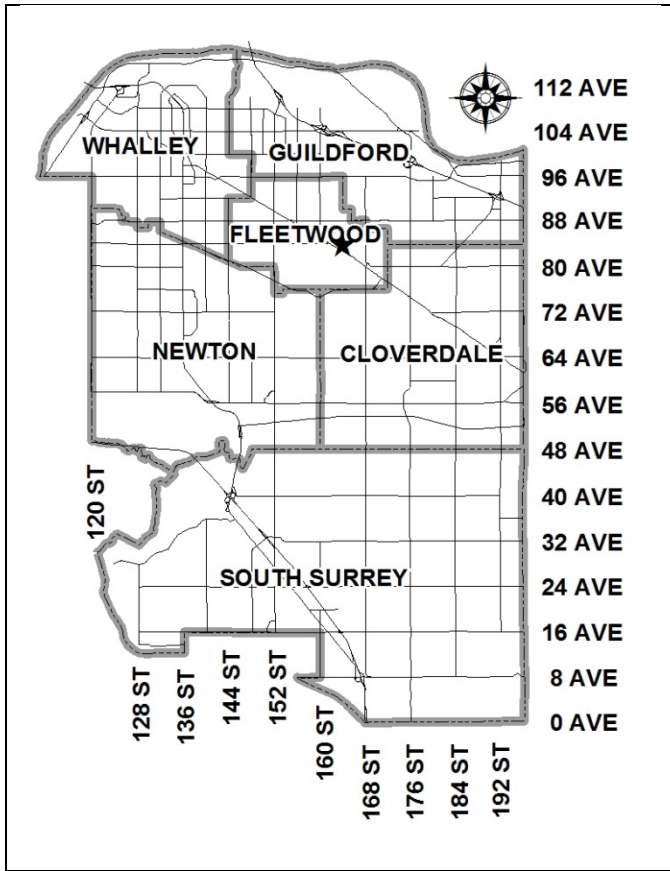


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7914-0310-00

Planning Report Date: December 15, 2014



**PROPOSAL:**

- **Development Variance Permit**

to vary the works and services requirements for proposed Lots 1 and 2, and to vary the lot coverage and the rear yard setback for a new single family dwelling on proposed Lot 1.

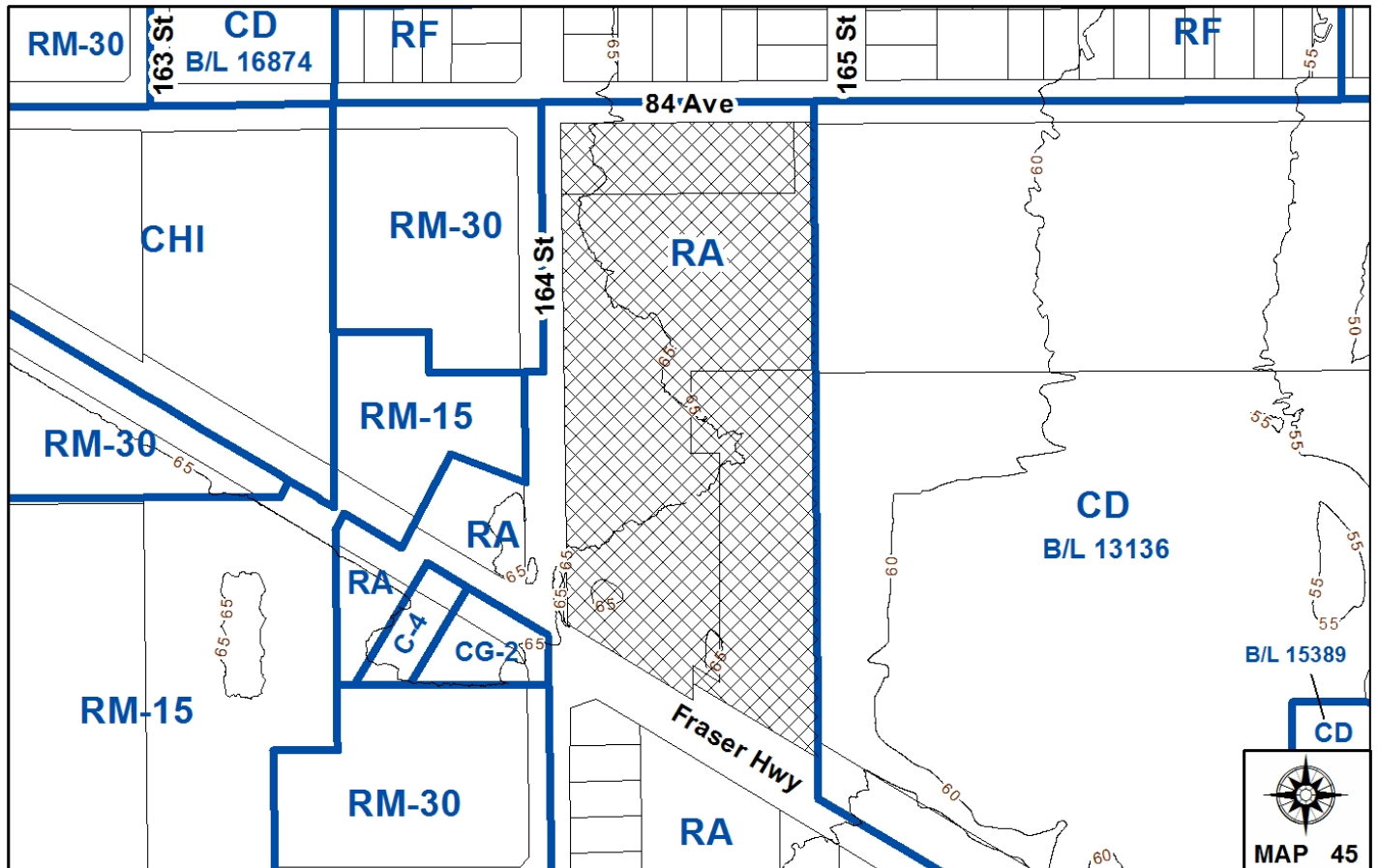
**LOCATION:** 16411 and 16441 - Fraser Hwy and 8388 - 164 Street

**OWNERS:** Hendrik Schoen, Jantje Schoen and City Of Surrey

**ZONING:** RA

**OCF DESIGNATION:** Urban

**TCP DESIGNATION:** Parks & Linear Corridors



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to defer the works and services requirements of the Subdivision & Development By-law for proposed Lots 1 and 2.
- A reduced rear yard setback for the principal building is requested on proposed Lot 1 to accommodate a new single family dwelling.
- A variance to the maximum permitted lot coverage is requested on proposed Lot 1.

### RATIONALE OF RECOMMENDATION

- Approval of the proposed variances will facilitate a proposed subdivision to expand the park site for playing fields at the Surrey Sport & Leisure Centre, through the acquisition of the rear portion of the Two EE's Market lands.
- The works and services requirements will be achieved at building permit stage for playing field construction on proposed Lot 2, and through rezoning of proposed Lot 1 when redevelopment of that lot is pursued in the future.
- The requested variance to the rear yard setback will allow a new single family dwelling to be constructed in the northwest portion of proposed Lot 1 and oriented towards 164 Street.
- The proposed lot coverage variance will allow the existing Two EE's market to continue operating on the lot, while also allowing the construction of a new single family dwelling.
- The requested variances will not impact adjoining properties.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7914-0310-00 (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to vary the Subdivision & Development By-law No. 8830 by deferring the provision of works and services for proposed Lots 1 and 2;
- (b) to reduce the minimum rear yard setback of the principal building in the RA Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.) for proposed Lot 1; and
- (c) to vary the maximum lot coverage of the RA Zone from 20% to 40% for proposed Lot 1.

REFERRALS

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

SITE CHARACTERISTICS

**Existing Land Use:** Two EE's Market and house, and City-owned parkland.

Adjacent Area:

Direction	Existing Use	TCP Designation	Existing Zone
North (Across 84 Avenue):	Single family dwellings.	Single Family Urban	RF
East:	Surrey Sport & Leisure Centre and City parkland.	Parks & Linear Corridors and Institutional/ Commercial	CD (By-law No. 13136)
South (Across Fraser Highway):	Single family dwellings and vacant 4-acre lot.	Medium Density Townhouses	RA
West (Across 164 Street):	Townhouses, single family dwelling and vacant half-acre lot.	Medium Density Townhouses	RM-30, RM-15 and RA

DEVELOPMENT CONSIDERATIONSBackground

- The 3.78-hectare (9.3-acre) subject site consists of three properties at 164 Street and Fraser Highway in Fleetwood Town Centre, west of the Surrey Sport & Leisure Centre and Bonnie Schrenk Park.

- The site is designated "Urban" in the Official Community Plan (OCP), is designated "Parks & Linear Corridors" in the Fleetwood Town Centre Plan (TCP) and is zoned "One-Acre Residential Zone (RA)".
- Two EE's Market, which has been operated by the Schoen family at this site since the 1940's, is located on the southwest corner of the site at 16411 - Fraser Highway. The market sells produce and farm products that are predominantly grown in fields and greenhouses located on the property. The Schoen family residence is located in the northeast portion of the property.
- The properties at 16441 - Fraser Highway and 8388 - 164 Street are existing City parkland lots.
- The Fleetwood Town Centre Plan (TCP) designates all three lots as "Parks & Linear Corridors," and the acquisition of the Two EE's Market property was identified for park purposes within the Fleetwood TCP. The future park is envisioned as the destination athletic park for the community of Fleetwood and may accommodate sports fields, parking and other amenities, to be identified through a future public consultation process. The City has been in negotiations with the market owners for several years to acquire portions of the market site for use as parkland and to realize the vision set out in the Fleetwood TCP.
- A 0.15-hectare (0.38-acre) portion of the parkland lot at 16441 - Fraser Highway was sold to the market owners and consolidated with the existing market site on November 20, 2014 (Development Application No. 7913-0289-00), in order to enable the market owners to construct new greenhouses, since several of their existing greenhouses will need to be demolished with the City's intended acquisition of a portion of the market site.

### Current Proposal

- The City is purchasing a 3.69-acre (1.49-ha) portion of the existing market site (the northern portion), which will be consolidated with existing park lots at 8388 - 164 Street and 16441 - Fraser Highway, for park purposes under the Fleetwood TCP.
- Two EE's Market will continue to operate on the remaining market site on proposed Lot 1, which will be 2.1 acres (0.86 ha) in size.
- The applicant is requesting a Development Variance Permit to defer the works and services requirements of the Subdivision and Development By-law No. 8830, which are triggered due to the proposed subdivision, until proposed Lot 1 is rezoned to accommodate redevelopment in the future and until the building permit phase for playing field construction on proposed Lot 2.
- The existing residence at the northern portion of the existing market site will be demolished. To enable the continued security of the market through an ongoing family presence, the property owner will be seeking to construct a new single family residence at the northwest corner of the new market site (proposed Lot 1). The house will be oriented towards 164 Street and will require a variance to reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 1.5 metres (5 ft.).

- As a result of the proposed subdivision, the newly created market site will be significantly smaller than the existing market site. Since the market owners will be retaining the existing structures on the lot, and constructing a new single family dwelling, the resulting lot coverage will exceed the maximum allowed under the current RA zoning, and therefore a variance is required.

#### BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To vary the Subdivision and Development By-law, No 8830, by deferring the provision of works and services and the provision of service connections, for proposed Lots 1 and 2.

Applicant's Reasons:

- Redevelopment of the market site on proposed Lot 1 and the construction of the playing fields on proposed Lot 2 are not proposed at this time, however the proposed subdivision will facilitate the sale of the northern portion of 164<sup>th</sup> Fraser Highway to the City for future parks purposes.

Staff Comments:

- Any further redevelopment of the Two EE's Market site will require rezoning.
- When proposed Lot 1 is rezoned in the future, the road works and services and site servicing connections will be required.
- Road dedication will be required for proposed Lot 2 as part of this application, however all other servicing requirements will be required at the building permit phase.
- Staff support the requested variance.

(b) Requested Variance:

- To reduce the minimum rear yard setback of the principal building in the RA Zone, from 7.5 metres (25 ft.) to 1.5 metres (5 ft.) for proposed Lot 1.

Applicant's Reasons:

- The minimum rear yard setback must be varied on proposed Lot 1 in order to construct a house at the northwest corner of the lot which is oriented towards 164 Street.

Staff Comments:

- Although Fraser Highway will be the legal frontage for proposed Lot 1, the house will be designed to orient east-west so that, in practice, the house will function as if its frontage is 164 Street. As such, the north yard, which is by definition the rear yard

under Zoning By-law No. 12000, will function as a side yard for the proposed new house.

- The proposed 1.5-metre (5-ft.) north yard setback provides adequate separation from the north property line and will interface with the park. Functional yard space will be located on the east side of the proposed house.
- The proposed location of the new house (Appendix III) is the only feasible location for a house, given the existing market structures, parking areas and drive aisles.
- Staff support the requested variance.

(c) Requested Variance:

- To vary the maximum lot coverage of the RA Zone from 20% to 40% for proposed Lot 1.

Applicant's Reasons:

- The maximum lot coverage must be varied on proposed Lot 1 in order to allow the existing market to continue operating on the lot and to allow the construction of a new single family dwelling.

Staff Comments:

- The maximum permitted lot coverage under the RA Zone is 20%.
- As a result of the proposed subdivision and future road dedication requirements, the ultimate size of the Two EE's market site will be reduced to 1.8 acres (0.73 ha). In order for the market to continue operating on the lot they will be retaining all existing structures and will be constructing a new single family dwelling at the northwest corner of the lot. The resulting lot coverage for proposed Lot 1 is 40%.
- The variance is necessary for the continued operation of the Two EE's Market and for the construction of a new house.
- The proposed footprint of the new house is approximately 186 square metres (2,002 sq. ft.) (see Appendix III).
- Staff support the requested variance.

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INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheet
- Appendix II. Proposed Subdivision Layout
- Appendix III. Proposed house location on proposed Lot 1
- Appendix IV. Development Variance Permit No. 7914-0310-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

LM/da

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## SUBDIVISION DATA SHEET

Existing Zoning: RA

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	9.34
Hectares	3.78
<b>NUMBER OF LOTS</b>	
Existing	3
Proposed	2
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	75 - 97
Range of lot areas (square metres)	8,550 - 34,560
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	0.53 lots/ha & 0.21 lots/ac
Lots/Hectare & Lots/Acre (Net)	0.53 lots/ha & 0.21 lots/ac
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	40% (proposed Lot 1)
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	40% (proposed Lot 1)
<b>PARKLAND</b>	
Area (square metres)	34,560
% of Gross Site	80%
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	NO
<b>TREE SURVEY/ASSESSMENT</b>	
	NO
<b>MODEL BUILDING SCHEME</b>	
	NO
<b>HERITAGE SITE Retention</b>	
	NO
<b>FRASER HEALTH Approval</b>	
	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	YES
Building Retention	NO
Lot Coverage & Setbacks	YES

**SUBDIVISION PLAN OF PORTIONS OF SECTION 25 TOWNSHIP 2 BEING:**


PLAN EPP \_\_\_\_\_

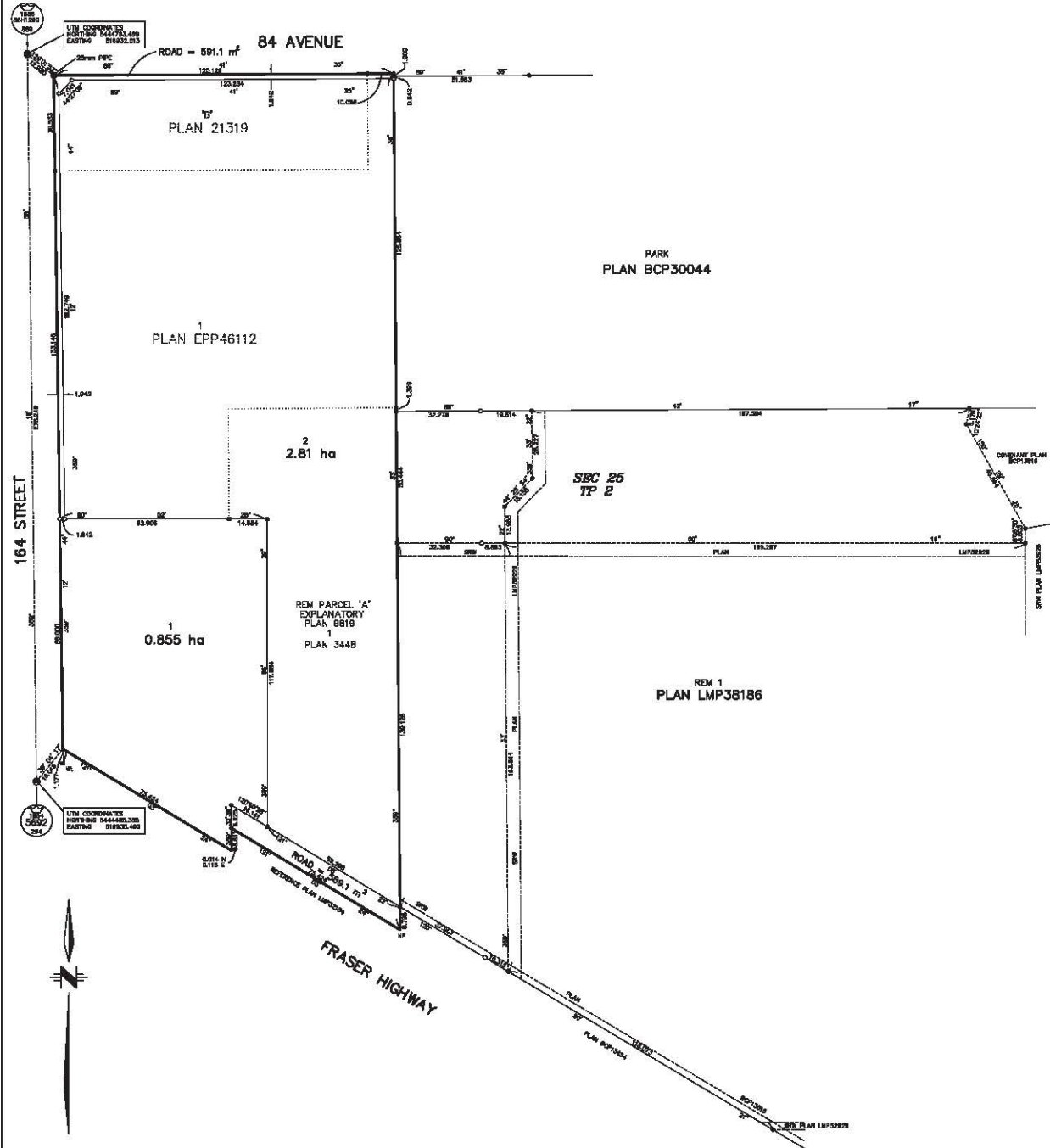
FIRSTLY: PARCEL 'A' (EXPLANATORY PLAN 8819) LOT 1 EXCEPT PART DEDICATED ROAD ON PLAN LMP38186 AND PLAN EPP46112, SEC 25 TP 2 NWD PLAN 3448  
 SECONDLY: LOT 'B' SEC 25 TP 2 NWD PLAN 21319  
 THIRDLY: LOT 1 SEC 25 TP 2 NWD PLAN EPP46112

**NEW WESTMINSTER DISTRICT**  
**BCGS 92G017**

**LEGEND**

- ⊙ DENOTES CONTROL MONUMENT FOUND
  - ⊕ DENOTES STANDARD BOM POST FOUND
  - ⊖ DENOTES NON-STANDARD BOM POST FOUND
  - ⊙ DENOTES LEAS PLUM FOUND
  - ⊙ DENOTES STANDARD BOM POST SET
  - ⊕ DENOTES NO SURCHISE FOUND
- NOTE: THIS PLAN SHOWS ONE OR MORE WITNESS POSTS WHICH ARE NOT SET ON THE TRUE CORNER(S).

SCALE 1:7500  
  
 ALL DISTANCES ARE IN METRES  
 THE REFERENCE POINT OF THIS PLAN IS  
 500mm IN WIDTH BY 800mm IN HEIGHT  
 (USE D SIZE SHEET) WHEN PLOTTED AT A SCALE OF 1:7500



INTEGRATED SURVEY AREA NO. 1, SURREY, NANDES (CSRS) 4.0.0.BC.1.0.90

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS OBR2 AND BRN1230.  
 THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED TO COMPLETE GRID DISTANCES, IMPLYING GROUND-LEVEL DISTANCES BY THE AVERAGE CORRECTION FACTOR OF 0.999994 WHICH HAS BEEN DERIVED FROM BR22 AND BRN1230.

CITY OF SURREY  
 SURVEY SECTION  
 13400 - 104 AVE.  
 SURREY, B.C. V3T 1W8  
 TEL: (604) 591-8000  
 FAX: (604) 591-8000

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE CITY OF SURREY.

**THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT**

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE \_\_\_\_ DAY OF DECEMBER, 2014.  
 MONTGOMERY C. DRESSON, BOLS 774

**SKETCH PLAN SHOWING PROPOSED BUILDING  
LOCATION ON LOT 1 SECTION 25 TOWNSHIP 2  
NEW WESTMINSTER DISTRICT PLAN EPP \_\_\_\_\_**

**CIVIC ADDRESS: 16411 – FRASER HIGHWAY, SURREY, B.C.**

SCALE 1:750

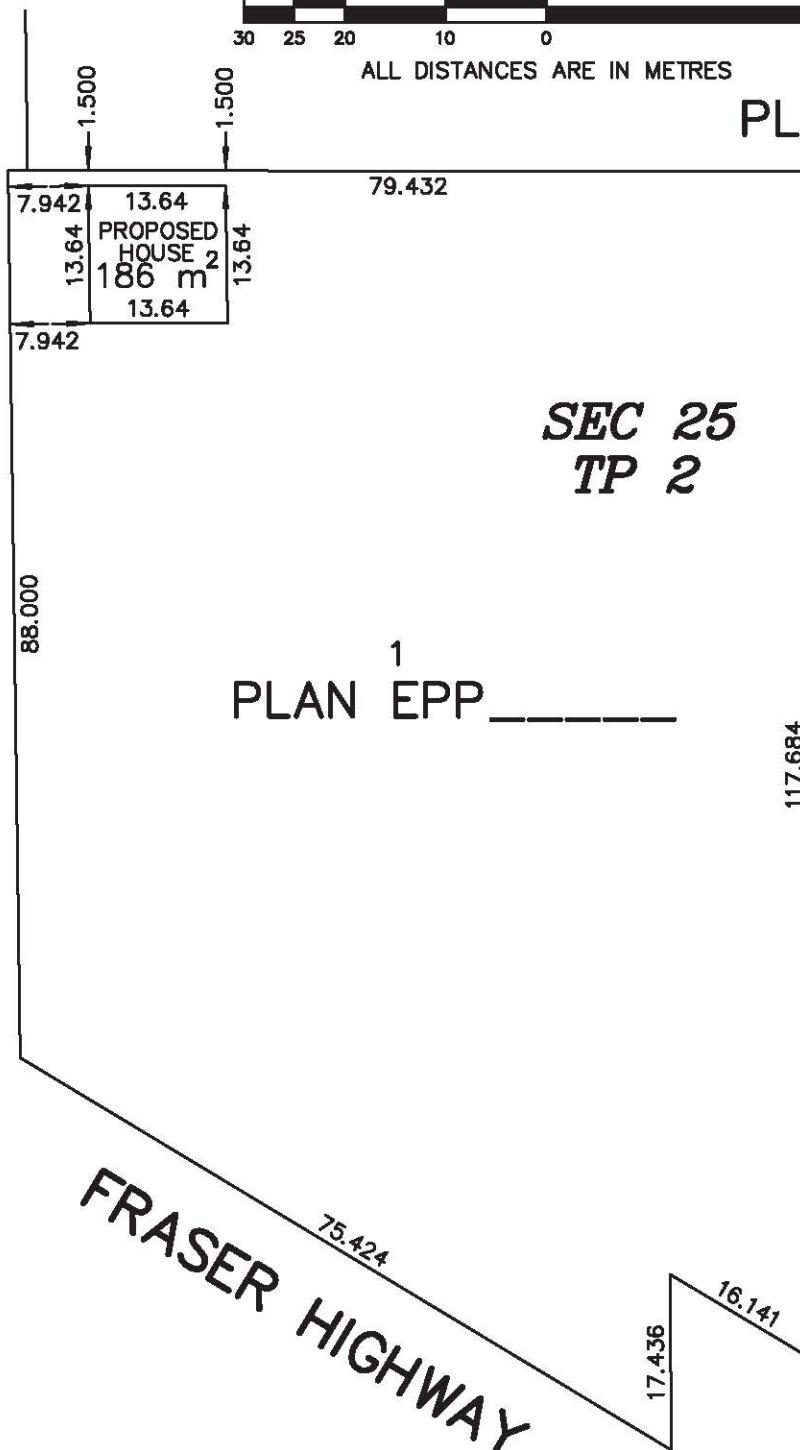


ALL DISTANCES ARE IN METRES

PLAN EPP \_\_\_\_\_<sup>2</sup>



164 STREET



**SEC 25  
TP 2**

PLAN EPP \_\_\_\_\_<sup>1</sup>

FRASER HIGHWAY

CITY OF SURREY  
SURVEY SECTION

13450 – 104 AVE.  
SURREY, B.C. V3T 1V8  
TEL. (604) 591-4253  
FAX. (604) 591-8693

THIS SKETCH WAS PREPARED FOR MUNICIPAL PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE CITY OF SURREY. THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.

S2805B\_PROPOSEDHOUSELOCATION.DWG

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0310-00

Issued To: HENDRIK SCHOEN  
JANTJE SCHOEN

Address of Owner: 16411 - Fraser Hwy  
Surrey, BC V3S 2X3

Issued To: CITY OF SURREY

Address of Owner: 13450 - 104 Avenue  
Surrey, BC V3T 1V8

(collectively referred to as "the Owner")

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: 010-901-850

Parcel "A" (Explanatory Plan 9819) Lot 1 Section 25 Township 2 New Westminister District Plan 3448 Except Plans LMP32184 and EPP46112

16441 - Fraser Hwy

Parcel Identifier: 010-413-022

Lot "B" Section 25 Township 2 New Westminister District Plan 21319

8388 - 164 Street

Parcel Identifier: 029-450-535

Lot 1 Section 25 Township 2 New Westminister District Plan EPP46112

16411 - Fraser Hwy

(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 12 One-Acre Residential Zone (RA), the minimum rear yard setback for the principal building is reduced from 7.5 metres (25 ft.) to 1.5 metres (5 ft.) for proposed Lot 1; and
- (b) In Section E of Part 12 One-Acre Residential Zone (RA), the maximum lot coverage is increased from 20% to 40% for proposed Lot 1.

5. Surrey Subdivision and Development By-law, 1986, No. 8830, as amended is varied as follows:

- (a) In Part V – Highway Dedication, Servicing and Construction Standards, Section 24(a), the requirement to provide vehicular and pedestrian highway systems, water distribution, sanitary sewer and drainage works, underground wiring and street lighting systems is deferred for proposed Lots 1 and 2.

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

7. 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.

8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

9. 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

**SUBDIVISION PLAN OF PORTIONS OF SECTION 25 TOWNSHIP 2 BEING:**


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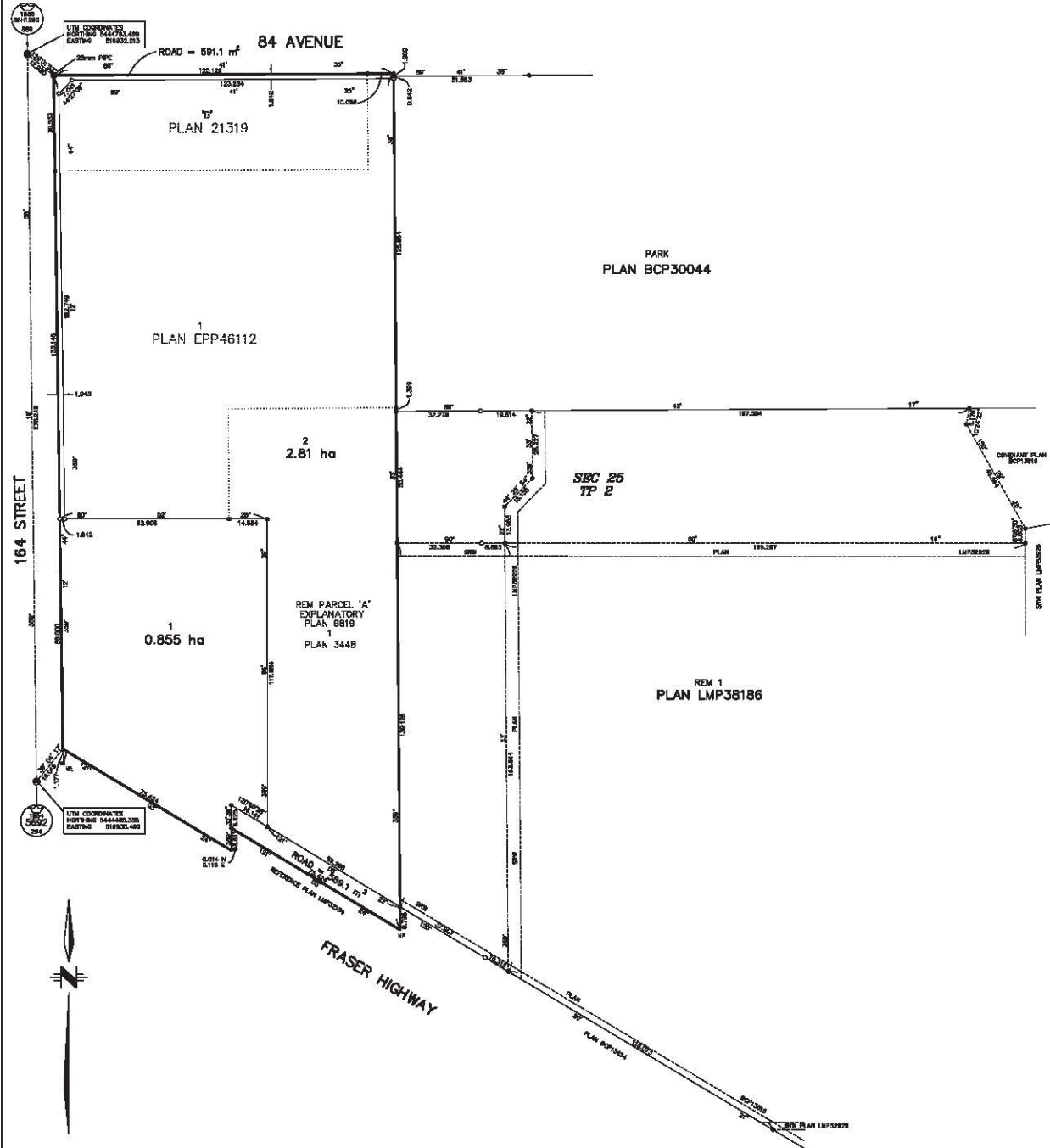
PLAN EPP \_\_\_\_\_

**NEW WESTMINSTER DISTRICT  
 BCGS 92G017**

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