

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0269-00

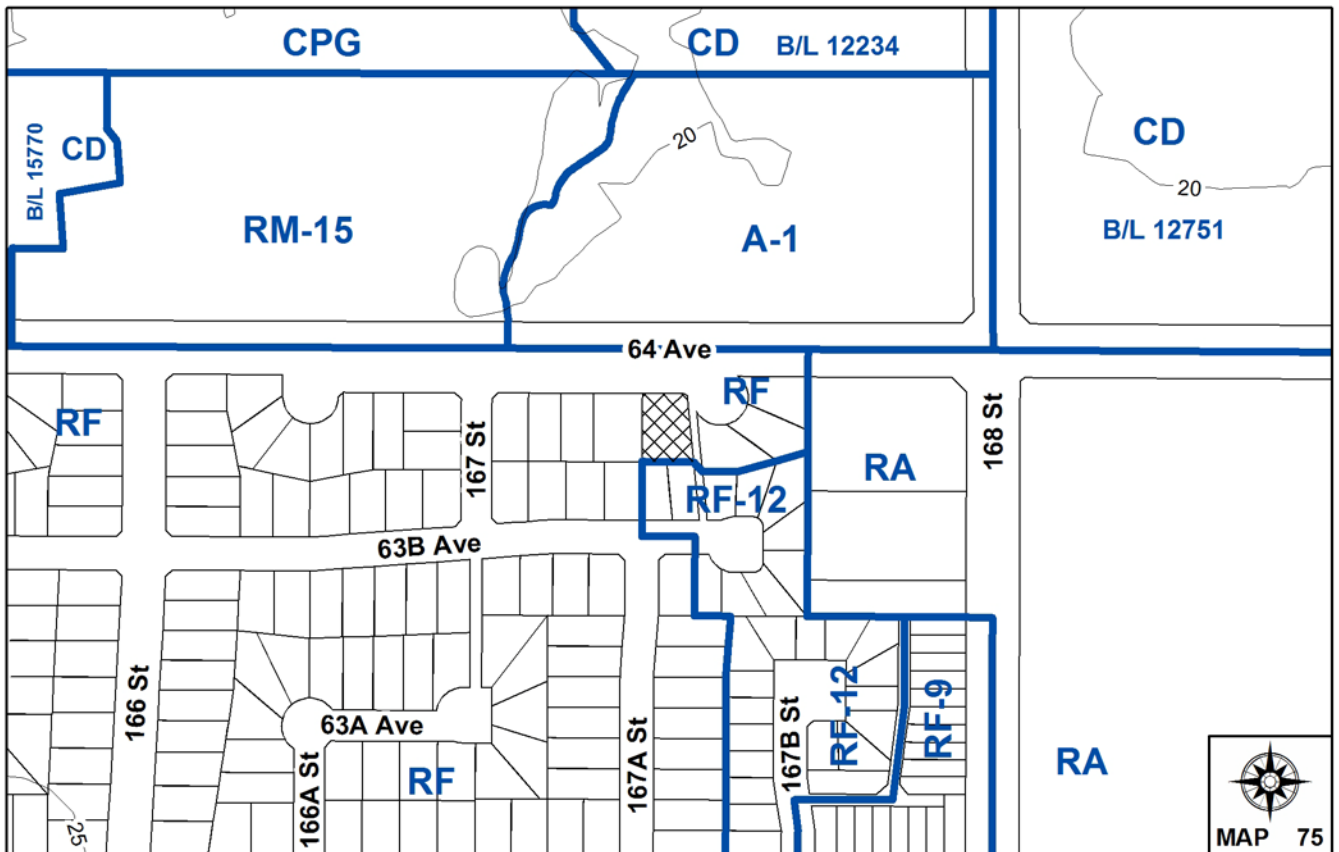
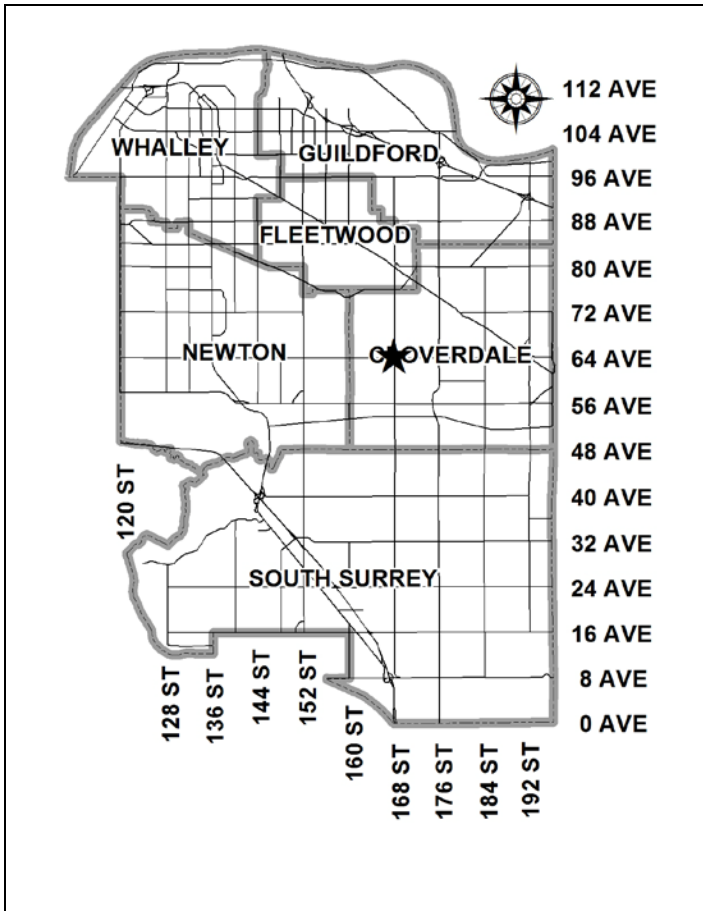
Planning Report Date: January 24, 2011

PROPOSAL:

- **Development Variance Permit**

in order to reduce the rear yard setback to retain an existing uncovered deck on proposed Lot 3.

LOCATION: 16732 - 64 Avenue
OWNERS: Jugpal and Mandip Bilg
ZONING: RF
OCP DESIGNATION: Urban
NCP DESIGNATION: Urban Single Family Residential



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking reduced rear yard setback in the RF Zone from 7.5 metres (25 ft.) to 4.3 metres (14.1 ft.) to retain an existing uncovered deck on proposed Lot 3.

RATIONALE OF RECOMMENDATION

- The proposed rear yard setback variance is considered minor and would not be required if the deck was not higher than 0.6 metres (2 ft.) above finished grade.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0269-00, (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 4.3 metres (14.1 ft.) for an existing deck on proposed Lot 3.

REFERRALS

Engineering: The Engineering Department has no objection.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling which will be retained.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 64 Avenue):	Oversized, undeveloped parcel	Urban/Single Family/Duplex Cluster 10 u.p.a.	A-1
East:	Single family dwelling	Urban/Urban Residential	RF
South:	Single family dwelling	Urban/Urban Residential and Single Family Small lots	RF and RF-12
West:	Single family dwelling	Urban/Urban Residential	RF

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 16732 - 64 Avenue in the Cloverdale area. The site is designated Urban in the Official Community Plan (OCP), Urban Residential in the West Cloverdale North Neighbourhood Concept Plan (NCP) and is currently zoned "Single Family Residential (RF)."
- An application has been received to subdivide the subject property together with the neighbouring property at 16724 - 64 Avenue from two into three RF-zoned lots.
- Each of the proposed lots conforms to the minimum 15-metre (50 ft.) width, 28 metre (92 ft.) depth, and 560-square metre (6,027 sq. ft.) area requirements of the RF Zone.
- The applicant is requesting a Development Variance Permit to reduce the rear yard setback of proposed Lot 3 from 7.5 metres (25 ft.) to 4.3 metres (14.1 ft.) in order to retain an existing uncovered deck.

- According to the location certificate provided by the applicant, the existing house on proposed Lot 3 has a floor area ratio (FAR) of 0.48 which is the maximum FAR permitted in the RF Zone. The existing lot coverage including the subject deck is 39%, which is slightly less than the 40% allowed.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 4.3 metres (14.1 ft.) on proposed Lot 3, to retain an existing uncovered deck.

Applicant's Reasons:

- The deck was recently built and cost over \$3,500.
- According to Surrey Zoning By-law No. 12000, structures less than 0.6 metre (2 ft.) in height may encroach into the building setback area. The existing deck is 0.85 metre (3 ft.) in height which is slightly above the 0.6-metre (2 ft.) height allowance.
- If the deck was separated from the house by a minimum distance of 1.0 metre (3.3 ft.), it would comply with the minimum rear yard setback requirement as an accessory structure.
- Given that the deck is not covered, it has less visual impact than a shed of similar size.

Staff Comments:

- The subject deck is approximately 11 square metres (119 sq.ft.) in size and attached to a portion of the rear wall of the house. Because the deck is slightly higher than 0.6 metre (2 ft.) above finished grade, the setback requirements for the principal building apply. The deck was constructed without a building permit and requires a rear yard setback variance.
- The existing house is set back 7.8 metres (25.6 ft.) from the rear property line. This slightly exceeds the 7.5-metre (25 ft.) minimum requirement in the RF Zone.
- The rear yard of the subject property is fenced and borders a public walkway to the east. The deck has minimal visual impact on the surrounding properties.
- The variance is for the existing rear deck on proposed Lot 3 only. Any future construction on this lot or on the other 2 proposed lots must be in compliance with the minimum setback requirements of the RF Zone.
- The applicant will be required to submit a building permit application for the deck, as a condition of the associated subdivision.
- Staff support the requested 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. 7910-0269-00

Original Signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JD/kms

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. 1/17/11 2:03 PM

Information for City Clerk

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

1. (a) Agent: Name: Jug Bilg
Address: 16732 – 64 Avenue
Surrey, BC V3S 0W5
Tel: 604-767-1787

2. Properties involved in the Application

(a) Civic Address: 16732 – 64 Avenue

(b) Civic Address: 16732 – 64 Avenue
Owners: Jugpal Singh Bilg and Mandip Kaur Bilg
PID: 025-947-001
Lot 15 Section 12 Township 2 New Westminster District Plan BCP5780

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7910-0269-00.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO. 7910-0269-00

Issued To: JUGPAL AND MANDIP BILG

(the "Owner")

Address of Owner: 16732 - 64 Avenue
Surrey, BC V3S 0W5

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: 025-947-001
Lot 15 Section 12 Township 2 New Westminster District Plan BCP11301

16732 - 64 Avenue

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title has been issued, as follows:

Parcel Identifier:

- (b) If the civic address change(s), the City Clerk is directed to insert the new civic address for the Land, as follows:

4. 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 rear yard setback is reduced from 7.5 metres (25 ft.) to 4.3 metres (14.1 ft.) for an existing uncovered deck on proposed Lot 3.
5. 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.
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 unless the subdivision, as conceptually shown on Schedule B which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) 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.

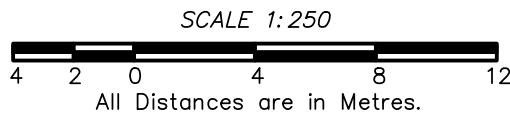
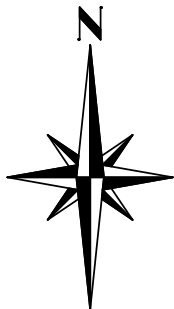
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan

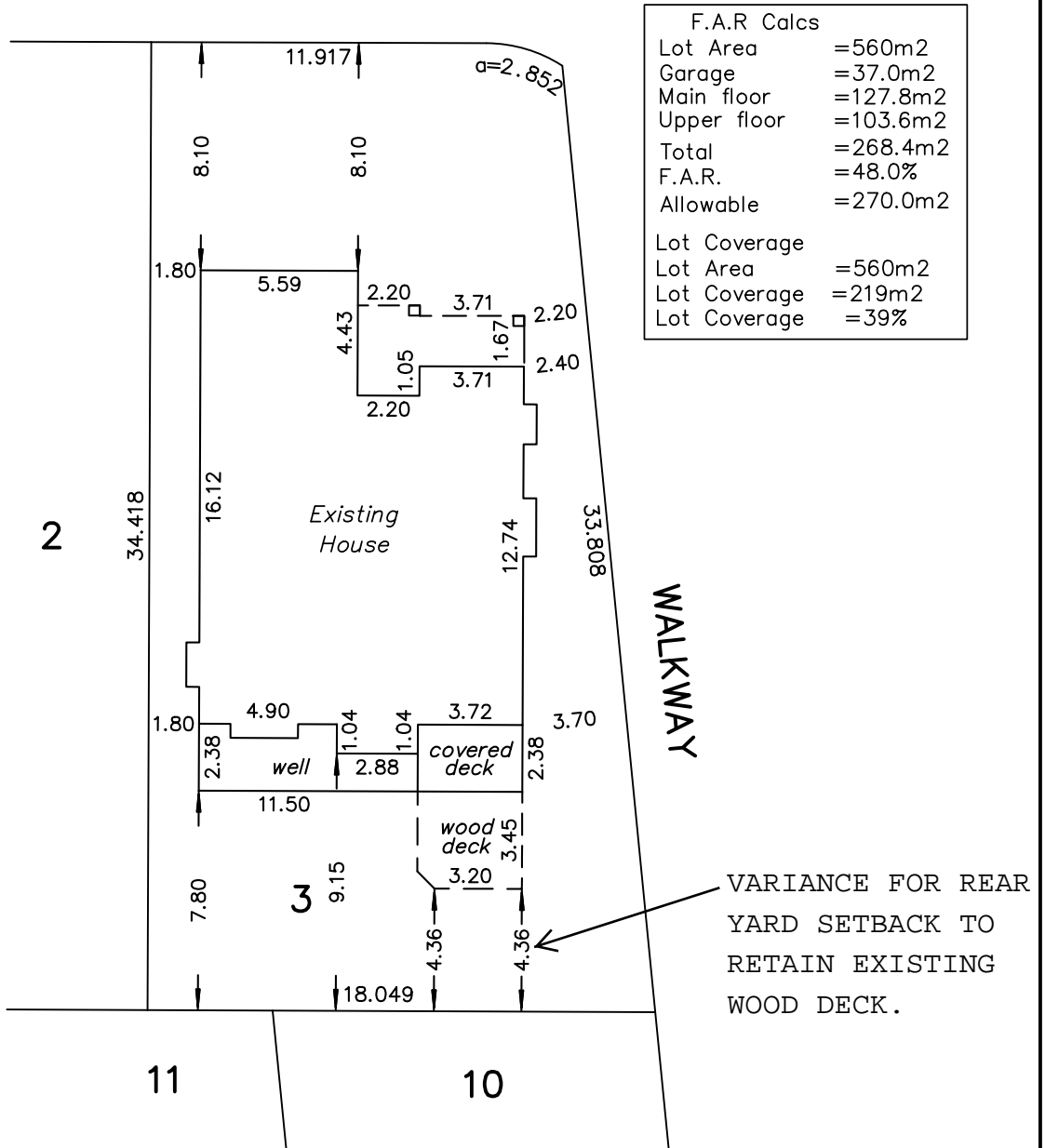
B.C. Land Surveyor's Building Location Certificate

PLAN SHOWING BUILDING CONSTRUCTED ON LOT 3
 SECTION 12 TOWNSHIP 2
 N.W.D. PLAN BCP_____.



CIVIC ADDRESS
16732 64th AVENUE
SURREY, B.C.

64th AVENUE



F.A.R. Calcs	
Lot Area	=560m ²
Garage	=37.0m ²
Main floor	=127.8m ²
Upper floor	=103.6m ²
Total	=268.4m ²
F.A.R.	=48.0%
Allowable	=270.0m ²
Lot Coverage	
Lot Area	=560m ²
Lot Coverage	=219m ²
Lot Coverage	=39%

VARIANCE FOR REAR YARD SETBACK TO RETAIN EXISTING WOOD DECK.



CLOVERDALE B.C.
 Phone 604-574-7311
 Fax 604-574-3018

This building location certificate has been prepared in accordance with the Manual of Standard Practice and is certified correct this 4th day of January 2011

NOTES: Setback measurements are shown to the outside of stucco.

Property boundary dimensions shown hereon, are derived from Plan BCP_____

This document shows the relative location of the surveyed structures with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or corners.

All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

B.C.L.S



This document is not valid unless originally signed and sealed.

OUR FILE: JS07124_C3

CLIENT: BILG

SUBDIVISION PLAN OF LOT 12 PLAN BCP5780 AND LOT 15 PLAN BCP11301 BOTH OF SECTION 12 TOWNSHIP 2 NWD.

PLAN BCP

Deposited in the Land Title Office at New Westminster B.C. on This _____ Day of _____, 2011

BCGS 92C.017



All Distances are in Metres.
The intended plot size of this plan is 560mm in width by 432mm in height (C size) when plotted at a scale of 1:500

LEGEND:

- Denotes Control Monument found
- Denotes Standard Iron Post found.
- Denotes Standard Iron Post set.
- Denotes Lead Plug found.
- Denotes Lead Plug set.

Note:
This plan shows one or more witness posts which are set along the production of the property boundary unless otherwise noted.

Owners:
(sign and print names clearly)

Balwinder Singh Grewal

Gurbax Kaur Grewal

Witness as to Signatures

Address of Witness

Occupation of Witness

Mortgagee:
Royal Bank of Canada
(sign and print name clearly)

Authorized Signatory

Occupation of Witness

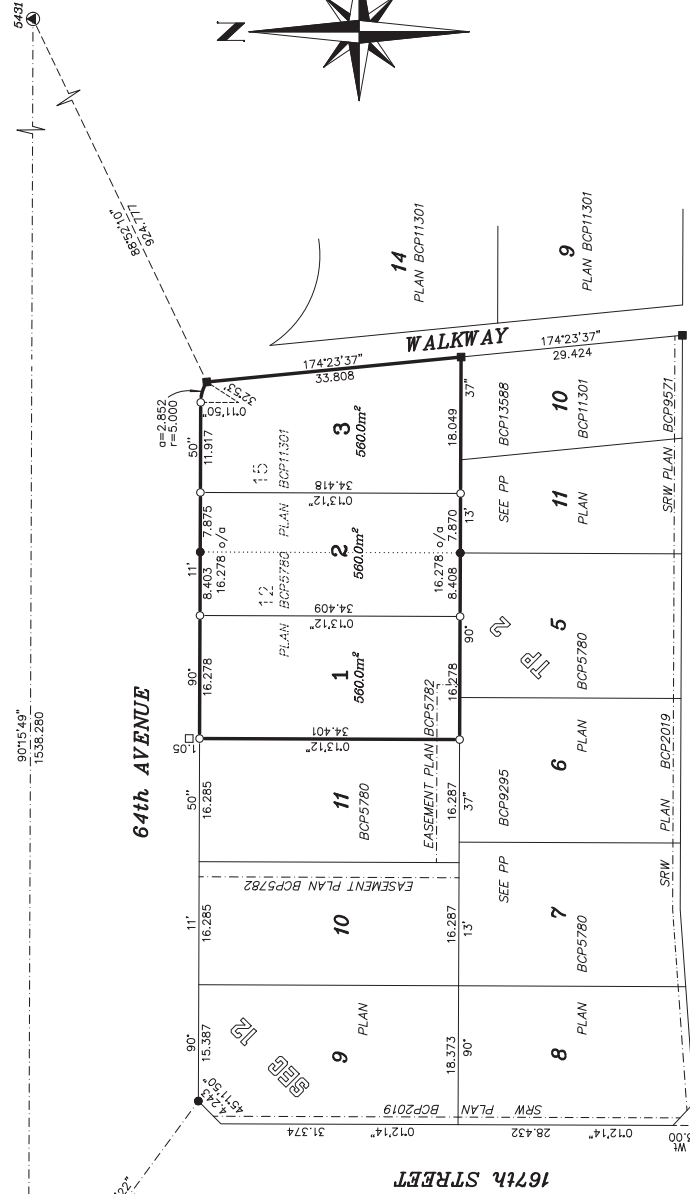
Grid Bearings are derived from observations between Geodetic Control Monuments 80H2030 & 5431

Integrated Survey Area No. 1 Municipality of Surrey, NAD83 (CSRS)

This plan shows horizontal ground-level measured distances except where otherwise noted. To compute grid distances, multiply ground-level distances by combined factor 0.9996030

Onderwater Land Surveying Ltd.
B.C. Land Surveyors
#104-5830 176A Street
Cloverdale B.C.

FILE: J507124-S



Approved under the Land Title Act
This _____ Day of _____, 2011

Approving Officer for the
City of Surrey.

I, John P. Onderwater, a British Columbia Land Surveyor, certify that I was present at and personally supervised the survey represented by this plan, and that the survey and plan are correct. The field survey was completed on the 4th day of January, 2011. The plan was completed and checked, and the checklist filed under #118651, on the 5th day of January, 2011.

This Plan Lies Within The
Greater Vancouver Regional District

Signature of B.C.L.S.