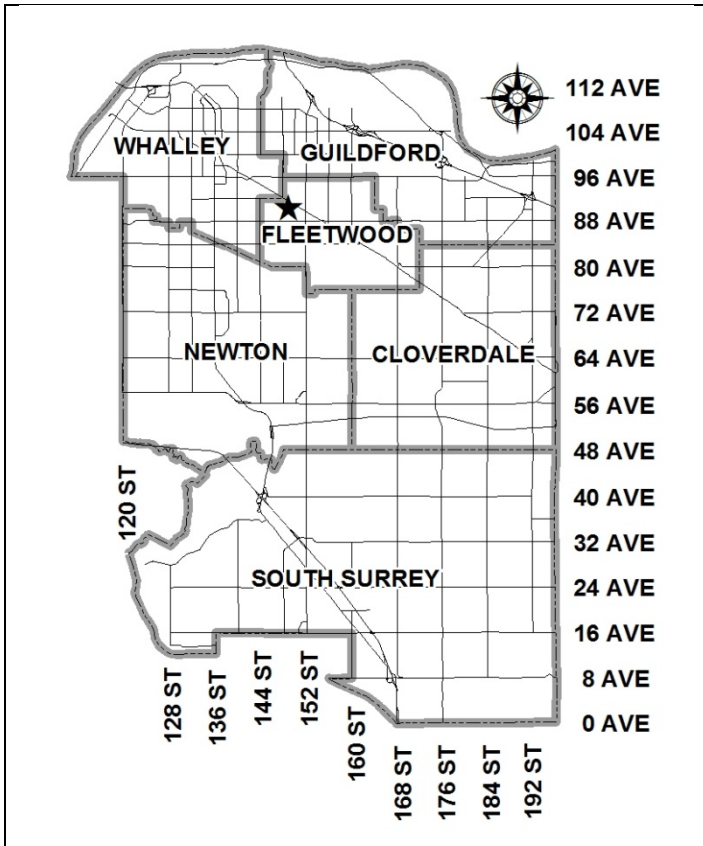


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7913-0212-00

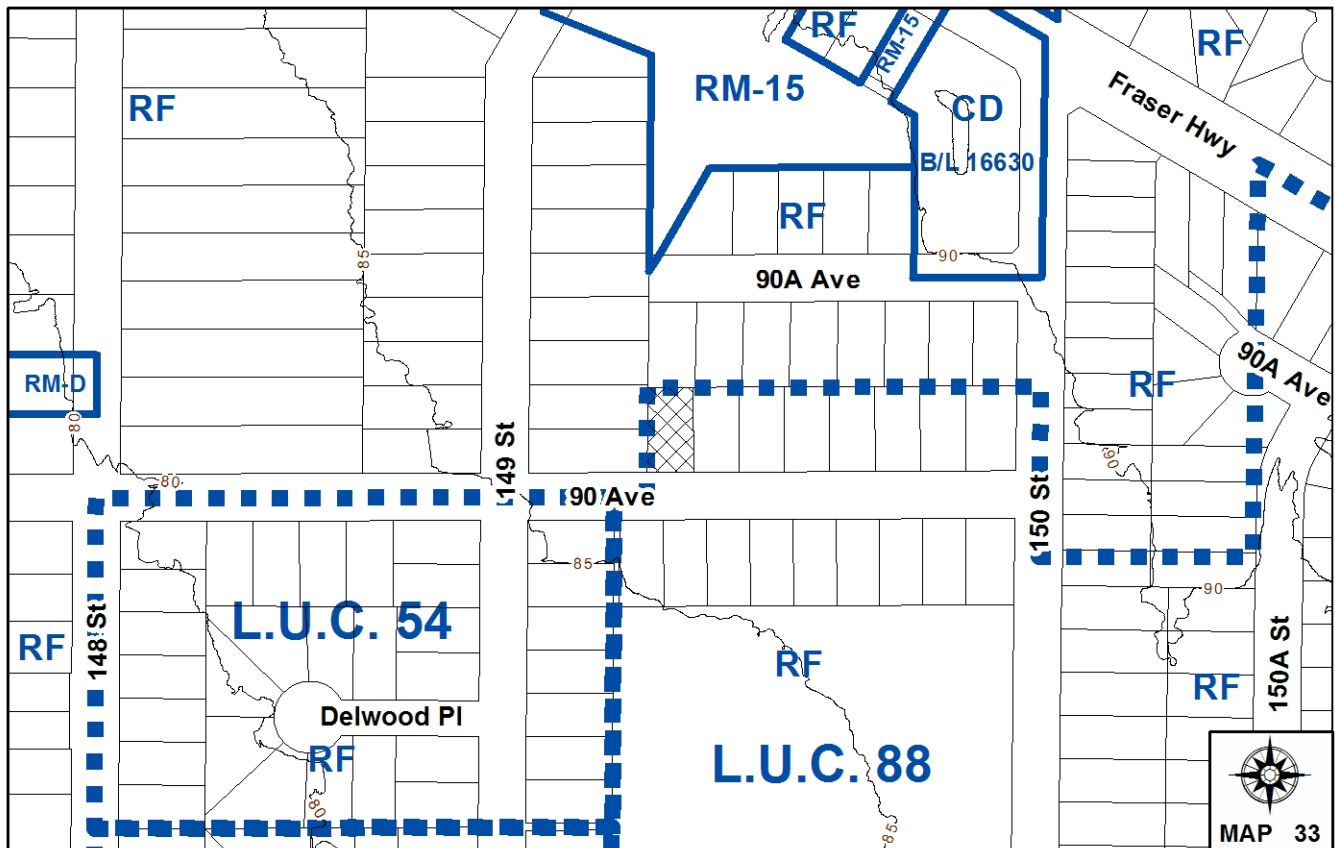
Planning Report Date: November 12, 2013



**PROPOSAL:**

- **Development Variance Permit**  
 to vary the front yard setback in order to permit the construction of a new single family dwelling.

**LOCATION:** 14921 - 90 Avenue  
**OWNER:** Harpal S Randhawa  
 Gurdev S Randhawa  
**ZONING:** Land Use Contract No. 88  
 (underlying RF Zone)  
**OCP DESIGNATION:** Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to vary LUC No. 88 to increase the front yard setback for a new single family dwelling.

RATIONALE OF RECOMMENDATION

- Increasing the front yard setback requirement of Land Use Contract No. 88 will allow the applicant to have a driveway long enough to park their vehicles while still achieving the goal of the LUC by creating a varied streetscape.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7913-0212-00 (Appendix III) varying the following, to proceed to Public Notification:
  - (a) to increase the minimum front yard setback of Land Use Contract No. 88 from 3.5 metres (12 ft.) to 7.5 metres (25 ft.).

REFERRALS

Engineering: The Engineering Department has no concerns.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling, which will be removed.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings.	Urban	RF
East:	Single family dwellings.	Urban	Land Use Contract No. 88 (underlying RF)
South (Across 90 Avenue):	Single family dwellings.	Urban	Land Use Contract No. 88 (underlying RF)
West:	Single family dwellings.	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is 700 square metres (7,535 sq ft.) in area and is located on 90 Avenue, east of 149 Street in the Fleetwood area.
- The property is designated "Urban" in the Official Community Plan (OCP), is regulated by Land Use Contract (LUC) No. 88 and has "Single Family Residential Zone (RF)" as the underlying zone.
- LUC No. 88 requires that each lot have an allocated building setback of either 3.5 metres (12 ft.), 5.0 metres (17 ft.), 6.5 metres (22 ft.) or 8.0 metres (27 ft.) as indicated on the plan which forms part of LUC No. 88.
- Under LUC No. 88, the front yard setback requirement for the subject site is 3.5 metres (12 ft.).

### Current Proposal

- The applicant is proposing to demolish the existing two-storey house on the subject property in order to build a two-storey house, approximately 433 square metres (4,662 sq. ft.) in size, including an attached double garage, which will be accessed from 90 Avenue.
- There is currently no garage on the subject site and the driveway is located on the west side of the house.
- The minimum length of an uncovered parking space is 6 metres (20 ft.). If the proposed dwelling and driveway were constructed in accordance with the LUC No. 88 front yard setback requirement of 3.5 metres (12 ft.), the driveway in front of the attached garage would not be long enough to accommodate a parked vehicle.
- The owner of the subject property wishes to park vehicles on the driveway in front of the garage and has, therefore, applied for a Development Variance Permit to vary the front yard setback prescribed for the site in LUC No. 88 from 3.5 metres (12 ft.) to 7.5 metres (25 ft.).
- The proposed dwelling will have a front yard setback of 7.5 metres (25 ft.), a rear yard setback of 11 metres (36 ft.), an east side yard setback of 1.8 metres (6 ft.) and a west side yard setback of 2.7 metres (9 ft.). The proposed dwelling is consistent in scale and form with the other new houses in the area.
- The existing, large Douglas-fir tree in the front yard should be able to be retained. Staff will work with the applicant during the building permit process to protect this tree.

### BY-LAW VARIANCE AND JUSTIFICATION

#### (a) Requested Variance:

- To vary Schedule “B” of Land Use Contract No. 88 in order to increase the front yard setback from 3.5 metres (12 ft.) to 7.5 metres (25 ft.).

#### Applicant's Reasons:

- The requested variance would allow the owner to park vehicles on the driveway.

#### Staff Comments:

- Under the provisions of the Zoning By-law No. 12000, a standard uncovered parking space requires a width of 2.75 metres (9 ft.) and a length of 6.0 metres (20 ft.). As a result, in the absence of a variance to the 3.5-metre (12.-ft) front yard setback requirement of LUC No. 88, the residents would be unable to park any vehicles on their driveway. Permitting an increased front yard setback to 7.5 metres (25 ft.), which is consistent with the front yard setback of the RF Zone, will allow a two standard vehicles to be parked on the driveway in front of the proposed attached double-car garage.

- The neighbouring dwelling to the east has a front yard setback of 5.2 metres (17 ft.). While the proposed 7.5-metre (25-ft.) setback will represent a variation from the 3.5-metre (12-ft.) requirement of Schedule B, the proposed variation will continue to meet the intent of the LUC No. 88 of creating a varied streetscape appearance along 90 Avenue.
- The proposed increase to the 3.5-metre (12-ft.) front yard setback prescribed in LUC No. 88 will not have a negative impact to the streetscape and adjoining properties.
- The increased front yard setback will assist in retaining the existing, large, Douglas-fir tree in the front yard.
- Staff support the requested variance.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary
Appendix II.	Site Plan
Appendix III.	Development Variance Permit No. 7913-0212-00

#### INFORMATION AVAILABLE ON FILE

- Complete set of building plans prepared by Toora Home Plans, dated April, 2013.
- Land Use Contract No. 88.

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

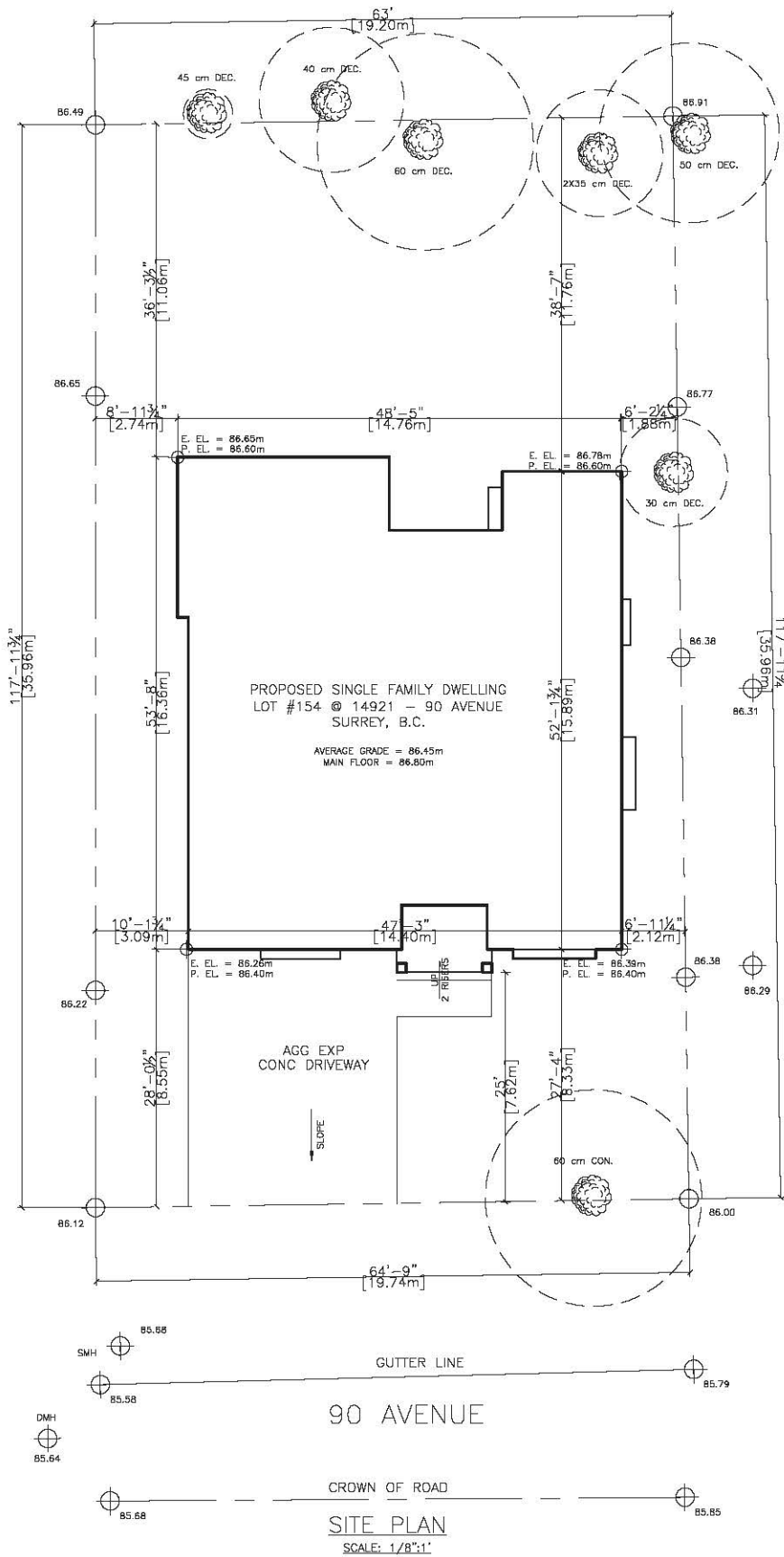
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Information for City Clerk

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

1. (a) Agent:      Name:                      Harpal Randhawa  
  
   Address:                      13139 - Coulthard Road  
   Surrey, BC V3X 3E5  
  
   Tel:                              778-552-0065 - Work  
   778-552-0065 - Home
  
2.                      Properties involved in the Application
  - (a)                      Civic Address:                      14921 - 90 Avenue
  
  - (b)                      Civic Address:                      14921 - 90 Avenue  
   Owner:                              Gurdev S Randhawa  
   Harpal S Randhawa  
   PID:                                      004-214-498  
   Lot 154 Section 34 Township 2 New Westminster District Plan 50905
  
3.                      Summary of Actions for City Clerk's Office
  - (a)                      Proceed with Public Notification for Development Variance Permit No. 7913-0212-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.



LEGAL DESCRIPTION: LOT 154, SEC 34, TP2, NWD, PLAN 50905

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0212-00

Issued To: HARPAL S RANDHAWA  
GURDEV S RANDHAWA

("the Owner")

Address of Owner: 13139 - Coulthard Road  
Surrey, BC V3X 3E5

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: 004-214-498

Lot 154 Section 34 Township 2 New Westminster District Plan 50905

14921 - 90 Avenue

(the "Land")

3. Surrey Land Use Contract No. 88 Authorization By-law, 1976, No. 4852 is varied as follows:

(a) In Schedule B, the front yard setback is increased from 3.5 metres (12 ft.) to 7.5 metres (25 ft.).

4. This development variance permit applies to only 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.

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.

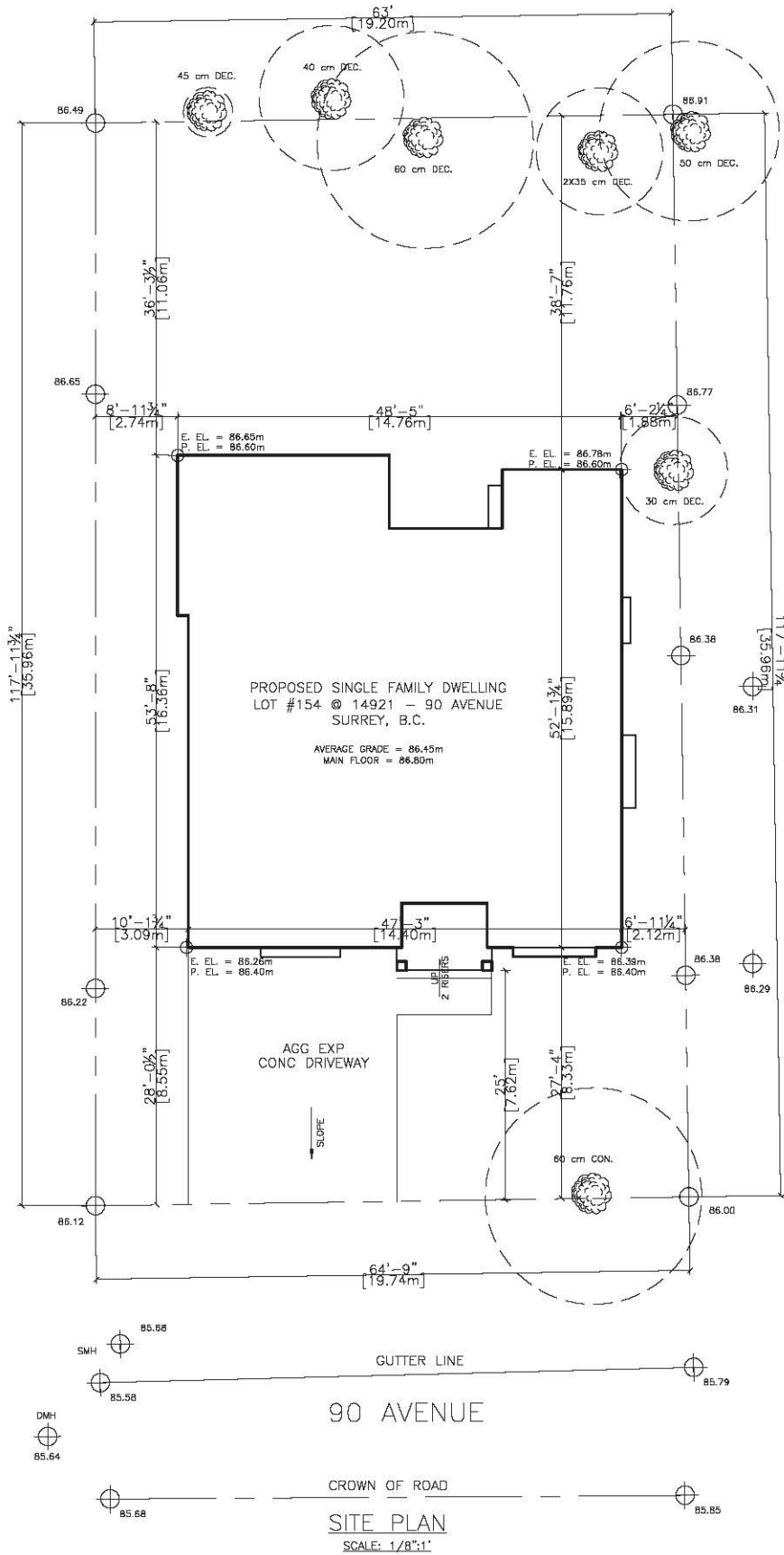
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

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Mayor – Dianne L. Watts

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City Clerk – Jane Sullivan



LEGAL DESCRIPTION: LOT 154, SEC 34, TP2, NWD, PLAN 50905