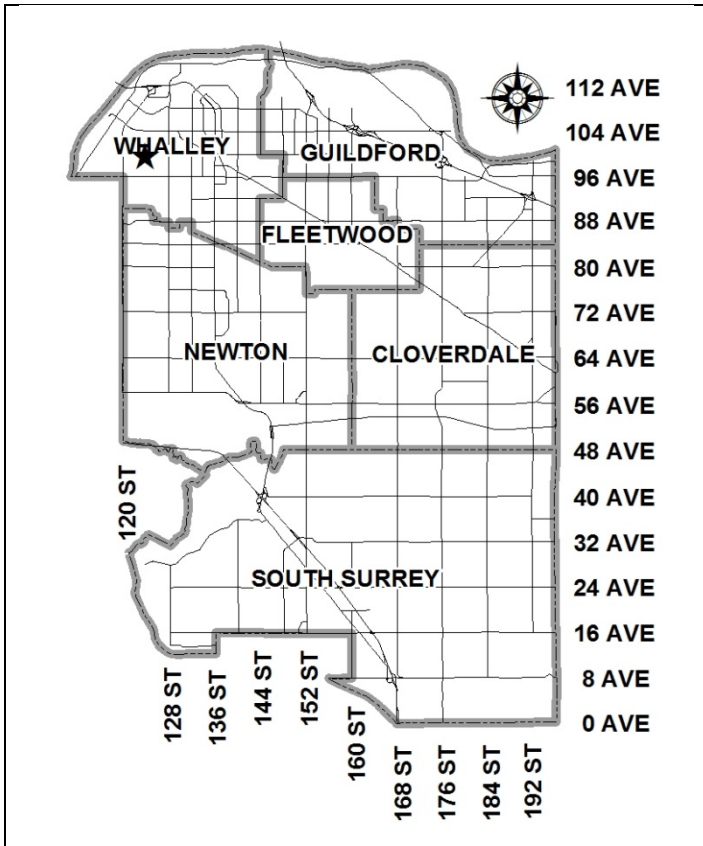


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0271-00

Planning Report Date: April 14, 2014



PROPOSAL:

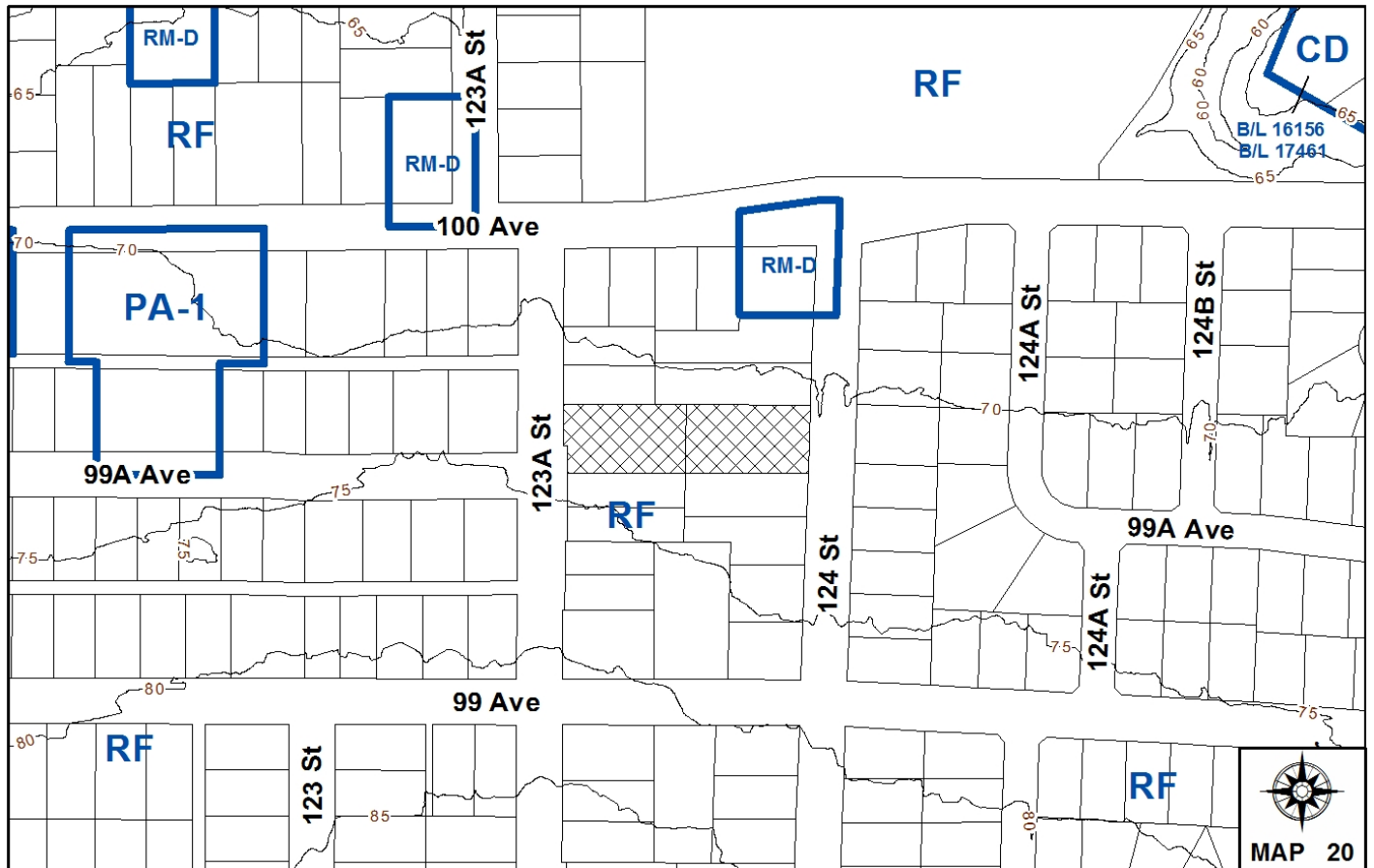
- **Development Variance Permit**
 in order to reduce the side yard setback for two single family lots impacted by a gas right-of-way.

LOCATION: 9950 - 123A Street and
 9949 - 124 Street

OWNERS: Sukhminder K Gill
 Andrew S Gill

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking reduced south side yard setback for two proposed single family houses.

RATIONALE OF RECOMMENDATION

- The northern portion of the subject lots are impacted by an 18.29-metre (60-ft.) wide gas right-of-way, and the northern portion of Lot 3 is impacted by a 1.2-metre (4-ft.) wide easement for sanitary sewer.
- The side yard setback provisions of the RF Zone have changed since the subject lots were created in May 2013 under Development Application No. 7910-0172-00.
- The applicant's building plans are no longer in compliance with the RF Zone with respect to the southern side yard setback. A Development Variance Permit is now required in order for the applicant to proceed with house siting as previously planned.
- The proposed setback reduction will allow the applicant to construct houses with more proportional front façades and efficient floor plans.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7913-0271-00 (Appendix III) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum side yard setback of the principal building in the RF Zone, from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for Lots 3 and 4.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant lots encumbered by a Terasen Gas right-of-way along the north portions.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings	Urban	RF
East (Across 124 Street):	Single family dwellings	Urban	RF
South:	Single family dwellings	Urban	RF
West (Across 123A Street):	Single family dwellings	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The 3,223-square metre (0.8-acre) subject site consists of two vacant lots located at 9950 - 123A Street (Lot 3 which is 0.16 hectare / 0.4 acre in size) and 9949 - 124 Street (Lot 4 which is 0.163 hectare / 0.4 acre in size) in the Whalley area.
- The properties are designated "Urban" in the Official Community Plan (OCP) and are zoned "Single Family Residential Zone (RF)".
- The lots were created in May, 2013, as part of a four-lot single family subdivision under Development Application No. 7910-0172-00.
- The subject lots, Lots 3 and 4, are encumbered by an 18.29-metre (60-ft.) wide Terasen Gas right-of-way located along the northern portion of both lots.

- However, Lot 3, the western subject lot, is further constrained by a 1.2-metre (4-ft.) wide easement for sanitary sewer along the southern edge of the gas right-of-way.
- The gas right-of-way and sanitary easement restrict Lots 3 and 4 to a functional lot width of 10.64 metres (35 ft.) and 11.78 metres (39 ft.), respectively (Appendix II).
- Roof overhangs are not permitted to encroach into the right-of-way and easement areas.

RF Zone Changes

- On July 29, 2013, Council granted final adoption to Zoning By-law Text Amendment By-law No. 17989, which included changes to the floor area ratio and lot coverage provisions of the RF Zone, as well as other housekeeping revisions.
- Previously, the RF Zone allowed a reduction of the minimum 1.8-metre (6-ft.) side yard setback to 1.2 metres (4 ft.) when the opposite side yard setback was a minimum of 2.4 metres (8 ft.). This provision was removed in order to establish consistency with revised requirements in the 2012 BC Building Code with respect to limiting distances (for fire safety). The minimum side yard setback of the RF Zone is now 1.8 metres (6 ft.) in all instances.

Current Proposal

- The applicant is proposing to build single family dwellings on Lots 3 and 4, however, given the recently revised setback provisions of the RF Zone, as well as the existing Terasen Gas right-of-way over both lots, the 1.2-metre (4-ft.) sanitary easement along the south of the gas right-of-way on Lot 3, and a 0.33-metre (1-ft.) setback for the roof overhangs, the buildable house widths are restricted to 8.51 metres (28 ft.) for Lot 3 and 9.98 metres (33 ft.) for Lot 4 (see Appendix II).
- The applicant is requesting a Development Variance Permit to reduce the south side yard setback on Lots 3 and 4 from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) in order to allow for a more proportional front façade and efficient floor plan for the dwellings proposed to be constructed on the lots.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the south side yard setback of the principal building in the RF Zone, from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for Lots 3 and 4.

Applicant's Reasons:

- The recent changes to the RF Zone have a negative effect on the buildable width of the lots, which were approved as part of Development Application No. 7910-0172-00, prior to the changes to the RF Zone.

- The constricted buildable width on the lots results in front façades that are dominated by the garages and a floor plan that is very narrow in comparison to a typical RF house.
- A typical RF-zoned house is 11.4 metres (37 ft.) wide and 18 metres (60 ft.) deep. Limiting the width of the house to 8.51 metres (28 ft.) and 9.98 metres (33 ft.), respectively, will result in a house that appears very narrow in relation to its overall depth, which poses difficulty in designing efficient floor plans.
- The requested variance would increase the width of the dwellings proposed for both lots by 0.6 metre (2 ft.), which will lessen the impact of the garage as the focal point of the front façade.

Staff Comments:

- Lots 3 and 4 are heavily encumbered by an 18.29-metre (60-ft) wide Terasen Gas right-of-way along the northern property line of both lots, as well as a 1.2-metre (4-ft.) wide sanitary sewer easement along the south side of the gas right-of-way on Lot 3, restricting the functional width of Lot 3 to 10.64 metres (35 ft.) and the functional width of Lot 4 to 11.78 metres (39 ft.).
- The functional width of Lots 3 and 4 was determined as part of Development Application No. 7910-0172-00, based on the previously allowed side yard setback of 1.2 metres (4 ft.).
- Since the subdivision plan for Development Application No. 7910-0172-00 was signed in May, 2013, the provisions of the RF Zone have changed such that the minimum side yard setback is 1.8 metres (6 ft.) in all instances.
- Roof overhangs are not permitted to encroach into the existing gas right-of-way and sanitary sewer easement, and therefore the north elevations of the principal buildings on Lots 3 and 4 must be set back 0.33 metre (1 ft.) to accommodate the roof overhang.
- Given the right-of-way, easement and setback requirements on Lot 3, the buildable width on the lot is only 8.51 metres (28 ft.).
- Given the right-of-way and setback requirements on Lot 4, the buildable width on the lot is only 9.98 metres (33 ft.).
- The reduced buildable widths of the lots results in houses that are dominated by the garage element along the front façade, as there is no rear lane.
- Reducing the south side yard setbacks will increase the buildable widths of Lot 3 and 4 to 9.11 metres (30 ft.) and 10.25 (34 ft.), respectively.
- The increased building envelope provides for a more functional layout and decreases the dominance of the garage element along the front façade.
- The garage doors will be oriented to the north side yard to minimize their impact on the streetscape.

- The applicant will be required to comply with the BC Building Code regulations for soffit construction and limiting distance for fire safety between structures.
- 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 Plans and Front Elevations
Appendix III. Development Variance Permit No. 7913-0271-00

Original signed by Judith Robertson for
Jean Lamontagne
General Manager
Planning and Development

LM/da

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ML 4/10/14 11:35 AM

Information for City Clerk

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

1. (a) Agent: Name: Kuldip Gill

 Address: 6109 - 142 Street
 Surrey, BC V3X 1C2

 Tel: 604-590-8066 - Home
 604-551-4441 - Cellular

2. Properties involved in the Application
 - (a) Civic Addresses: 9950 - 123A Street
 9949 - 124 Street

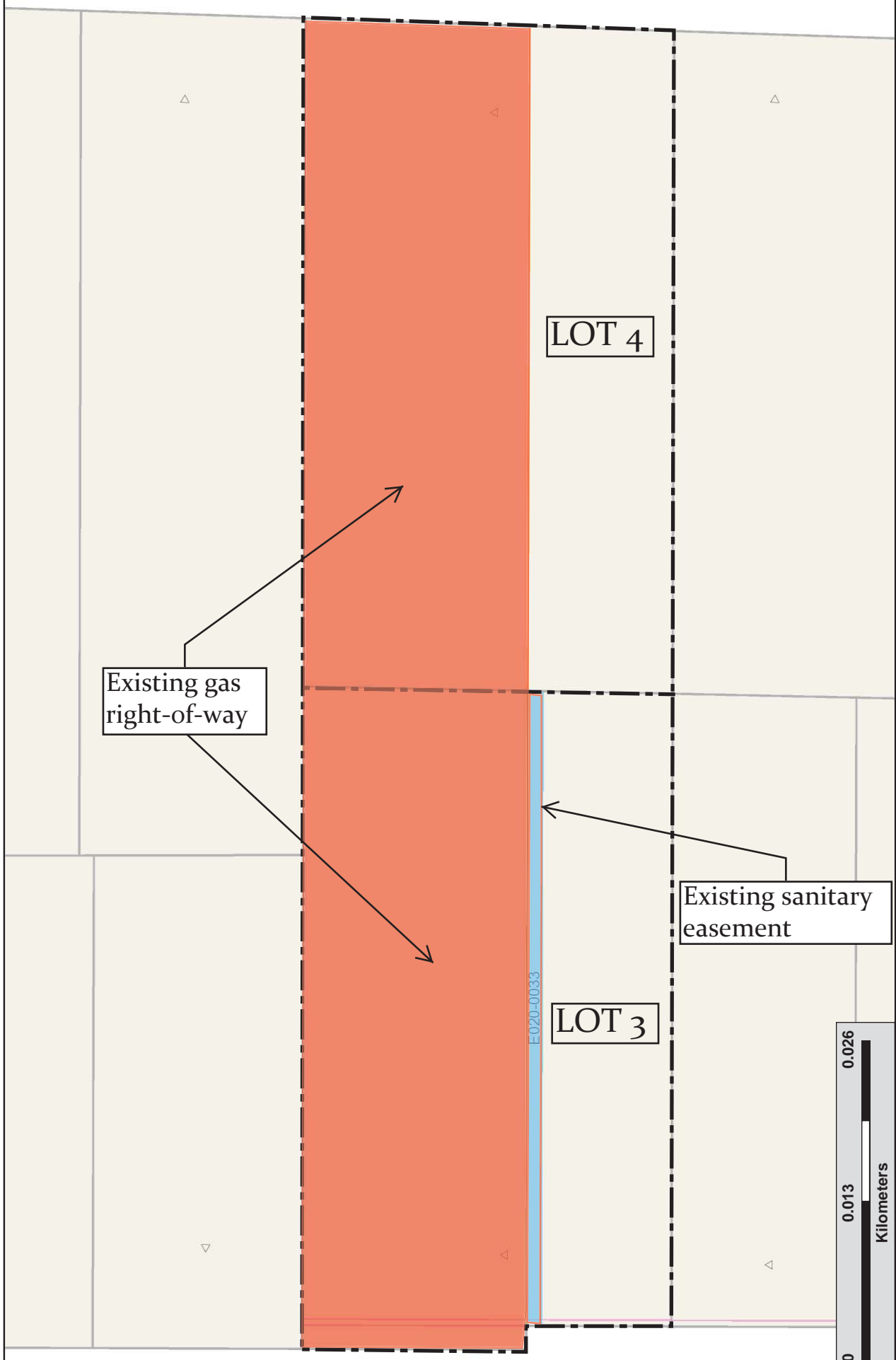
 - (b) Civic Address: 9950 - 123A Street
 Owners: Andrew S Gill
 Sukhminder K Gill
 PID: 029-078-598
 Lot 3 Block 14 Section 31 Block 5 North Range 2 West New Westminster District Plan
 EPP25140

 - (c) Civic Address: 9949 - 124 Street
 Owners: Andrew S Gill
 Sukhminder K Gill
 PID: 029-078-601
 Lot 4 Block 14 Section 31 Block 5 North Range 2 West New Westminster District Plan
 EPP25140

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7913-0271-00 and
 bring the Development Variance Permit forward for issuance and execution by the Mayor
 and City Clerk.



City of Surrey Mapping Online System



Existing gas right-of-way

LOT 4

LOT 3

Existing sanitary easement



The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca.

Enter Map Description



Scale: 1:435

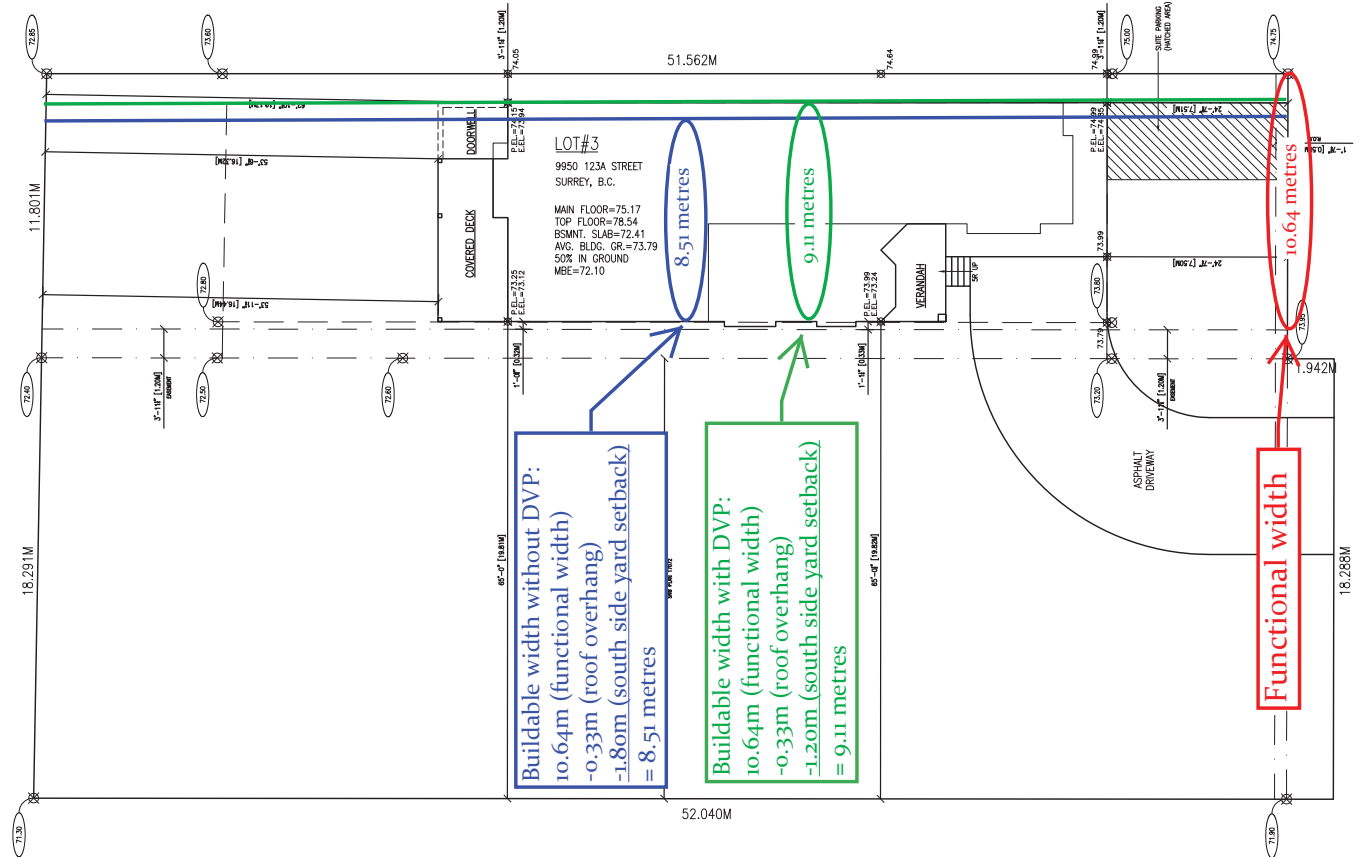
Map created on: April-07-14

LOT 3



LOT CALCULATIONS

QVC ADDRESS:	9950-123A STREET
ZONING:	RF
LOT AREA:	16,791.7 SQ.FT.
PERMITTED FLOOR AREA RATIO:	= 5000 SQ.FT.
PROPOSED FLOOR AREA RATIO:	2167 SQ.FT. + 1570.2 SQ.FT. = 3737.2 SQ.FT. [347.2m ²]
PERMITTED TOP FLOOR AREA:	80% x (2167 SQ.FT. + 95.6 SQ.FT.) = 1810 SQ.FT. [168.15m ²]
PROPOSED TOP FLOOR AREA:	= 1570.2 SQ.FT. [145.88m ²]
PERMITTED DECK AREA: (160 SQ.FT. RESERVED FOR FRONT)	10% x 5000 SQ.FT. = 500 SQ.FT. [46.45m ²]
PROPOSED DECK AREA:	FRONT = 95.6 SQ.FT. [8.88m ²] REAR = 194.6 SQ.FT. [14.98m ²] TOTAL AREA = 290.2 SQ.FT. [23.86m ²]
PERMITTED LOT COVERAGE:	32.00% (32.00% x 10,000 SQ.FT. [929m ²]) -(2.00% x 6791.7 SQ.FT. [630.97m ²]) = 3064.2 SQ.FT. [284.67m ²]
PROPOSED LOT COVERAGE:	14.75% = 2477.2 SQ.FT. [225.9m ²]
PERMITTED BUILDING HEIGHT:	9.00M
PROPOSED BUILDING HEIGHT:	8.75M
SETBACKS: MINIMUM	FRONT: 7.5M REAR: 7.5M LEFT: 1.8M RIGHT: 1.8M
SETBACKS: PROPOSED	FRONT: 7.5M REAR: 16.32M LEFT: 19.81M RIGHT: 1.2M (WITH VARIANCE)



Buildable width without DVP:
10.64m (functional width)
-0.33m (roof overhang)
-1.80m (south side yard setback)
= 8.51 metres

Buildable width with DVP:
10.64m (functional width)
-0.33m (roof overhang)
-1.20m (south side yard setback)
= 9.11 metres

Functional width

SITE PLAN
SCALE: 1/8" = 1'

THESE PLANS CONFORM TO REQUIREMENTS IN THE B.C. BUILDING CODE 2012.

DRAWING NO.	REFERENCE	NO.	REVISION	BY	DATE	TITLE	DWN:	GW	DRAWING NO.	DHILLON DESIGN
						PROPOSED RESIDENCE FOR MR. KULDIP GILL LOT #3, 9950 123A STREET SURREY, B.C.	AS NOTED		DD14	UNIT 215-1230-100A AVE. SURREY, B.C. V3M 3A8 PHONE: (604) 590-2898 FAX: (604) 590-2878 EMAIL: info@dhillondesign.ca

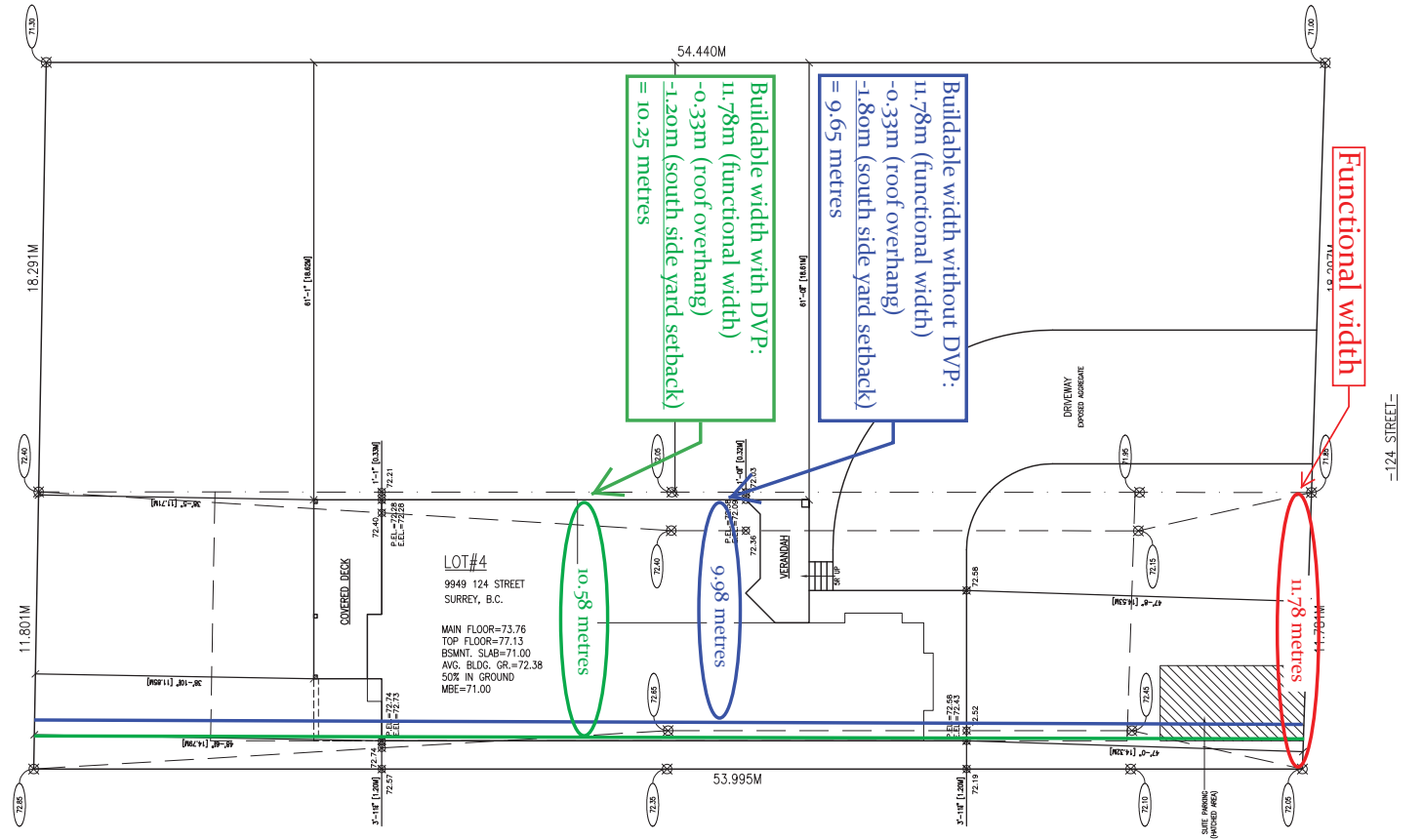


DWN: GW
SCALE: AS NOTED
DATE:
CHG:
PHONE: 604-551-4441



LOT CALCULATIONS

CIVIC ADDRESS:	9949-124 STREET
ZONING:	RF
LOT AREA:	17,556 SQ.FT.
PERMITTED FLOOR AREA RATIO:	= 5000 SQ.FT.
PROPOSED FLOOR AREA RATIO:	2372.4 SQ.FT. + 1673.5 SQ.FT. = 4045.9 SQ.FT. [375.88m ²]
PERMITTED TOP FLOOR AREA:	80% x (2372.4 SQ.FT. + 121 SQ.FT.) = 1994.7 SQ.FT. [185.3m ²]
PROPOSED TOP FLOOR AREA:	= 1742.3 SQ.FT. [161.86m ²]
PERMITTED DECK AREA: (160 SQ.FT. RESERVED FOR FRONT)	10% x 5000 SQ.FT. = 500 SQ.FT. [46.45m ²]
PROPOSED DECK AREA:	FRONT = 121 SQ.FT. [11.24m ²] REAR = 219.5 SQ.FT. [20.39m ²] TOTAL AREA = 340.5 SQ.FT. [31.6m ²]
PERMITTED LOT COVERAGE:	18.00% 18.00% x 17,556 [1631m ²] = 3160 SQ.FT. [293.57m ²]
PROPOSED LOT COVERAGE:	15.57% = 2733.5 SQ.FT. [249.47m ²]
PERMITTED BUILDING HEIGHT:	9.00M
PROPOSED BUILDING HEIGHT:	8.84M



SITE PLAN
SCALE: 1/8"=1'

LOT 4

THESE PLANS CONFORM TO REQUIREMENTS IN THE B.C. BUILDING CODE 2012.

DRAWING NO.	REFERENCE	NO.	REVISION	BY	DATE	TITLE	DWN:	GW	DRAWING NO.	DHILLON DESIGN UNIT 215-1230-101A AVE. SURREY, B.C. V3W 3A8 PHONE: (604) 590-2898 FAX: (604) 590-2878 EMAIL: info@dhillondesign.ca
						PROPOSED RESIDENCE FOR MR. KULDIP GILL LOT #4, 9949 124 STREET SURREY, B.C.		1/4"=1'	DD14	
							DATE:			
							CHWD:			
							PHONE:	604-551-4441		



DECORATIVE
WOOD BRACKETS

x4" TRIM OVER
3" BARGEBOARD

CEDAR SHAKES
ON GABLE ENDS

ROOF SURFACE:
CEDAR SHINGLES
IN A SHAKE PROFILE

UPPER
OVERHANG

OVERHANG
ON RIGHT SIDE

ROI-PLANK OR
VINYL SIDING
w/ 6" CORNER
TRIM

MIN. FASCIA
BOARD 2"x8"

GARAGE ROOF
DROPPED 2'-0"

MUNTIN BARS

LOWER
OVERHANG

1"x4" WINDOW &
DOOR TRIM

FURRED OUT
WOOD POSTS
WITH STONE BASE

STONE WITH
36" RETURN

2"x10" BASEBOARD
AT VERANDA

MAIN FLOOR=73.76

10" TRIM BOARD

36" MINIMUM
HANDRAILS

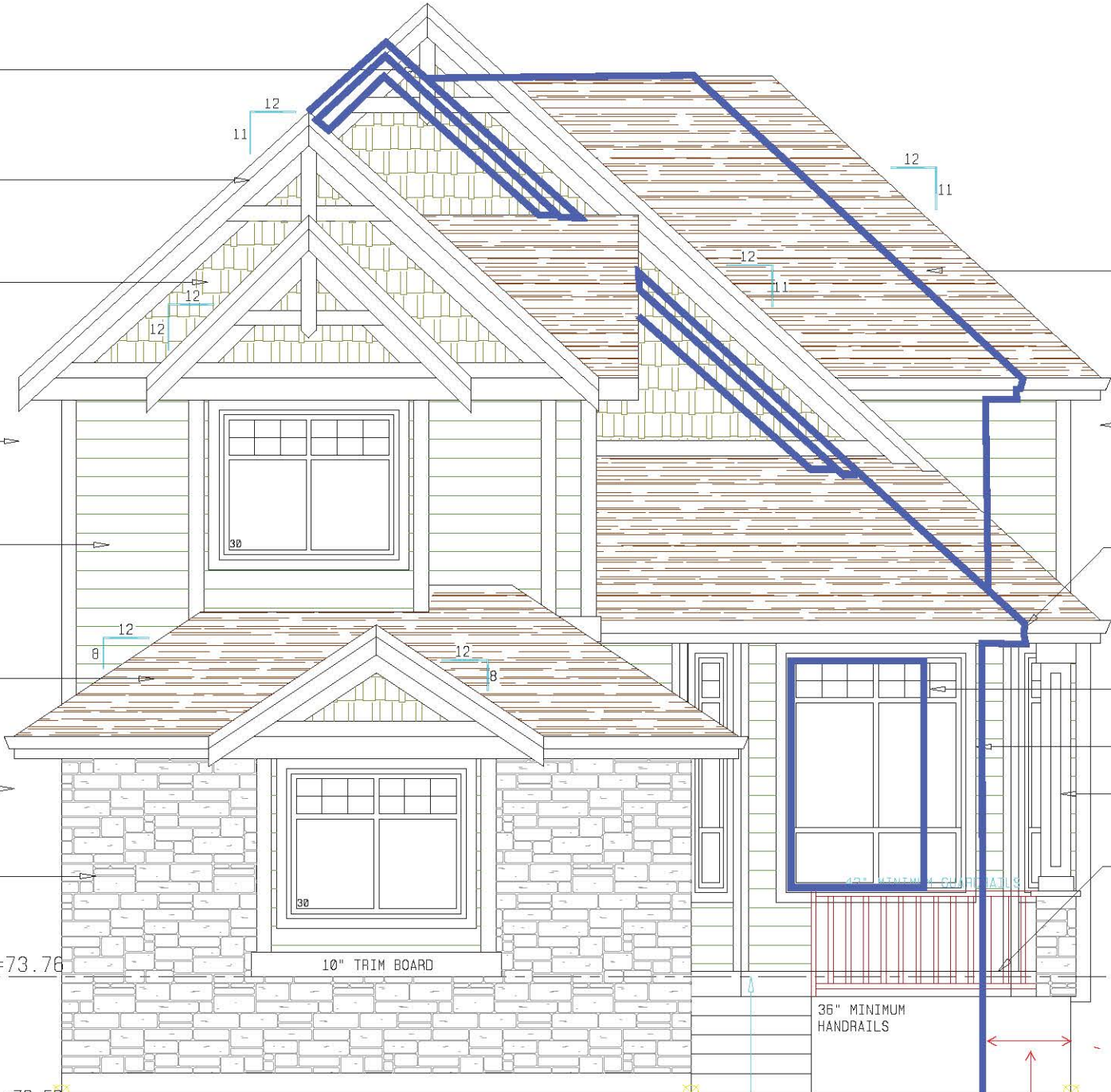
P. EL. = 72.58
E. EL. = 72.43

72.58 SR UP

P. EL. = 72.58
E. EL. = 72.09

ADDITIONAL
WIDTH
PROVIDED
BY DVP

FRONT ELEVATION LOT 4



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0271-00

Issued To: SUKHMINDER K GILL

("the Owner")

Address of Owner: 6109 - 142 Street
Surrey, BC V3X 1C2

Issued To: ANDREW S GILL

("the Owner")

Address of Owner: 6109 - 142 Street
Surrey, BC V3X 1C2

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: 029-078-598

Lot 3 Block 14 Section 31 Block 5 North Range 2 West New Westminster District Plan EPP25140

9950 - 123A Street

Parcel Identifier: 029-078-601

Lot 4 Block 14 Section 31 Block 5 North Range 2 West New Westminster District Plan EPP25140

9949 - 124 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 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. Yards and Setbacks of Part 16 "Single Family Residential Zone (RF)", the minimum south side yard setback is reduced from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) on Lots 3 and 4, as shown on Schedule A.

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

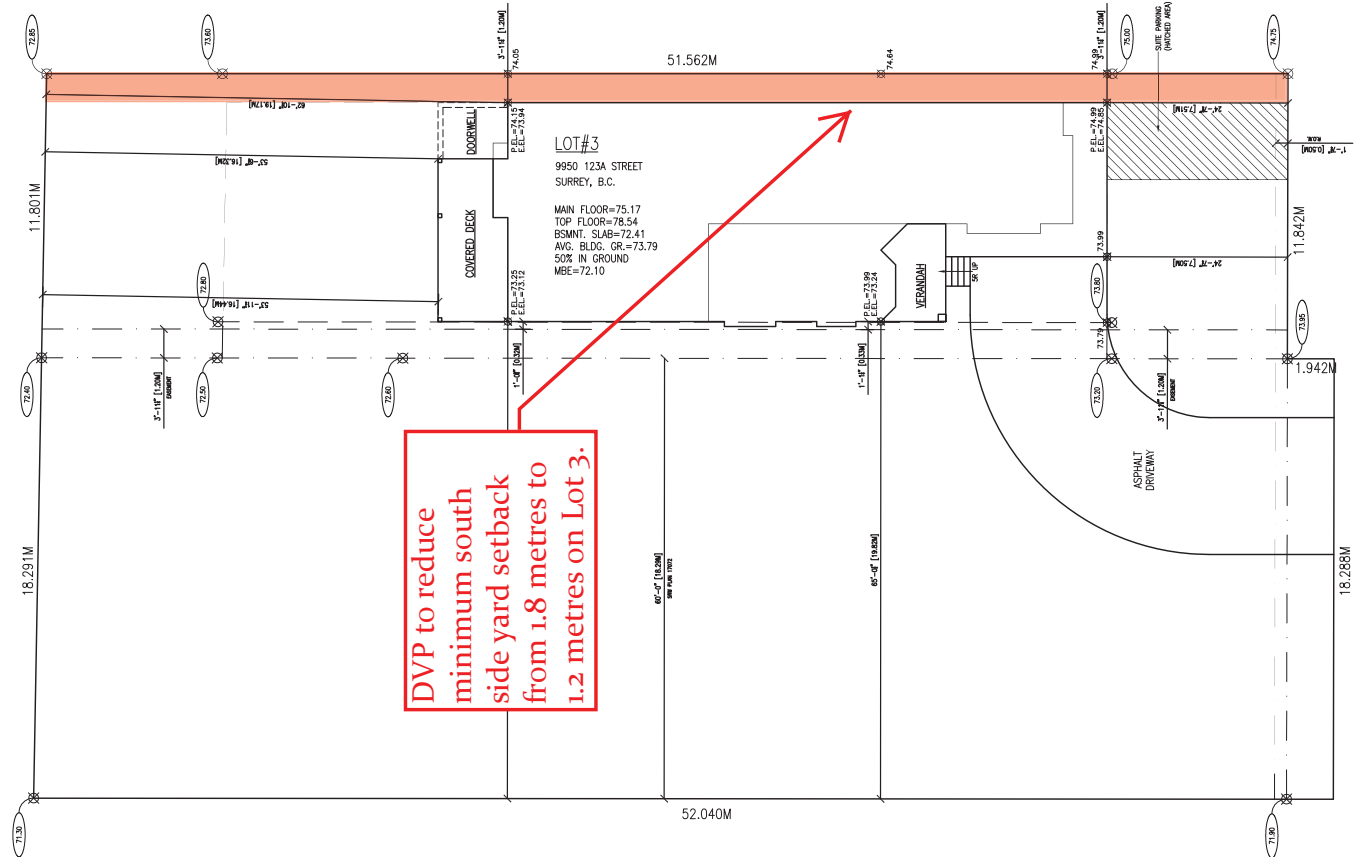
City Clerk – Jane Sullivan

SCHEDULE A



LOT CALCULATIONS

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ZONING:	RF
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SITE PLAN
SCALE: 1/8" = 1'

THESE PLANS CONFORM TO REQUIREMENTS IN THE B.C. BUILDING CODE 2012.

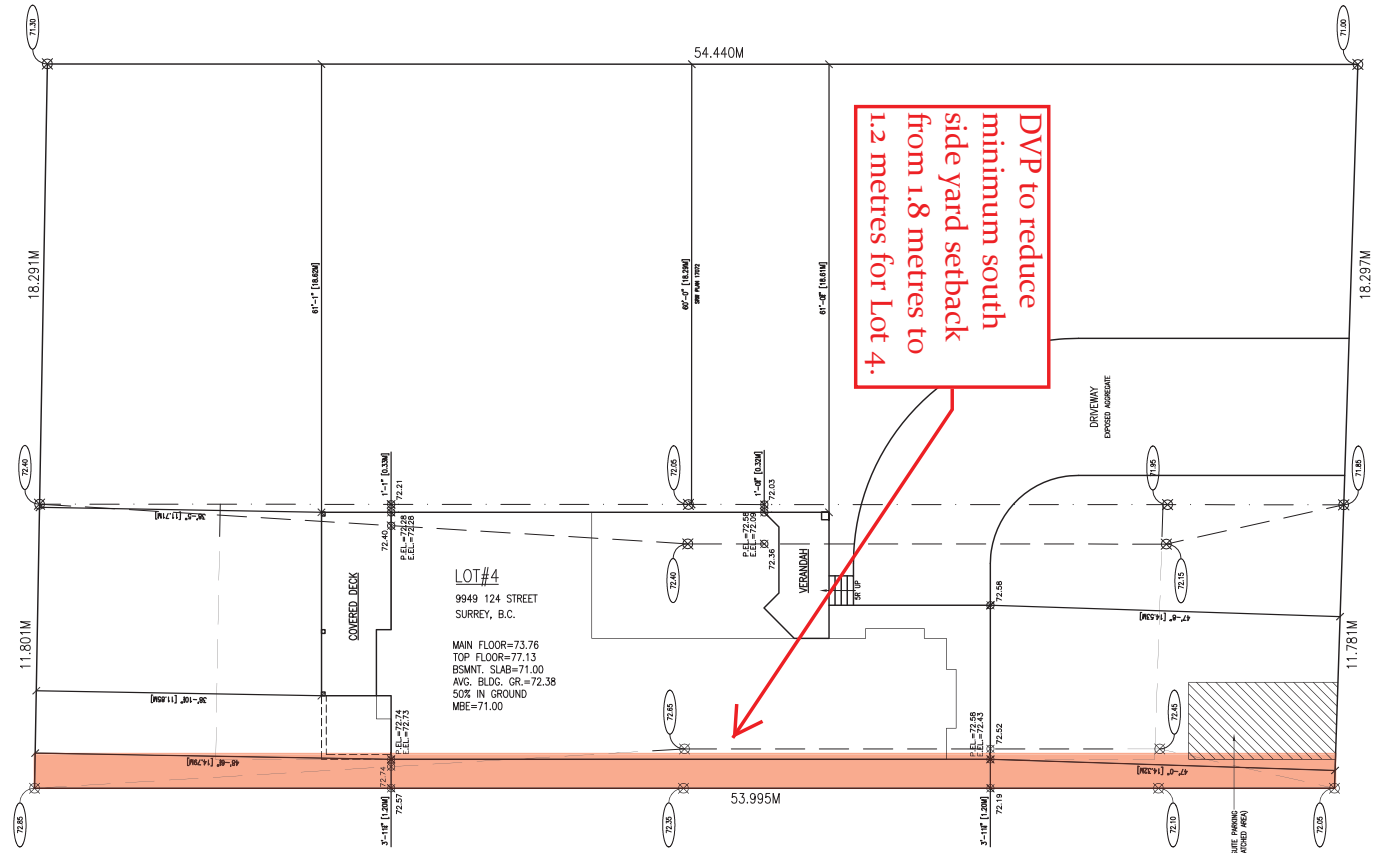
DRAWING NO.	REFERENCE	NO.	REVISION	BY	DATE	TITLE	DWN:	GW	DRAWING NO.	DHILLON DESIGN UNIT 215-1230-100A AVE. SURREY, B.C. V3M 3A8 PHONE: (604) 595-2898 FAX: (604) 595-2878 EMAIL: info@dhillondesign.ca
						PROPOSED RESIDENCE FOR MR. KULDIP GILL LOT #3, 9950 123A STREET SURREY, B.C.		AS NOTED	DD14	
								604-551-4441		





LOT CALCULATIONS

CIVIC ADDRESS: 9949-124 STREET
ZONING: RF
LOT AREA: 17,556 SQ.FT.
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PROPOSED FLOOR AREA RATIO: 2372.4 SQ.FT. + 1673.5 SQ.FT. = 4045.9 SQ.FT. [375.88m²]
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 REAR = 219.5 SQ.FT. [20.39m²]
 TOTAL AREA = 340.5 SQ.FT. [31.6m²]
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SITE PLAN
SCALE: 1/8"=1'

THESE PLANS CONFORM TO REQUIREMENTS IN THE B.C. BUILDING CODE 2012.

DRAWING NO.	REFERENCE	NO.	REVISION	BY	DATE

TITLE	
PROPOSED RESIDENCE FOR MR. KULDIP GILL LOT#4, 9949 124 STREET SURREY, B.C.	

DWN:	GW
	1/4"=1'
SCALE:	
DATE:	
DWGNO:	
PHONO:	604-551-4441

DRAWING NO.
DD14

DHILLON DESIGN
 UNIT 215-1230-10TH AVE.
 SURREY, B.C. V3W 3A5
 PHONE: (604) 598-2888
 FAX: (604) 598-2878
 EMAIL: info@dhillondesign.ca