

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7921-0215-00

Planning Report Date: February 14, 2022

PROPOSAL:

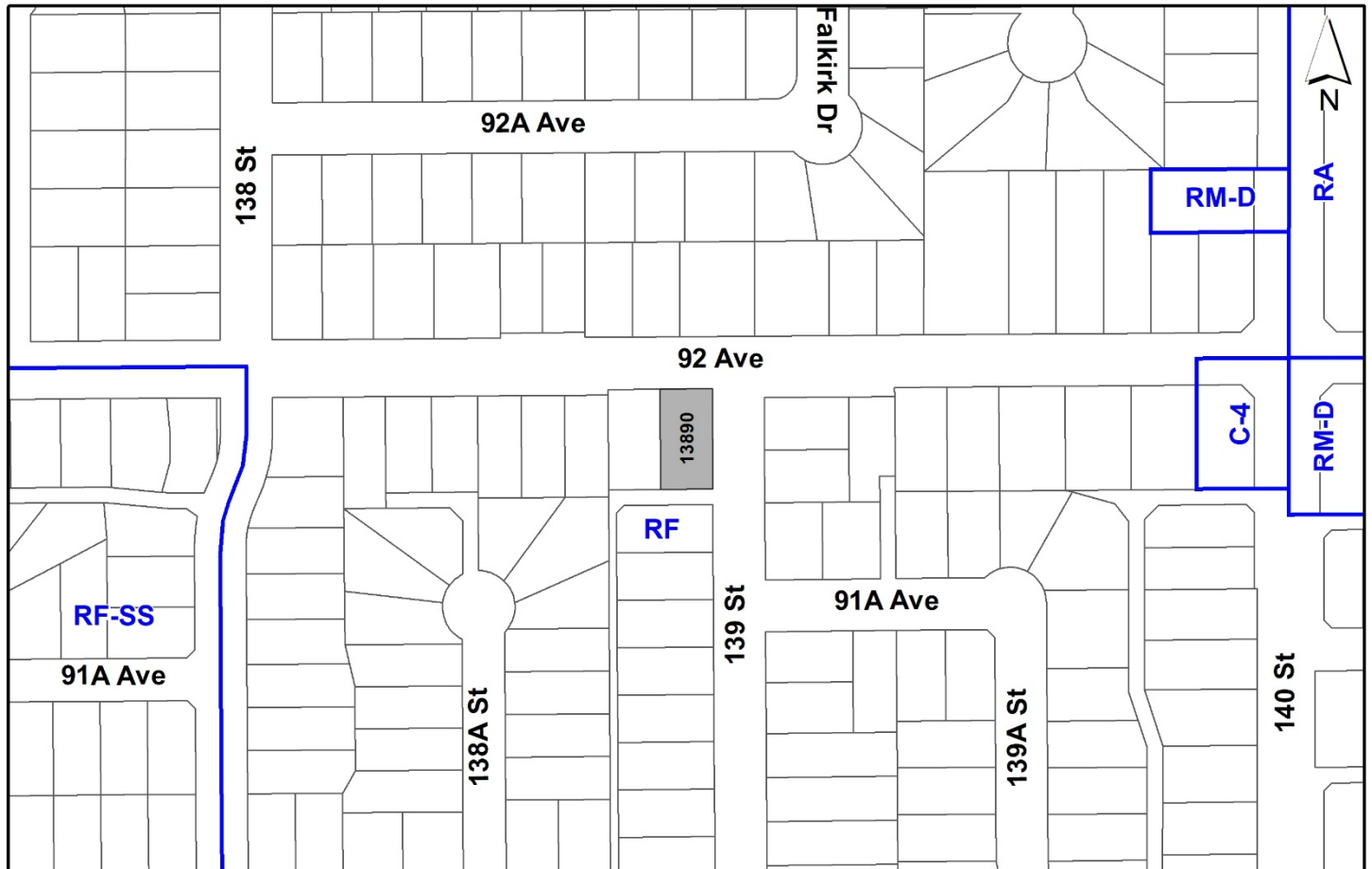
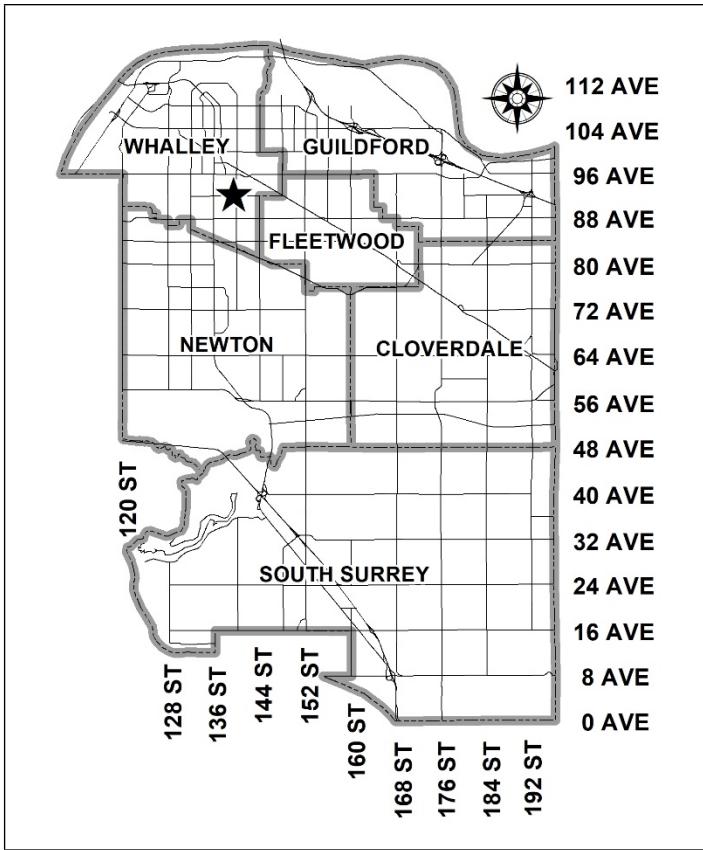
- **Development Variance Permit**

to reduce setbacks for a proposed single-family dwelling on a lot located along an arterial road (92 Avenue).

LOCATION: 13890 - 92 Avenue

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking a variance to reduce the front, rear and side yard setback requirements of the RF Zone for a proposed single-family dwelling.

RATIONALE OF RECOMMENDATION

- In accordance with Part 7 Special Building Setbacks of the Zoning By-law, the setback of lots flanking or fronting an arterial or collector road are measured from the centerline of the ultimate road allowance.
- 92 Avenue is an arterial road with an ultimate road allowance of 30 metres. This ultimate road allowance will require future road widening of 4.9 metres from the front (north) property line.
- The requested reduced setbacks from the ultimate property line will allow the owner to achieve an RF-type house facing towards 92 Avenue, consistent with other existing houses along this section of 92 Avenue.
- The proposed single-family dwelling will have a minimum 6.1 metre long driveway providing vehicle access from 139 Street. This configuration will be able to accommodate 3 off-street parking stalls in accordance the with Zoning By-law requirements.
- Staff supports the requested variance to proceed to Public Notification.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7921-0215-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front (north) yard setback of the RF Zone from 7.5 metres to 6.1 metres to the foundation of the front deck;
 - (b) to reduce the minimum front (north) yard setback of the RF Zone from 7.5 metres to 6.2 metres to the principal building face;
 - (c) to reduce the minimum rear (south) yard setback of the RF Zone from 7.5 metres to 6.1 metres to the principal building face;
 - (d) to reduce the minimum (west) side yard setback of the RF Zone from 1.8 metres to 1.5 metres to the principal building face; and
 - (e) to reduce the minimum (east) side yard on flanking street setback of the RF zone from 3.6 metres to 3.4 metres to the principal building face.
2. Council instruct staff to resolve the following issue prior to final approval:
 - (a) Department of Fisheries and Oceans Canada (DFO) Request for Review may be applicable. Confirmation from the applicant's Qualified Environmental Professional (QEP) is required.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single family dwelling	Urban	RF
North (Across 92 Avenue):	Single family dwellings	Urban	RF
East (Across 139 Street):	Single family dwellings	Urban	RF
South (Across unconstructed lane):	Single family dwellings	Urban	RF
West:	Single family dwellings	Urban	RF

Context & Background

- The 778-square metre subject property is located at 13890 – 92 Avenue in Whalley. The subject property is approximately 20 metres wide and 38 metres deep.

- The lot is designated "Urban" in the Official Community Plan (OCP) and currently zoned "Single Family Residential Zone (RF)" under Surrey Zoning By-law, 1993, No. 12000.
- Along the 139 Street frontage, there is a Class C ditch adjacent to the subject site. The applicant is proposing to infill the ditch in order to facilitate construction of a driveway access to the lot (see Parkland and/or Natural Area Considerations section).

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing construction of a new single-family dwelling on an existing RF-zoned lot.

Referrals

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

Transportation Considerations

- 92 Avenue, along the lot frontage, is classified as an arterial road. Under the revised standards of the Subdivision & Development By-law approved by Council in 2011, the ultimate width is 30 metres. The existing road allowance for 92 Avenue requires road widening of 4.9 metres from the front (north) property line.
- The Engineering Department has determined that within the next 7 – 10 years, 30 metres of road allowance for 92 Avenue will be required for future road construction. Under Part 7 Special Building Setbacks of the Zoning By-law, No. 12000 (the "Zoning Bylaw"), the setbacks of buildings and structures on a lot abutting a highway shown on the Surrey Major Road Allowance Map, which includes this portion of 92 Avenue, shall be the sum of one-half of the width of the ultimate highway allowance as measured from the ultimate highway allowance plus the required setback of the zone in which the lot is located. This results in a front yard setback requirement of 12.4 metres from the existing front lot line on the subject lot
- The required front yard setback of 12.4 metres from the existing front lot line is calculated by adding the 4.9 metre future road widening requirement to the required 7.5 metre front yard setback in the RF Zone.

Parkland and/or Natural Area Considerations

- A Class C ditch is located along the 139 Street frontage of the subject site only.
- The applicant is proposing to infill the Class C ditch in order to facilitate construction of a driveway access to the proposed single-family dwelling. The Engineering Department supports these works.
- A Qualified Environmental Professional (QEP) has assessed the ditch confirming its classification as Class C, under Part 7A Streamside Protection of the Zoning By-law.

- An assessment of the ditch was also provided to the Ministry of Forests, Lands, Natural Resource Operations & Rural Development Contacts (FLNRORD), who have confirmed that the water feature does not meet the definition of a Water Sustainability Act (WSA) stream.
- The applicant's QEP has been requested to confirm if a Department of Fisheries and Oceans Canada (DFO) Request for Review is necessary prior to infilling the ditch. This requirement will be considered a condition of Development Variance Permit (DVP) issuance.

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 neighborhood context. By fronting 92 Avenue, the compatible house design reinforces the neighborhood character.

Zoning By-law

- The subject property is zoned RF, which permits a single-family dwelling.

Variances

- The applicant is requesting the following variances to the ultimate property line:
 - (a) to reduce the minimum front (north) yard setback of the RF Zone from 7.5 metres to 6.1 metres to the foundation of the front deck;
 - (b) to reduce the minimum front (north) yard setback of the RF Zone from 7.5 metres to 6.2 metres to the principal building;
 - (c) to reduce the minimum rear (south) yard setback of the RF Zone from 7.5 metres to 6.1 metres to the principal building face;
 - (d) to reduce the minimum (west) side yard setback of the RF Zone from 1.8 metres to 1.5 metres to the principal building face; and

- (e) to reduce the minimum (east) side yard on flanking street setback of the RF zone from 3.6 metres to 3.4 metres to the principal building face.
- The subject lot fronts 92 Avenue, which is a designated Arterial Road in the Surrey Road Classification Map (R-91), attached as Schedule D to Surrey Subdivision and Development By-Law No. 8830. The Surrey Major Road Allowance Map, attached as Schedule K to the Subdivision and Development By-Law, identifies a 30-metre wide road allowance for arterial roads. This road allowance, approved in 2011, is a 3.0 metre increase from the previous arterial road allowance of 27 metres.
 - For this portion of 92 Avenue, the Engineering Department has concluded that within the next 7 – 10 years, 30 metres of road allowance will be required for future road construction.
 - Part 7 Special Building Setbacks of the Zoning By-law, stipulates that the setback of buildings on a lot abutting an existing or future major road as shown in the Surrey Major Road Allowance Map, shall be the sum of one-half of the ultimate highway allowance shown in the Major Road Allowance Map measured from the centerline of the road, plus the required setback of the zone in which the lot is located.
 - On this basis, the required front yard setback is 15 metres from the ultimate centerline of 92 Avenue, plus the 7.5 metre front yard setback requirement for the principal building of the RF Zone for a total Special Building Setback of 22.5 metres to the ultimate centreline.
 - This equates to an additional 4.9 metre setback from the existing front (north) property line beyond the typical 7.5 metre setback, resulting in a required 12.4 metre building setback from the existing front property line.
 - The proposed front yard setback of 6.1 metres from the ultimate lot line to the foundation of the deck and 6.2 metres to the building face is supportable as it achieves a consistent streetscape along 92 Avenue and allows the applicant to construct a reasonably sized single-family home on the lot.
 - The proposed rear yard setback of 6.1 metres allows the applicant to construct a reasonably sized single-family home on the lot while also providing for a reasonably sized rear yard.
 - The proposed (west) side yard and (east) side yard on flanking street setback allows the applicant to construct a reasonably sized single-family home on the lot while providing additional space for a minimum 6.1-metre long driveway from 139 Street. This configuration will be able to accommodate 3 off-street vehicle stalls in accordance the with Zoning By-law requirements.
 - Staff support the requested variances to proceed for consideration.

TREES

- Rhythm Batra, ISA Certified Arborist of Mike Fadum and Associates Ltd., prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Existing	Remove	Retain
Deciduous Trees (excluding Alder and Cottonwood Trees)			
Ash, Mountain	1	1	0
Ironwood, Persian	1	0	1
Willow, Weeping	1	1	0
Coniferous Trees			
Western Red Cedar	1	0	1
Total (excluding Alder and Cottonwood Trees)	4	2	2
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		4	
Total Retained and Replacement Trees		6	

- The Arborist Assessment states that there is a total of 4 mature trees on the site. It was determined that 2 trees can be retained as part of this development proposal.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. This will require a total of 4 replacement trees on the site. The applicant is proposing 4 replacement trees, meeting City requirements.
- In summary, a total of 6 trees are proposed to be retained or replaced on the site.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. Development Variance Permit No. 7921-0215-00
- Appendix III. Tree Management Plan

approved by Ron Gill

Ron Gill
Acting General Manager
Planning and Development

ELM/cm

ZONING CALCULATIONS:
9185 139 Street, SURREY - Zone - RF

LOT AREA = 8369 SQFT
ALLOWED LOT COVERAGE = 2951.08 SQFT
PROPOSED LOT COVERAGE = 2950.88 SQFT
ALLOWED FAR = 4429.15 SQFT
PROPOSED FAR = 4417.29 SQFT

MAIN FLOOR AREA: 2454.11 SQFT
GARAGE AREA: 420.25 SQFT
TOTAL: 2874.36 SQFT

UPPER FLOOR AREA: 1755.17 SQFT
OPEN TO BELOW + STAIRS: 212.27 SQFT
NET UPPER FLOOR: 1542.90 SQFT

PORCH AREA: 28.08 SQFT
UNCOVERED DECK @ MAIN FLOOR: 28.33 SQFT
COVERED DECK @ MAIN FLOOR: 15.58 SQFT
COVERED DECK @ UPPER FLOOR: 202.17 SQFT

MAIN FLOOR: 2874.36 SQFT (INCL GARAGE)
UPPER FLOOR: 1542.93 SQFT
TOTAL: 4417.29 SQFT

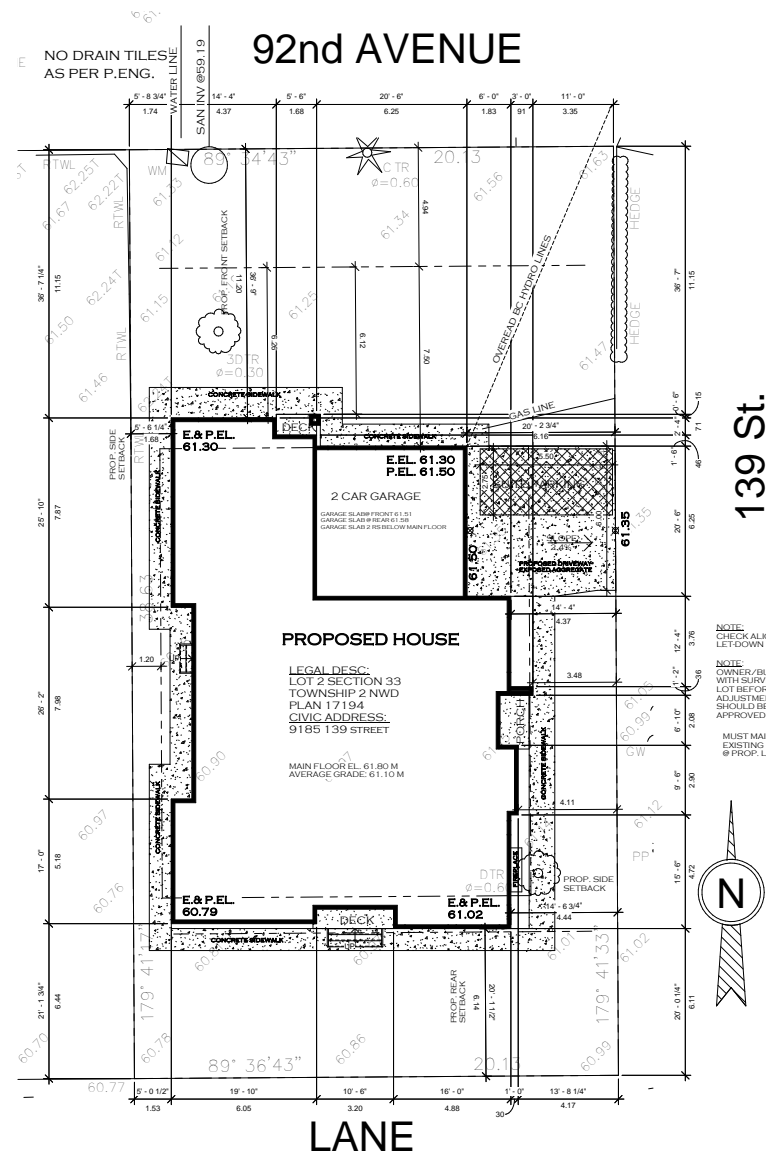
1 BEDROOM SUITE AREA: 499.53 SQFT

ENERGY EFFICIENCY REQUIREMENTS (PART 9 BLDG):

- STEP CODE 3
- WITH HRV
- VENTILATION METHOD: 9.32.3.4.(4) – Independently distributed HRV system

AIR BARRIER SYSTEM:

Will consist of flexible sheet materials
Shall have all joints lap not less than 50mm
sealed with a non-hardening type sealant and
be structurally supported
As per 9.36.2.1(5)(4)(6) of BCBC2018



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 ADJEQUACIES) PRIOR TO CONSTRUCTION.

DO NOT SCALE DRAWINGS.

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Pro Villa Designs Ltd.
#108- 8290 129 Street
Surrey, B.C. V3W 0A6
Ph. 604-593-7070

info@villadesigns.ca

www.villadesigns.ca



Karam Batth
778-889-4251

email:karambatth@yahoo.co.uk

9185 139 Street
Surrey, B.C.

SITE PLAN, NOTES & CALCULATIONS

Project number	PVDL-21-1164 -KB
Project Date	10 AUGUST 2021
EA Plan Review Date	10 AUGUST 2021
Drawn by	HB

A1

Scale 1/8" = 1'-0"

20220808_10_1702.PDW

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7921-0215-00

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: 010-248-901
Lot 2 Section 33 Township 2 New Westminster District Plan 17194
13890 - 92 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 16 "Single Family Residential Zone (RF)", the minimum front (north) yard setback is reduced from 7.5 metres to 6.1 metres to the foundation of the front deck;
 - (b) In Section F of Part 16 "Single Family Residential Zone (RF)", the minimum front (north) yard setback is reduced from 7.5 metres to 6.2 metres to the principal building;
 - (c) In Section F of Part 16 "Single Family Residential Zone (RF)", the minimum rear (south) yard setback is reduced from 7.5 metres to 6.1 metres to the principal building face;
 - (d) In Section F of Part 16 "Single Family Residential Zone (RF)", the minimum (west) side yard setback is reduced from 1.8 metres to 1.5 metres to the principal building face; and
 - (e) In Section F of Part 16 "Single Family Residential Zone (RF)", the minimum (east) side yard on flanking street setback is reduced from 3.6 metres to 3.4 metres to the principal building face.

4. This development variance permit applies to only that portion of the buildings and structures on 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 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

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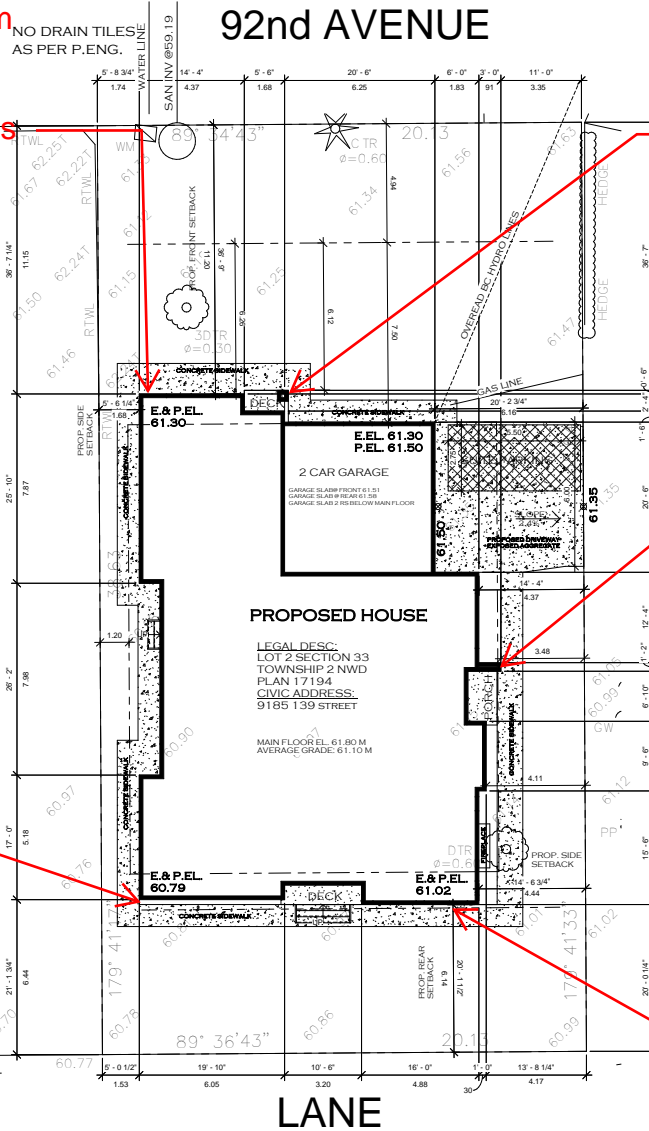
Reduce the minimum front (north) yard setback of the RF Zone from 7.5 metres to 6.2 metres to the principal building face.

Reduce the minimum front (north) yard setback of the RF Zone from 7.5 metres to 6.1 metres to the foundation of the front deck.

Reduce the minimum (east) side yard on flanking street setback of the RF zone from 3.6 metres to 3.4 metres to the principal building face.

Reduce the minimum (west) side yard setback of the RF Zone from 1.8 metres to 1.5 metres to the principal building face.

Reduce the minimum rear (south) yard setback of the RF Zone from 7.5 metres to 6.1 metres to the principal building face.



Site Plan
1/8" = 1'-0"

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

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SITE PLAN, NOTES & CALCULATIONS

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Drawn by	HB

A1

Scale 1/8" = 1'-0"

MIKE FADUM AND ASSOCIATES LTD.
VEGETATION CONSULTANTS

Tree Preservation Summary

Surrey Project No: 21-0215-00

Address: 13890 92 Avenue, Surrey, BC

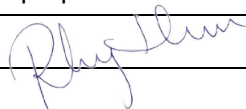
Registered Arborist: Rhythm Batra PN-8932A

On-Site Trees	Number of Trees
Protected Trees Identified (on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas)	4
Protected Trees to be Removed	2
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	2
Total Replacement Trees Required: <ul style="list-style-type: none"> - Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 0 X one (1) = 0 - All other Trees Requiring 2 to 1 Replacement Ratio 2 X two (2) = 4 	4
Replacement Trees Proposed	6
Replacement Trees in Deficit	0
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	NA

Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	0
Total Replacement Trees Required: <ul style="list-style-type: none"> - Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 0 X one (1) = 0 - All other Trees Requiring 2 to 1 Replacement Ratio 0 X two (2) = 0 	0
Replacement Trees Proposed	NA
Replacement Trees in Deficit	NA

Summary report and plan prepared and submitted by: Mike Fadum and Associates Ltd.

Signature of Arborist:



Date: January 28, 2022



Mike Fadum and Associates Ltd.
#105, 8277-129 Street, Surrey, BC, V3W 0A6
Phone 778-593-0300 Fax 778-593-0302





MIKE FADUM AND ASSOCIATES LTD. VEGETATION CONSULTANTS

#105, 8277 129 St.
 Surrey, British Columbia
 V3W 0A6
 Ph: (778) 593-0300
 Fax: (778) 593-0302
 Email: mfadum@fadum.ca

CLIENT

FILE NO.

PROJECT TITLE
TREE PRESERVATION AND PROTECTION PLAN

13890 92 AVENUE,
 SURREY, B.C.

REVISIONS:

NO.	DATE	BY	REVISION

GENERAL NOTES:
 REASSESS RETAINED TREES WITH FINAL DEVELOPMENT AND SERVICING PLANS.

SHEET TITLE

T1 - TREE PRESERVATION AND REMOVAL PLAN

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DRAWN
 AA

SCALE
 AS SHOWN

DATE
 OCTOBER 15, 2021

T - 1
 SHEET 1 OF 2

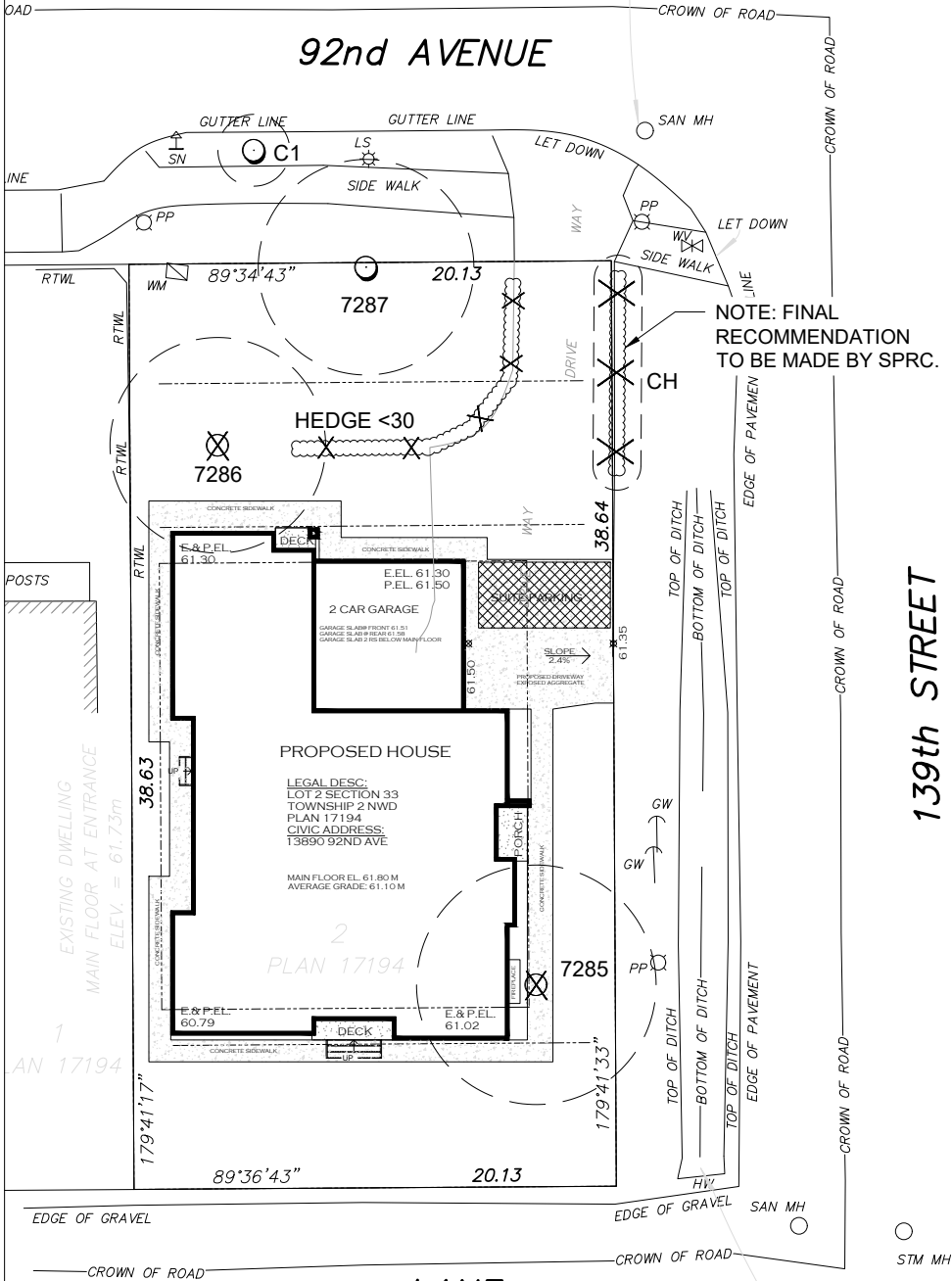
SANITARY MANHOLE
 RIM ELEV= 61.76m
 E INV. ELEV= 59.04m
 W INV. ELEV= 59.03m
 DIST TO WEST MH=79.46m

92nd AVENUE

139th STREET

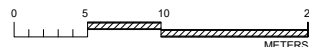
LANE

NOTE: FINAL RECOMMENDATION TO BE MADE BY SPRC.



LEGEND

- TREE TO BE RETAINED
- TREE TO BE REMOVED
- MINIMUM NO DISTURBANCE ZONE





MIKE FADUM AND ASSOCIATES LTD. VEGETATION CONSULTANTS

#105, 8277 129 St.
Surrey, British Columbia
V3W 0A6
Ph: (778) 593-0300
Fax: (778) 593-0302
Email: mfadum@fadum.ca

CLIENT

FILE NO.

PROJECT TITLE
TREE PRESERVATION
AND PROTECTION PLAN

13890 92 AVENUE,
SURREY, B.C.

REVISIONS:

NO.	DATE	BY	REVISION

GENERAL NOTES:

- NON-BY-LAW TREES HAVE BEEN REMOVED FROM THE PLANS.
- TREE PROTECTION FENCING SHALL BE CONSTRUCTED TO MUNICIPAL STANDARDS.
- REASSESS RETAINED TREES WITH FINAL DEVELOPMENT AND SERVICING PLANS.
- REPLACEMENT TREES SHALL CONFORM TO BC'S LA/BC/LNA LANDSCAPE STANDARDS. SPECIES AND LOCATIONS TO BE DETERMINED AT LANDSCAPE STAGE.

SHEET TITLE

T2 - TREE PROTECTION PLAN

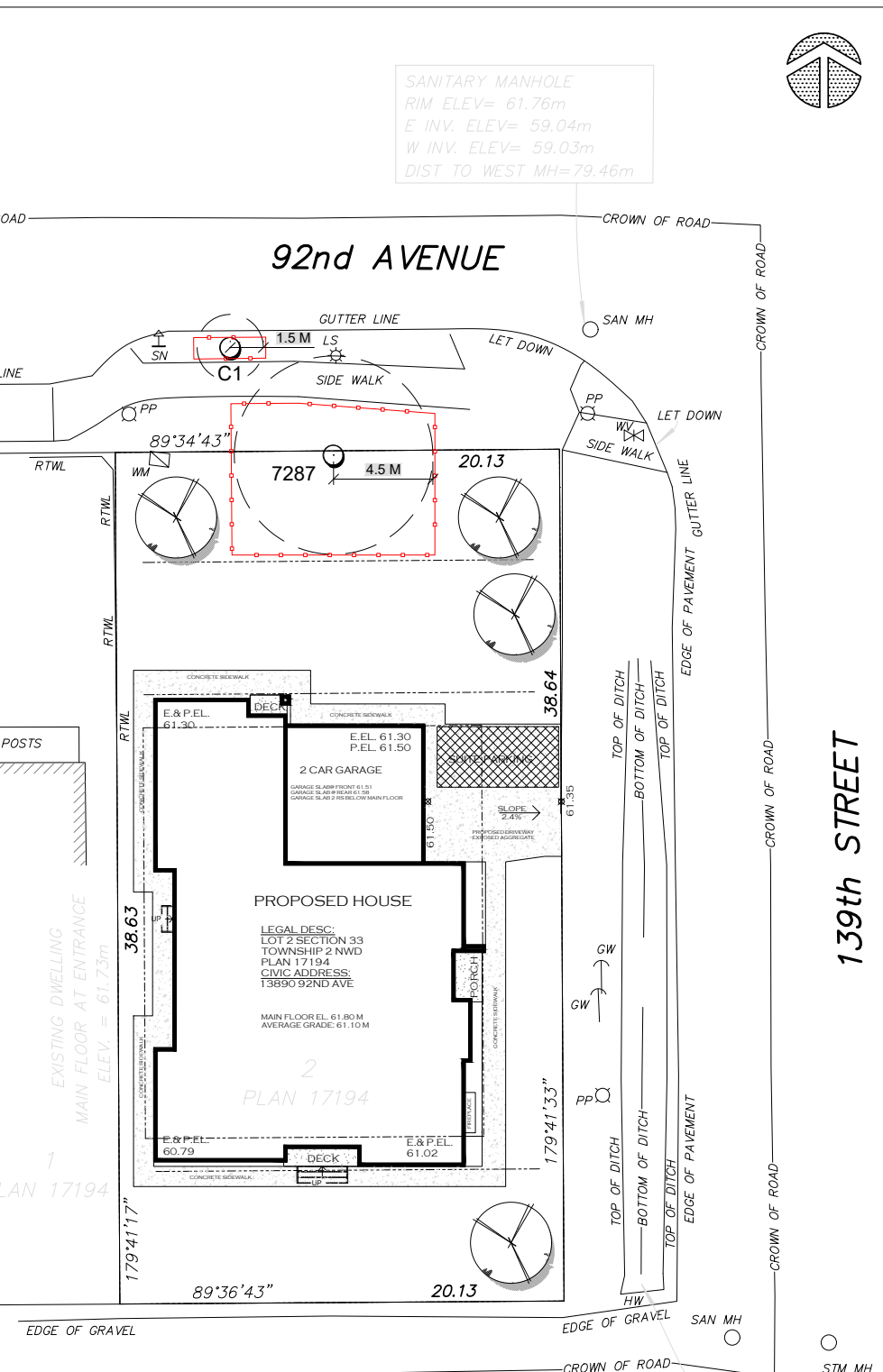
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SCALE AS SHOWN

DATE OCTOBER 15, 2021

T-2
SHEET 2 OF 2



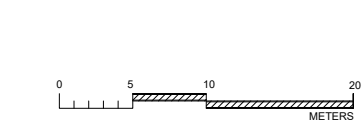
EXISTING DIMINGLING MAIN FLOOR AT ENTRANCE ELEV. = 61.73m

1 PLAN 17194

LEGAL DESC:
LOT 2 SECTION 33
TOWNSHIP 2 NWD
PLAN 17194
CIVIC ADDRESS:
13890 92ND AVE

MAIN FLOOR EL. 61.80 M
AVERAGE GRADE: 61.10 M

2 PLAN 17194



LEGEND

	TREE TO BE RETAINED		MINIMUM NO DISTURBANCE ZONE
	TREE PROTECTION FENCING		DECIDUOUS REPLACEMENT TREE (5 CM. DIA. MINIMUM)

INVERT
INV ELEV= 60.57m
ø=400mm CONC.

