

CITY OF SURREY

BY-LAW NO. 12952

A by-law to authorize the alteration of a structure that the Council of the City of Surrey has determined to be in contravention of Surrey Zoning By-law, No. 12000 pursuant to Section 735 of the Municipal Act R.S.B.C. 1979, Chapter 290.

.....

NOW, THEREFORE, the Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

WHEREAS, Ronald Morin and Grace Morin are the owners of the lands and premises located within the City of Surrey at 1320 - 131 Street, and more particularly known as:

Lot 78, Section 8, Township 1, New Westminster District, Plan 57866

AND WHEREAS a structure has been constructed on the aforesaid lands and premises and the construction thereof is not in compliance with the regulations as specified in Surrey Zoning By-law No. 12000.

AND WHEREAS the owners of the aforesaid lands have failed to comply with the directions of the Building Division of the City of Surrey to complete the dwelling to the regulations in Surrey Zoning By-law, No. 12000.

NOW THEREFORE, the Council of the City of Surrey ENACTS AS FOLLOWS:

AND WHEREAS the building presently exceeds the maximum allowable height in the Zoning By-law by approximately 1.29 metres (4.2 feet). It also exceeds the maximum allowable floor area by approximately 141 square metres (1,500 square feet).

AND WHEREAS removal of the uppermost level (1,500 square feet) would bring the building into conformance with the applicable density and height requirements set out in Surrey.

AND WHEREAS the demolition, removal or bringing up to a standard specified in the by-law of a building, structure or thing, in whole or in part, that contravenes a bylaw or Council believes is in an unsafe condition.

1. The following remedial measures are required to bring the building into compliance with the Zoning By-law requirements.

a. Removal of the roof structure including:

- i. roofing material
  - ii. roof sheathing and strapping
  - iii. roof framing
  - iv. faxxxa boards
  - v. soffit material
  - vi. flashing
- b. Removal of the uppermost floor level including:
- i. exterior wall cladding material
  - ii. windows and doors
  - iii. electrical wiring
  - iv. rough plumbing pipes
  - v. vent and chimney stacks
  - vi. exterior wall sheathing
  - vii. wall stud framing members
  - viii. headers, beams and supporting posts
  - ix. stairway and landing to roof deck
  - x. subflooring
- c. Remove stairway to uppermost floor and frame in floor openings to B.C. Building Code regulations.
- d. Construct roof to B.C. Building Code regulations including:
- i. roof framing
  - ii. roof sheathing and strapping
  - iii. roofing material
  - iv. faxxxa boards, soffits and flashings

2. The aforesaid work shall be completed by the owner and the structure and property be brought up to the required regulations by the owners within the period of time specified in Section 3 of this by-law and such repair and bringing the house and property up to the regulations is hereby authorized.

3. That the works described in this by-law be completed by the owner and the property be brought up to the regulations described in this by-law within a period of thirty (30) days from the time the Notice, which is Appendix "A" and forms part of this by-law, is served upon the registered owners.

4. If the completion of the said works is not brought up to the regulations required by Surrey Zoning By-law No. 12000 and the Building Code for the Province of British Columbia incorporated therein within the period of time specified in Section 3 hereof, the Manager of By-law Enforcement, together with workmen employed by the City of Surrey, or their agents, are hereby authorized to enter upon the aforesaid lands and premises to complete the required works to a standard required by Surrey Zoning By-law, No. 12000 and the Building Code for the Province of British Columbia. The completion of the works to the regulations required shall be done at the expense of the registered owner and the City of Surrey shall recover the expenses thereof with interest and costs in the same manner as municipal taxes as provided in Section 299 of the Municipal Act, R.S.B.C. 1979, Chapter 290 as amended.
5. Thirty (30) days' notice of the action contemplated by the City of Surrey shall be given to the registered owner by serving a Notice in the form set out in Appendix "A" to this By-law.
6. This By-law shall be cited for all purposes as "Surrey Building Alteration By-law, 1996, No. 12952."

PASSED THREE READINGS on the 21st day of October, 1996.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 13th day January, 1997.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

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"SURREY BUILDING ALTERATION BY-LAW, 1996, No. 12952"

#### APPENDIX "A"

#### NOTICE

TO: Ronald and Grace Morin  
201, 1678 - 128 Street  
Surrey, B.C.  
V4A 3V3

YOU ARE HEREBY NOTIFIED that on the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 199\_\_ by By-law No. \_\_\_\_\_, the Council of the City of Surrey authorized that the following works be completed by you to bring into

compliance with City by-laws the partially constructed residence on that parcel of land in the City of Surrey, in the Province of British Columbia, which is more particularly known and described as:

Lot 78, Section 8, Township 1, New Westminster District, Plan 57866

within the period of time hereinafter mentioned.

AND THAT IN DEFAULT of completing such works as described in this notice within such period of time, the said City Council has authorized the Manager of By-law Enforcement, together with workmen employed by the City of Surrey, to enter upon the hereinbefore described parcel of land and to complete said work as required by Surrey Building Alteration By-law, 1996, No. 12952; and such work shall be done at your expense and the City of Surrey shall recover the expense thereof with interest and costs in the same manner as municipal taxes pursuant to Section 299 of the "Municipal Act," Chapter 290, R.S.B.C., 1979, and amendments thereto.

YOU ARE FURTHER NOTIFIED that the completion of said works and the bringing up to a standard is to be carried out and completed by you within the period of thirty (30) days from the service of this notice upon you and that in default by you to complete such works within such period the work will be carried out by the Manager of By-law Enforcement, his servants and agents at any time after the expiry of thirty (30) days from the service of this notice upon you.

YOU ARE FURTHER NOTIFIED that AN APPEAL against this action may be made by you to a Judge of the Supreme Court having jurisdiction, but such appeal shall be made and notice of it given pursuant to Section 735 of the "Municipal Act," Chapter 290, R.S.B.C., 1979, and amendments thereto.

THIS NOTICE is given by the City of Surrey this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 199\_\_\_\_.

\_\_\_\_\_  
CLERK

GC/pac

c.c. - CIBC Mortgage Corporation  
Commerce Place  
400 Burrard Street  
Vancouver, B.C. V6C 3A6

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