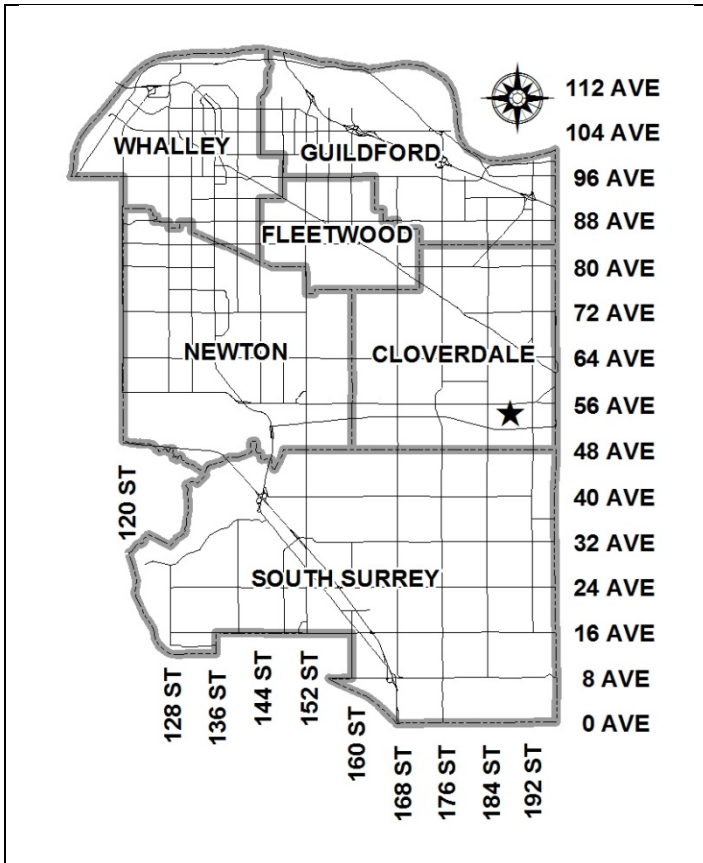


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0218-01

Planning Report Date: May 26, 2014



PROPOSAL:

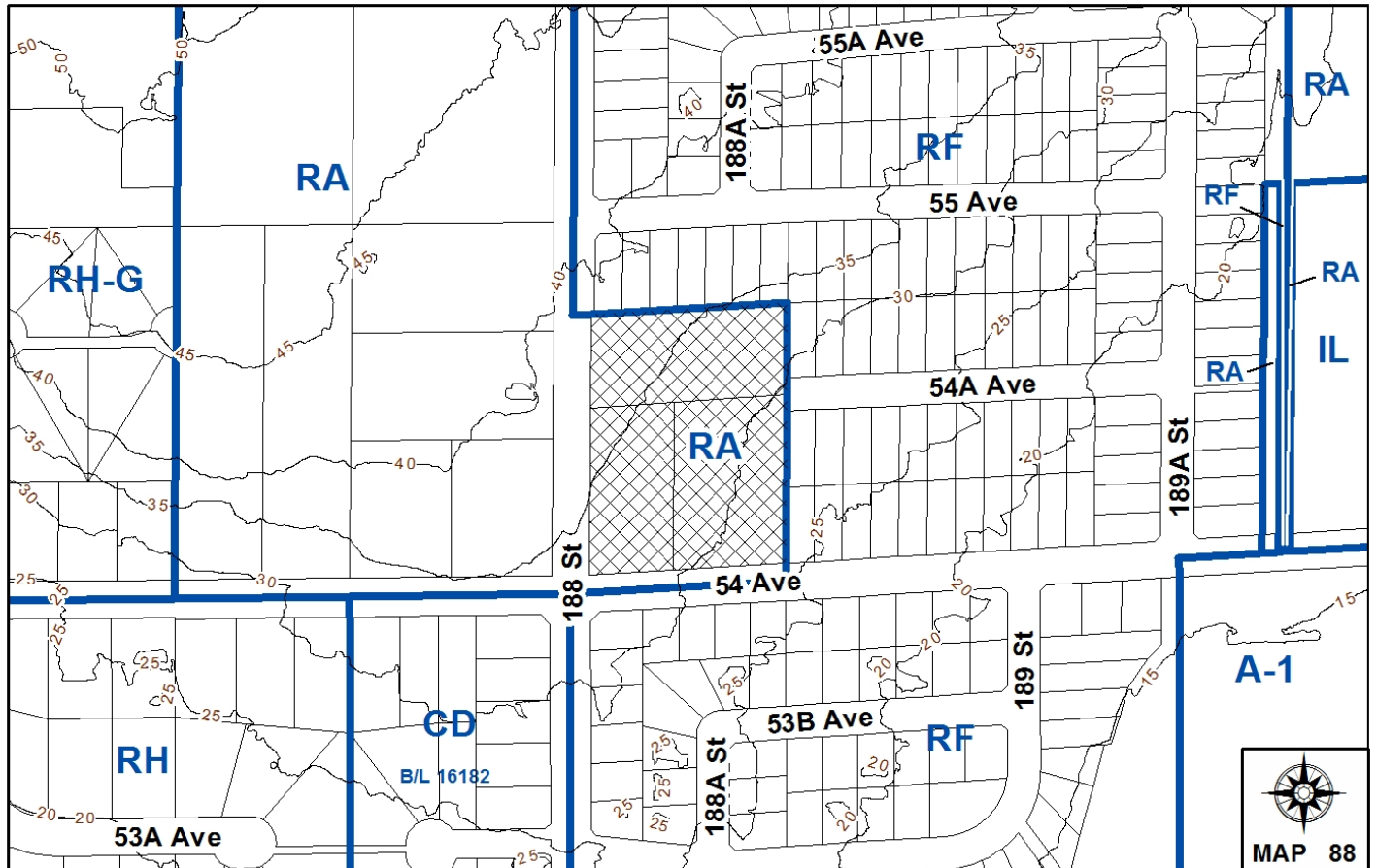
- **Development Variance Permit**
to vary the minimum side yard setback of the RF Zone for 14 proposed single family lots.

LOCATION: 18841 - 54 Avenue, 5472 - 188 Street and 5442 - 188 Street

OWNERS: Manjit Bains
Shainaz Bains
Jasvir K Bhandal
Sukhdev S Bhandal
Jasdildar S Gill

ZONING: RA (RF at Third Reading)

OCP DESIGNATION: Suburban (Urban at Third Reading)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- To reduce the minimum east side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for proposed Lots 4, 6, 9, 11 and 18; and
- To reduce the minimum west side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for proposed Lots 3, 5, 7, 8, 10, 12, 17, 19 and 21.

RATIONALE OF RECOMMENDATION

- The applicant is increasing one side yard setback from 1.8 metres (6 ft.) to 2.4 metres (8 ft.) in order to accommodate a parking pad to the side of the garage. Reducing the opposite side yard setback from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) will allow for a standard RF-sized home to be accommodated on each lot.
- The provision of an additional parking pad to the side of the garage responds to community concerns regarding the lack of parking in the area.
- The proposed setbacks are consistent with the setback provisions of the previous RF Zone.
- Of the 21 proposed RF-zoned lots, 20 will be able to accommodate 5 on-site vehicles, including one on a pad adjacent the garage.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7913-0218-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum east side yard setback of the "Single Family Residential Zone (RF)" from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for proposed Lots 4, 6, 9, 11 and 18; and
 - (b) to reduce the minimum west side yard setback of the "Single Family Residential Zone (RF)" from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for proposed Lots 3, 5, 7, 8, 10, 12, 17, 19 and 21.
2. Council instruct staff to resolve the following issues prior to final approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) registration of a 2.4-metre (8 ft.) wide no-build Restrictive Covenant along the east property line of proposed Lots 3, 5, 7, 8, 10, 12, 17, 19 and 21;
 - (d) registration of a 2.4-metre (8 ft.) wide no-build Restrictive Covenant along the west property line of proposed Lots 4, 6, 9, 11, and 18; and
 - (e) registration of a Restrictive Covenant requiring the garage face be set back a minimum of 7.5 metres (25 ft.) from the rear lot line or 6 metres (20 ft.) from the flanking street side lot line on proposed Lots 2, 13, and 16.

REFERRALS

Engineering: The Engineering Department has no objection to the Development Variance Permit.

SITE CHARACTERISTICS

Existing Land Use: Single family dwellings and accessory structures which will be removed, except for the existing home located at 18845 – 54 Avenue (proposed Lot 20).

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings	Urban	RF
East:	Single family dwellings	Urban	RF
South (Across 54 Avenue):	Single family dwellings	Urban	RF
West (Across 188 Street):	Three acreage parcels, two are under Application No. 7911-0019-00 (Third Reading) to rezone and subdivide into small suburban lots	Suburban	RA

DEVELOPMENT CONSIDERATIONSBackground

- The subject site consists of three (3) properties located at 5472 – 188 Street, 18841 – 54 Avenue and 18845 – 54 Avenue, to the south of Highway No. 10, on the east side of 188 Street. The combined site area of the three properties is 1.5 hectares (3.7 ac.).
- The site is designated Suburban in the Official Community Plan (OCP) and is zoned "One-Acre Residential Zone (RA)".
- On February 24, 2014, Council considered the initial Planning Report for this site (Application No. 7913-0218-00), which proposes to amend the OCP from Suburban to Urban and to rezone the site from RA to RF.
- Following consideration of the Planning Report, Council gave First and Second Readings to the OCP Amendment and Rezoning By-laws (Nos. 18179 and 18180 respectively) and set March 10, 2014 as the date for the Public Hearing.
- At the Public Hearing, the President of the Cloverdale Community Association expressed concerns about the lack of parking in this area and commented that providing a parking space for a secondary suite tenant in the driveway, in front of the garage, is not practical as it restricts vehicular access to the garage.

Current Proposal

- In response to the comments made during the March 10, 2014 Public Hearing, the applicant has configured the proposed driveway locations to provide a parking pad along the side property line, to the side of the garage, such that it will minimize conflicts with vehicles accessing the garage. In total, up to 5 parking spaces would be provided on the proposed lots.
- In order to accommodate a parking pad to the side of the garage along the side lot line, the applicant will increase the side yard setback from 1.8 metres (6 ft.) to 2.4 metres (8 ft.). This will be secured by way of a no-build Restrictive Covenant.

- However, the applicant is requesting a variance for all proposed lots fronting 54 Avenue and 54A Avenue (except proposed Lot 20) to reduce the opposing side yard setback from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) in order for the affected lots to accommodate a standard sized RF house.
- Proposed Lot 20 contains an existing house that will be retained. Each side yard setback is 1.8 metres (6 ft.). Therefore, a parking pad cannot be accommodated to the side of the garage, but two vehicles can be parked in the driveway, which exceeds 8 metres (26 ft.) in length.
- The three proposed lots fronting 188 Street are approximately 20 metres (65 ft.) wide which provides sufficient width to accommodate a parking pad and a standard RF-sized house without having to relax a side yard setback.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variances:

- To reduce the minimum east side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for proposed Lots 4, 6, 9, 11 and 18; and
- To reduce the minimum west side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for proposed Lots 3, 5, 7, 8, 10, 12, 17, 19 and 21.

Applicant's Reasons:

- In order to accommodate a parking pad to the side of the garage, the side yard setback where the garage is located needs to be increased to 2.4 metres (8 ft.).
- In order to accommodate a standard RF-sized house without encroaching into the rear yard area, a side yard setback relaxation is required for the side yard opposite the garage location.

Staff Comments:

- As a condition of approval for the requested variance, the applicant will be required to register a Restrictive Covenant that increases the side yard setback on proposed Lots 3-12, 17-19 and 21, from 1.8 metres (6 ft.) to 2.4 metres (8 ft.), along the side lot line adjacent the garage. The increased side yard setback will provide enough width for a parking pad to be accommodated to the side of the garage.
- The provision of an additional parking pad to the side of the garage responds to community concerns regarding the lack of parking in the area.
- The requested variances were previously permitted in the Zoning By-law, as the previous setback provisions of the RF Zone allowed a reduced side yard setback of 1.2 metres (4 ft.) if the opposite side yard setback was at least 2.4 metres (8 ft.). This regulation was deleted on July 29, 2013 (By-law No. 17989) in order to establish consistency with revised requirements in the 2012 BC Building Code with respect to limiting distances (for fire safety).

- Staff support the requested variances.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

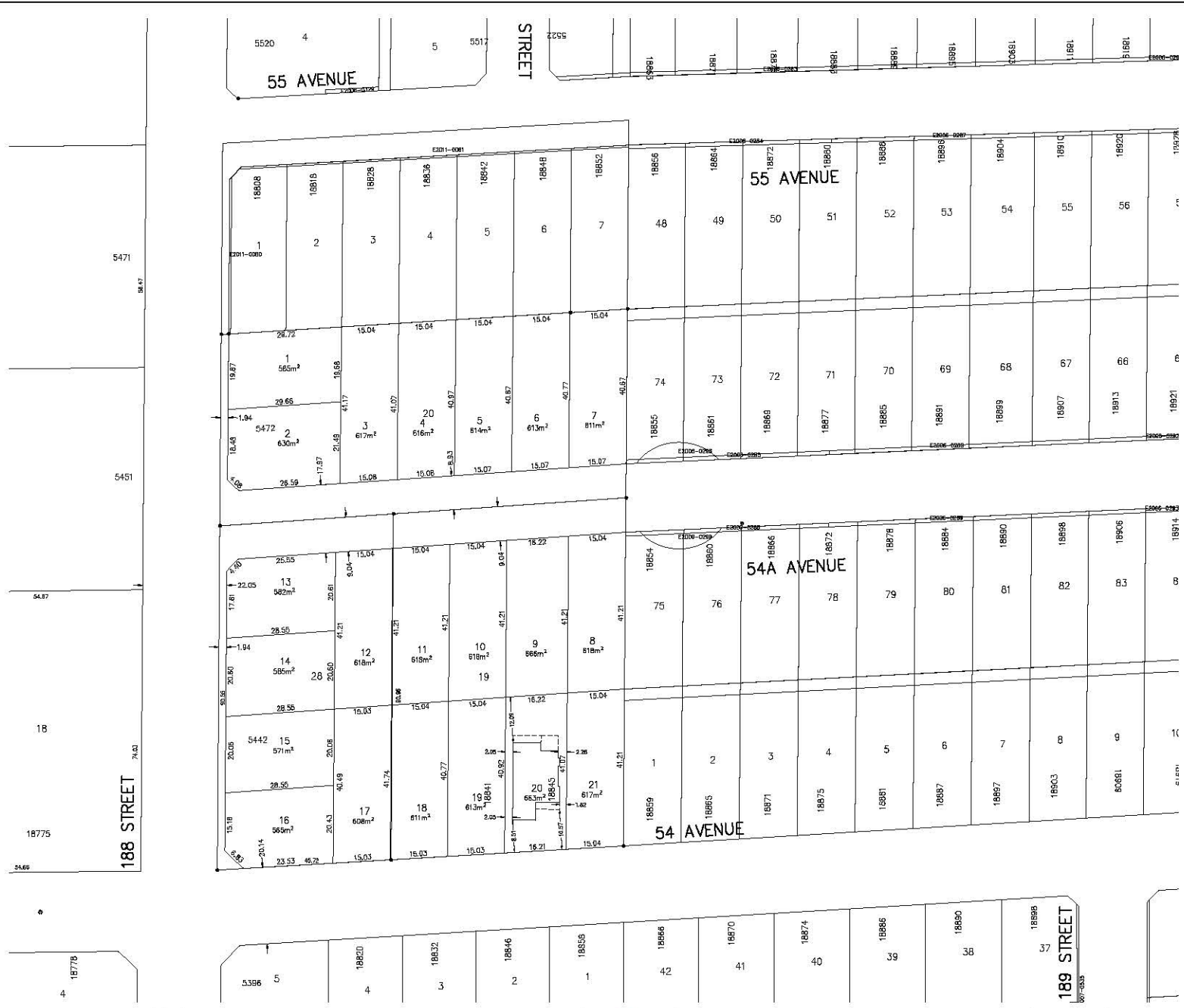
Appendix I.	Lot Owners and Action Summary
Appendix II.	Proposed Subdivision Layout
Appendix III.	Driveway and Parking Pad Sketch
Appendix IV.	Development Variance Permit No. 7913-0218-01

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JD/da

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Proposed Subdivision Layout

- NOTES:**
1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.
 3. EXISTING HOUSE ON LOT 20 TO BE RETAINED (LOCATION CONFIRMED).

No.	Date	Revision	LC	SS
1	14/01/21	ADDED SW5 CORNER CUT ON LOT 16		
			Dr	Ch

CitiWest Consulting Ltd.
 No. 101-8030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
 TELEPHONE 604-591-2213 FAX 604-591-5519
 E-MAIL: office@citiwest.com



54 AVENUE JOINT VENTURE
 18845 - 54 AVENUE, SURREY, BC V3S 8C5 PH: 604-807-7688 FAX: 604-576-4981

PRELIMINARY LOT LAYOUT

SUBDIVISION AT 5442/72-188 ST & 18841/45-54 AVE, SURREY, BC

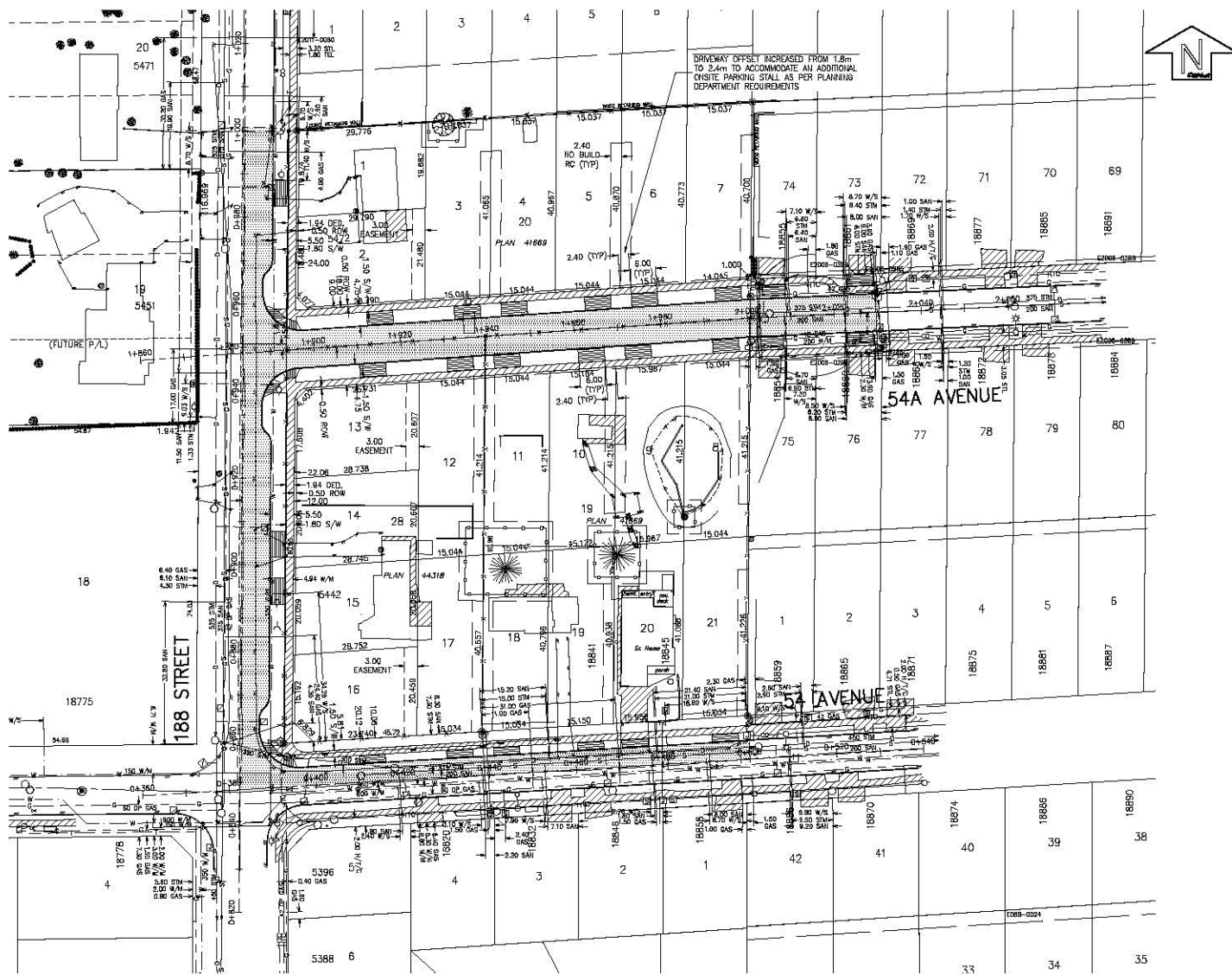
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Designed: S.S.	Job No. 13-305.3	Of
P.W. P.U.	Date AUG / 13	Revision
Approved:	destroy all prints bearing previous number	

This drawing and design is the property of CITIWEST CONSULTING LTD. and cannot be used, reused or reprinted without the written consent of said company.

Appendix II

BENCHMARK & CONTROL
 ALL ELEV. ARE GEODETIC AND REFER TO MON. NO. 5722
 LOCATED AT 54 AVENUE, ABOUT 40m WEST OF 188 STREET
 ELEV. 33.738

LEGAL DESCRIPTION OF PROPERTY
 LOT 20, PLAN 41669; LOT 28, PLAN 44318;
 LOT 19, PLAN 41669; EXCEPT : PART SUBDIVIDED BY PLAN 44318
 ALL OF SEC 4, TWP 5, RWD



Proposed Driveway Locations

No.	Date	Revision	Dr	Ch

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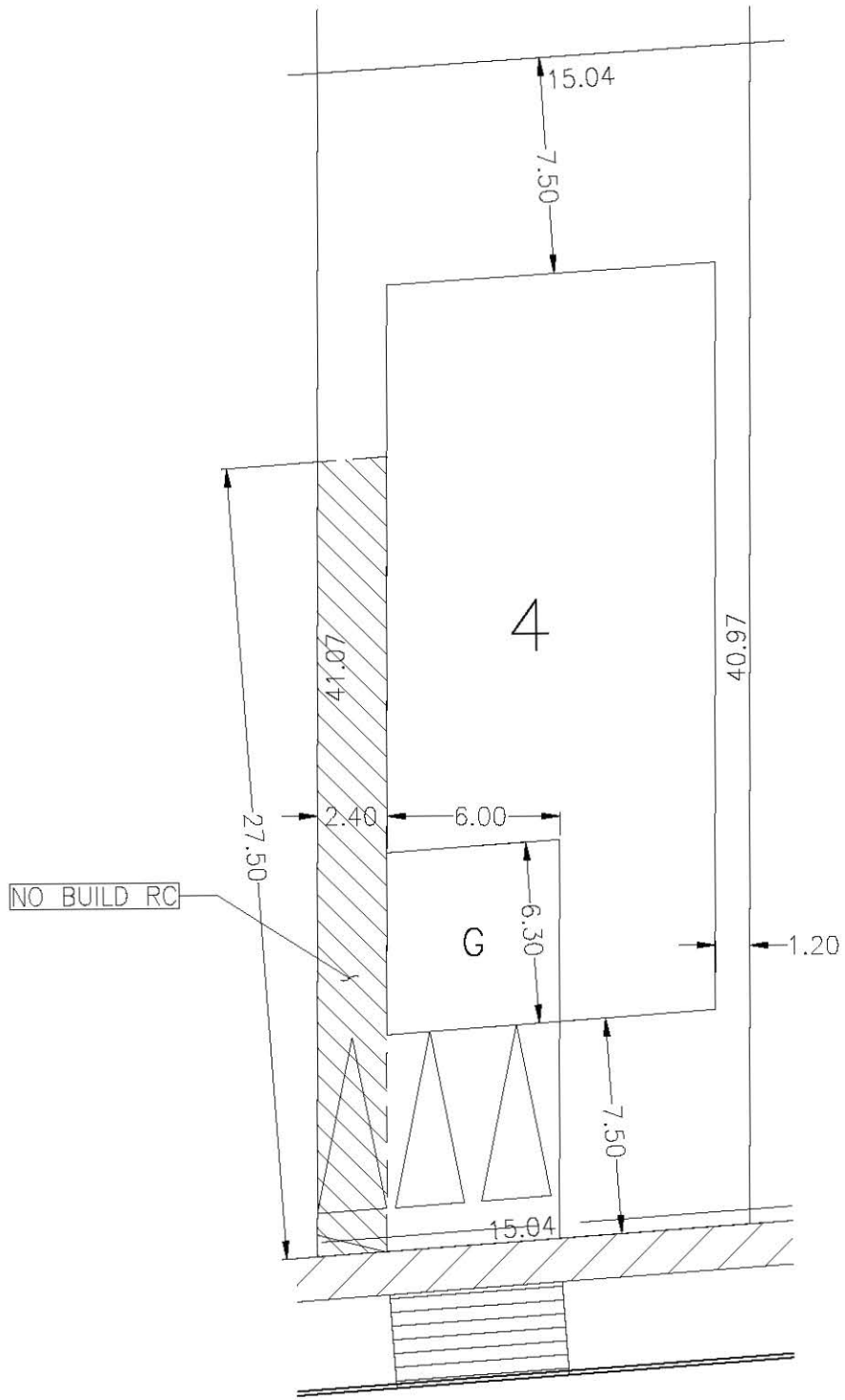
DRIVEWAY LAYOUT PLAN

SUBDIVISION AT 5442/72-188 ST & 18841/45-54 AVE, SURREY, BC

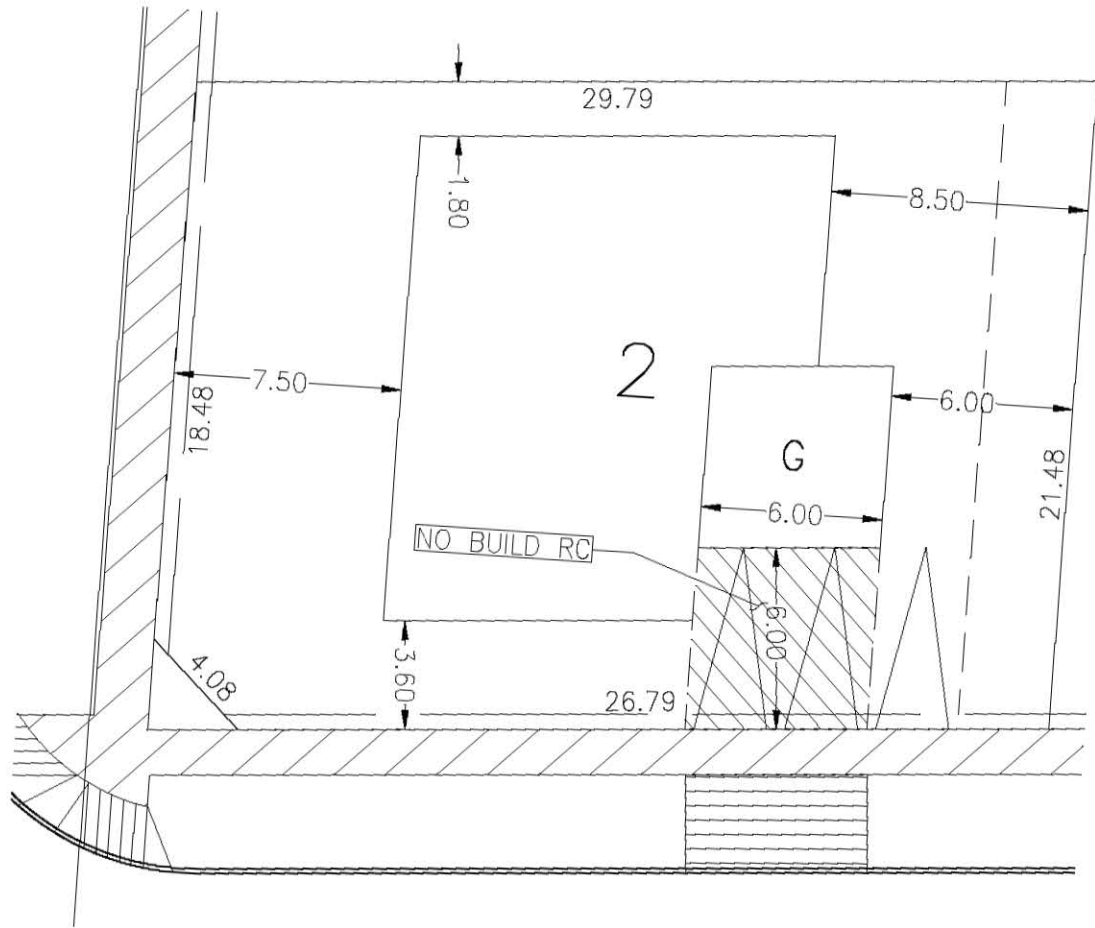
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Designed: DC	Job No. 13-305.5	Of
P.W. P.U.	Date MAR/2014	Revision
Approved:		destroy all prints bearing previous number

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Parking Pad Sketch



PARKING PLAN
RF 15.00m WIDE LOT



PARKING PLAN
FLANKING RF LOT

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0218-01

Issued To: MANJIT BAINS
SHAINAZ BAINS

("the Owner")

Address of Owner: 6579 - 186A Street
Surrey, BC V3S 4E5

Issued To: JASVIR K BHANDAL
SUKHDEV S BHANDAL

("the Owner")

text
Address of Owner: 5442 - 188 Street
Surrey, BC V3S 4N7

Issued To: JASDILDAR S GILL

("the Owner")

Address of Owner: 27514A - Fraser Highway
Aldergrove, BC V4W 3N5

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: 000-689-858

Lot 19 Except: Part Subdivided By Plan 44318, Section 4 Township 8 New Westminster
District Plan 41669

18841 - 54 Avenue

Parcel Identifier: 006-231-616
Lot 20 Section 4 Township 8 New Westminster District Plan 41669

5472 - 188 Street

Parcel Identifier: 000-537-918
Lot 28 Section 4 Township 8 New Westminster District Plan 44318

5442 - 188 Street

(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 addresses change, the City Clerk is directed to insert the new civic addresses for the Land, as follows:
-

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

- (a) Section K, Part 16 "Single Family Residential Zone (RF)", the minimum east side yard setback is reduced from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for proposed Lots 4, 6, 9, 11 and 18; and
- (b) Section K, Part 16 "Single Family Residential Zone (RF)", the minimum west side yard setback is reduced from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for proposed Lots 3, 5, 7, 8, 10, 12, 17, 19 and 21.

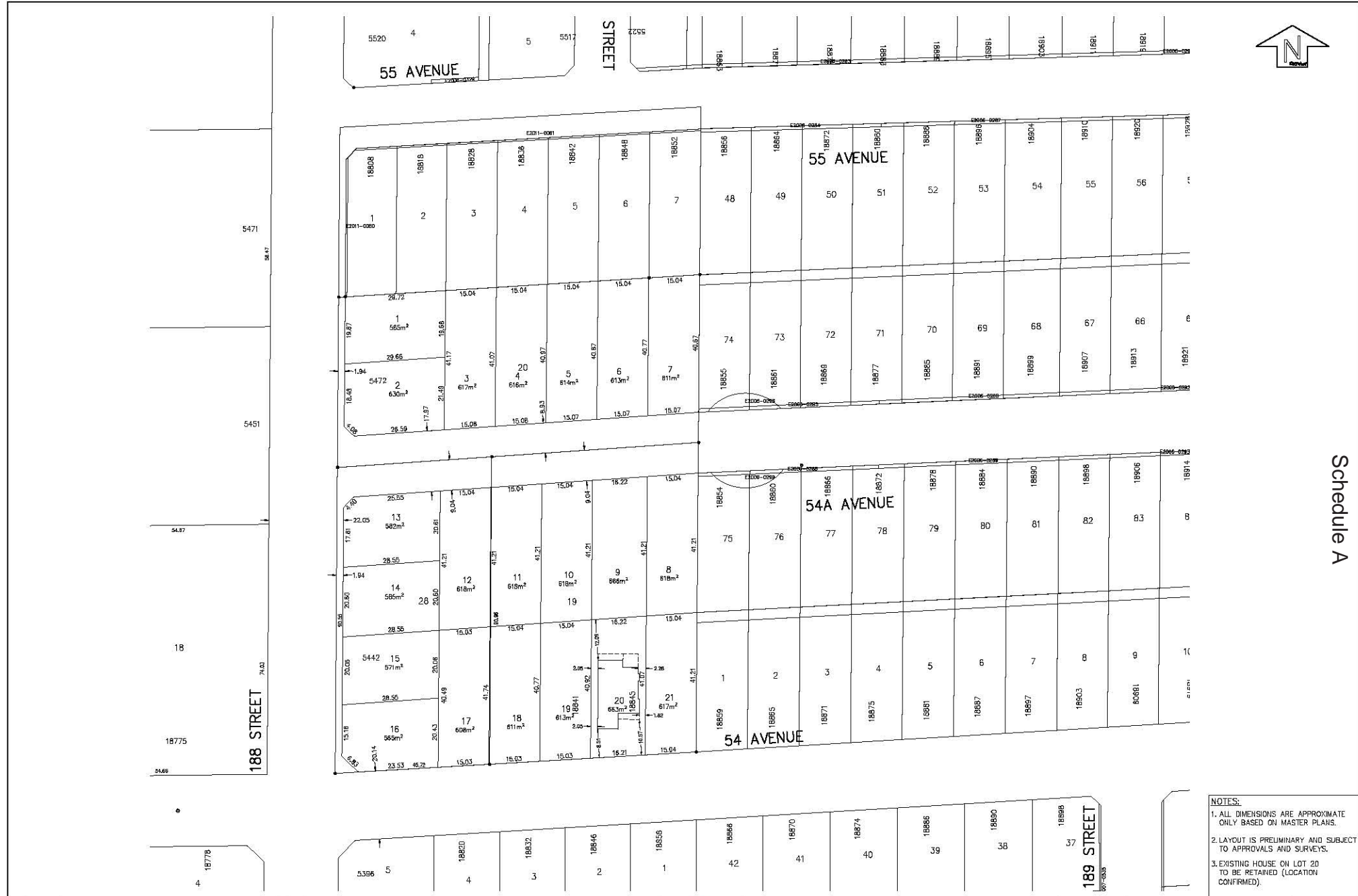
5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
6. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
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



Schedule A

- NOTES:**
1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.
 3. EXISTING HOUSE ON LOT 20 TO BE RETAINED (LOCATION CONFIRMED).

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PRELIMINARY LOT LAYOUT

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Scale: 1:1000	Mun. Proj. No.	Dwg. No. A
Drawn: J.C.	Mun. Dwg. No.	
Designed: S.S.	Job No. 13-305.3	Of
P.W. P.U.	Date	AUG / 13
Approved:	Revision	1

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