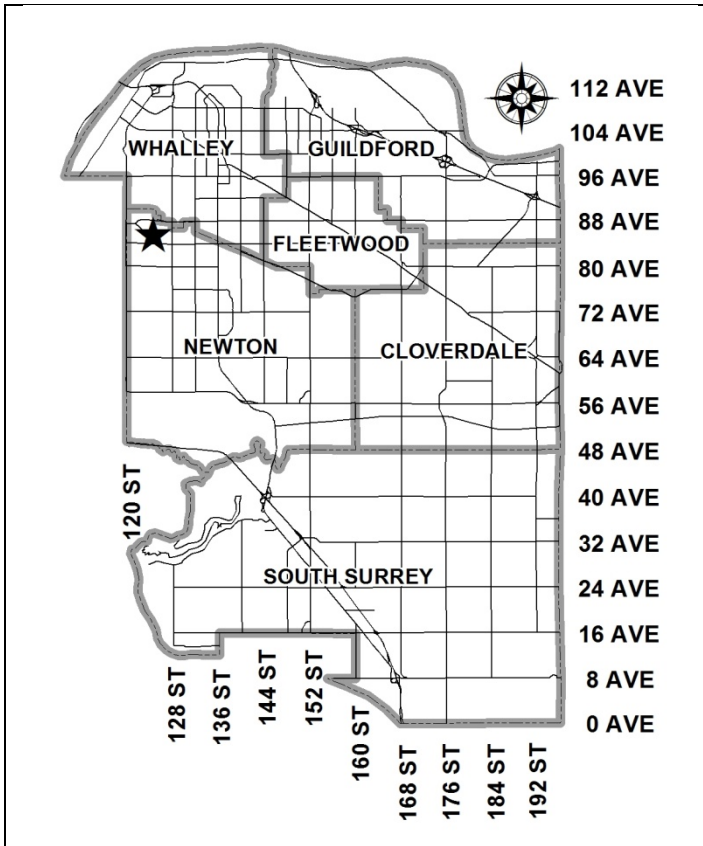


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0274-00

Planning Report Date: October 22, 2012



PROPOSAL:

- **Development Variance Permit**

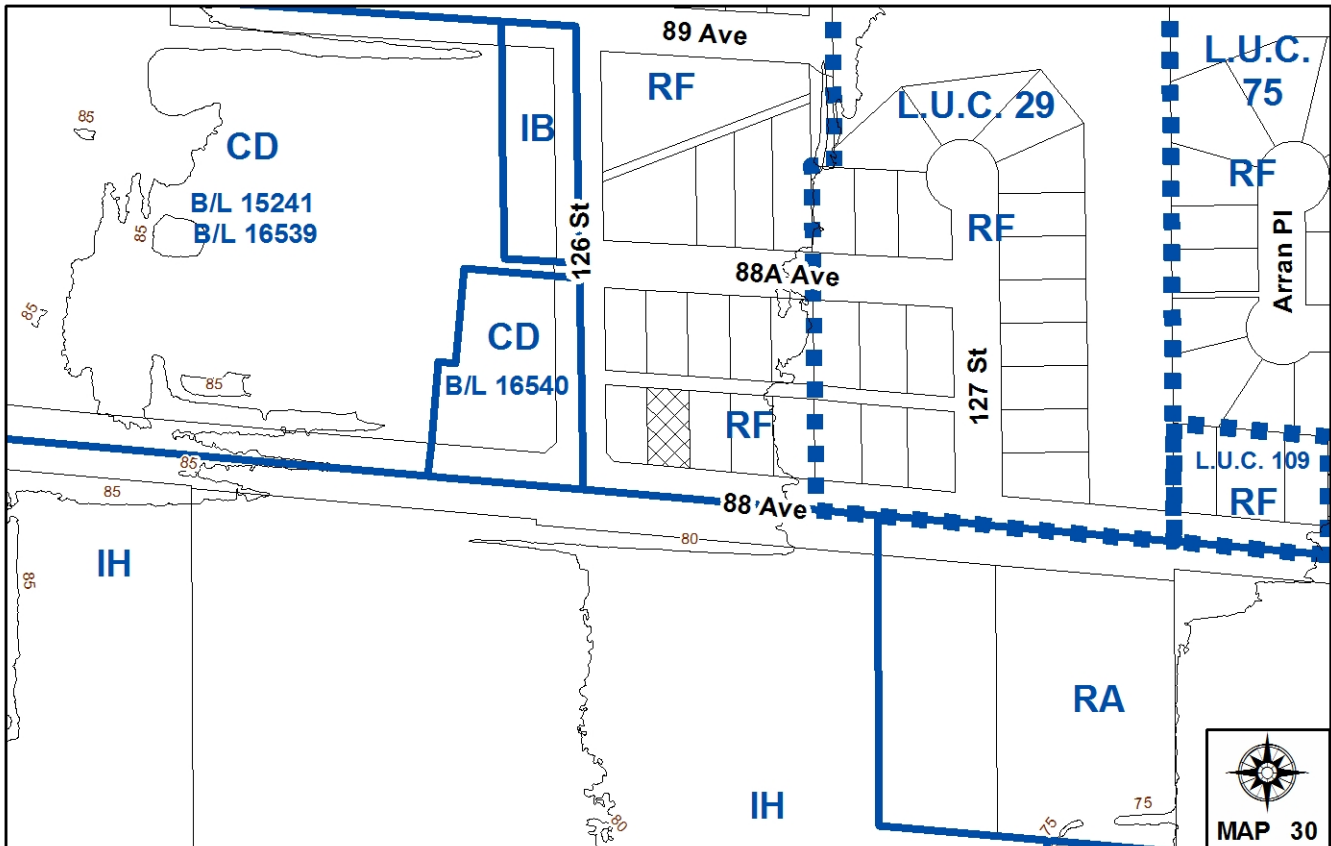
in order to reduce the front yard setback for one existing single family lot impacted by the road allowance requirements.

LOCATION: 12617 - 88 Avenue

OWNER: Santokh S Samra
 Balbir K Samra

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to reduce the front yard setback of the RF Zone from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) for one existing lot impacted by the road allowance requirements.

RATIONALE OF RECOMMENDATION

- For lots fronting or flanking an arterial road or a collector road, in accordance with Part 7 Special Building Setbacks of the Zoning By-law, front yard setbacks and side yard setbacks on a flanking street are measured from the ultimate centerline of the road.
- 88 Avenue is an arterial road, and under the new standards of the Subdivision & Development By-law approved by Council, the width for an arterial road increased from 27 metres (89 ft.) to 30 metres (98 ft.).
- To achieve a consistent streetscape, a reduced front yard setback of 6.0 metres (20 ft.) is requested for a new home proposed on the existing lot.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7912-0274-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF Zone for the principal building from 7.5 metres (25 ft.) to 6.0 metres (15 ft.).

SITE CHARACTERISTICS

Existing Land Use: Vacant single family lot, with older house recently demolished.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings.	Urban	RF
East:	Single family dwelling.	Urban	RF
South (Across 88 Avenue):	BC Hydro.	Industrial	IH
West:	Single family dwelling.	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject lot is located in Whalley at 12617 – 88 Avenue and is zoned "Single Family Residential" (RF) and is designated "Urban" in the Official Community Plan (OCP).
- The applicant has recently demolished the existing house and is applying for a Building Permit to construct a new single family dwelling.
- The lot is 582 square metres (6,265 square feet) in size and has a width of 17.74 metres (58 ft.). The lot meets the minimum dimensional requirements of the RF Zone.
- The applicant is requesting a Development Variance Permit to vary the minimum front yard setback of the RF Zone for the principal building.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) for the principal building.

Applicant's Reasons:

- The revised arterial road standard of 30-metre (98-ft.) width will result in any new buildings on the existing lot to be set back 10.5 metres (34 ft.) from the front property line, which is 3.0 metres (10 ft.) greater than the RF Zone requires.
- The applicant wishes to maintain the front yard setback of the recently demolished house.

Staff Comments:

- The subject site is located on 88 Avenue, which is a designated Arterial Road in the Surrey Road Classification Map (R-91), attached as Schedule D to the Surrey Subdivision and Development By-law No. 8830. The Surrey Major Road Allowance Map, attached as Schedule K to the Subdivision and Development By-law, identifies a 30-metre (98-ft.) wide road allowance for arterial roads. The current 30-metre (98-ft.) wide road allowance for an arterial road, recently approved by Council, is a 3.0-metre (10-ft.) increase from the previous arterial road allowance of 27 metres (89 ft.).
- Part 7 Special Building Setbacks of Zoning By-law No. 12000 stipulates that the setback of buildings on a lot abutting an existing or future major road as shown in the Surrey Major Road Allowance Map, shall be the sum of one-half of the ultimate highway allowance shown in the Major Road Allowance Map measured from the centerline of the road plus the required setback of the Zone in which the lot is located.
- In the case at hand, the required front yard setback for the existing lot would be 15 metres (49 ft.) from the ultimate centreline of 88 Avenue plus the 7.5-metre (25-ft.) front yard setback requirement of the RF Zone for a total setback of 22.5 metres (74 ft.) from the centreline of 88 Avenue.
- Based on the former 27-metre (89-ft.) road allowance, one-half of the road allowance requirement is 13.5 metres (44 ft.) and when combined with the 7.5-metre (25-ft.) front yard setback requirement of the RF Zone, the building setback from the centreline of the road would be a total of 21 metres (69 ft.).
- To achieve a consistent streetscape within this block of 88 Avenue, a variance to the front yard setback requirement of the RF Zone from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) is supported. This would provide a building setback from the centreline of 88 Avenue of 21.0 metres (69 ft.) based on one-half of the road allowance requirement for an arterial road (15 metres/49 ft.) plus a 6.0-metre (20 ft.) front yard setback.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Survey
Appendix III	Development Variance Permit No. 7912-0274-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

LM/kms

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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: Jagdeep Samra
 Address: 12609 – 88 Avenue
 Surrey, BC
 V3W 3P4

 Tel: 778-772-2201

2. Properties involved in the Application

- (a) Civic Address: 12617 - 88 Avenue
- (b) Civic Address: 12617 - 88 Avenue
 Owners: Balbir K Samra
 Santokh S Samra
 PID: 005-812-607
 Lot 9 Except Part in Plan BCP13068 Block 22 Section 31 Township 2 New Westminster
 District Plan 2135

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7912-0274-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE SHOWING EXISTING ELEVATIONS AND TREES ON LOT 9 EXCEPT PART IN PLAN BCP13068 BLOCK 22 SECTION 31 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN 2135

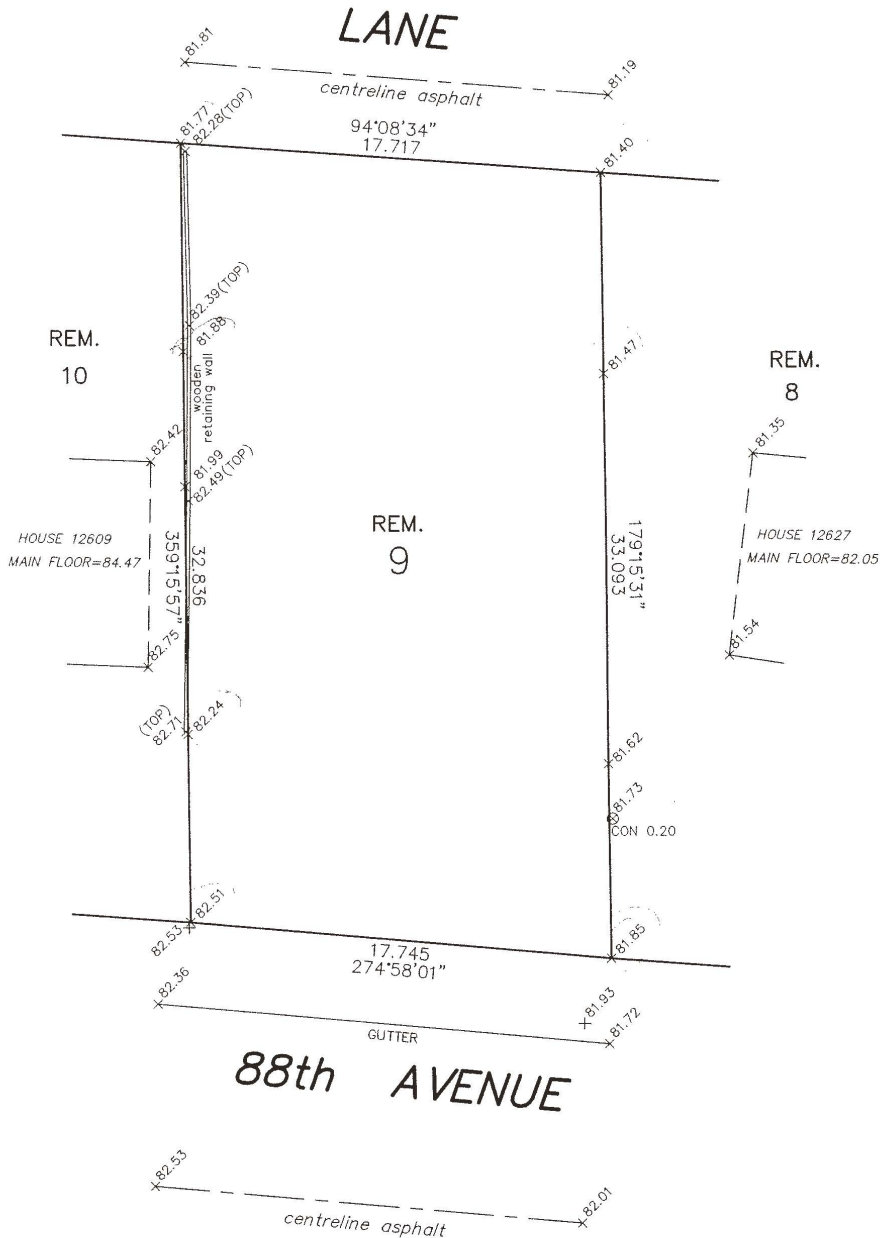
Current Civic Address:
12617 88 Avenue
Surrey, B.C.

SCALE : 1:250

STORM CONNECTION NOT VISIBLE
AT TIME OF SURVEY, OWNER TO
EXPOSE FOR INVERT ELEVATION.

Note:

- All dimensions are in metres.
- This plan is NOT to be used for location of property lines.
- Elevations are based on City of Surrey Geodetic datum, monument 5915 elev.= 85.338m.
- Only trees with a diameter of at least 0.25m are shown
- This plan does not show non-plan charges, liens or interests.
- property dimensions are derived from Land Title Office records



© COPYRIGHT
DHALIWA AND ASSOCIATES
LAND SURVEYING INC.
121-13140 80th Avenue
Surrey, B.C. V3W 3B2
Phone: 604 501-6188
Fax: 604 501-6189
File: 1202151-T01.DWG

THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED

Date of Survey: 13th day of March 2008
GENE PAUL NUNO
BRITISH COLUMBIA
SEAL
GENE PAUL NUNO
C.L.S. 803

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0274-00

ISSUED TO: SANTOKH S SAMRA
BALBIR K SAMRA

("the Owner")

Address of Owner: 12617 - 88 Avenue
Surrey, BC
V3W 3J8

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: 005-812-607
LT 9 22 SE SEC 31 T2 PL 2135

12617 - 88 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 for the principal building is reduced from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) as shown on the conceptual subdivision shown on Schedule A which is attached hereto and forms part of this permit.
5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
6. 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.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. 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 SHOWING EXISTING ELEVATIONS AND TREES ON LOT 9 EXCEPT PART IN PLAN BCP13068 BLOCK 22 SECTION 31 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN 2135

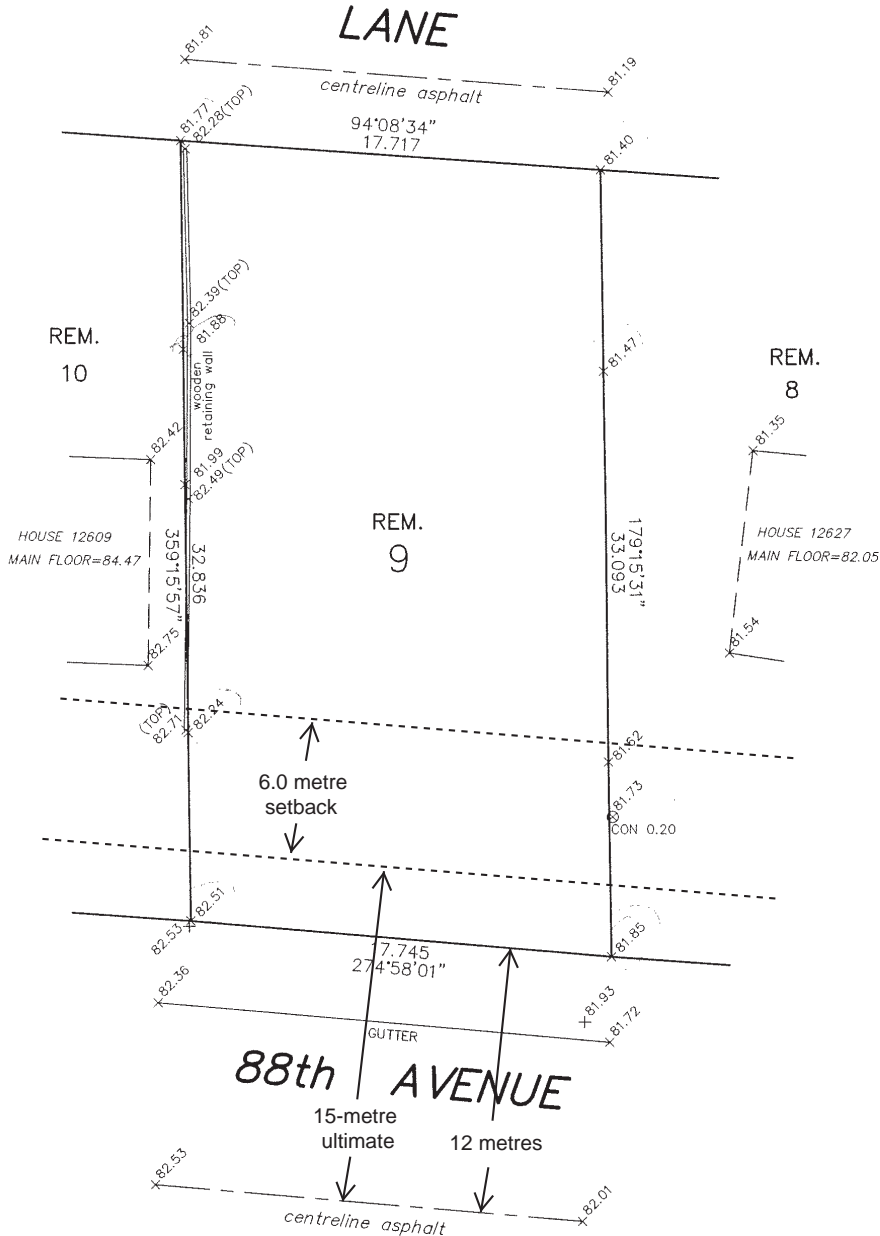
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Date of Survey: 13th day of March 2004
GENE PAUL NIHO
BRITISH COLUMBIA
SEAL
GENE PAUL NIHO
C.L.S. 803