

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

Application No.: 7921-0217-00

Planning Report Date: February 14, 2022

**PROPOSAL:**

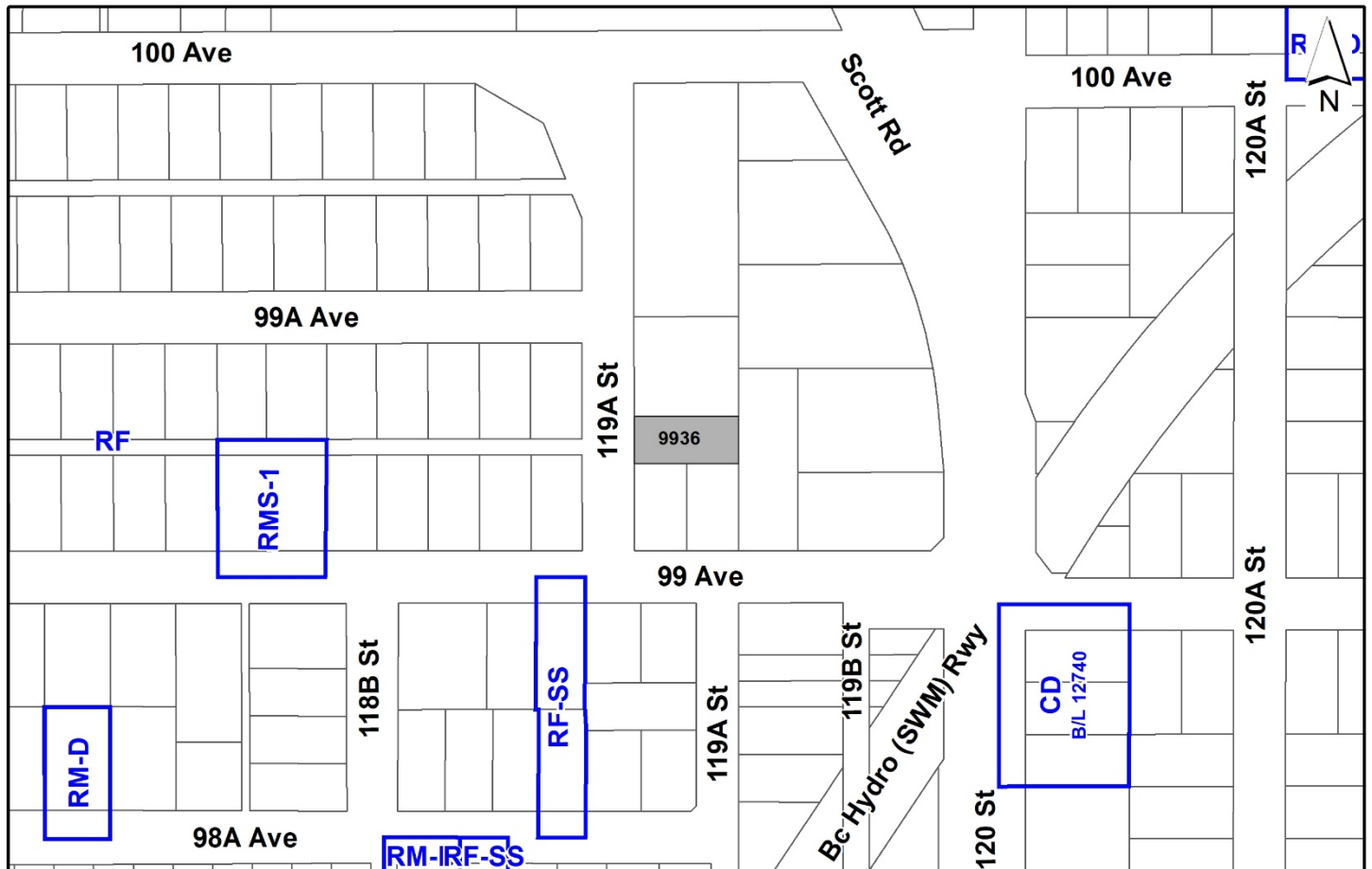
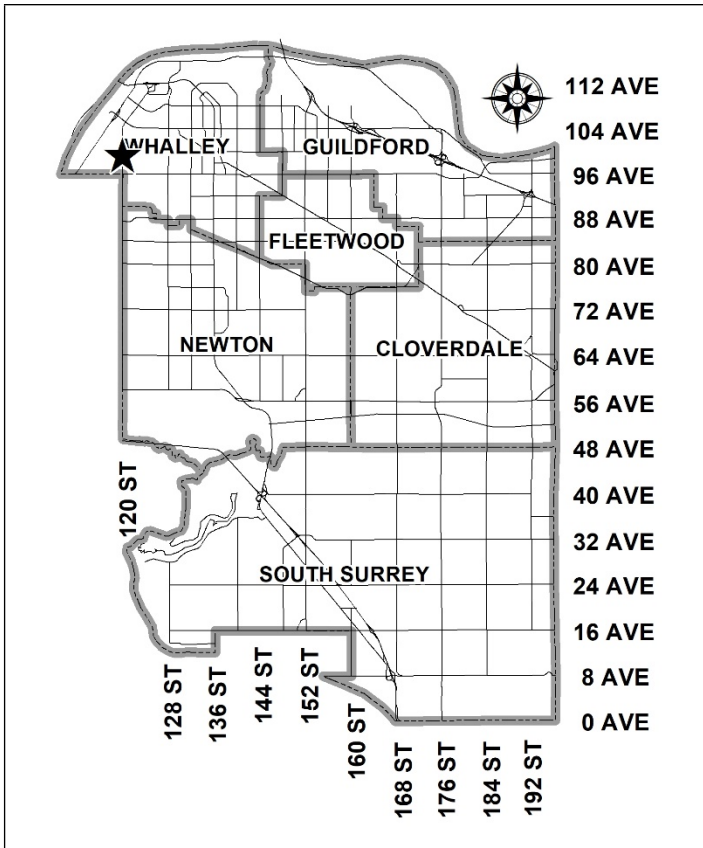
- **Development Variance Permit**

to reduce the minimum streamside setback to accommodate a new single-family dwelling on the lot.

**LOCATION:** 9936 - 119A Street

**ZONING:** RF

**OCP DESIGNATION:** Urban



## RECOMMENDATION SUMMARY

- Council approve Development Variance Permit to proceed to Public Notification.

## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to reduce the minimum setback distance from the top of bank for a Class A natural stream for a lot of record from 15 metres to 12.29 metres.

## RATIONALE OF RECOMMENDATION

- The applicant provided a Riparian Area Protection Regulation (RAPR) assessment report for the adjacent Class A (red-coded) watercourse (Scott Creek). The RAPR report concludes that the required 10-metre Streamside Enhancement and Protection Area (SPEA) is located outside the boundaries of the subject property.
- The subject property is separated from Scott Creek by multiple abutting properties, including a 38.44-metre wide property to the north and a 22.86-metre wide property to the east.
- A small portion of the subject lot encroaches into the Zoning By-law Part 7A required 15-metre setback from Scott Creek, along the north (side) property line.
- The requested variance will accommodate a single-family dwelling of 568 square metres in area, which complies with the RF Zone and is consistent with other existing homes in this neighbourhood.
- The proposed dwelling will be sited 10.76 metres from the rear lot line, which is larger than the RF zone's minimum rear yard setback requirement of 7.5 metres, and will provide additional distance from the rear of the proposed development to Scott Creek.
- The subject property is encumbered by a statutory right-of-way registered on the frontage, which further complicates the siting of the single-family dwelling. The applicant proposes a principal building setback of 12.19 metres from the front lot line which is larger than the minimum front yard setback of 7.5 metres in the RF Zone.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7921-0217-00 (Appendix II), to reduce the minimum setback distance from the top of bank for a Class A Natural Stream from 15 metres to 12.29 metres, to proceed to Public Notification.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single-Family Dwelling	Urban	RF
North (Abutting):	Single-Family Dwelling / Parkland	Urban	RF
East (Abutting):	Single-Family Dwelling / Parkland	Urban	RF
South (Abutting):	Single-Family Dwelling	Urban	RF
West (Across 119A Street):	Single-Family Dwelling	Urban	RF

### Context & Background

- The subject site is an existing single-family lot that existed prior to September 12, 2016, located at 9936 - 119A Street, that is 733 square metres in area. The site is designated as “Urban” in the Official Community Plan and zoned Single-Family Residential (RF).
- The subject lot is 18.30 metres in width, which makes it one of the narrowest RF lots in the area.
- The subject lot abuts an RF lot on both the northern and eastern lot lines and is adjacent to multiple city parkland lots containing a Class A Natural Watercourse (Scott Creek).
- A Qualified Environmental Professional’s (QEP) riparian areas regulation (RAR) assessment report demonstrates that the adjacent watercourse should be classified as a Class A natural stream, subject to a 10-metre Streamside Protection and Enhancement Area (SPEA). This SPEA setback does not encroach onto the subject property.
- According to the Zoning Bylaw’s Part 7A Streamside Protection provisions, a Class A Natural Watercourse requires a 15-metre minimum setback from top of bank. This setback encroaches onto the subject property by a maximum depth of 2.71 metres and an approximate area of 44 square metres
- The adjacent segment of Scott Creek does not run through private property but instead runs through multiple park lots subject to the City’s safeguarding and monitoring measures.



## **POLICY & BY-LAW CONSIDERATIONS**

### **Zoning By-law**

#### Streamside Variance Amendment Rationale

- The applicant is requesting the following streamside variance:
  - To reduce the minimum setback from top of bank of a Class A natural stream from 15 metres to 12.29 metres for a lot that existed prior to September 12, 2016.
- This 15-metre setback extends into the subject property by 2.71 metres in depth and an approximate 44 square metres in area.
- The property falls outside the RAPR setback of 10 metres. This variance will not impact the Provincial watercourse protection requirements.
- Without the variance, the narrow width of the property would be impacted by this setback requirement and result in a building envelope that is reduced when compared to other RF zoned properties in the neighbourhood.
- The subject property is separated from Scott Creek by multiple abutting, RF-zoned properties with existing dwellings. There is precedent for relaxing watercourse requirements when existing properties and development physically separate a site from the adjacent lot containing a watercourse.
- Staff support the requested variance to proceed for consideration.

### **TREES**

- The applicant proposes no tree removal for this development and will install barriers to protect the trees on the east abutting property (as shown on Appendix I), under the supervision of the project arborist.
- Final approval of the applicant's tree protection plan is pending review by the Planning & Development Department. This issue will be resolved prior to issuance of a Building Permit should this application be supported by Council.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. Development Variance Permit No. 7921-0217-00

*approved by Ron Gill*

Ron Gill  
Acting General Manager  
Planning and Development

JK/cm



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7921-0217-00

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: 004-649-117

Parcel One Section 36 Block 5 North Range 3 West New Westminster District Explanatory Plan 72423

9936 - 119A Street

(the "Land")

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section B.2. of Part 7A "Streamside Protection", the setback from a Class A Natural Stream is reduced from 15 metres to 12.29 metres as measured from top of bank.
5. 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.
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 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.
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 – Doug McCallum

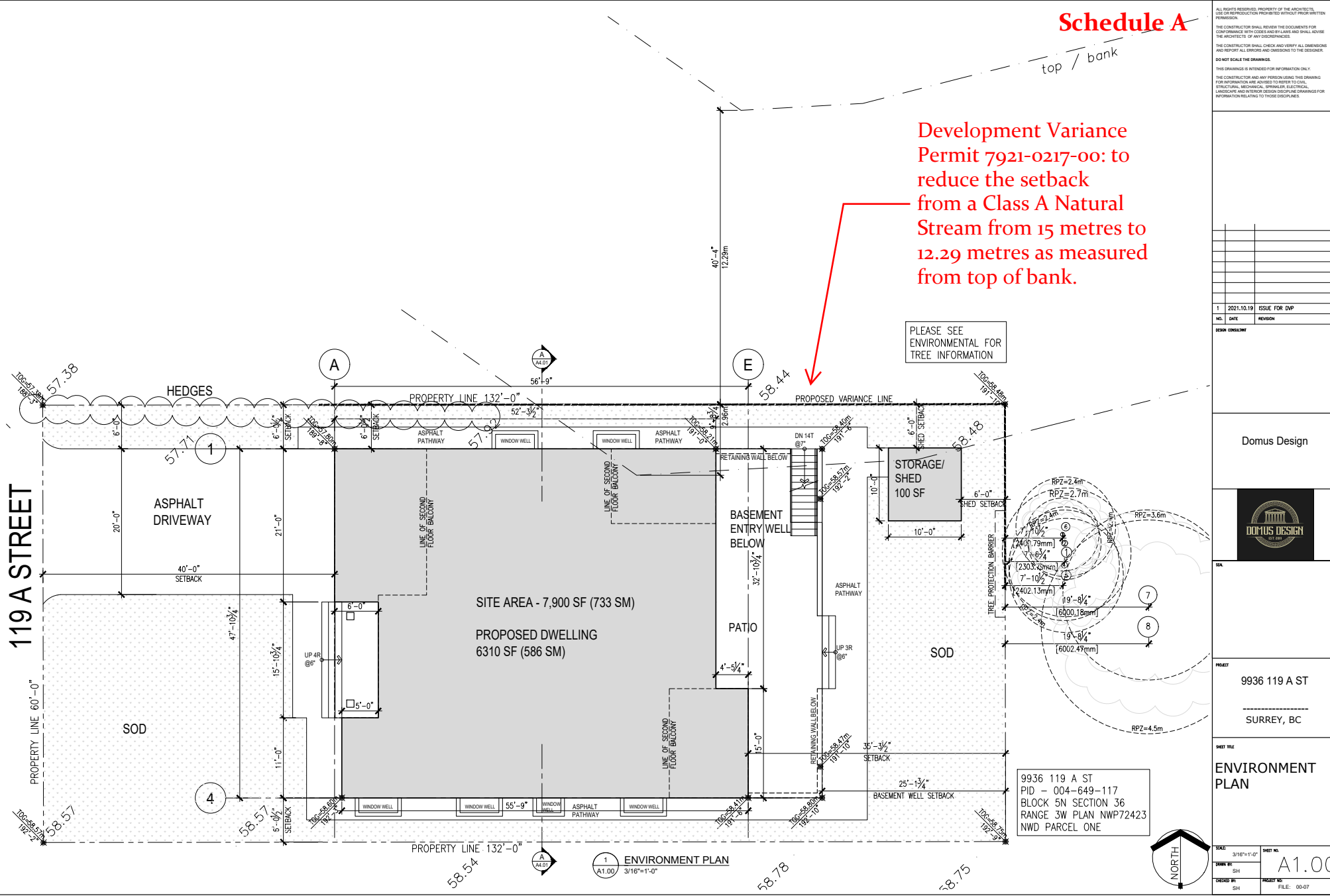
---

City Clerk – Jennifer Ficocelli

ALL RIGHTS RESERVED. PROPERTY OF THE ARCHITECTS.  
 USE OF REPRODUCTION PROHIBITED WITHOUT PRIOR WRITTEN PERMISSION.  
 THE CONSTRUCTOR SHALL REVIEW THE DOCUMENTS FOR CONFORMANCE WITH CODES AND BY-LAW AND SHALL ADVISE THE ARCHITECTS OF ANY DISCREPANCIES.  
 THE CONSTRUCTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE DESIGNER.  
 DO NOT SCALE THE DRAWINGS.  
 THESE DRAWINGS ARE INTENDED FOR INFORMATION ONLY.  
 THE CONSTRUCTOR AND ANY PROFESSIONAL CONSULTANTS FOR INFORMATION ARE ADVISED TO REFER TO LOCAL, DISTRICT, REGIONAL, PROVINCIAL, FEDERAL, ELECTRICAL, MECHANICAL, PLUMBING, LANDSCAPE AND INTERIOR DESIGN DISCIPLINE DRAWINGS FOR INFORMATION RELATING TO THOSE DISCIPLINES.

**Development Variance Permit 7921-0217-00: to reduce the setback from a Class A Natural Stream from 15 metres to 12.29 metres as measured from top of bank.**

PLEASE SEE ENVIRONMENTAL FOR TREE INFORMATION



NO.	DATE	REVISION
1	2021.10.19	ISSUE FOR DVP

DESIGN CONSULTANT

Domus Design



PROJECT

9936 119 A ST  
 SURREY, BC

SHEET TITLE  
**ENVIRONMENT PLAN**

9936 119 A ST  
 PID - 004-649-117  
 BLOCK 5N SECTION 36  
 RANGE 3W PLAN NWP72423  
 NWD PARCEL ONE

