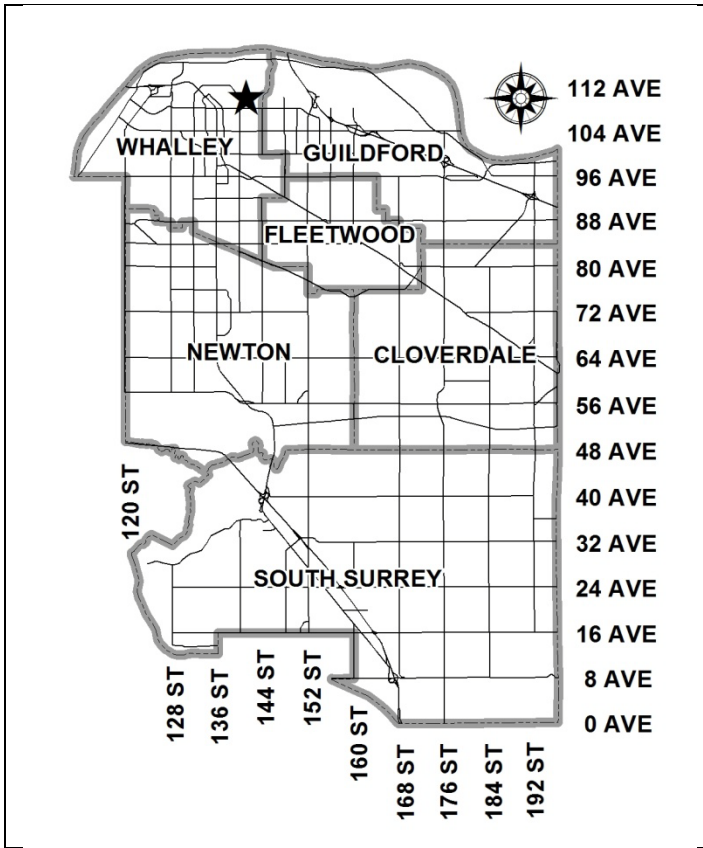


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0288-00

Planning Report Date: April 23, 2012



PROPOSAL:

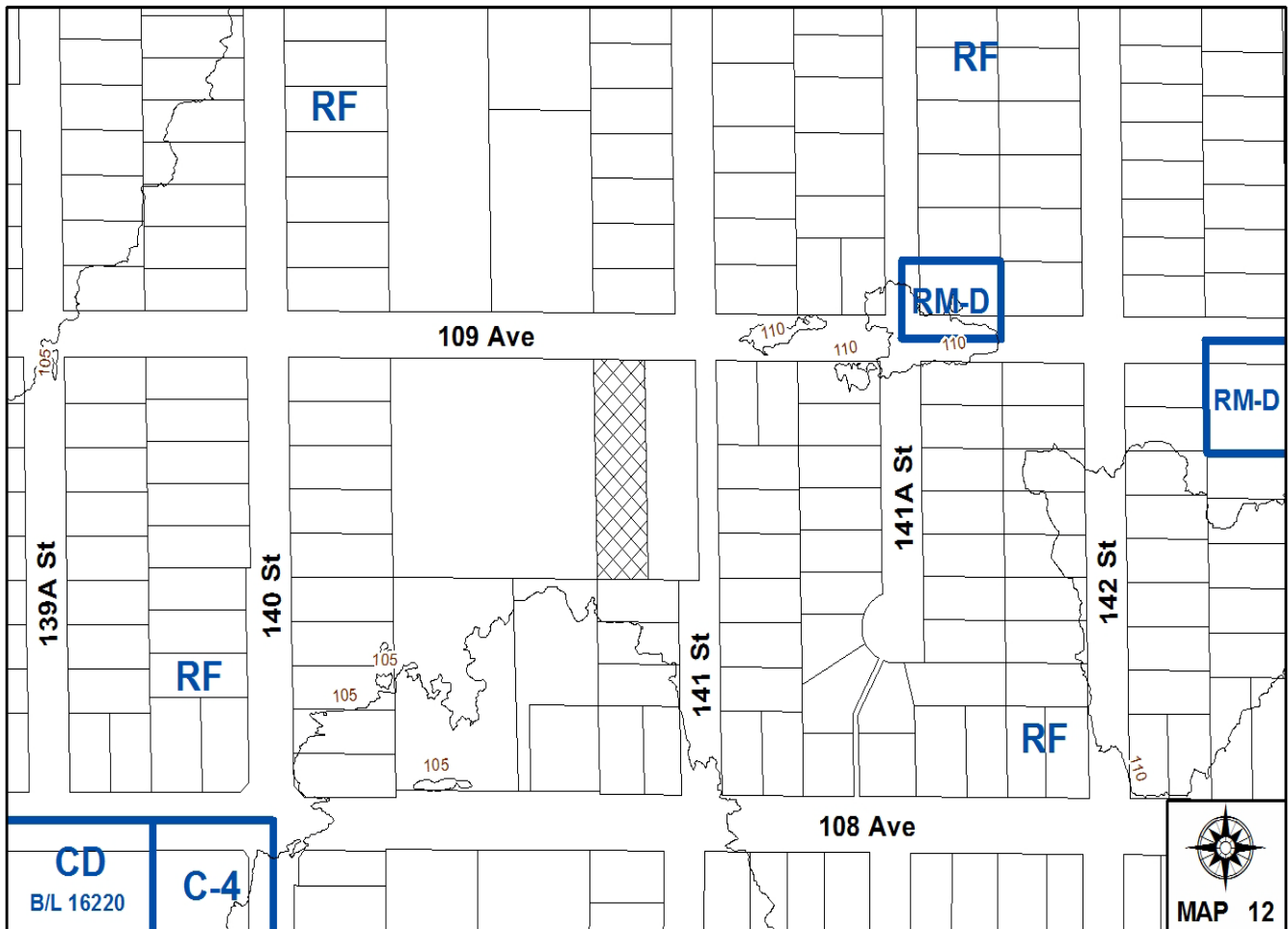
- **Development Variance Permit**
 in order to reduce the rear and side yard setbacks for an existing accessory building on proposed Lot 1.

LOCATION: 14084 - 109 Avenue

OWNERS: Chamkaur and Harbinder Gill

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking reduced rear and side yard setbacks for an existing accessory building/workshop on proposed Lot 1.

RATIONALE OF RECOMMENDATION

- The proposed variances to the rear and side yard setbacks will allow the applicant to proceed with their subdivision and retain a workshop.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0288-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback for an accessory building in the RF Zone from 1.8 metres (6 ft.) to 0.4 metre (1 ft.); and
 - (b) to reduce the minimum side yard setback for an accessory building in the RF Zone from 1 metre (3 ft.) to 0.6 metre (2 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling and accessory building, which are proposed to remain.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 109 Avenue):	Single family dwelling.	Urban	RF
East:	Single family dwelling under Subdivision Application 7910-0288-00 (along with subject site) for six RF lots.	Urban	RF
South:	Single family dwelling.	Urban	RF
West:	Single family dwelling on acreage lot encumbered by hydro and gas rights-of-way.	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject site is located at 14084-109 Avenue in the Whalley area. It is designated Urban in the Official Community Plan (OCP) and currently zoned "Single Family Residential" (RF) Zone.

- The subject property along with the neighbouring property to the east (10867/69-141 Street) is currently under a development application to subdivide the two lots into six lots (Development Application No. 7910-0288-00).
- The Preliminary Layout Approval letter for the creation of six lots was issued on August 30, 2011 and the applicant is hoping to complete the subdivision by May, 2012.
- To complete the proposed subdivision, the applicant was required to remove the existing workshop on proposed Lot 1 to comply with the rear yard and side yard requirements of the RF Zone. As the subdivision application proceeded the owner has now indicated the desire to retain the workshop which was built in 1963.
- The applicant is now requesting a Development Variance Permit to permit a portion of the existing workshop to encroach within the required 1.8-metre (6 ft.) rear yard setback and 1 metre (3 ft.) side yard setback.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the rear yard setback for an accessory building in the RF Zone from 1.8 metres (6 ft.) to 0.4 metre (1 ft.) on proposed Lot 1.
- To reduce the side yard setback for an accessory building in the RF Zone from 1 metre (3 ft.) to 0.6 metre (2 ft.) on proposed Lot 1.

Applicant's Reasons:

- The workshop serves as a general multi-purpose area for storing tools and parking vehicles.

Staff Comments:

- The existing workshop is 63.3 square metres (681 sq. ft.) in size. The applicant proposes to remove 18.7 square metres (201 sq. ft.) to retain a 44.6-square metre (480 sq. ft.) workshop, which requires 1.8-metre (6 ft.) rear yard and 1.0-metre (3 ft.) side yard setbacks (whereas accessory buildings and structures less than 10 square metres (105 sq. ft.) in size are able to be sited flush to rear and side lot lines).
- The proposed variance will allow for the subdivision to proceed with the retention of an existing workshop. All new construction will be required to comply with the applicable setback requirements.
- 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. 7910-0288-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JKS/kms

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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7910-0288-00

Issued To: CHAMKAUR SINGH GILL
HARBINDER KAUR GILL

(the "Owner")

Address of Owner: 6033 - 125A Street
Surrey, BC
V3X 3L7

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: 002-582-996
Parcel "A" (Explanatory Plan 14069) of the West Half Lot 4 Block "B" Section 13 Block 5
North Range 2 West New Westminster District Plan 4269

14084 - 109 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 changes, the City Clerk is directed to insert the new civic address for the Land, as follows:

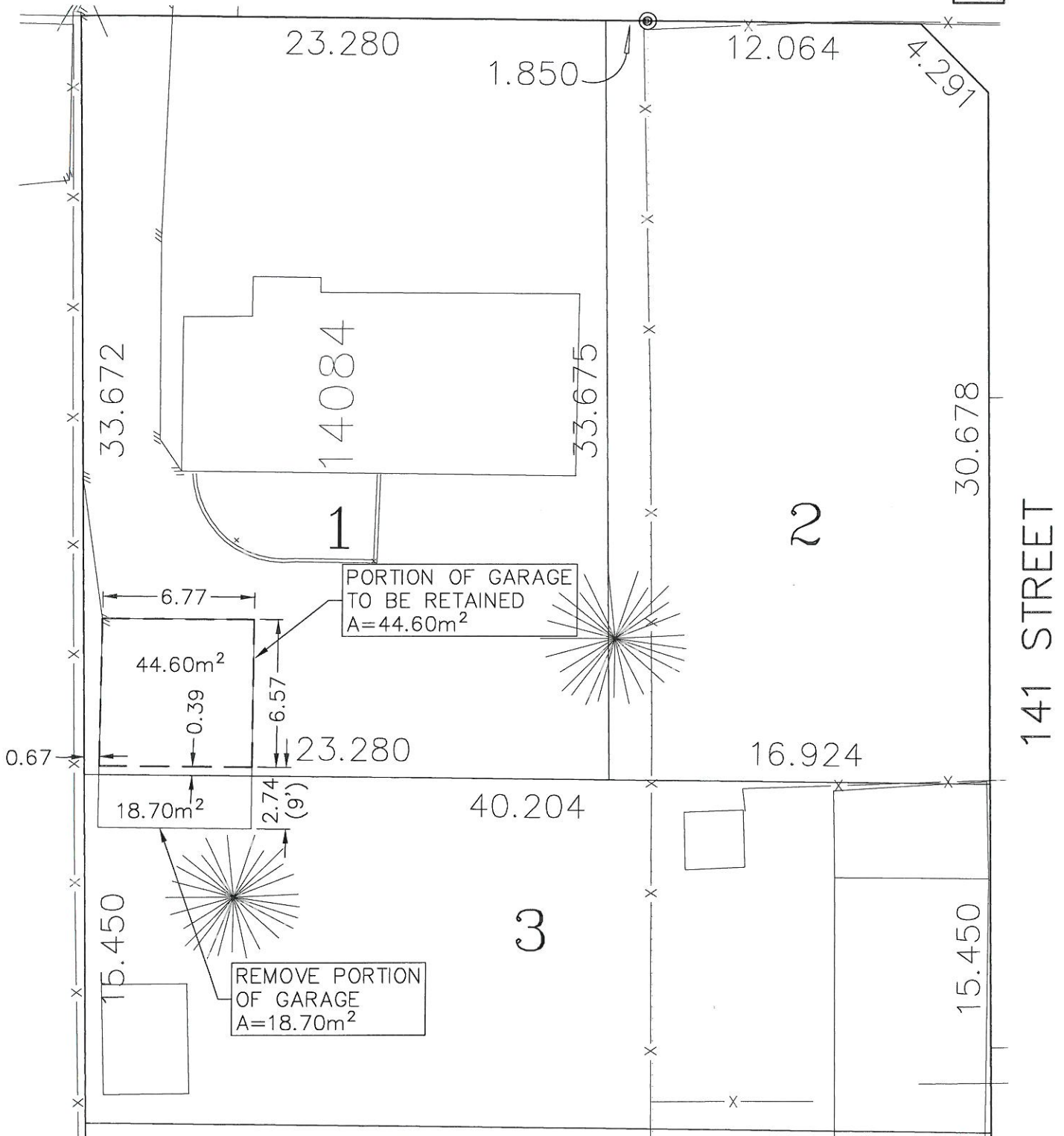
4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 16 Single Family Residential Zone (RF) the minimum side yard setback for accessory buildings and structures is reduced from 1.0 metre (3 ft.) to 0.6 metres (2 ft.) on Lot 1;
 - (b) In Section F of Part 6 Single Family Residential Zone (RF) the minimum rear yard setback for accessory buildings and structures is reduced from 1.8 metres (6 ft.) to 0.35 metre (1 ft.) on Lot 1;
5. The siting of buildings and structures shall be in accordance with the drawings numbered 7910-0288-00(A) through to and including 7910-0288-00(B) (the "Drawings") which are attached hereto and form part of this development variance permit.
6. 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.
7. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
8. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A 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.
9. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
10. 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

109 AVENUE



PORTION OF GARAGE TO BE RETAINED
A=44.60m²

REMOVE PORTION OF GARAGE
A=18.70m²

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CitiWest Consulting Ltd.
No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
TELEPHONE 604-591-2213 FAX 604-591-5518
E-MAIL: office@citiwest.com



CLIENT: CHAMKAUR S. GILL AND SUKHMINDER S. SEKHON
6033 - 125A STREET, SURREY, BC, V3X 3L7 TEL: 604-318-4204 FAX: 604-599-9591

TITLE: LOT 1 GARAGE SKETCH

DATE: APR 2012	SCALE: 1:250	JOB NO. 10-2752
DRAWN: LC	APPROVAL:	DWG. NO. A
MUN. PROJ. NO. 7910-0288-00		