

PROPOSAL:

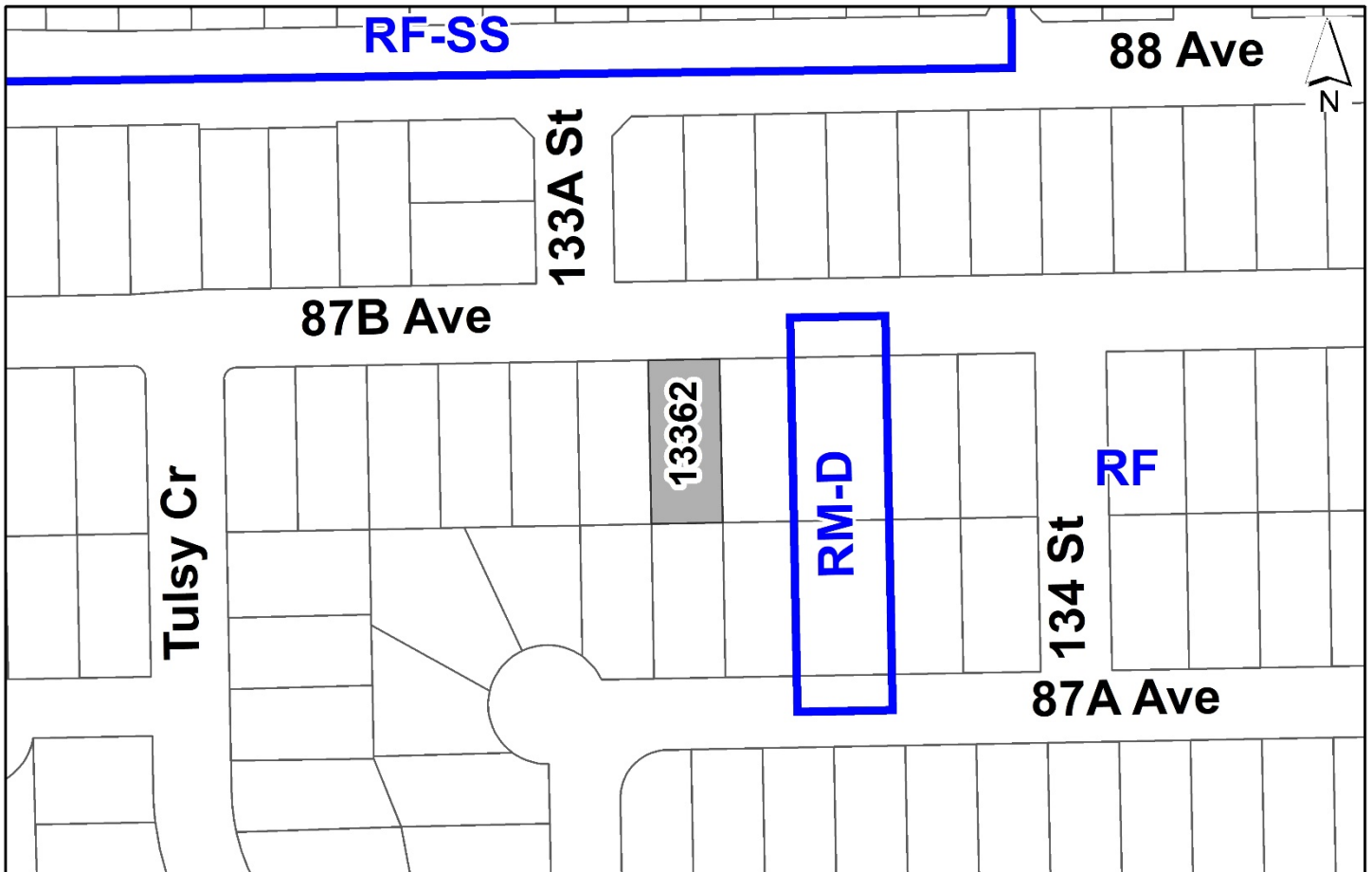
- **Development Variance Permit**
 to reduce the minimum rear yard setback from a natural gas transmission right-of-way to construct a new single family dwelling.

LOCATION: 13362 - 87B Avenue

ZONING: RF

OCP DESIGNATION: Urban

LAP DESIGNATION: Single Family



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 setback requirement of the principal building from a natural gas transmission right-of-way in order to construct a new single family dwelling on the lot.

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 twenty-five percent (25%) of the lot is encumbered by the natural gas transmission (Fortis BC) right-of-way. Without the variance, the applicant is unable to build a typical sized dwelling under the RF Zone.
- The principal building addition is not proposed to be setback by 1.19m for the full length of the (Fortis BC) right-of-way. The remainder of the dwelling will be inset from the proposed southern elevation, which will provide approximately 73 square metres of outdoor yard space outside of the right-of-way for outdoor living and/or to accommodate ancillary structures.
- 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. 7921-0363-00 (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 1.19 metres for the principal building.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single family dwelling to be demolished.	Urban	RF
North (Across 87B Avenue):	Single family dwelling.	Urban	RF
East:	Single family dwelling.	Urban	RF
South (Across Fortis BC transmission pipeline):	Single family dwelling.	Urban	RF
West:	Single family dwelling.	Urban	RF

Context & Background

- The subject site is 768 square metres in size and is located at 13362 - 87B Avenue and is zoned Single Family Residential (RF) Zone.
- The site is designated Urban in the Official Community Plan and currently zoned "Single Family Residential Zone (RF)" under the Surrey Zoning By-law No. 12000.
- A 9.1-metre-wide Fortis BC natural gas transmission right-of-way (ROW) encumbers the rear portion of the lot, equivalent to approximately 25% of the lot.
- Part 4 Section E.18(a) of Zoning By-law 12000 states that the setback of principal buildings on lots containing natural gas transmission right-of-way at the rear of the lot 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 1.19 metre setback from the ROW to a portion of the principal building..

- Fortis BC was requested to provide comments concerning the setback reduction request. Fortis BC advises that in other previous applications, Fortis BC has indicated they recommend the full 7.5 metre setback from the right-of-way be retained to allow ancillary structures in the backyard and to prevent any issues with such structures in the future. Fortis BC does acknowledge that the City has the authority to reduce the 7.5 metre setback to the edge of the right-of-way.
- The proposed siting of the dwelling will allow for the construction of an accessory building to the rear of the west portion of the dwelling outside the right-of-way area.

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.

Fortis BC: Fortis BC was requested to provide comments concerning the setback reduction request. Fortis BC advises that in other previous applications, Fortis BC has indicated 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. Fortis BC does acknowledge that the City has the authority to reduce the 7.5 metre setback to the edge of the right-of-way.

TREES

- Adrian Szabunio, ISA Certified Arborist of Woodridge Tree Consulting Arborists 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
Coniferous Trees			
Sequoia	1	1	0
Total (excluding Alder and Cottonwood Trees)	1	1	0

Total Replacement Trees Proposed (excluding Boulevard Street Trees)	2
Total Retained and Replacement Trees	2
Contribution to the Green City Program	

- The Arborist Assessment states that there is 1 mature tree on the lot. There are no Alder or Cottonwood trees. This tree is proposed to be removed.
- For the tree 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 2 replacement trees on the site. The applicant is proposing 2 replacement trees, meeting the City requirements.
- The final tree review, and collection of security for the required tree replacement, will be completed in conjunction with the building permit process.

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 1.19 metres for the principal building.
- Approximately twenty-five percent (25%) 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 a typical sized house in accordance with the RF Zone.

- The principal building addition is not proposed to be setback by 1.19m for the full length of the (Fortis BC) right-of-way. The remainder of the dwelling will be inset from proposed southern elevation, which will provide approximately 73 square metres of outdoor yard space outside of the right-of-way for outdoor living and/or to accommodate ancillary structures
- The proposal retains a full-length driveway from 87B Avenue for vehicle parking and the proposed new house will be consistent with the established streetscape.
- The yard space within the right-of-way will provide additional functional outdoor space on the lot. The applicant is aware that no accessory buildings or structures are permitted in the right-of-way area.
- Staff support the requested variance to proceed to public notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

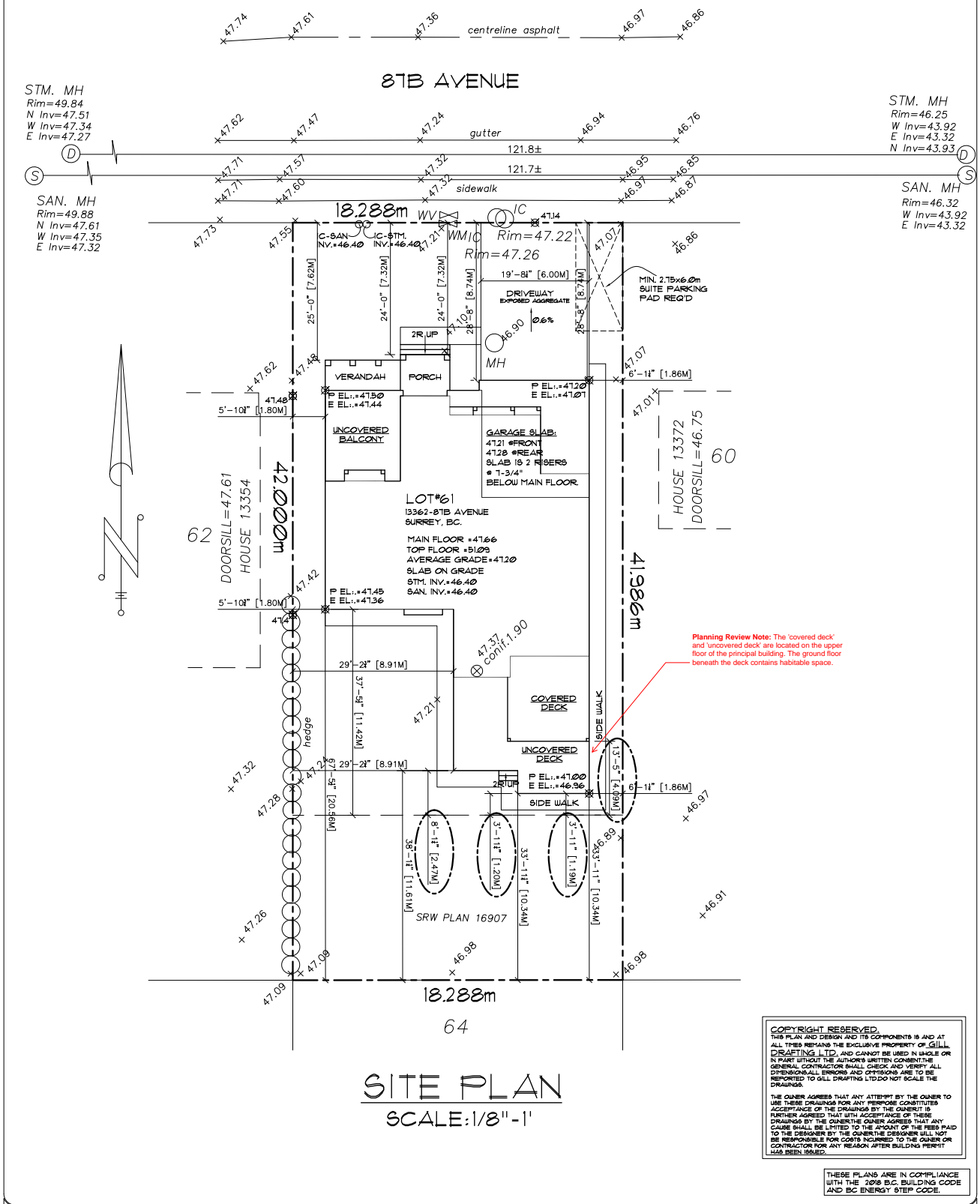
Appendix I.	Site Plan
Appendix II.	Summary of Tree Survey and Tree Preservation
Appendix III.	Development Variance Permit No. 7921-0363-00

approved by Ron Gill

Ron Gill
Acting General Manager
Planning and Development


JKS/cm

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THESE PLANS ARE IN COMPLIANCE WITH THE 2009 B.C. BUILDING CODE AND B.C. ENERGY STEP CODE.

OWN: SUKHPREET	PROJECT NAME	DESIGNER ADDRESS:		REVISIONS	BY	DRAWING NO.		
SCALE: 1/8" = 1'-0"	PROPOSED RESIDENCE FOR MR. AMANPREET KANDOLA LOT#61 @ 13362-87B AVENUE SURREY, BC	GILL DRAFTING LTD. SURREY DESIGN CENTRE UNIT 921, 2871-16 AVE. SURREY, BC. V3U 5E6 TEL: (604) 995-6866 FAX: (604) 995-6831 WEBSITE: WWW.GILLDRAFTING.COM				GD21-4176		
DATE: 28 APRIL 2021							SHEET NO.	
CHKD: JPS								1 OF 10
PHONE: 604-600-2536								

Summary of Tree Preservation by Tree Species:

Tree Species	Existing	Remove	Retain
Alder and Cottonwood Trees			
Alder	0	-	-
Cottonwood	0	-	-
Deciduous Trees (excluding Alder and Cottonwood Trees)			
None	0	-	-
Coniferous Trees			
Sequoia	1	1	0
Total (excluding Alder and Cottonwood Trees)	1	1	0
Additional [Estimated] Trees in the proposed [Open Space / Riparian Area] -planner/arborist to choose]	-	-	-
Total Replacement Trees Proposed (excluding Boulevard Street Trees)	2		
Total Retained and Replacement Trees	2		
Contribution to the Green City Program	-		

Tree Preservation Summary

Surrey Project No:

Address: 13362 87B Avenue, Surrey

Registered Arborist: Woodridge Tree Consulting Arborists Ltd., Adrian Szabunio PR5079A

On-Site Trees	Number of Trees	Off-Site Trees	Number of Trees
Protected Trees Identified *	1	Protected Trees Identified	0
Protected Trees to be Removed	1	Protected Trees to be Removed	0
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	0	Protected Trees to be Retained	0
Total Replacement Trees Required: - Alder & Cottonwoods to be removed (1:1) 0 X one (1) = 0 - All other species to be removed (2:1) 1 X two (2) = 2	2	Total Replacement Trees Required: - Alder & Cottonwoods to be removed (1:1) 0 X one (1) = 0 - All other species to be removed (2:1) 0 X two (2) = 0	0
Replacement Trees Proposed	2	Replacement Trees Proposed	-
Replacement Trees in Deficit	0	Replacement Trees in Deficit	-
Protected Trees to be Retained in Proposed Open Space or Riparian Areas	0		

*on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas

Summary, report and plan prepared and submitted by:



(Signature of Arborist)

December 17, 2021

Date

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7921-0363-00

Issued To:

("the Owners")

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: 006-101-674
Lot 61 Section 29 Township 2 New Westminster District Plan 46714
13362 - 87B Avenue

(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 1.19 metres for the principal building.
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.

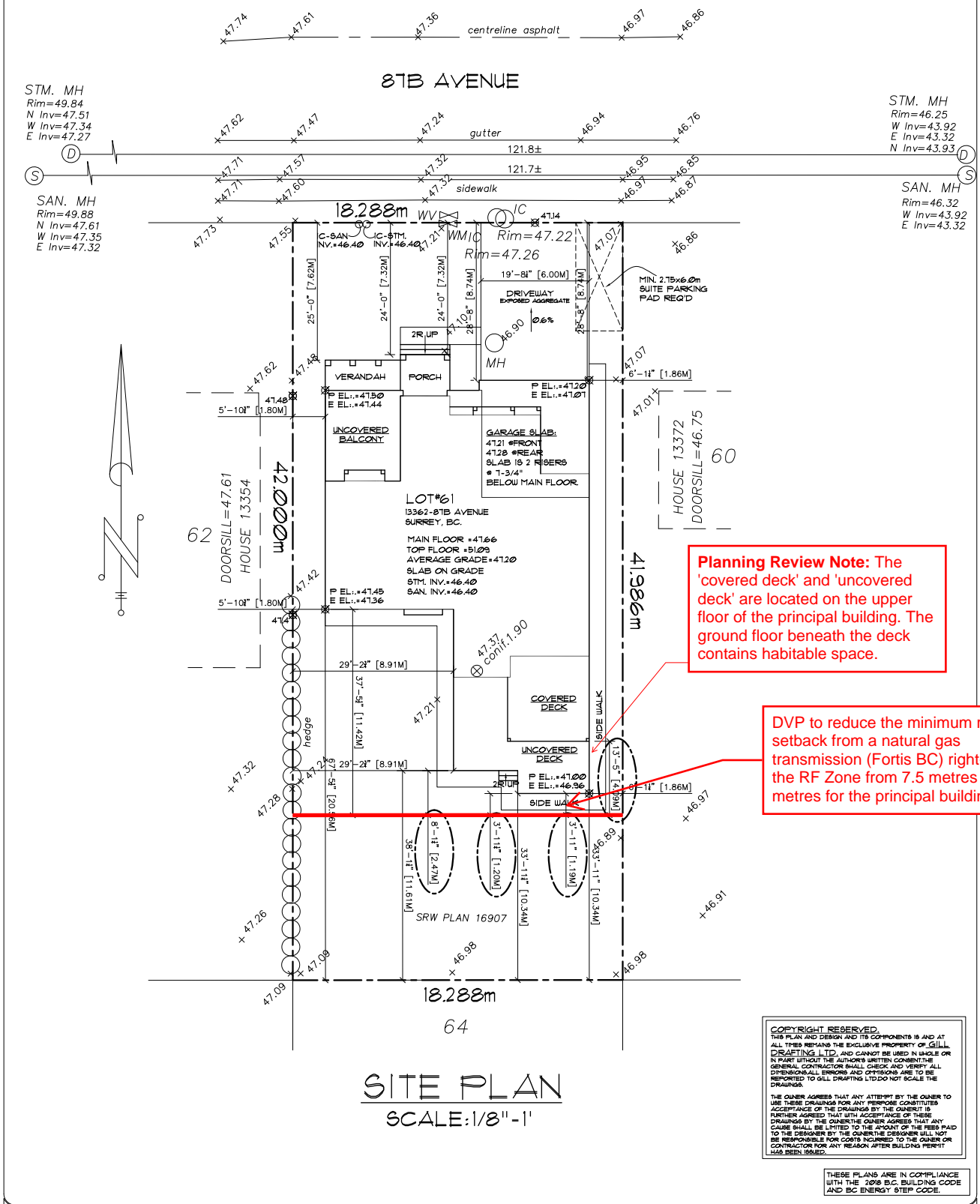
8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

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SITE PLAN
SCALE: 1/8" = 1'

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