

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

Application No.: 7921-0069-00

Planning Report Date: July 26, 2021

**PROPOSAL:**

- **Development Variance Permit**

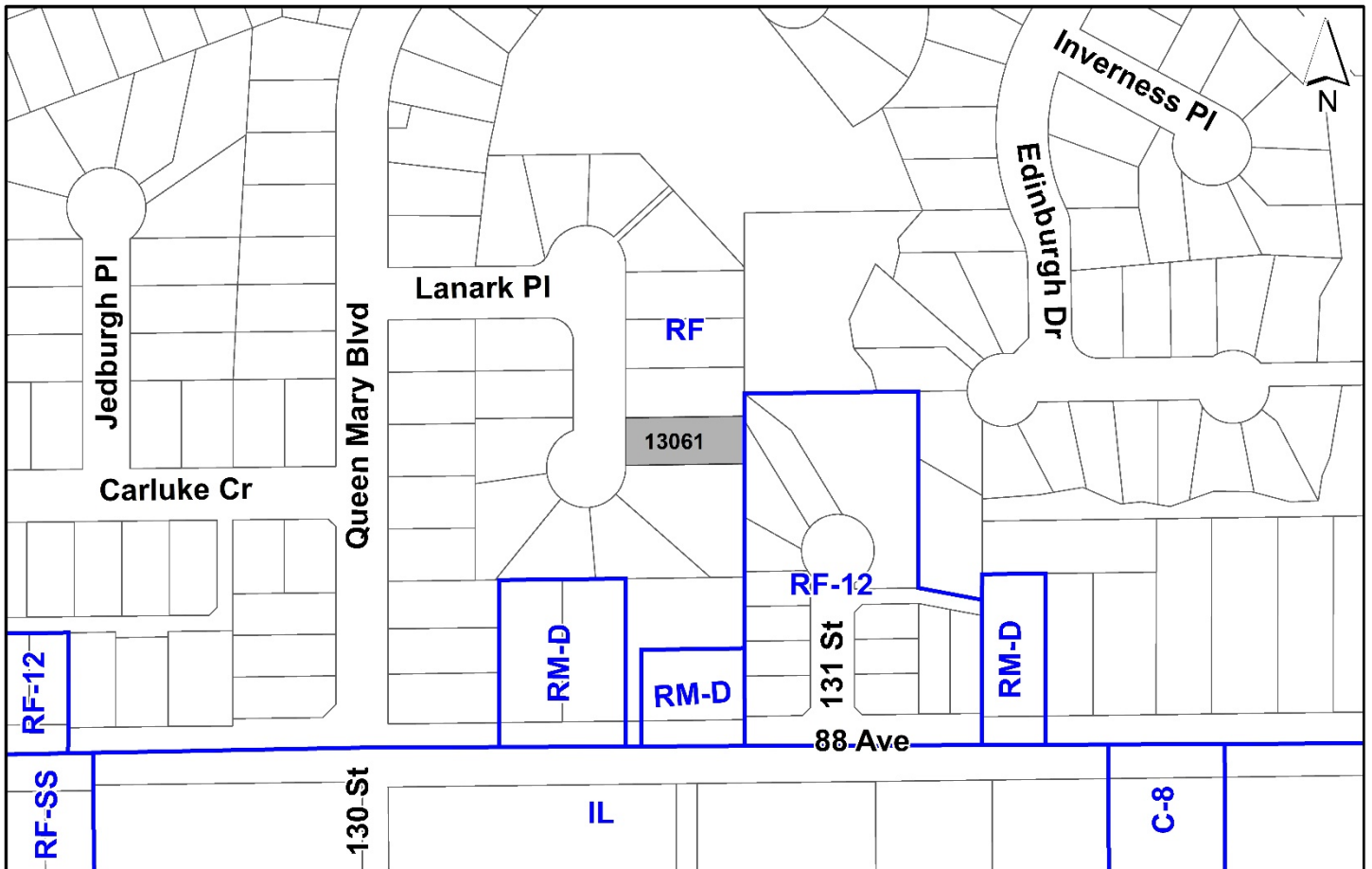
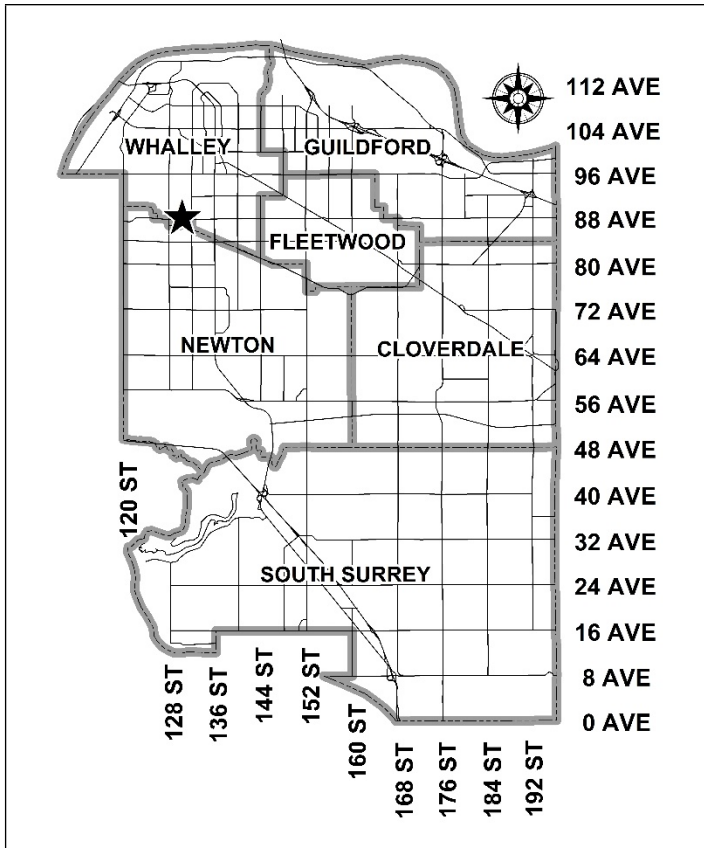
to reduce the minimum rear yard setback from a natural gas transmission (Fortis BC) right-of-way in order to construct a new single family dwelling.

**LOCATION:** 13061 - Lanark Place

**ZONING:** RF

**OCP DESIGNATION:** Urban

**LAP DESIGNATION:** Urban Residential



**RECOMMENDATION SUMMARY**

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

**DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- The applicant is proposing to reduce the minimum rear yard setback requirement from a natural gas right-of-way in order to construct a new single family dwelling.

**RATIONALE OF RECOMMENDATION**

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The proposal complies with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The proposed density and building form are appropriate for this part of Whalley.
- Around forty percent (40%) of the lot is encumbered by the natural gas transmission (Fortis BC) right-of-way. Without the variance, the applicant will not be able to build an adequately sized house in accordance with the RF Zone.
- The proposed new house will be consistent with the established streetscape and retains a full driveway for vehicle parking.
- The applicant acknowledges that no accessory buildings or structures are permitted within the right-of-way area.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7921-0069-00 (Appendix II) varying the following, to proceed to Public Notification:
  - (a) to vary Part 4 General Provisions of the Zoning By-law No. 12000 to reduce the minimum rear yard setback from a natural gas transmission (Fortis BC) right-of-way in the RF Zone from 7.5 metres to 0.5 metres.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP	Existing Zone
Subject Site	Single Family Dwelling	Urban	RF
North:	Single Family Dwelling	Urban	RF
East:	Single Family Dwelling	Urban	RF-12
South:	Single Family Dwelling	Urban	RF
West (Across Lanark Place):	Single Family Dwelling	Urban	RF

### Context & Background

- The 835 square metre subject property is located at 13061 Lanark Place in Whalley and is approximately 18.3 metres in width, 45.7 metres in depth, and 835 square metres in area.
- The lot is designated "Urban" in the Official Community Plan and currently zoned "Single Family Residential Zone (RF)" under the Surrey Zoning By-law 12000.
- An 18.2 metre-wide Fortis BC natural gas transmission right-of-way (ROW) encumbers the rear portion of the lot, equivalent to approximately forty percent (40%) of the lot.
- Part 4 Section E.18 (a) of Zoning By-law 12000 states that the setback of principal buildings on lots containing a natural gas transmission right-of-way at the rear of the lot line shall not be less than 7.5 metres and such setback shall be measured at 90 degrees to the gas right-of-way boundary closest to the building line. The applicant is proposing a 0.5 metre setback from the ROW in order to construct a new single family dwelling.
- Fortis BC has indicated that they recommend the full 7.5 metre setback from the right-of-way be retained in order to allow ancillary structures in the backyard and to prevent any issues with such structures in the future. However, given that neighbouring properties are achieving similar rear yard setbacks from the Fortis BC right-of-way, Fortis BC staff support the City's recommendation.

- The applicant acknowledges that varying the setback to 0.5 metres will preclude them from having any accessory buildings or structures on the lot.

## DEVELOPMENT PROPOSAL

### Planning Considerations

- The applicant is proposing to reduce the minimum rear yard setback from the natural gas (Fortis BC) transmission right-of-way for a proposed new single family dwelling on the lot in the Single Family Residential Zone (RF).

### Referrals

Engineering:                                    The Engineering Department has no objection to the project.

## POLICY & BY-LAW CONSIDERATIONS

### Regional Growth Strategy

- The subject property is designated General Urban in the Regional Growth Strategy (RGS). The proposed new single family dwelling complies with the General Urban designation.

### Official Community Plan

#### Land Use Designation

- The subject property is designated Urban in the Official Community Plan (OCP). The proposed new single family dwelling complies with the Urban designation.

#### Themes/Policies

- The proposed redevelopment supports the Sensitive Infill policy of the OCP. The proposed new single family dwelling is appropriate in scale and density to its neighbourhood context. The compatible house design reinforces the neighbourhood character.

### Zoning By-law

- The applicant is requesting the following variance:
  - to vary Part 4 General Provisions of the Zoning By-law No. 12000 to reduce the minimum rear yard setback from a natural gas transmission (Fortis BC) right-of-way in the RF Zone from 7.5 metres to 0.5 metres.
- Approximately forty percent (40%) of the lot is encumbered by the natural gas transmission (Fortis BC) right-of-way. Without the variance, the applicant will not be able to build an adequately sized house in accordance with the RF Zone.

- The maximum achievable floor area without a variance is 328 square metres. With the variance, the applicant will be able to achieve a floor area of approximately 377 square metres plus the portion in the basement that is not counted as floor area.
- The proposal retains a full length driveway from Lanark Place for vehicle parking and the proposed new house will be consistent with the established streetscape.
- The applicant acknowledges that varying the setback to 0.5 metres will preclude them from having any accessory buildings or structures on the lot.
- The yard space within the right-of-way will still provide a functional outdoor space (without buildings or structures) on the lot.
- Staff support the requested variance to proceed to public notification.

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Site Plan
Appendix II.	Development Variance Permit No. 7921-0069-00

*approved by Ron Gill*

Rémi Dubé  
Acting General Manager  
Planning and Development

DQ/cm

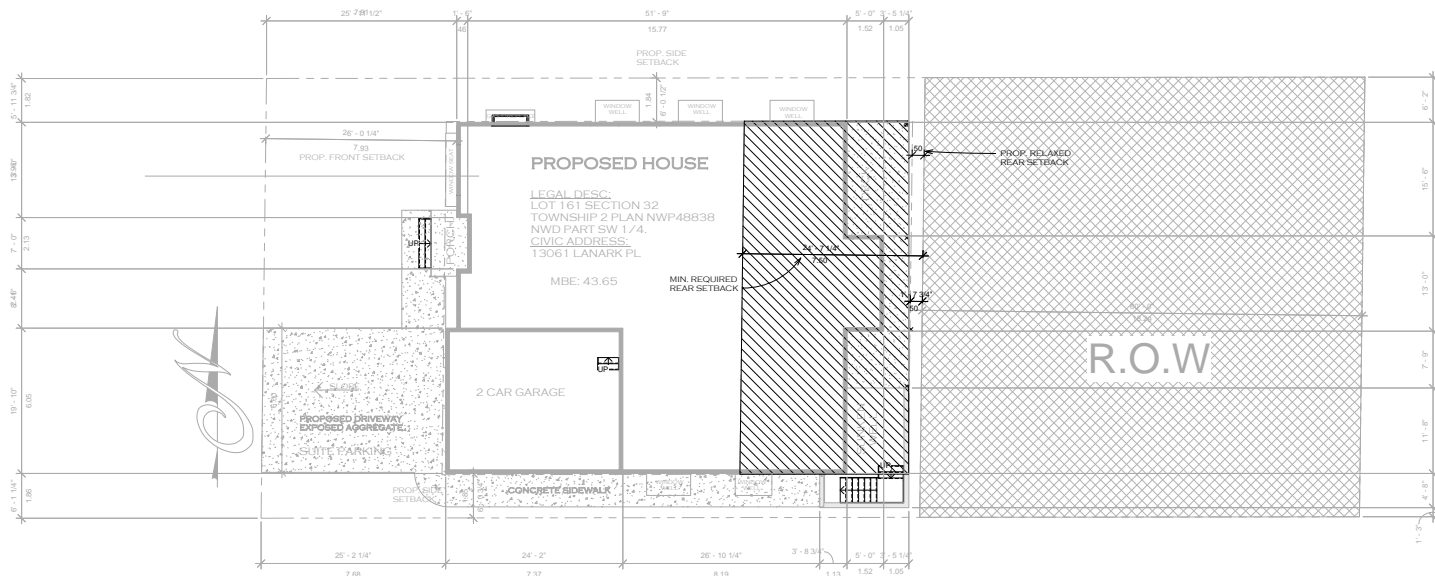
THESE PLANS CONFORM TO BCBC 2018  
CONSTRUCTION SHALL FOLLOW LOCAL  
BUILDING BY-LAWS ALONG WITH THESE  
PLANS.

CONTRACTOR MUST CONFIRM ALL  
DIMENSIONS PRIOR TO START OF  
CONSTRUCTION.

THE DESIGNER ASSUMES NO LIABILITY FOR  
ANY ERRORS AND OMISSIONS IN THESE  
PLANS. IT IS THE BUILDER/OWNER'S  
RESPONSIBILITY TO REVIEW AND VERIFY  
THE WHOLE PLAN (i.e. ALL LEVELS,  
DIMENSIONS, STRUCTURAL ADEQUACIES)  
PRIOR TO CONSTRUCTION.

DO NOT SCALE DRAWINGS.

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WRITTEN PERMISSION.  
PLEASE NOTE THAT THESE DRAWINGS ARE  
FOR PERMIT APPLICATION PURPOSES AND  
NOT INTENDED TO BE ISSUED FOR  
CONSTRUCTION UNTIL APPROVED BY CITY.



① Site Plan DVP-No Survey  
1/8" = 1'-0"



Pro Villa Designs Ltd.  
#108- 8299 129 Street  
Surrey, B.C. V3W 0A6  
Ph. 604-593-7070

info@villadesigns.ca

www.villadesigns.ca



**Onkar Singh BAINS**  
604-613-6990  
email:obdrywall69@gmail.com

13061 Lanark Pl  
Surrey, B.C.

Site Plan - DVP\_No  
survey

Project number	PVDL-21-1049_OB
Project Date	21 MAY 2021
EA Plan Review Date	21 MAY 2021
Drawn by	HB

**A-2**

Scale 1/8" = 1'-0"

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7921-0069-00

Issued To:

(the "Owner")

Address of 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: 006-325-513  
Lot 161 Section 32 Township 2 New Westminster District Plan 48838  
13061 - Lanark Place

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) to vary Part 4 General Provisions of the Zoning By-law No. 12000 to reduce the minimum rear yard setback from a natural gas transmission (Fortis BC) right-of-way in the RF Zone from 7.5 metres to 0.5 metres.
4. This development variance permit applies to only the portion of 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 – Doug McCallum

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City Clerk – Jennifer Ficocelli



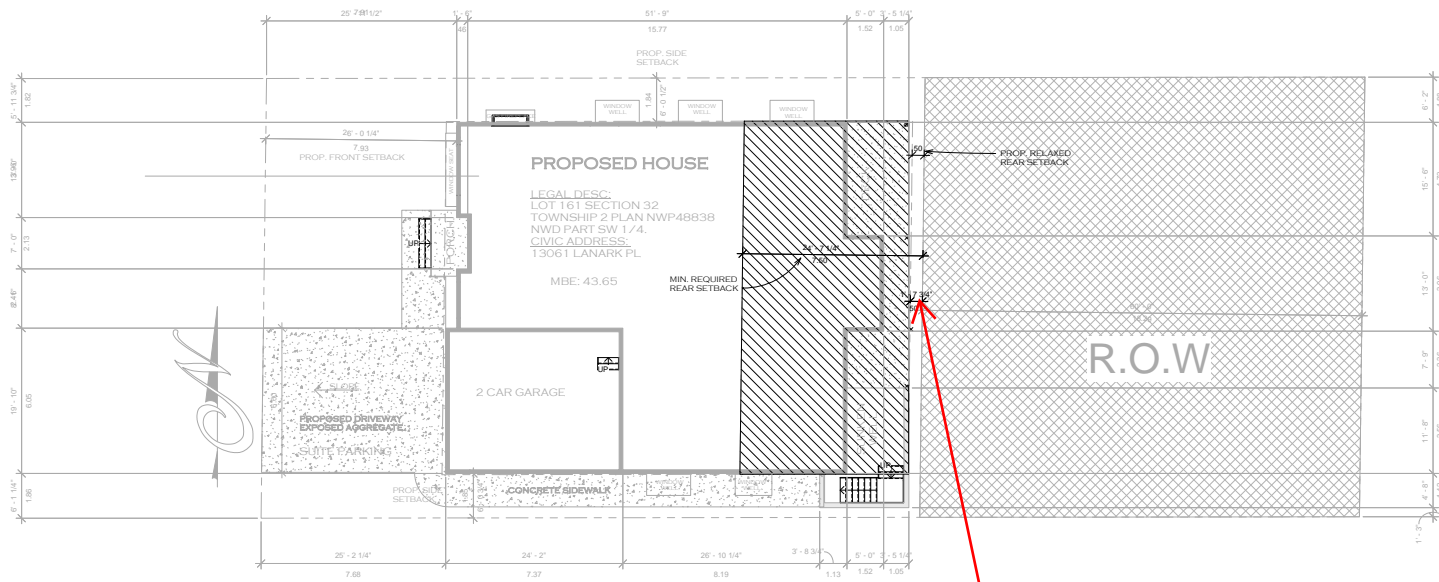
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TRADESPERSON

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