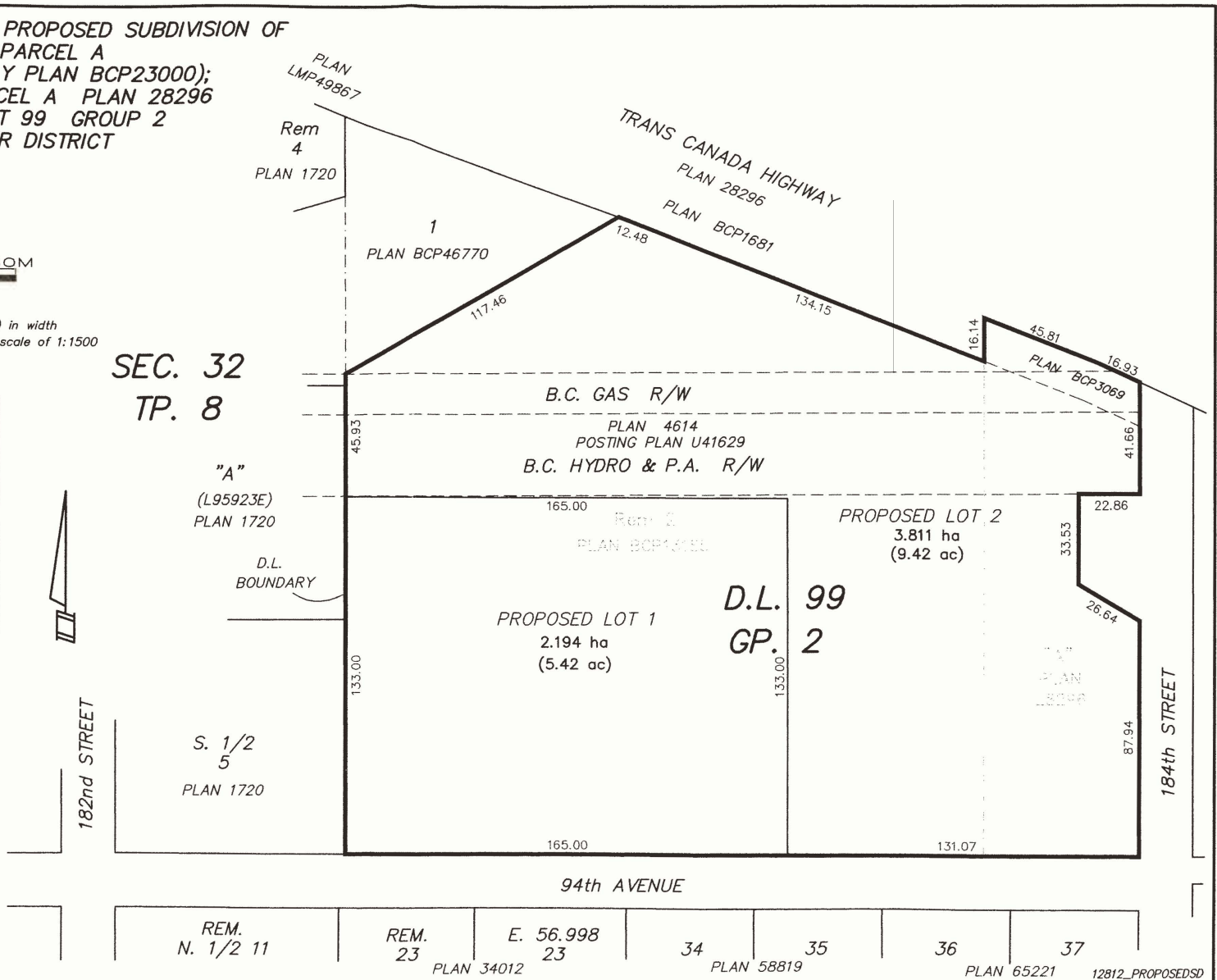
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REM.
N. 1/2 11

REM.
23

E. 56.998
23

34

35

36

37

PLAN 34012

PLAN 58819

PLAN 65221

12812_PROPOSEDSD

SCHEDULE A