

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7910-0137-00

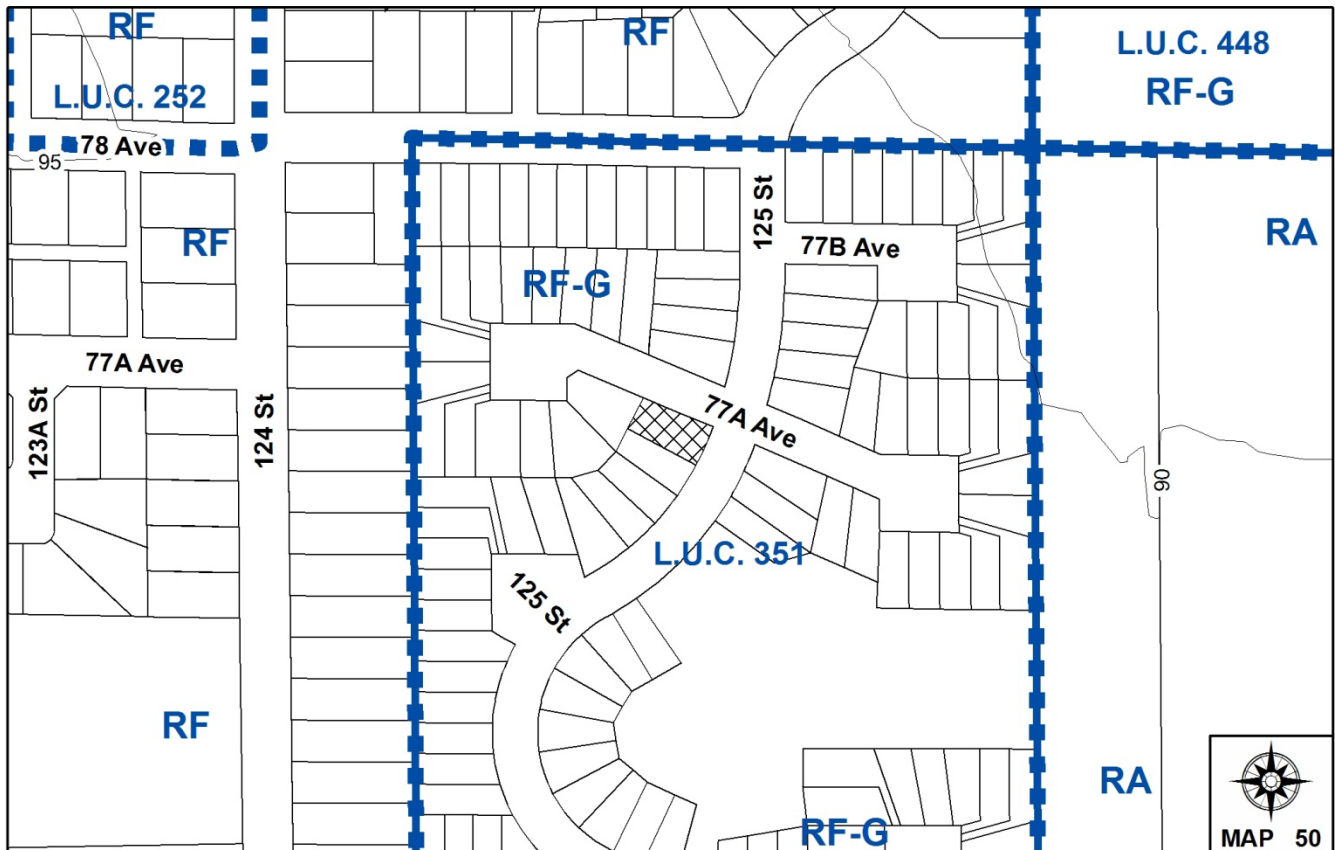
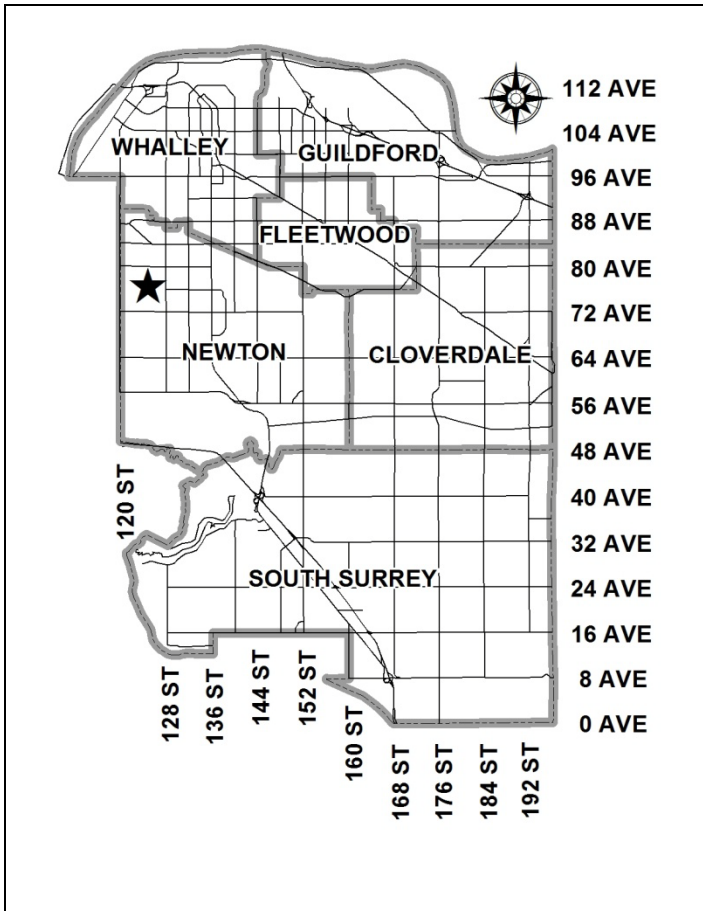
Planning Report Date: December 13, 2010

**PROPOSAL:**

- **Development Variance Permit**

in order to vary Land Use Contract No. 351 to accommodate an addition to the existing dwelling.

**LOCATION:** 7771 - 125 Street  
**OWNER:** Angelito Diokno and Maria Diokno  
**ZONING:** Land Use Contract 351  
**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 requesting a Development Variance Permit in order to vary Land Use Contract No. 351 to accommodate a 47.9 square metre (515 sq.ft.) addition to an existing residential dwelling.

### RATIONALE OF RECOMMENDATION

- The proposed variance will have a minimal impact on the rear yard privacy of adjacent properties.
- The proposed addition is architecturally coordinated with the existing dwelling.
- A generous side yard setback of 4 metres (13 ft.) is maintained along the southern property line.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0137-00, (Appendix II) varying the following, to proceed to Public Notification:
  - (a) Land Use Contract No. 351, Schedule "D" to permit an addition to the existing dwelling.
2. Council instruct staff to resolve the following issues prior to approval:
  - (a) registration of a Section 219 Restrictive Covenant to prohibit secondary suites;
  - (b) submission of a landscaping security for the removal of roughly 48.5 square metres (522 sq.ft.) of additional pavement as well as installation of additional landscaping in the form of four inches of topsoil and instant turf in the front yard, as per the attached plans in Appendix II, Schedule "A".
  - (c) registration of a Section 219 Restrictive Covenant to prevent future conversion of the garage to livable space.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North, South, East and West:	Single family residential.	Urban/ Urban Residential	LUC No. 351

DEVELOPMENT CONSIDERATIONS

- The subject property is located at the southwest corner of 125 Street and 77A Avenue. The property is designated "Urban" in the Official Community Plan (OCP) and "Urban Residential" in the Central Newton Local Area Plan (LAP). The subject property is currently regulated under Land Use Contract No. 351.

- The Land Use Contract (L.U.C.) has the underlying zoning of Single Family Residential Gross Density (RF-G). In addition, the L.U.C. states that land shall be used for residential single family uses only and density shall not exceed 6.9 units per gross acre. However, the L.U.C. permits the City to approve amendments to the floor plan through a Development Variance Permit (DVP).
- Land Use Contract No. 351 allows a range of single family dwellings on smaller urban lots with minimal restrictions on house size, lot coverage or Floor Area Ratio (FAR). However, the L.U.C. includes several attached drawings which regulate the form, character and appearance of each residential dwelling. A subsequent presentation to the Advisory Design Panel in July, 1981 would later allow the developer to introduce new compact house designs for approximately eighty-five single family lots constructed during the second phase of the project. The current dwelling does not conform to the elevation drawings approved by the Advisory Design Panel (Appendix III) or drawings attached to Land Use Contract No. 351. As a result, the applicant has provided new elevation drawings of the existing dwelling and proposed addition as part of the development application.
- A Development Variance Permit was approved by Council on July 20, 1998 for 12579 – 76A Avenue (File No. 7997-0279-00) in order to vary Land Use Contract No. 351 to accommodate a partially constructed garage. The proposed garage addition was approximately 35.77 square metres (385 square feet) in area and architecturally co-ordinated with the existing dwelling. The applicant was also required to register a Section 219 Restrictive Covenant to prohibit secondary suites as well as provide financial securities for removal of existing on-site pavement and installation of additional landscaping within the front yard.

#### Proposed Addition

- The proposal involves amending Land Use Contract No. 351, Schedule “D”, in order to permit a 47.9 square metre (515 square feet) addition to the existing residential dwelling. The proposed addition is located along the south side of the existing dwelling and maintains a relatively large side yard setback of 4 metres (13.5 feet) from the south property line.
- The applicant is proposing to remove roughly 48.5 square metres (522 sq. ft.) of non-conforming pavement as well as introduce additional landscaping in the form of 4 inches of topsoil and instant turf within the front yard in compliance with Land Use Contract No. 351.

#### BY-LAW VARIANCE AND JUSTIFICATION

##### (a) Requested Variance:

- To vary Land Use Contract No. 351, Schedule D, in order to allow for a 47.9 square metre (515 square feet) addition to an existing residential dwelling.

##### Applicant's Reasons:

- The proposed addition will moderately increase the total floor area thereby improving functionality by providing an additional two bedrooms for extended family members.

## Staff Comments:

- The proposed addition only moderately increases the total floor area with minimal impacts on adjacent property owners and usable private rear yard/side yard space.
- The 4 metre (13 feet) setback between the proposed addition and adjacent dwelling at 7765 – 125 Street exceeds the required minimum 1.2 metre (5 feet) side yard setback identified within the underlying RF-G Zone.
- The proposed addition is located adjacent to the north side of the existing dwelling at 7765 – 125 Street. As the adjacent property is oriented toward 125 Street, the absence of windows along the north side of the existing dwelling combined with the presence of several large trees along the shared property line will reduce the visual impact of the proposed addition on the adjacent property owner.
- The proposed addition is architecturally co-ordinated with the existing dwelling.
- The applicant is proposing to remove roughly 48.5 square metres (522 sq. ft.) of non-conforming pavement as well as introduce additional landscaping within the front yard in compliance with Land Use Contract No. 351, as per the attached drawings in Appendix II, Schedule “A”.
- Therefore, City staff support the variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Development Variance Permit No. 7910-0137-00
Appendix III.	"E Model" Dwelling from July, 1981 Submission by developer to the Advisory Design Panel

*original signed by Nicholas Lai*

Jean Lamontagne  
General Manager  
Planning and Development

MRJ/kms

v:\wp-docs\planning\plncom10\10221022mrj.doc  
. 10/22/10 10:59 AM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:      Name:              Angelito Diokno  
                         Address:            7771 – 125 Street  
                                                    Surrey, BC  
                                                    V3W 7W2  
                         Tel:                    604-598-1445

2.      Properties involved in the Application

- (a)      Civic Address:            7771 – 125 Street
- (b)      Civic Address:            7771 – 125 Street  
            Owners:                    Angelito Diokno and Maria Diokno  
            PID:                        001-931-750  
            Lot 174 Section 19 Township 2 New Westminster District Plan 60811

3.      Summary of Actions for City Clerk's Office

- (a)      Proceed with Public Notification for Development Variance Permit No. 7910-0137-00.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO. 7910-0137-00

Issued To: ANGELITO DIOKNO AND MARIA TERESA EGANA DIOKNO  
(the "Owner")

Address of Owner: 7771 - 125 Street  
Surrey, BC  
V3W 7W2

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: 001-931-750  
Lot 174 Section 19 Township 2 New Westminster District Plan 60811

7771 - 125 Street

(the "Land")

3. Surrey Land Use Contract No. 351 Authorization By-law No. 5456, By-law Amendment No. 9568 is varied as follows:
  - (a) Schedule "D" in order to allow for a 47.9 square metre (515 sq.ft.) addition to an existing residential dwelling, as per the attached drawings.
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. (a) The landscaping shall conform to drawings numbered 7910-0137-00(A) (the "Landscaping").

- (b) The Landscaping shall be completed within six (6) months after the date of the final inspection of the buildings and structures referred to in the Drawings.
- (c) Prior to the issuance of the building permit for this development, security is to be submitted to ensure satisfactory completion of the Landscaping. The security for the Landscaping is to be submitted as follows:

An Irrevocable Letter of Credit, in a form acceptable to the City, in the amount of \$2,884.00

(the "Security")

- (d) The Security is for:
    - i. Removal of roughly 48.5 square metres (522 sq.ft.) of additional pavement not permitted under Land Use Contract No. 351, as per the attached plans in Schedule "A".
    - ii. Installation of additional landscaping adjacent to the driveway following the removal of pavement not permitted under Land Use Contract No. 351, as per the attached plans in Schedule "A".
  - (e)
    - i. When the Landscaping is substantially complete as determined by the City, without the City having to use the Security, 90% of the original Security will be returned. When the Landscaping receives final approval by the City, not earlier than twelve (12) months after the date of substantial completion of the Landscaping, 10% of the original Security will be returned.
    - ii. If final approval of the Landscaping is not given by the City, the City has the option of using the Security to complete the Landscaping and any remaining money shall be returned. The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Landscaping.
    - iii. If the City elects not to enter upon the Land to complete the Landscaping and the Owner does not complete the Landscaping, the Security is forfeited to the City five (5) years after the date of the provisional or final inspection of the buildings and structures referred to in the Drawings.
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 .

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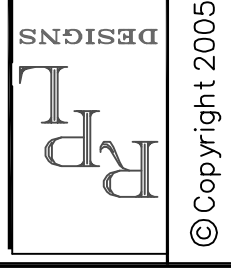
Mayor - Dianne L. Watts

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City Clerk - Jane Sullivan

REVISIONS	BY

533 SUNSET AVENUE  
 COQUITLAM, BC V3K 2B4  
 TEL / FAX (604) 936-6227  
 E-MAIL: RPLEGS@YAHOO.COM



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PROPOSED EXTENSION FOR:  
 MR. & MRS. LITO DIKNO RESIDENCE  
 7771 - 125th Street, Surrey, BC

Date: APR 24, 2010  
 Scale Factor: 1  
 Drawn: RPL  
 File: PFC  
 Sheet: A-1  
 Of: Sheets

**LOT COVERAGE:**  
 MAX. ALLOWABLE = 40% OR 2,151.6 SF;  
 PROVIDED = 1,488 SF OR 27.66 %

**SETBACKS:**  
 FRONT = 23.20' (EXISTING)  
 REAR = 29.23' (EXISTING)  
 LEFT = 13.50' (PROPOSED)  
 RIGHT = 1.00' (EXISTING)

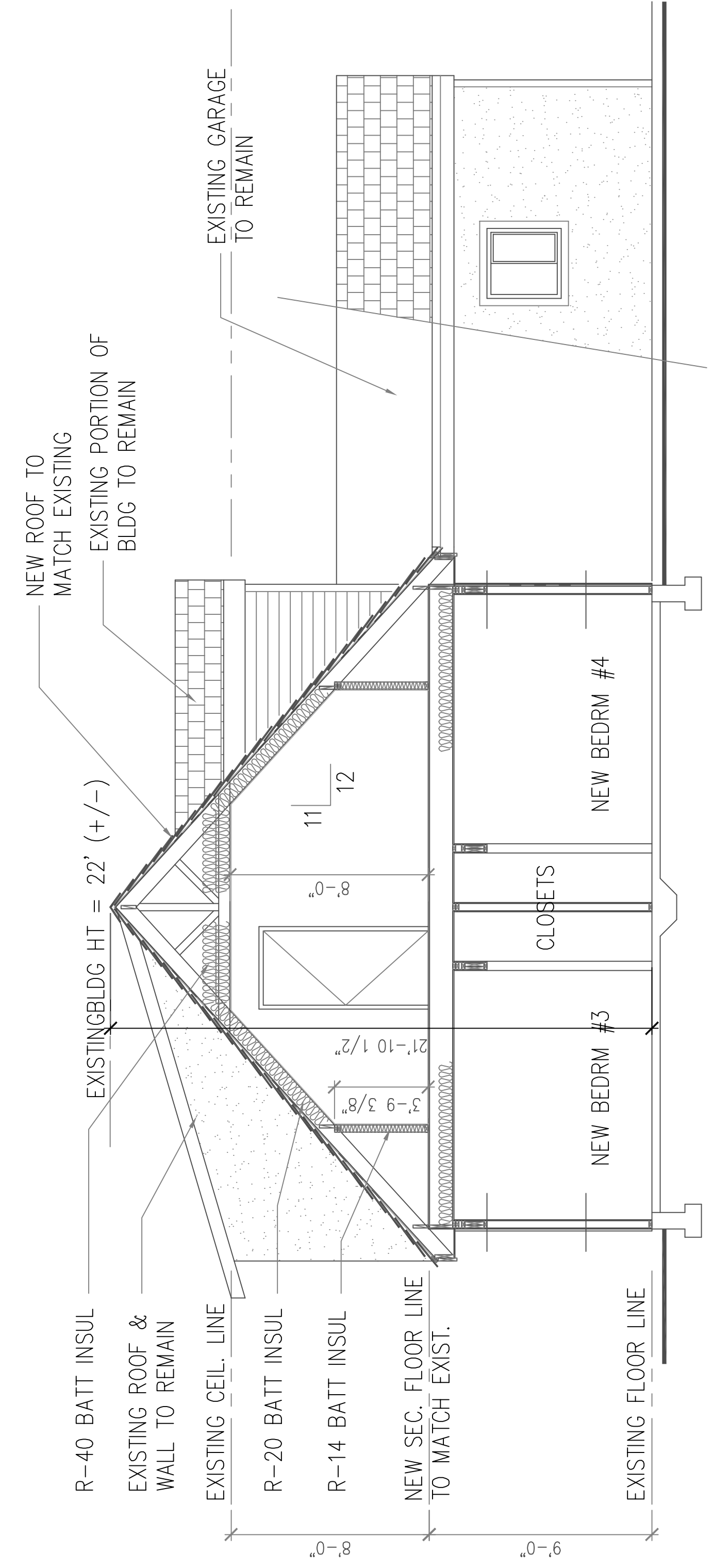
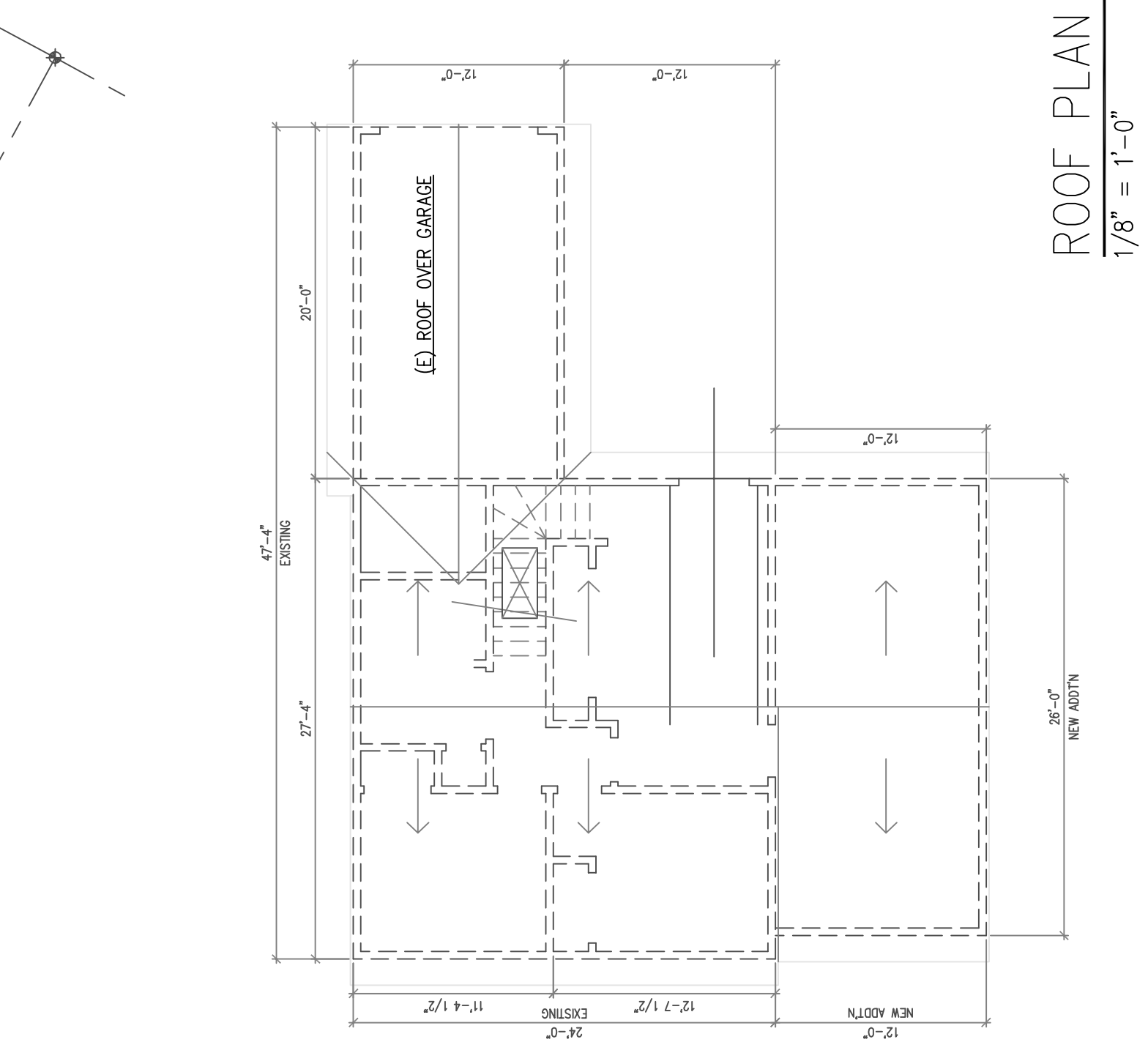
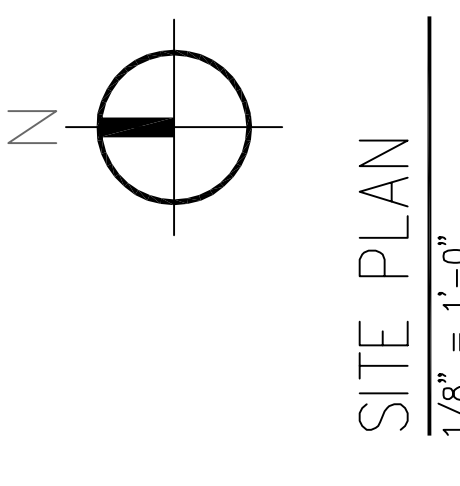
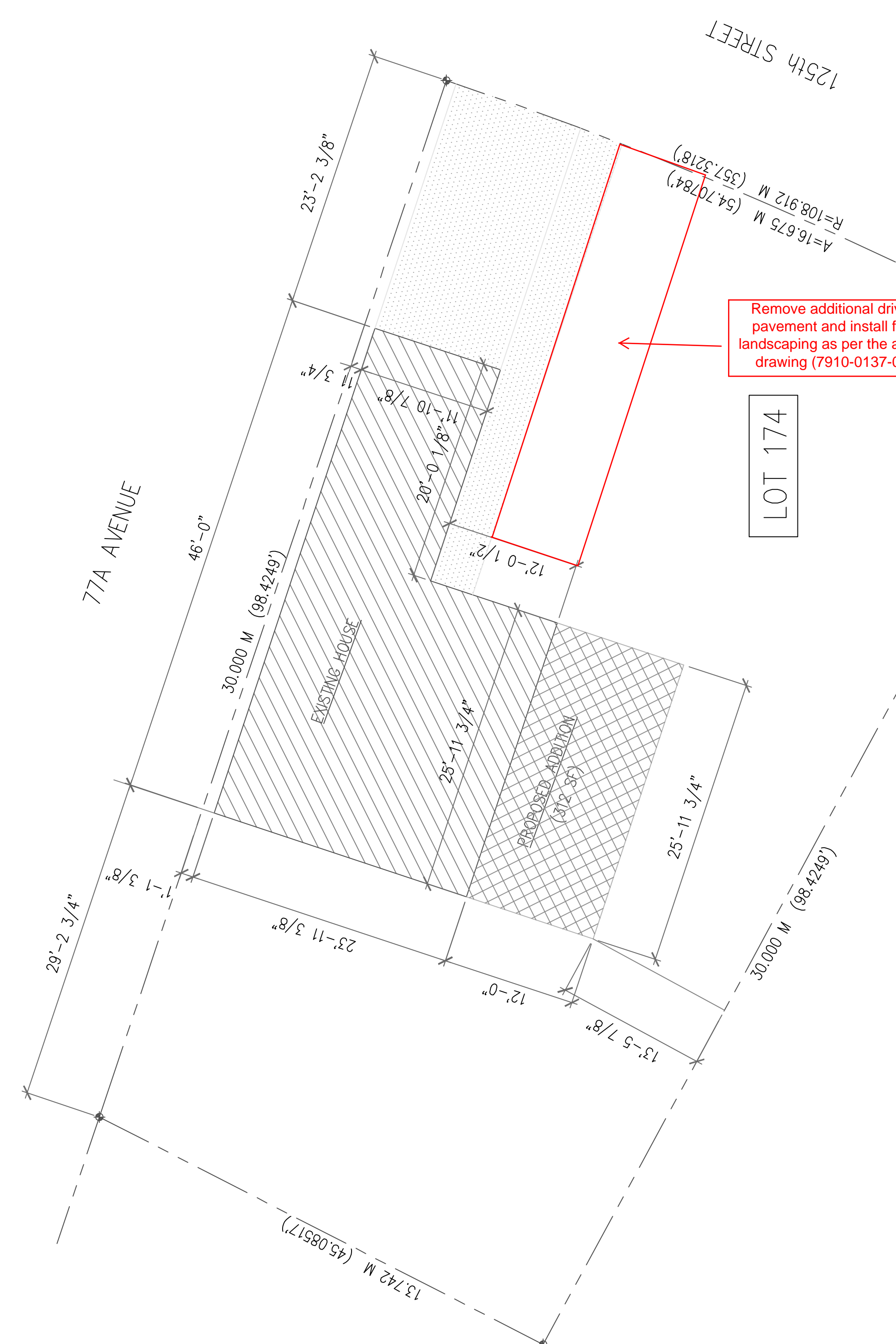
**BUILDING HEIGHT:**  
 MAX. ALLOWABLE = 30 FT.  
 PROVIDED = 22 FT. (EXISTING)

**LEGAL DESCRIPTION:**  
 PLAN SHOWING LOCATION OF  
 IMPROVEMENTS ON LOT 174  
 NE SEC 19, TP. 2, PLAN 60811,  
 NWD

**PROJECT ANALYSIS:**  
 CIVIC ADDRESS: 7771 - 125 Street, Surrey, BC  
 LOT SIZE: 5379.1574 SF  
 EXISTING HOUSE: MAIN FLOOR = 624 SF  
 SEC. FLOOR = 624 SF  
 GARAGE = 240 SF  
 TOTAL = 1,488 SF

**PROPOSED ADDITION:**  
 MAIN FLOOR = 312 SF  
 SEC. FLOOR STORAGE = 203 SF  
 TOTAL ADDITION = 515 SF = 515 SF  
 NEW OVERALL TOTAL = 2,003 SF

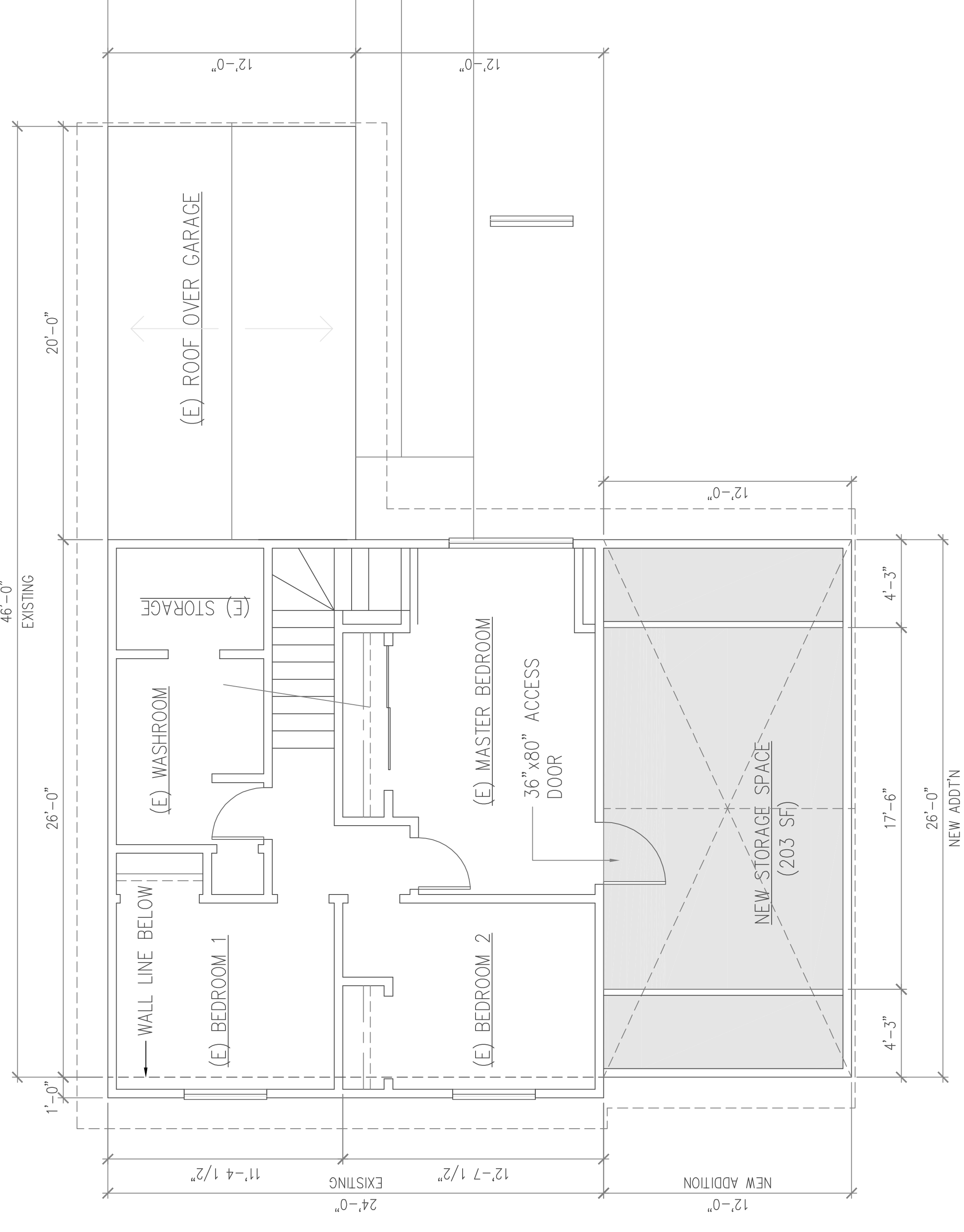
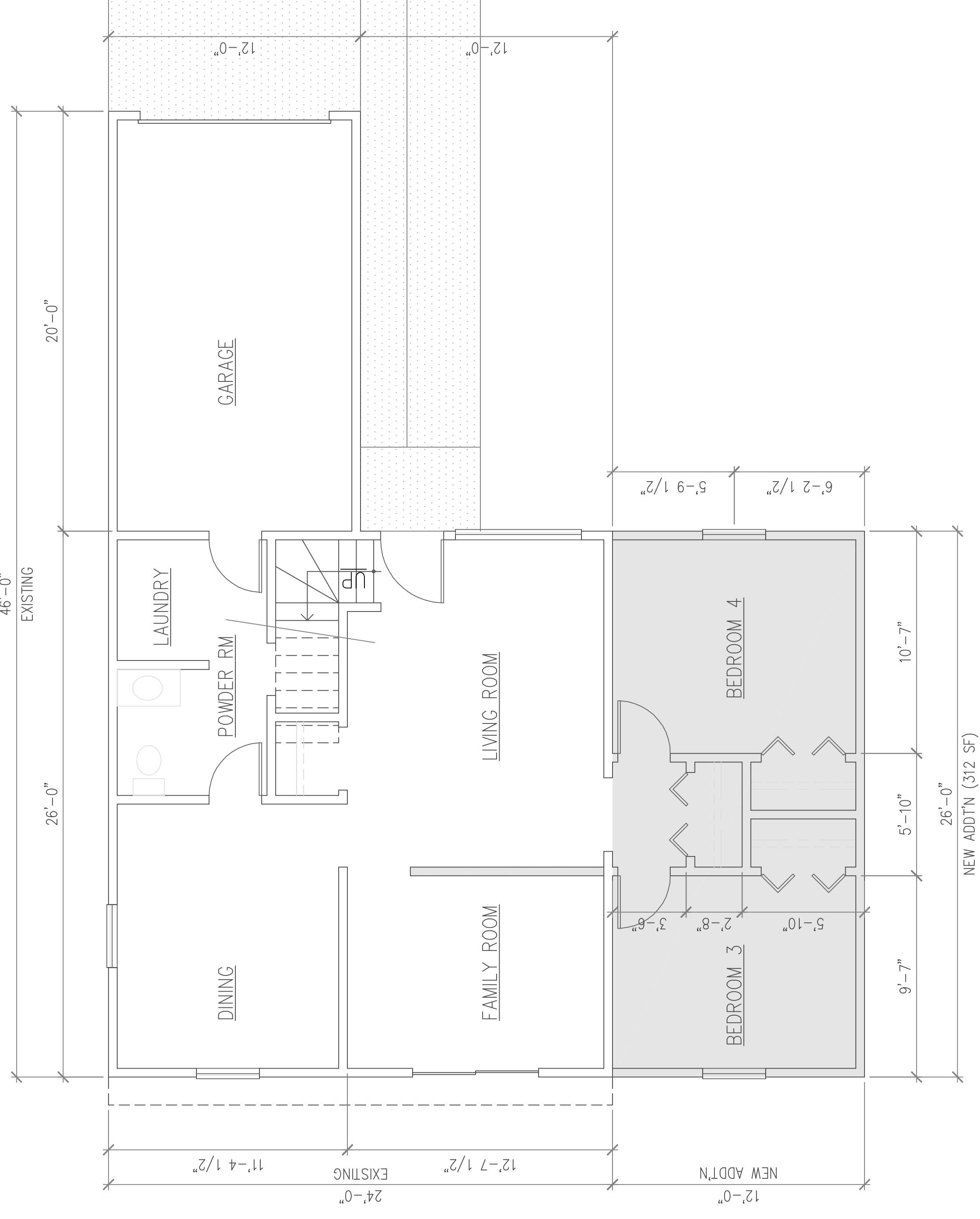
**FLOOR AREA RATIO:**  
 MAX. ALLOWED = 2,900 SF; PROVIDED = 2,003 SF  
 SEC. FLOOR MAX. ALLOWABLE:  
 80% OF 1,488 SF = 1,190.4 SF; PROVIDED = 1,139 SF OR 76.54 %



SECTION  
 1/4" = 1'-0"

ROOF PLAN  
 1/8" = 1'-0"

SITE PLAN  
 1/8" = 1'-0"



FIRST FLOOR PLAN  
1/4" = 1'-0"

SECOND FLOOR PLAN  
1/4" = 1'-0"

PROPOSED EXTENSION FOR:  
MR. & MRS. LITO DIKNO RESIDENCE  
7771 - 125th Street, Surrey, BC

RPL  
DESIGNS  
© Copyright 2005

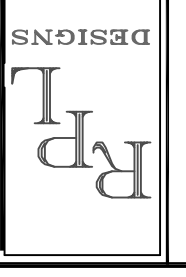
639 SUNSET AVENUE  
COQUITLAM, BC V3K 2B4  
TEL / FAX (604) 936-5227  
E-MAIL: RPLEGS@VAHOO.COM

REVISIONS	BY

Date: APR. 24, 2010  
Scale Factor: 1  
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Sheet  
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Of 2 Sheets

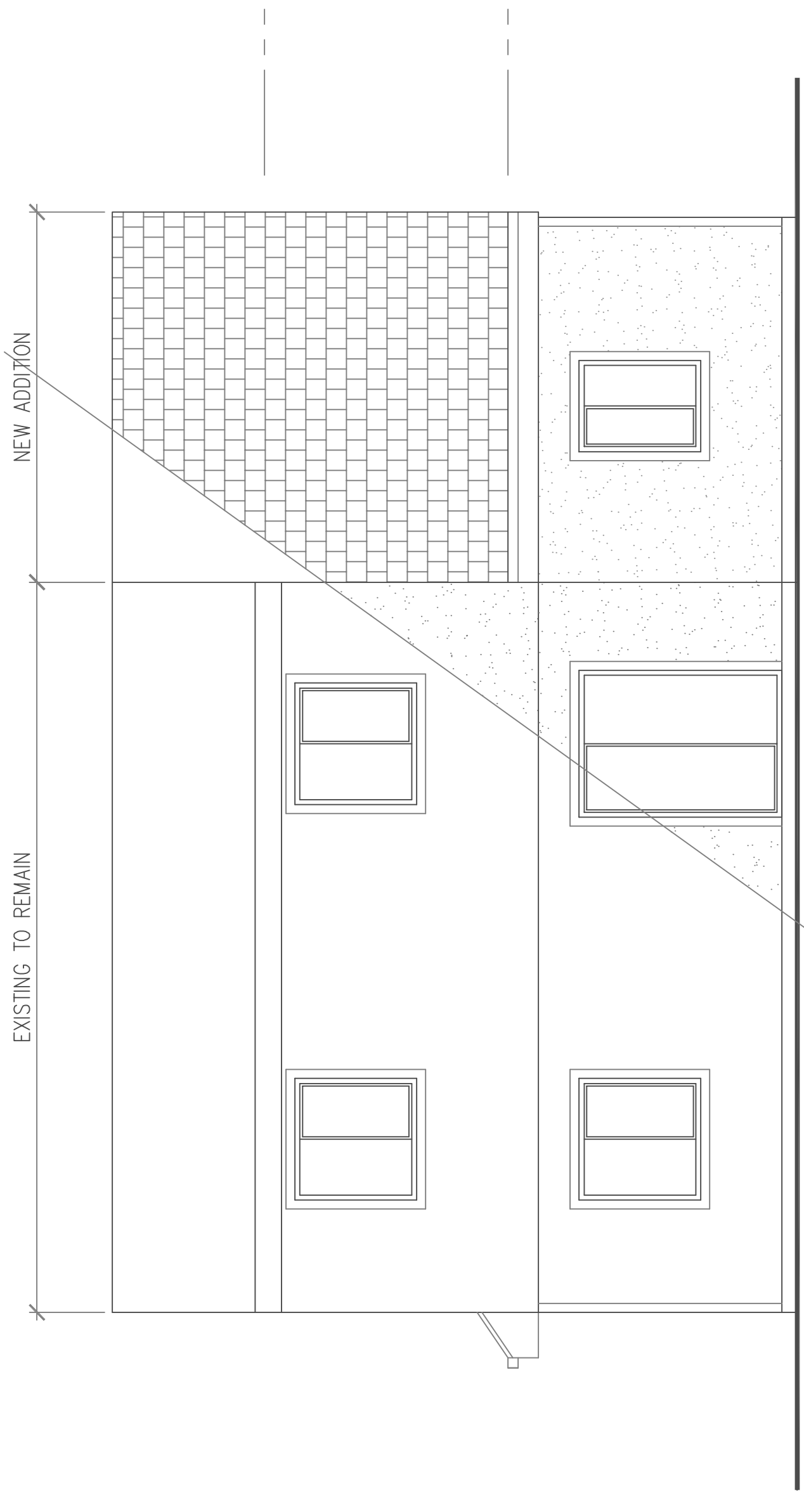
REVISIONS	BY

633 SUNSET AVENUE  
 COQUITLAM, BC V3K 2B4  
 TEL / FAX (604) 936-6227  
 E-MAIL: RPLDES@YAHOO.COM

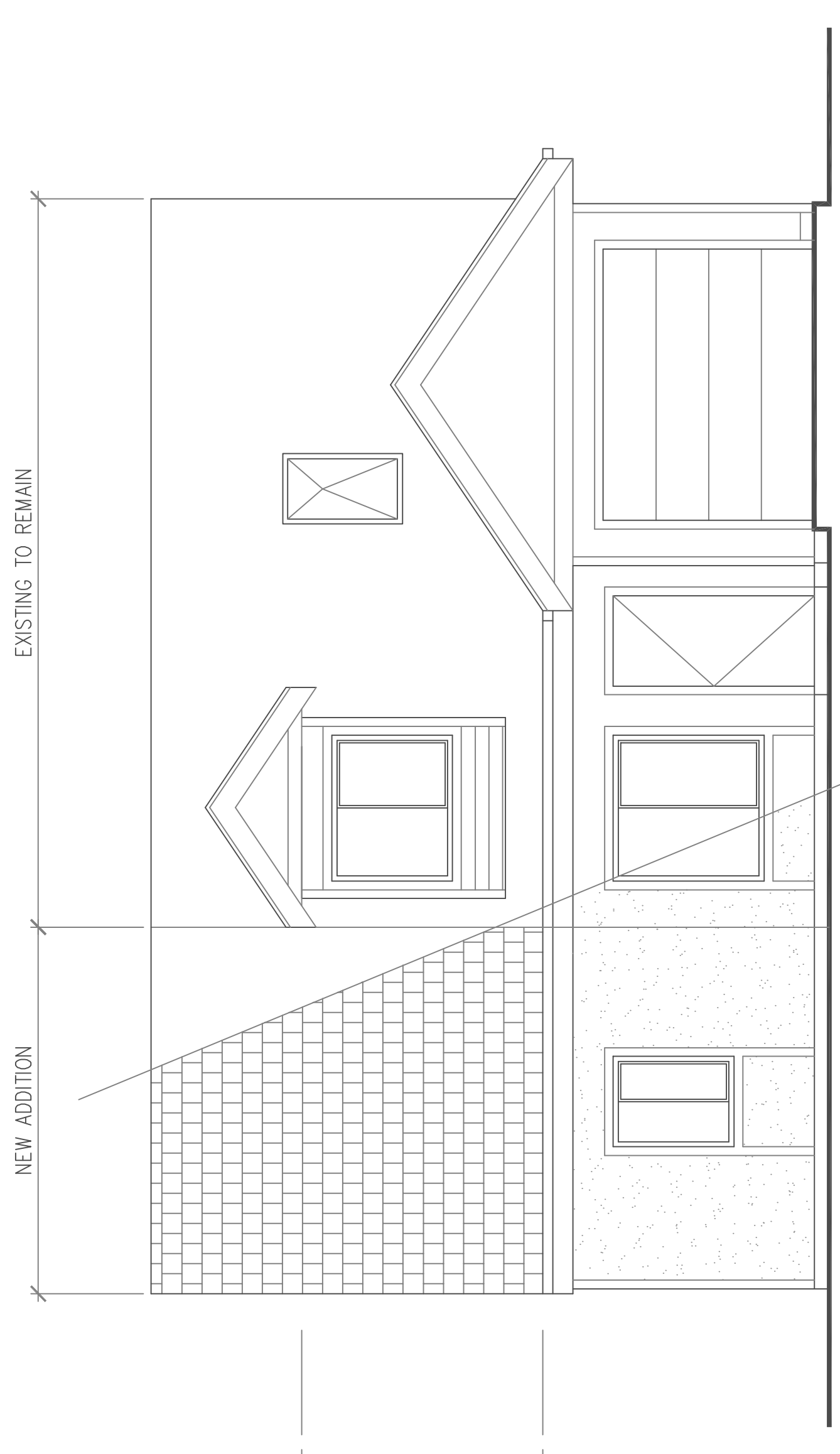


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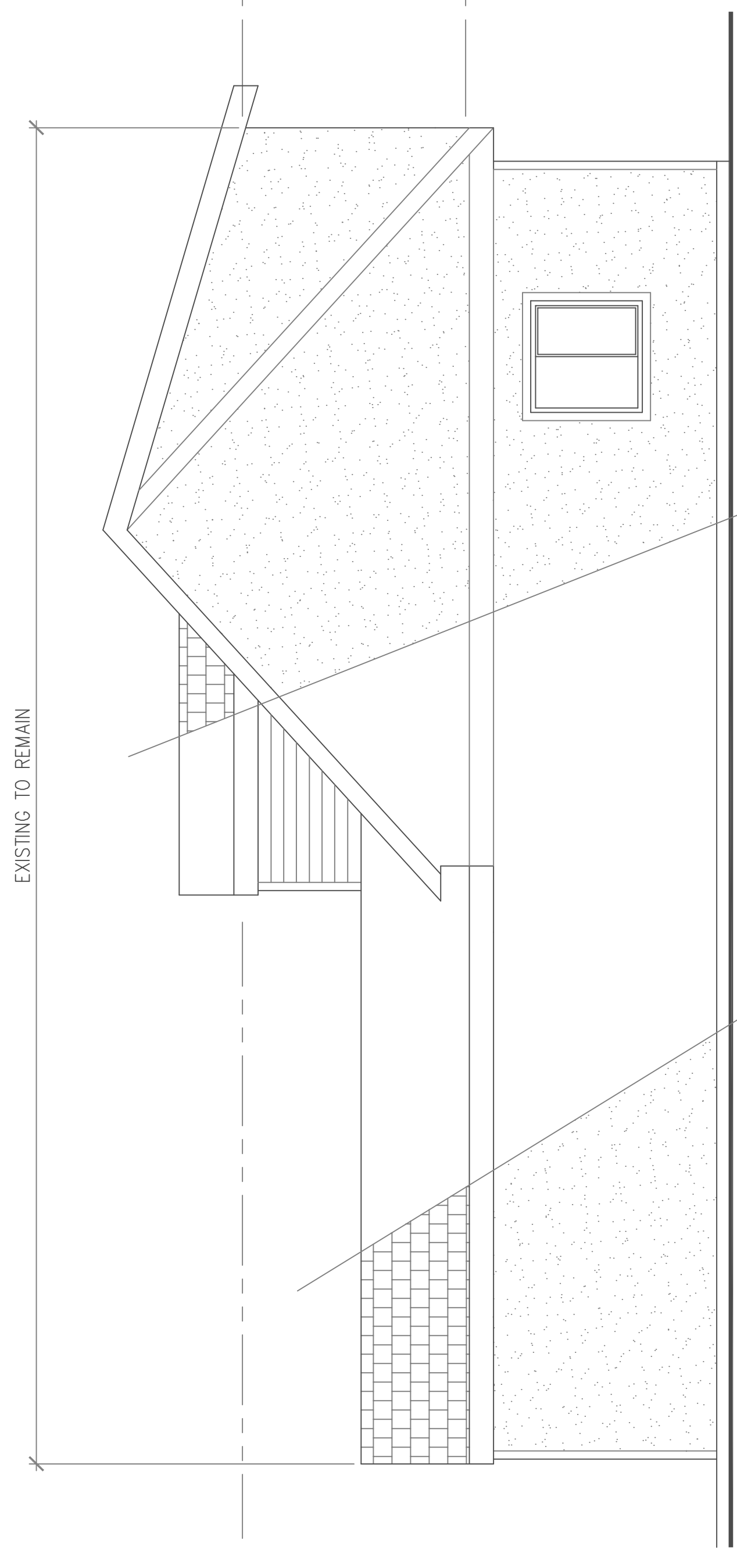
PROPOSED EXTENSION FOR:  
 MR. & MRS. LITO DIKNO RESIDENCE  
 7771 - 125th Street, Surrey, BC  
 Date: 01/6/05  
 Scale Factor: 1  
 Drawn: RPL  
 File: FPC  
 Sheet  
**A-3**  
 Of Sheets



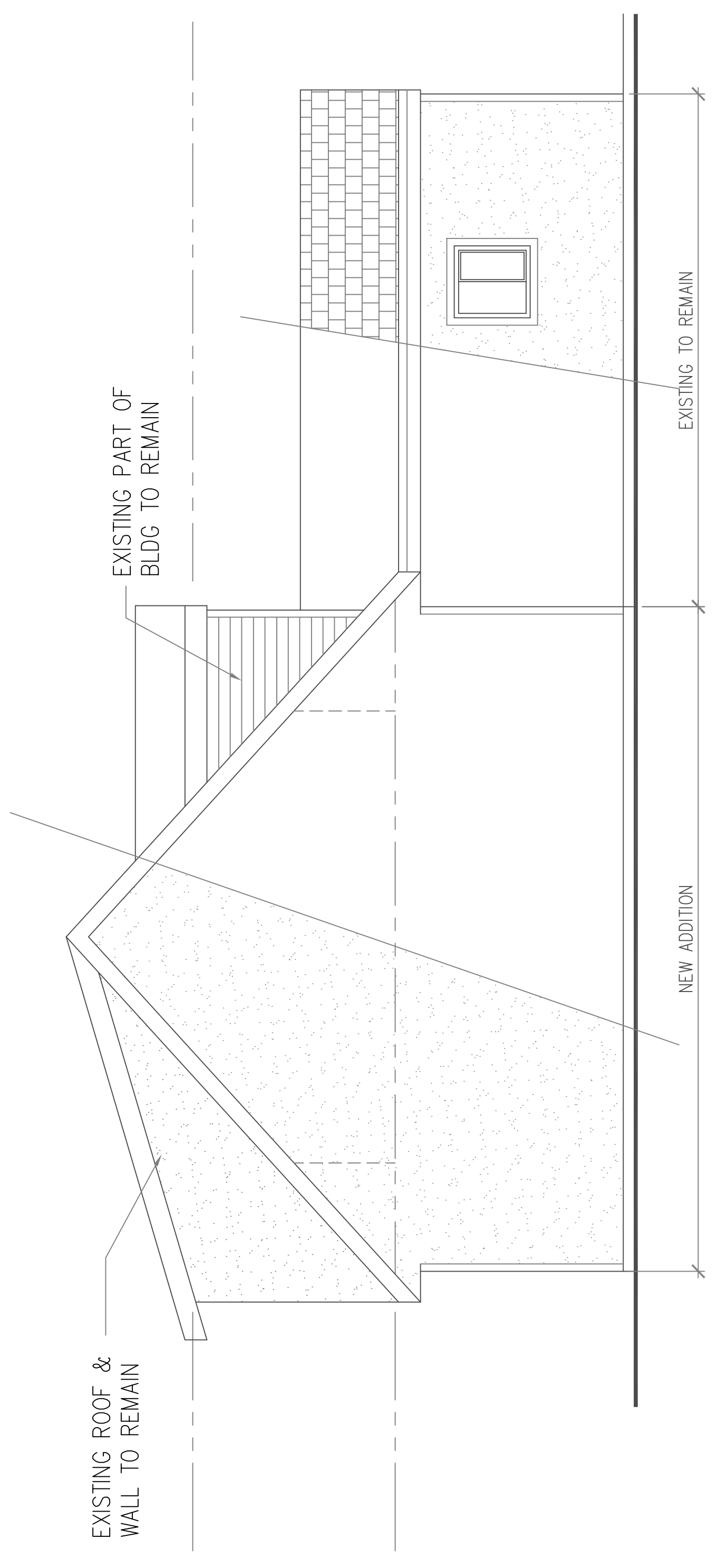
REAR ELEVATION  
 $1/4" = 1'-0"$



FRONT ELEVATION  
 $1/4" = 1'-0"$

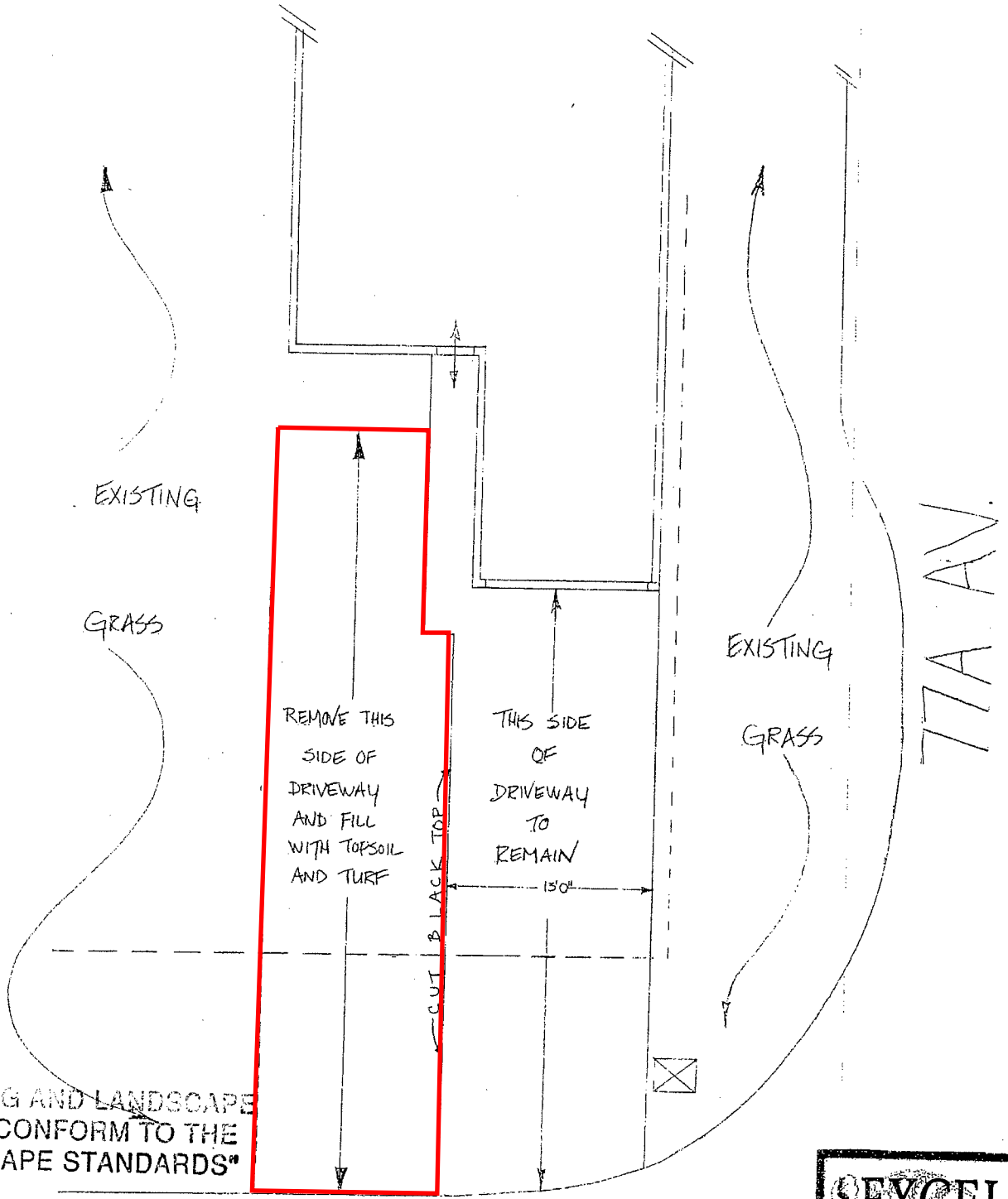


RIGHT SIDE ELEVATION  
 $1/4" = 1'-0"$



LEFT SIDE ELEVATION  
 $1/4" = 1'-0"$





ALL LANDSCAPING AND LANDSCAPE MATERIALS TO CONFORM TO THE BCSLA "LANDSCAPE STANDARDS"

125<sup>TH</sup> ST.

SCALE: 1/4" = 1'-0"  
DATE: OCT 26/10



MR. LITO DIOKNO

**EXCEL**  
Landscaping + Design

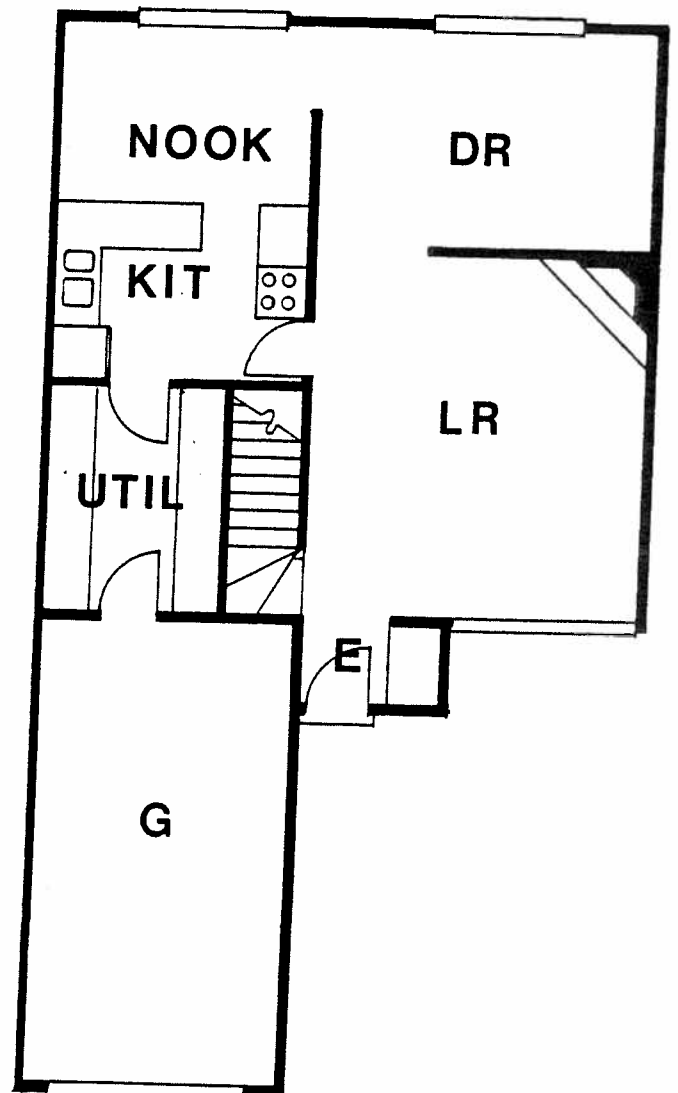
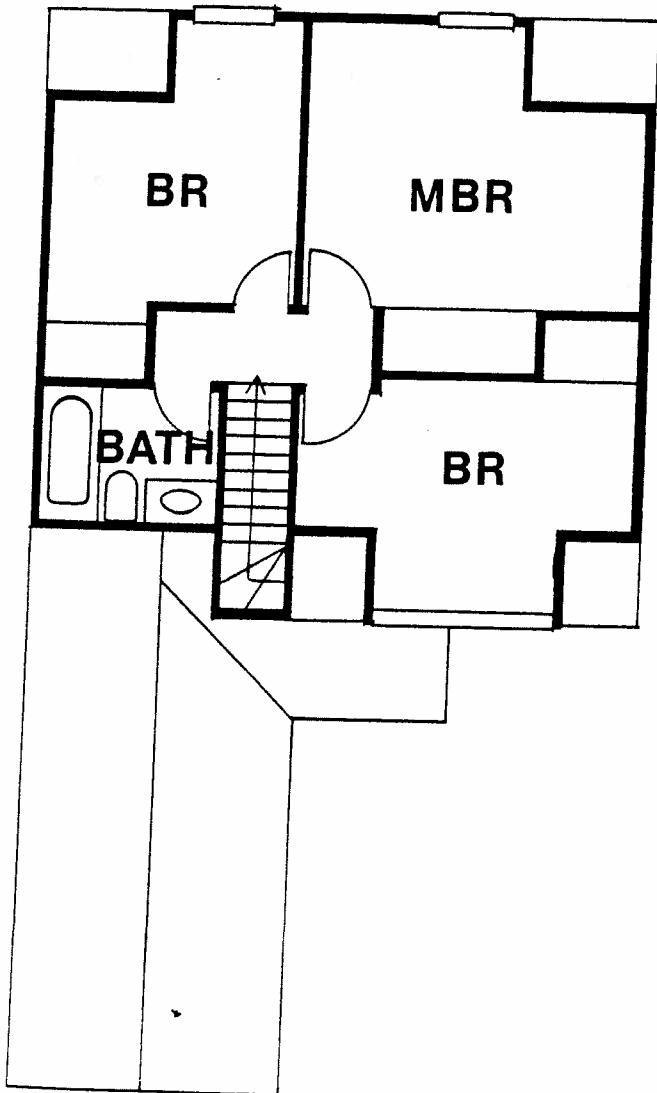
Landscape Awards of Excellence in 89' 99' 00' 05'

604-581-0026

9288 163rd Street  
Surrey BC V4N-3C9

Member of BCLNA, CNLA

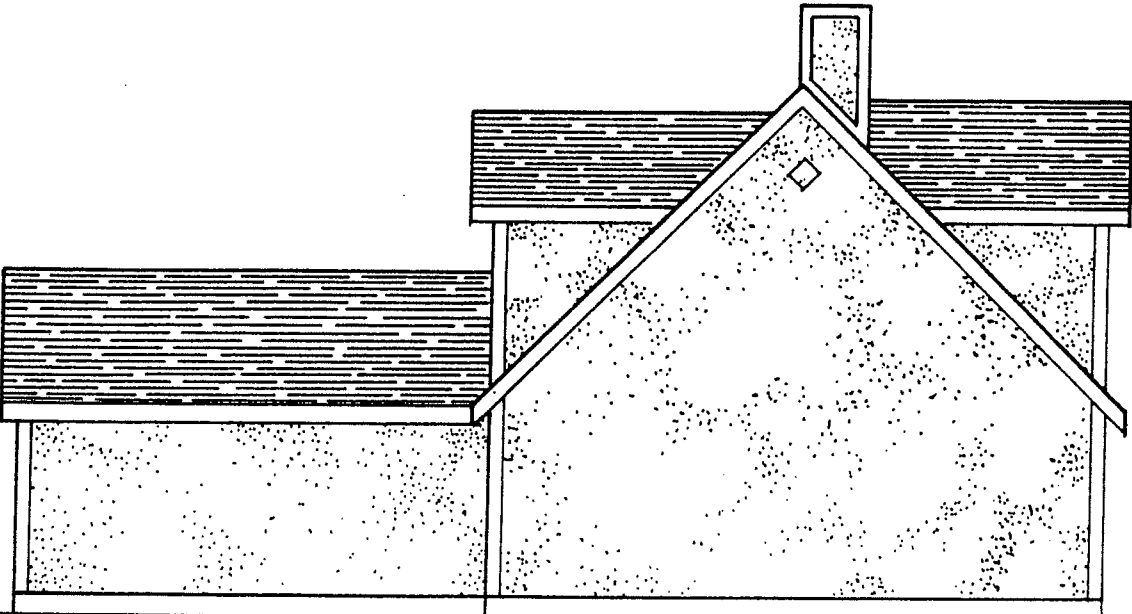
**MODEL E**  
**GROSS LIVING**  
**AREA 123 M<sup>2</sup>**  
**1316 FT<sup>2</sup>**



ELEVATIONS: E-2



SOUTH



EAST