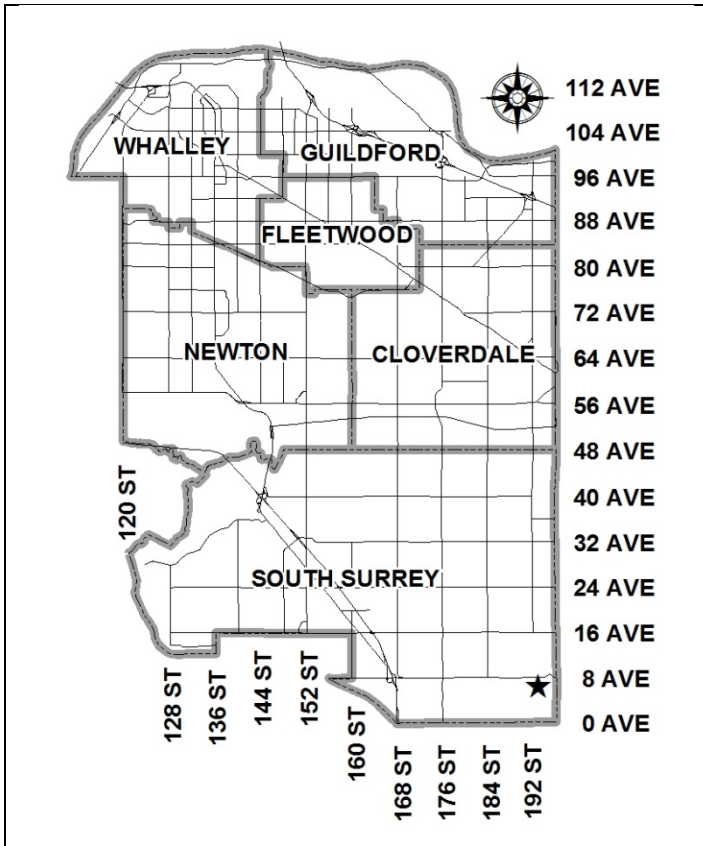


City of Surrey  
PLANNING & DEVELOPMENT REPORT

File: 7914-0273-00

Planning Report Date: December 15, 2014



**PROPOSAL:**

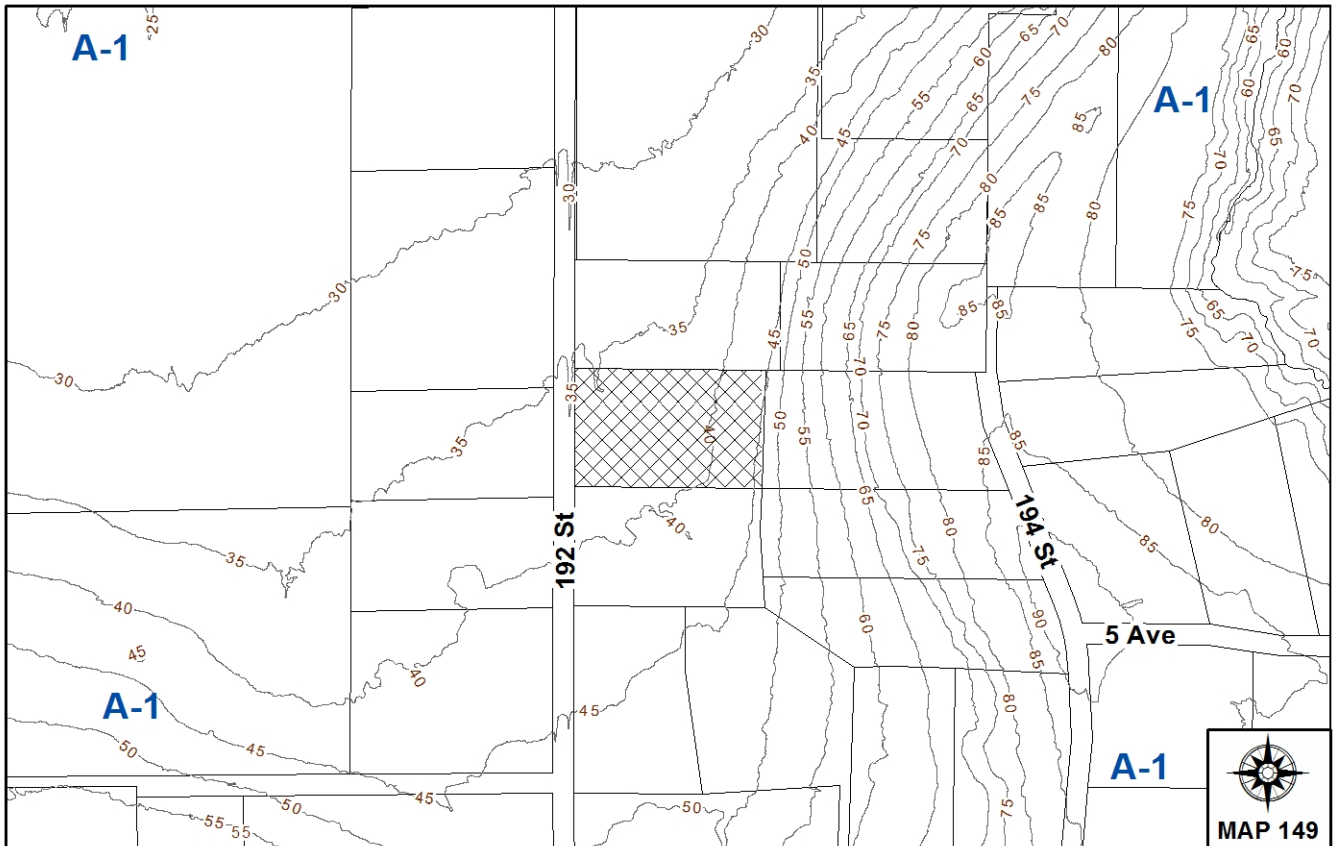
- Development Variance Permit in order to permit an addition to an existing house.

**LOCATION:** 556 - 192 Street

**OWNER:** Patricia A Evans  
Keith F Evans

**ZONING:** A-1

**OCP DESIGNATION:** Agricultural



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to vary the A-1 Zone, to:
  - increase the maximum front yard setback for a single family dwelling; and
  - increase the maximum depth of the farm residential footprint;

in order to permit construction of a new addition to an existing single family dwelling located 64 metres (210 ft.) from the front lot line.

### RATIONALE OF RECOMMENDATION

- The proposal will not vary the maximum size of the farm residential footprint prescribed in the A-1 Zone.
- The property is not in the ALR.
- A fish bearing creek is located immediately on the west side of the existing dwelling; extending the dwelling eastward is the only option available to the property owners.
- The proposal will not have any negative impacts on the adjacent property (to the north) which is in the ALR.
- The Agricultural and Food Security Advisory Committee supports the proposal.

RECOMMENDATION

Council approve Development Variance Permit No. 7914-0273-00 (Appendix V) varying the following, to proceed to Public Notification:

- (a) to increase the maximum front yard setback of the A-1 Zone from 50 metres (164 ft.) to 100 metres (330 ft.); and
- (b) to increase the maximum depth of the farm residential footprint of the A-1 Zone from 60 metres (196 ft.) to 110 metres (360 ft.).

REFERRALS

Engineering: The Engineering Department has no objection to the project

Agricultural and Food Security Advisory Committee (AFSAC): Support (Appendix IV).

SITE CHARACTERISTICS

Existing Land Use: Single family residence with accessory buildings.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single Family Residential	Agricultural	A-1
East:	Single Family Residence/Farmland	Agricultural	A-1
South:	Single Family Residential	Agricultural	A-1
West (Across 192 St.):	Single Family Residential	Agricultural	A-1

DEVELOPMENT CONSIDERATIONSSite Description

- The subject site is a 2.02 hectare (5 acre) parcel located at 556 - 192 Street. It is zoned A-1 and designated as Agricultural in the Official Community Plan. The land is not in the Agricultural Land Reserve.
- The property, a strata lot, forms part of a larger 19 lot bare-land 48.5 hectare (120 acre) strata development, created in 1979, located to the east and south of the subject site (Appendix II).

- The site currently contains a single family dwelling and several outbuildings (shed, storage building and detached carport). The structures are all located on the east side of Jenkins creek, which traverses the property in a north-south direction.
- An approximately 20 metre (66 ft.) wide no-build restrictive covenant, following the top-of-bank of both sides of Jenkins Creek, is currently registered against the property.
- The existing dwelling is located approximately 64 metres (210 ft.) from the front lot line.
- The property also contains a large concrete foundation slab. Construction of a larger replacement house was commenced in the 1990's however was not completed. The property has since changed ownership; the foundation was not removed.
- The current owners took possession of the property in 2012.

### Proposal

- The applicants proposed to construct a 278m<sup>2</sup> (2,995 sq.ft.) addition to the existing dwelling.
- The proposed addition would extend eastwards from the eastern side of the existing dwelling, as shown in Appendix III.
- The rear wall of the proposed addition would be 98.5 metres (323 ft.) from the front lot line, requiring a variance to both the maximum setback for a dwelling and maximum farm homeplate setback of the A-1 Zone.

### TREES

- No trees are expected to be affected by the proposed construction. An arborist report was not required. At the building permit stage, should there be any potential impacts to trees, an arborist report and tree survey will be required.

### BY-LAW VARIANCE AND JUSTIFICATION

#### (a) Requested Variance:

- To increase the maximum front yard setback of the A-1 Zone from 50 metres (164 ft.) to 100 metres (330 ft.); and
- To increase the maximum depth of the farm residential footprint of the A-1 Zone from 60 metres (196 ft.) to 110 metres (360 ft.).

#### Applicant's Reasons:

- The location of Jenkins Creek restricts the ability to add on to the western side of the house.
- No other additions can be made to the house without a development variance permit.

## Staff Comments:

- The existing dwelling, approximately 245m<sup>2</sup> (2,637 sq.ft.) on two levels, was constructed in the early 1980's.
- The siting of the existing dwelling is non-conforming with respect to maximum 50 metre setback for a dwelling, and maximum 60 metre setback of the farm home plate, of the A-1 Zone.
- A non-conforming structure can, by law, be maintained where it is located but no expansion of the non-conformity can be permitted. In order to permit an addition to the non-conforming structure, a Development Variance Permit is required.
- The majority of the existing structure is located substantially within the 15 metre (50 ft.) setback from top-of-bank of Jenkins Creek. Given that the structure was constructed prior to current riparian area regulations, it can be maintained as it is located.
- Additions to the western side of the structure would require the involvement of a Qualified Environmental Professional (QEP) to establish if the proposal was compliant with the Provincial Riparian Area Regulation. Given the proximity of the dwelling to the existing top of bank, it is unlikely further encroachments would be compliant with the Provincially regulation streamside protection and enhancement area (SPEA), enforced through the Riparian Areas Regulation (RAR). A QEP has not been retained, as the proposal is to extend eastwards and the proposed new foundation is outside of the 15 metre top-of-bank setback enforced by the City to ensure compliance to RAR.
- The farm residential footprint provisions apply to all properties zoned A-1. However, the intent of the policy is to protect lands within the ALR, and protect the viability of farming within the ALR.
- In order to comply with the farm homeplate provisions of the A-1 Zone, the owners would need to demolish the existing dwelling and construct a new dwelling within 50 metres of the front lot line.
- The existing farm home plate is approximately 1500m<sup>2</sup> (16,150 sq.ft.) including the driveway and accessory structures. The proposed addition will increase the size of the footprint to approximately 1800m<sup>2</sup> (19,375 sq.ft.). Any new construction will still be required to remain within the maximum 2,000m<sup>2</sup> (1/2 acre) footprint stipulated in the A-1 Zone.
- Given that the property is not in the ALR, that the proposal will not have an impact on the adjacent ALR property, and further that the siting of the existing house pre-dates and was rendered non-conforming by the adoption of the farm home plate provisions of the A-1 Zone, the proposal can be supported.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II	Context Plan
Appendix III.	Site Plan and Building Elevations
Appendix IV	[Draft] Agricultural and Food Security Advisory Committee Minutes
Appendix V	Development Variance Permit No. 7914-0273-00

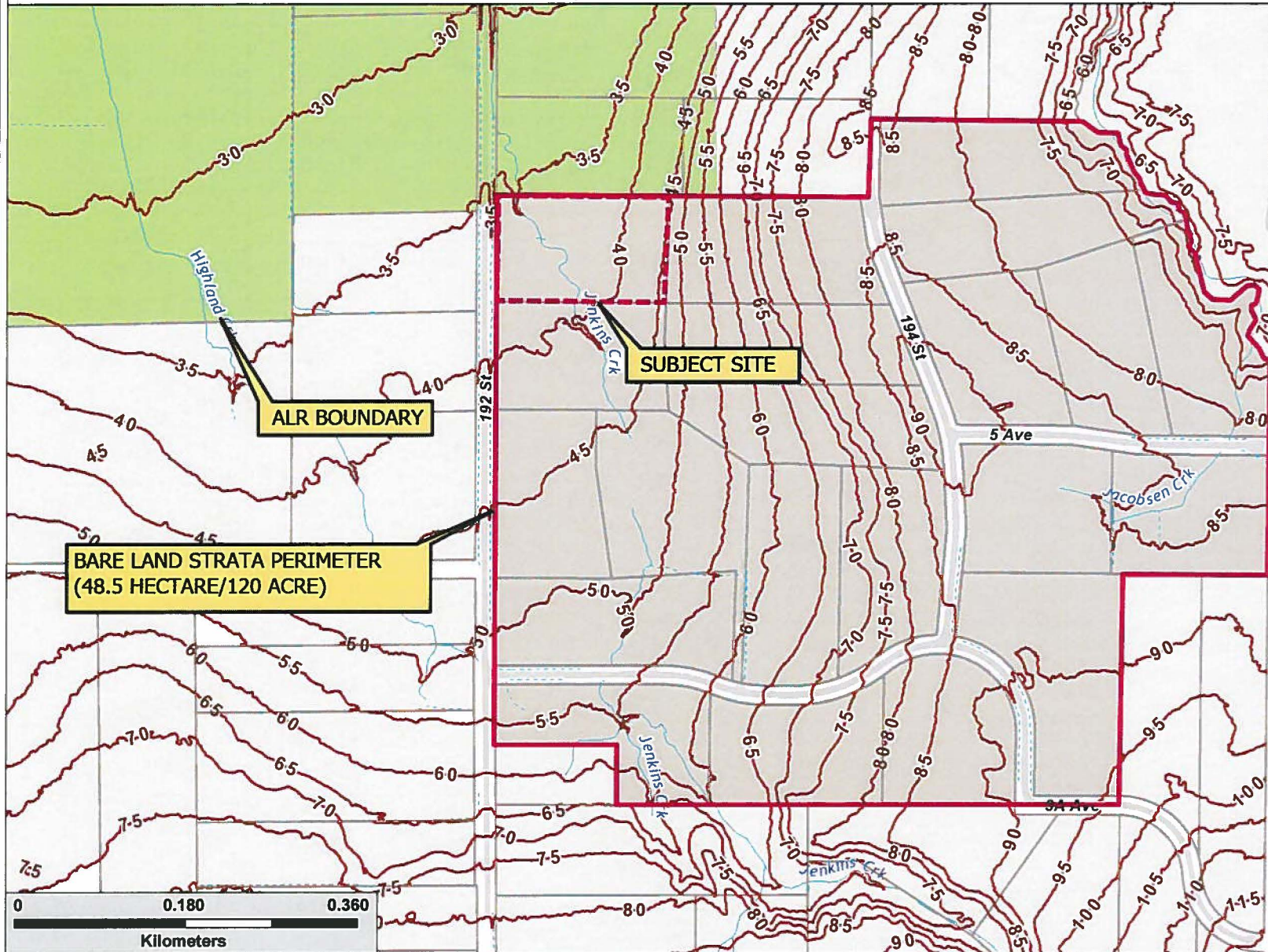
*original signed by Nicholas Lai*

Jean Lamontagne  
General Manager  
Planning and Development





# 7914-0273-00 Bare Land Strata



TOWNSHIP OF  
LANGLEY

**BARE LAND STRATA PERIMETER  
(48.5 HECTARE/120 ACRE)**

**ALR BOUNDARY**

**SUBJECT SITE**



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.



Scale: 1:6,000

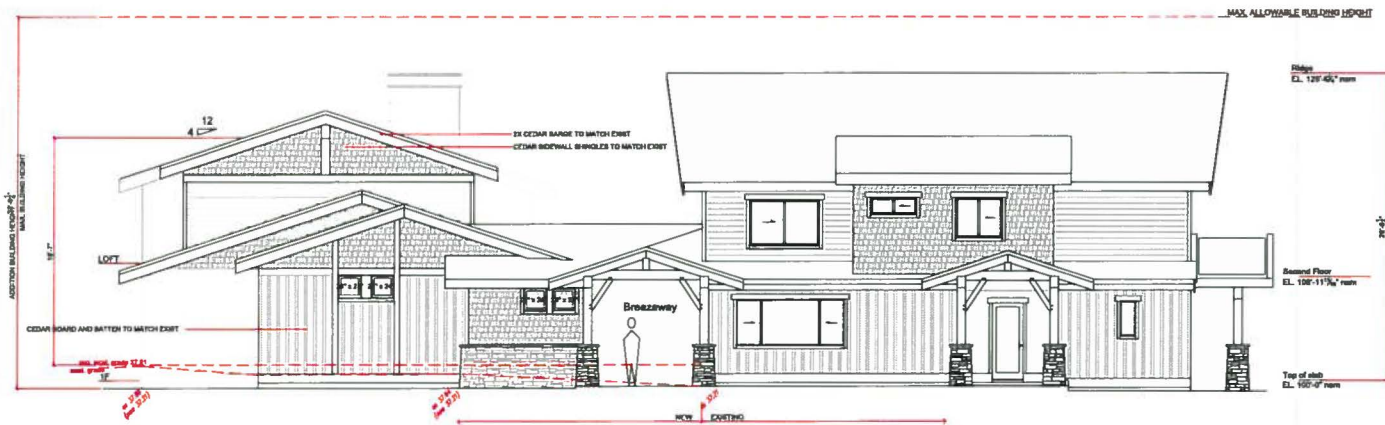
Map created on: December-08-14







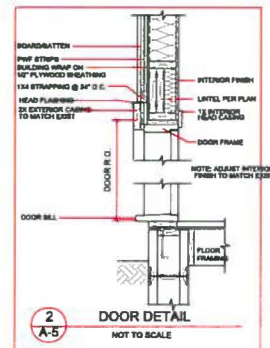
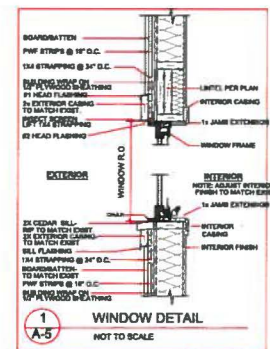
WEST ELEVATION



NORTH ELEVATION

NOTE: LIGHTING DISTANCE = 30mm  
ALLOWABLE GLAZED OPENINGS = 100%

- ASPHALT SHINGLES TO MATCH EXIST.
- 2X18 CEDAR FASCIA TO MATCH EXIST.
- CEDAR BEVEL SIDING TO MATCH EXIST.
- VINYL WINDOWS
- 2X CEDAR TRIM TO MATCH EXIST.
- LOFT
- D. FR. TIMBER STRUCTURE



NOTES:

NOTE: ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE LOCAL CODES AND BYLAWS. FOUNDATION HAS BEEN DONE ACCORDING TO ASSUMPTIONS BY ENGINEER. OWNER IS RESPONSIBLE FOR VERIFICATION OF SOIL ALLOWABLE LOAD BEARING CAPACITY.  
DO NOT SCALE DRAWINGS. WRITTEN DIMENSION SHALL TAKE PRECEDENCE.

ADDRESS:  
555 102ND STREET  
SURREY, B.C.

LEGAL DESCRIPTION:  
STRATA LOT 13 SECTION 3  
TOWNSHIP 7  
NEW WESTMINSTER  
DISTRICT PLAN NW1254

NO.	DATE	DESCRIPTION

PROJECT NUMBER



**TAMLIN**  
TAMLIN INTERNATIONAL HOMES CO. LTD.  
28020 - 318 AVENUE  
LANEY, B.C., CANADA V4W 2Z8  
PHONE: (804) 856-1180 FAX: (804) 856-1183

PROJECT NO. 21410

CUSTOMER EVANS

SHEET TITLE ELEVATIONS

DATE: JULY 7, 2014 SHEET NUMBER

SCALE: 3/16"=1'-0"

DRAWN: CLJ/DF

CHECKED: A-5

of 9





# Agriculture and Food Security Advisory Committee Minutes

2E - Community Room A  
City Hall  
13450 - 104 Avenue  
Surrey, B.C.  
THURSDAY, DECEMBER 4, 2014  
Time: 9:00 a.m.  
File: 0540-20

**Present:**

Councillor Hepner - Chair  
M. Bose - Vice-Chair  
K. Thiara  
J. Sandhar  
B. Sandhu  
M. Hilmer  
D. Arnold

**Regrets:**

P. Harrison  
S. Van Keulen  
S. Malhotra

**Environmental Sustainability Advisory****Committee Representative:**

B. Stewart

**Ministry of Agriculture Representative:**

O. Schmidt, Ministry of Agriculture

**Guests:**

N. Ensing

**Staff Present:**

M. Kischnick, Planning & Development  
C. Stewart, Planning & Development  
R. Dubé, Engineering  
C. Craig, Legislative Services

**Youth Representatives:**

J. Gosal

**D. NEW BUSINESS**

3. **Development Variance Permit Adjacent to ALR**  
**556 192 Street**  
File No.: 7914-0273-00; 6880-75

Daniel Sturgeon, Planning Technician, was in attendance to review the memo from Ron Hintsche, Current Planning Manager – South, dated November 25, 2014, regarding the above subject line. The following comments were made:

- The Applicant is proposing to increase the maximum setbacks of the A-1 Zone to permit an addition to an existing house (construct a 2-storey addition on the east side of the existing dwelling). The 5-acre property is designated "Agricultural" in the OCP. The property is not in the ALR; the ALR boundary is contiguous with the northern property line of the site.
- Aside from cosmetic changes, the Applicant is not able to do any expansions or changes without applying for a Development Variance Permit from the City as all existing structures on the site lie beyond the maximum 60-metre setback.
- A watercourse (Jenkins Creek) flows north through the western portion of the property. The site is heavily contoured and slopes upwards at the eastern boundary.
- It was noted that the property is part of bear-land strata and the AFSAC should expect two more applications (all non-conforming) that are in the same position as the current Applicant.

From the Committee's perspective, this land parcel is not productive agricultural farmland. It will never be included in the ALR based on the topography behind it (heavily treed and sloping).

It was

Moved by M. Bose

Seconded by D. Arnold

That the Agriculture and Food Security

Advisory Committee recommend to the G.M. of Planning and Development that the maximum A-1 zone rear wall homeplate setback for the proposed development, Application No. 7914-0273-00, be increased from 50 metres to 98.5 metres to support the construction of a 2-storey addition to an existing single family house.

Carried

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0273-00

Issued To: KEITH F EVANS  
PATRICIA A EVANS

("the Owner")

Address of Owner: 556 - 192 Street  
Surrey, BC V3S 9R9

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: 001-733-389

Strata Lot 13 Section 3 Township 7 New Westminster District Strata Plan NW1284  
Together With An Interest In The Common Property In Proportion To The Unit  
Entitlement Of The Strata Lot As Shown On Form 1

556 - 192 Street

(the "Land")

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

(a) In Part 10, General Agriculture Zone (A-1), Section F.1.(b), the maximum setback from the front lot line for a single family dwelling is increased from 50.0 metres [164 ft.] to 100 metres [328 ft.]

(b) In Part 10, General Agriculture Zone (A-1), Section J.2.(b), the maximum depth of the farm residential footprint from the front lot line is increased from 60 metres [197 ft.] to 110 metres [361 ft.]

4. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

5. 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.
6. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
7. 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 – Linda Hepner

---

City Clerk – Jane Sullivan