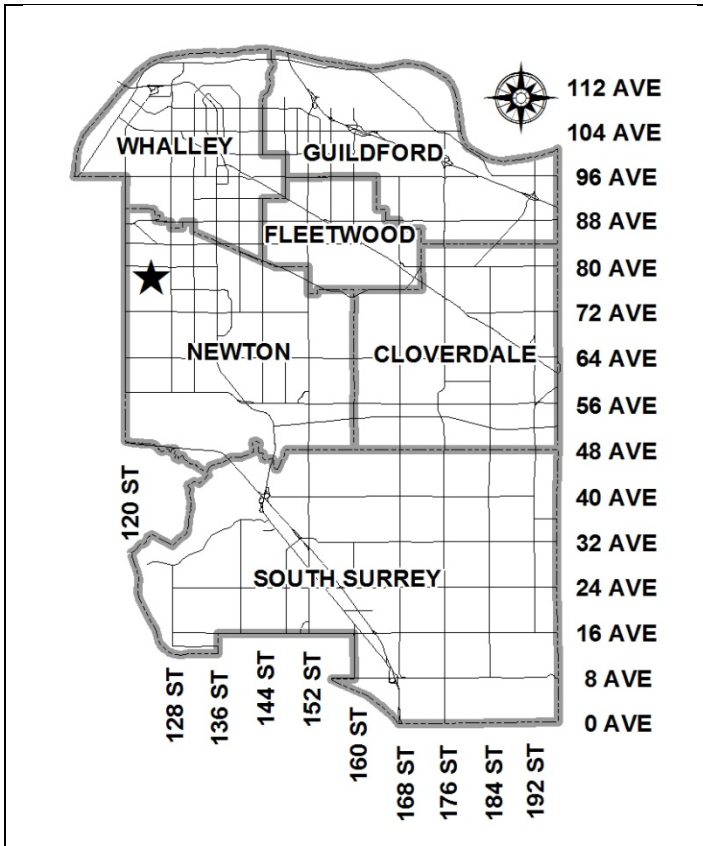


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0315-00

Planning Report Date: February 6, 2012

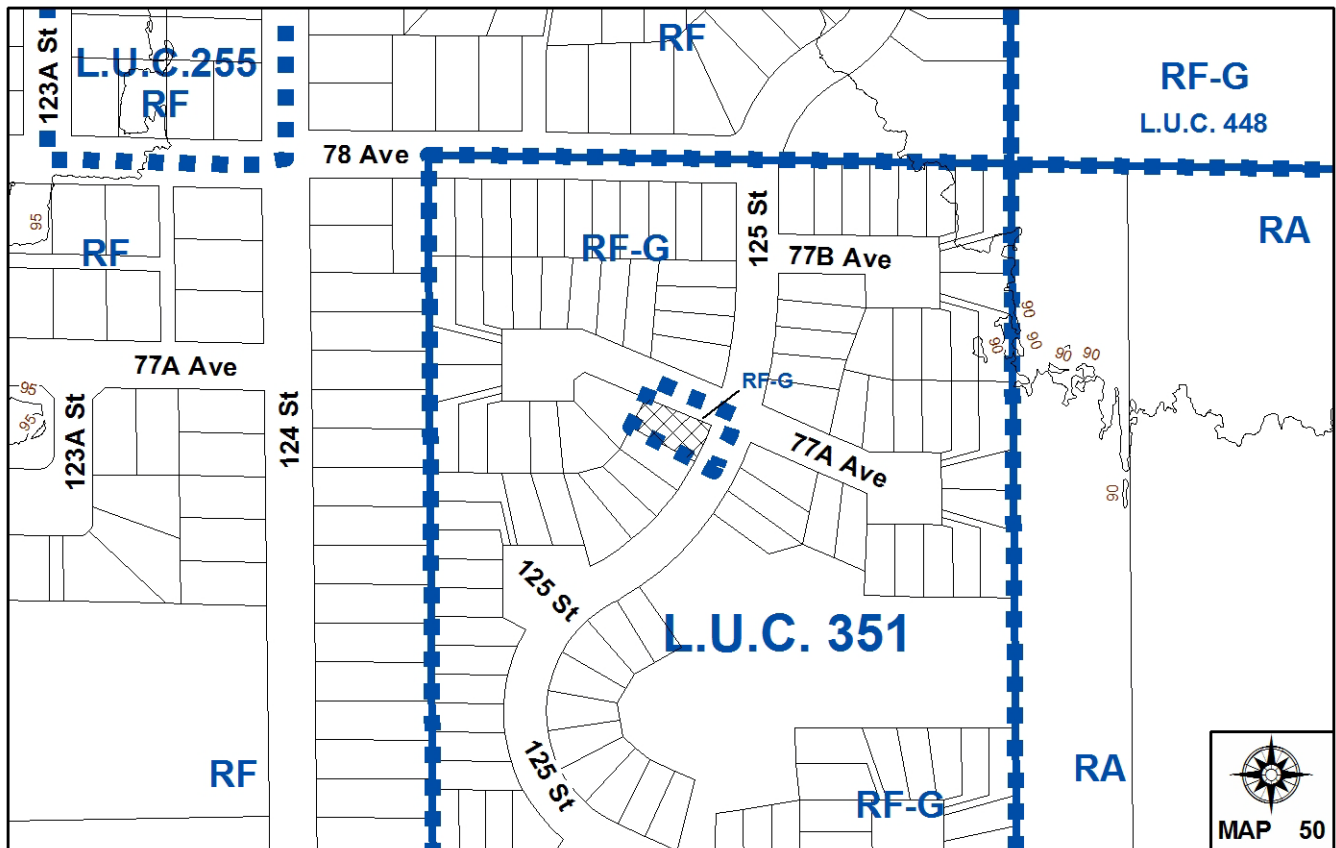


PROPOSAL:

- **Development Variance Permit**

in order to correct an inaccuracy and further reduce the minimum side yard setback thereby permitting an addition to the existing residential dwelling.

LOCATION: 7771 - 125 Street
OWNER: Angelito A. Diokno
 Maria T. Diokno
ZONING: RF-G
OCP DESIGNATION: Urban
LAP DESIGNATION: Urban Residential



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.
- Remove notice of Development Variance Permit No. 7910-0137-00 from title.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- A Development Variance Permit (DVP) is required in order to correct an inaccurate dimension in the site plan previously submitted for File No. 7910-0137-00. The proposed setback variance will further reduce the minimum side yard setback to permit an addition to the existing single family dwelling while respecting the setback provisions established under Land Use Contract No. 351.

RATIONALE OF RECOMMENDATION

- The proposed setback variance will correct an inaccuracy in Development Variance Permit No. 7910-0137-00 and enable the owner to construct the proposed addition to the existing single family dwelling while minimally impacting the side yard privacy of the adjacent property owner at 7765 – 125 Street.
- The proposed setback variance to 3.35 metres (11 ft.) will meet the original intent of the Development Variance Permit approved under File No. 7910-0137-00 and represents a minor change from the original side yard setback. In addition, the proposed side yard setback reflects the minimum setback requirements under Land Use Contract No. 351.
- The attached Development Variance Permit (Appendix III) will replace the existing DVP currently registered on title for 7771 – 125 Street.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7911-0315-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to vary the minimum front yard setback of the RF-G Zone from 7.5 metres (25 ft.) to 12 metres (40 ft.);
 - (b) to vary the minimum side yard setback of the RF-G Zone from 1.2 metres (4 ft.) to 3.35 metres (11 ft.);
 - (c) to vary the minimum rear yard setback of the RF-G Zone from 7.5 metres (25 ft.) to 8.5 metres (28 ft.); and
 - (d) to reduce the minimum flanking side yard setback of the RF-G Zone from 3.6 metres (12 ft.) to 0.3 metres (1 ft.).
2. The City Clerk remove notice of Development Variance Permit No. 7910-0137-00 from title upon execution of DVP No. 7911-0315-00.

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, East, South and West:	Single family residential	Urban/Urban Residential	L.U.C. No. 351

DEVELOPMENT CONSIDERATIONSBackground

- 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 zoned RF-G.
- Land Use Contract No. 351 was previously discharged from the subject property in May, 2011 which allowed the underlying RF-G Zone to come into effect and thereby permit a proposed addition to the existing single family dwelling (File No. 7910-0137-00). In addition, Council approved a Development Variance Permit (DVP) to vary the provisions

of the RF-G Zone so as to be consistent with the setbacks prescribed under Land Use Contract No. 351 and allows for a proposed addition to the existing building.

- The proposed addition involves a 47.9 square metre (515 sq. ft.) extension to the existing residential dwelling. The proposed addition is located along the south façade of the existing dwelling and maintains a relatively large side yard setback of 3.35 metres (11 ft.) from the south property line.
- The applicant recently discovered an inaccurate dimension in the previous site plan submitted for File No. 7910-0137-00. In response, the applicant requested a Development Variance Permit in order to further reduce the minimum side yard setback from 4 metres (13 ft.) to 3.35 metres (11 ft.).

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the minimum front yard setback from 7.5 metres (25 ft.) to 12 metres (40 ft.).
- To vary the minimum side yard setback from 1.2 metres (4 ft.) to 3.35 metres (11 ft.).
- To vary the minimum rear yard setback from 7.5 metres (25 ft.) to 8.5 metres (28 ft.).
- To reduce the minimum flanking side yard setback from 3.6 metres (12 ft.) to 0.3 metre (1 ft.).

Applicant's Reasons:

- The applicant previously submitted an inaccurate site plan for File No. 7910-0137-00. The original layout showed a side yard setback of 4 metres (13 ft.). However, the applicant subsequently determined that a setback of 3.35 metres (11 ft.) is required to accommodate the necessary excavation and building footings required for the proposed addition.

Staff Comments:

- The proposed setback variance will correct an inaccuracy in the previous site plan submitted for File No. 7910-0137-00 and enable the owner to construct the proposed addition to the existing dwelling while minimally impacting the side yard privacy of the adjacent property owner at 7765 – 125 Street.
- The proposed setback variance to 3.35 metres (11 ft.) will meet the original intent of the Development Variance Permit approved under File No. 7910-0137-00 and represents a minor change from the original side yard setback. In addition, the proposed side yard setback reflects the minimum setback requirements under Land Use Contract No. 351.
- The proposed setback variance will indirectly limit the buildable floor area and further ensures the existing dwelling will retain the same general form, character and massing as adjacent single family dwellings currently regulated by Land Use Contract No. 351.

- The attached Development Variance Permit (Appendix III) will replace the existing DVP currently registered on title for 7771 – 125 Street.
- Approval of the modified DVP will necessitate amendment of Restrictive Covenant CA2020542.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners, Action Summary and Project Data Sheets
Appendix II. Site Plan
Appendix III. Development Variance Permit No. 7911-0315-00

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

MJ/dlg

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. 2/2/12 11:19 AM

Information for City Clerk

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

1. (a) Agent: Name: Perry Basilio
 Address: 6144 – 120 Street
 Surrey, BC V3X 1Y8
 Tel: 604-518-9124

2. Properties involved in the Application
 - (a) Civic Address: 7771 – 125 Street

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

3. Summary of Actions for City Clerk's Office
 - (a) Remove notice of Development Variance Permit No. 7910-0137-00 from title.

 - (b) Proceed with Public Notification for Development Variance Permit No. 7911-0315-00

Existing Zoning: RF-G

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		465 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		23.5%
Paved & Hard Surfaced Areas		5.4%
Total Site Coverage	45%	28.9%
SETBACKS (in metres)		
Front	7.5 m	12 m
Rear	7.5 m	8.5 m
Side #1 (North)	3.6 m	0.3 m
Side #2 (South)	1.2 m	3.35 m
BUILDING HEIGHT (in metres/storeys)	9 m	6.7 m
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	260 m ²	187 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	260 m ²	187 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

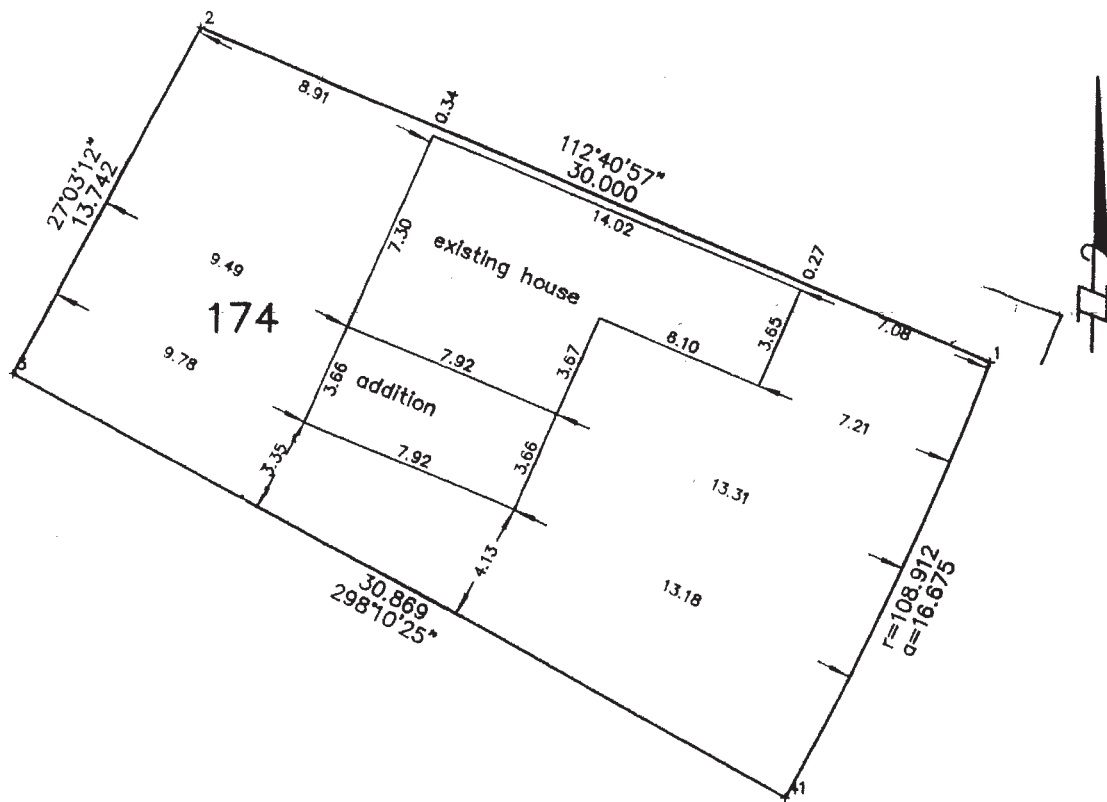
Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	0.55	0.40
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom	2	2
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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Current civic address:
7771 125 Street
Surrey, B.C.

SCALE 1:250



© COPYRIGHT
DHALIWAL & ASSOCIATES
LAND SURVEYING INC.
121-13140 80th Avenue
Surrey, B.C.
V3W 3B2
(ph) 501-6188
(fx) 501-6189
FILE: 1111145-L01.DWG

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7911-0315-00

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

Address: 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 Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 17 Single Family Residential Gross Density Zone (RF-G) the minimum front yard setback is varied from 7.5 metres (25 ft.) to 12 metres (40 ft.);
 - (b) In Section F of Part 17 Single Family Residential Gross Density Zone (RF-G) the minimum side yard setback is varied from 1.2 metres (4 ft.) to 3.35 metres (11 ft.);
 - (c) In Section F of Part 17 Single Family Residential Gross Density Zone (RF-G) the minimum rear yard setback is varied from 7.5 metres (25 ft.) to 8.5 metres (28 ft.); and
 - (d) In Section F of Part 17 Single Family Residential Gross Density Zone (RF-G) the minimum flanking side yard setback is varied from 3.6 metres (12 ft.) to 0.5 metre (1 ft.).
4. The landscaping and the siting of buildings and structures shall be in accordance with the drawings numbered 7911-0315-00(A) through to and including 7911-0315-00(D) (the "Drawings") which are attached hereto and form part of this development variance permit.
5. This development variance permit applies to only the 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. (a) The landscaping shall conform to drawings numbered 7911-0315-00(E) (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, as per the attached plans in Schedule "A" (7911-0315-00(E)); and
 - ii. Installation of additional landscaping adjacent to the driveway following the removal of pavement, as per the attached plans in Schedule "A" (7911-0315-00(E)).
 - (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.
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 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.
 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

LEGAL DESCRIPTION:

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

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 = 11.00' (PROPOSED)
 RIGHT = 22.92' (EXISTING)
 BUILDING HEIGHT: 1.00' (EXISTING)

MAX. ALLOWABLE = 30 FT.
 PROVIDED = 22 FT. (EXISTING)

Remove additional driveway pavement and install further landscaping as per the attached drawing (7911-0315-00 (E))

PROJECT ANALYSIS:

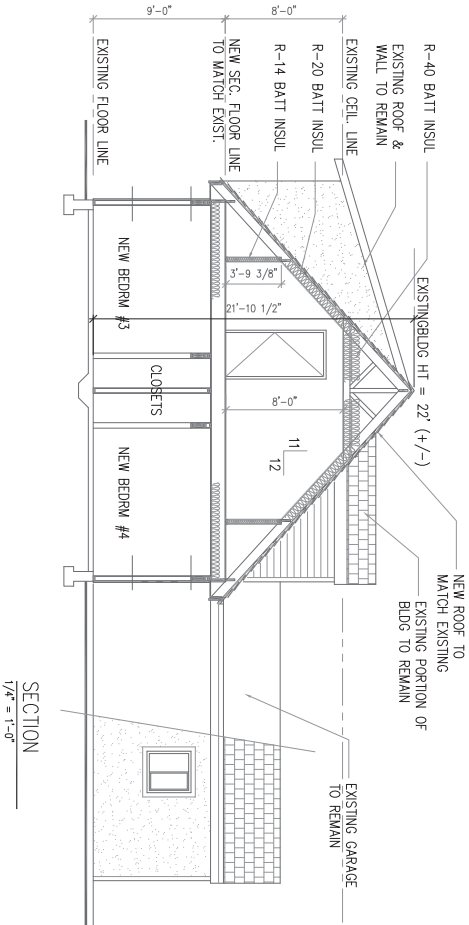
CIVIC ADDRESS: 7771 - 125 Street, Surrey, BC
 LOT SIZE: 5,379,1574 SF
 EXISTING HOUSE: MAIN FLOOR = 624 SF
 SEC. FLOOR = 624 SF
 GARAGE = 240 SF
 TOTAL = 1,488 SF

PROPOSED ADDITION:

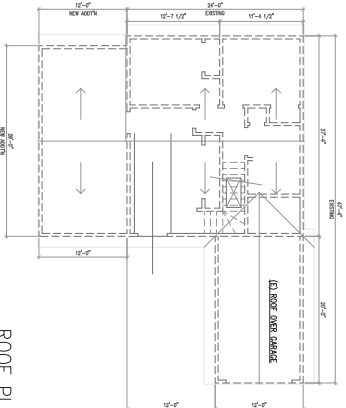
MAIN FLOOR = 312 SF
 SEC. FLOOR STORAGE = 203 SF
 TOTAL ADDITION = 515 SF = 515 SF
 NEW OVERALL TOTAL = 2,003 SF

FLOOR AREA RATIO:

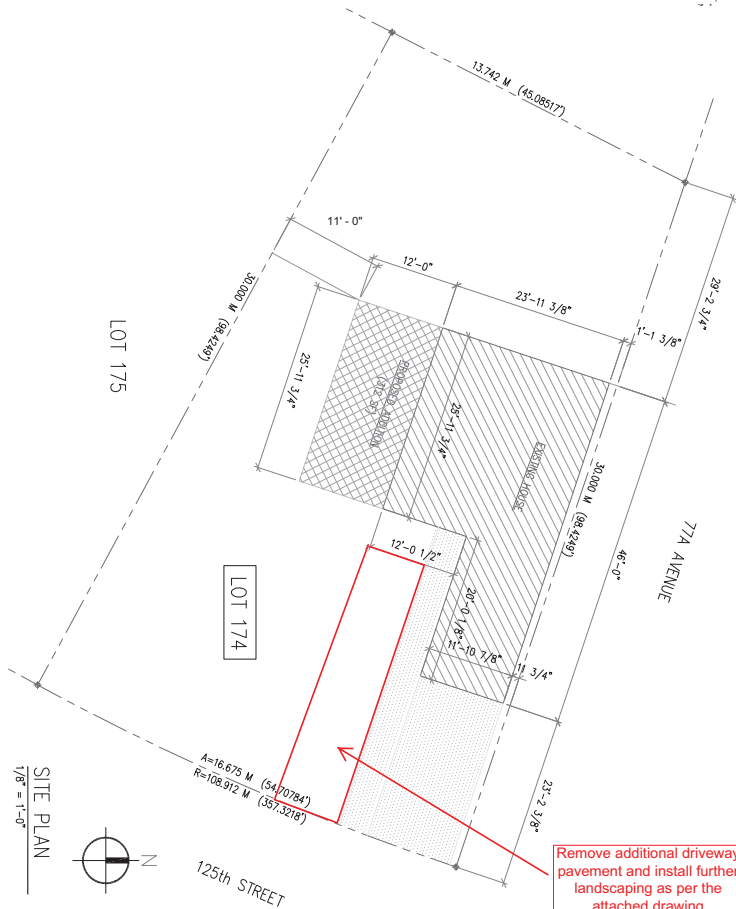
MAX. ALLOWED = 2,900 SF; PROVIDED = 2,003 SF
 SEC. FLOOR MAX. ALLOWABLE:
 80% OF 1,488 SF = 1,190.4 SF; PROVIDED = 1,139 SF OR 76.54 %



SECTION
 1/4" = 1'-0"



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

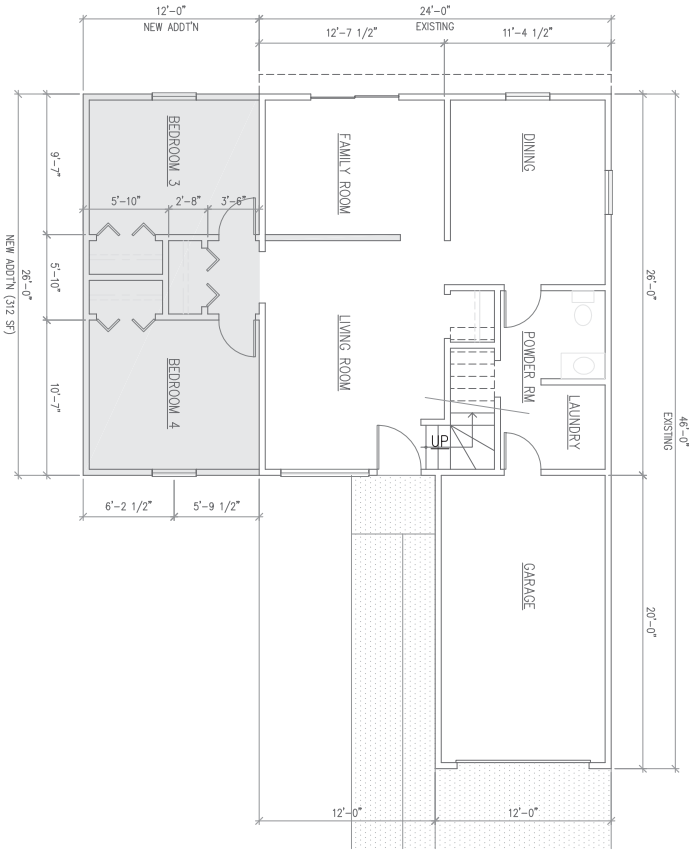


LOT 175

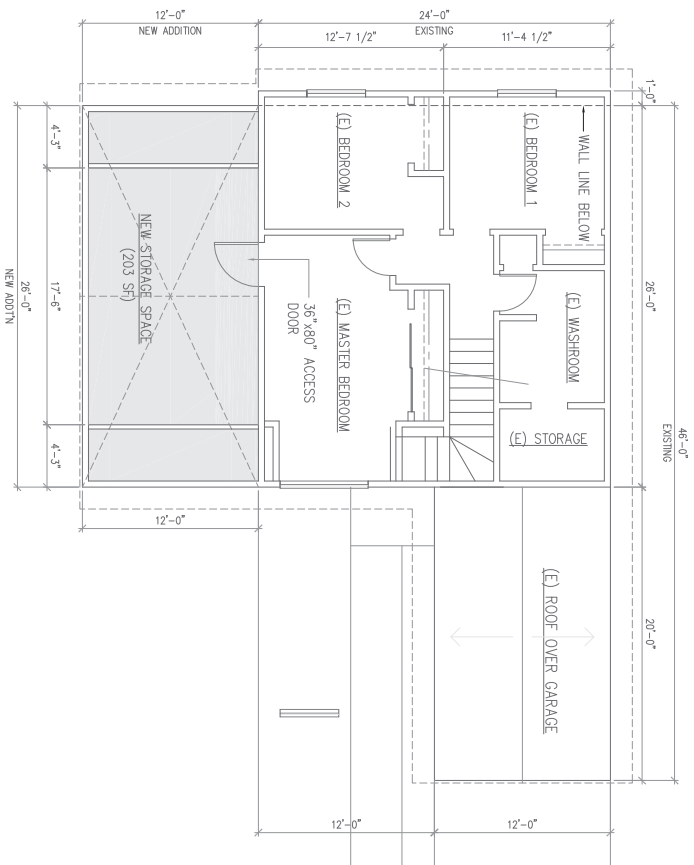
LOT 174

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

REVISIONS	BY



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



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

Scale	1
Date	Apr. 24, 2005
Drawn	RPL
File	PCS
Sheet	A-2
of	2

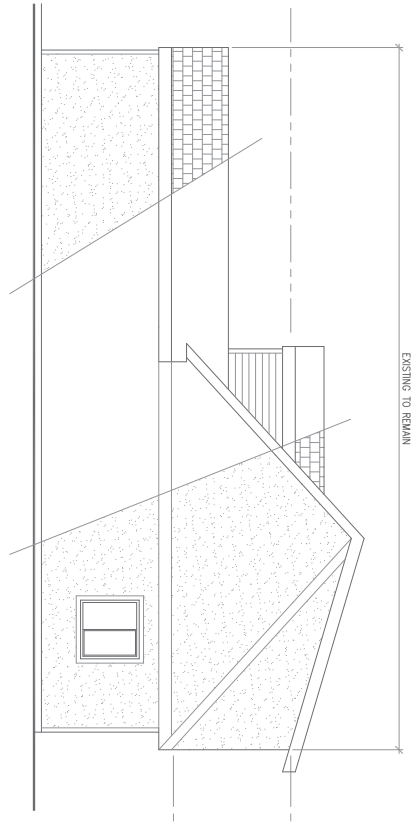
PROPOSED EXTENSION FOR:
MR. & MRS. LITO DIOKNO RESIDENCE
 7771 - 125th Street, Surrey, BC

REVISIONS	BY

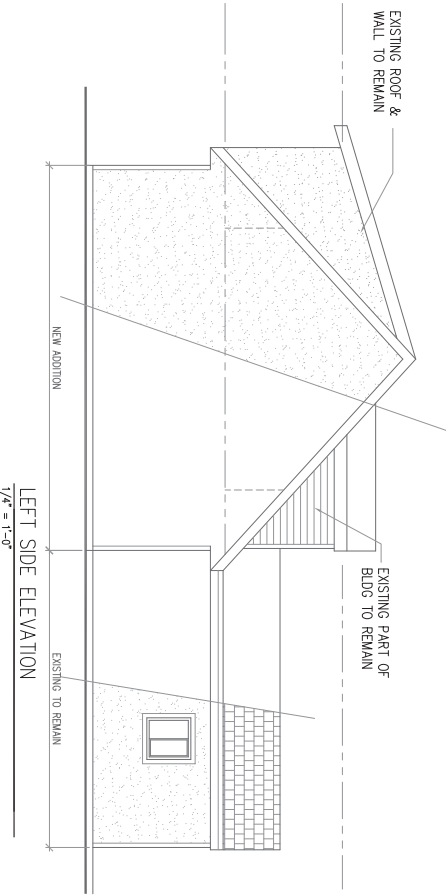
© 2004/01/2005

RPL
DESIGNS

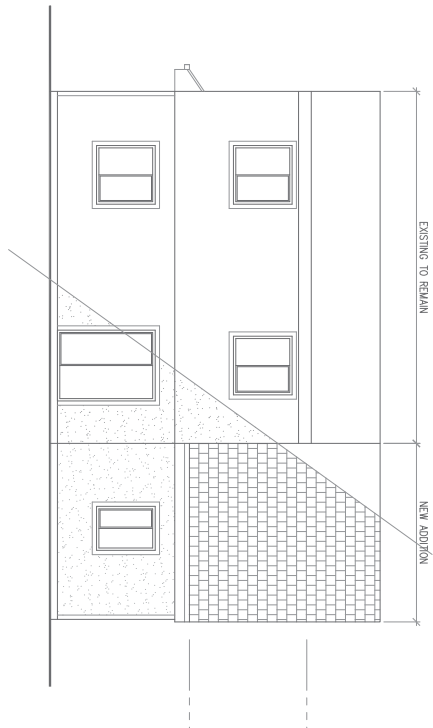
633 SUNSET AVENUE
 COQUITLAM, BC V3K 5B4
 TEL / FAX (604) 936-5227
 E-MAIL: RPLDES@YALCO.COM



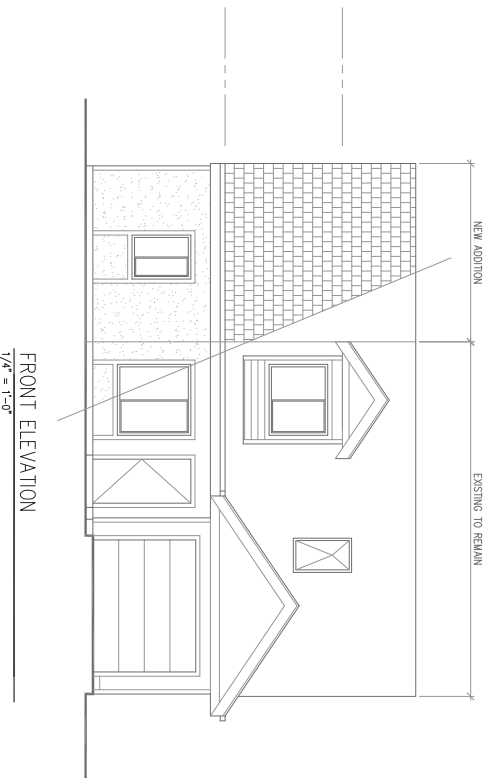
RIGHT SIDE ELEVATION
1/4" = 1'-0"



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



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



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

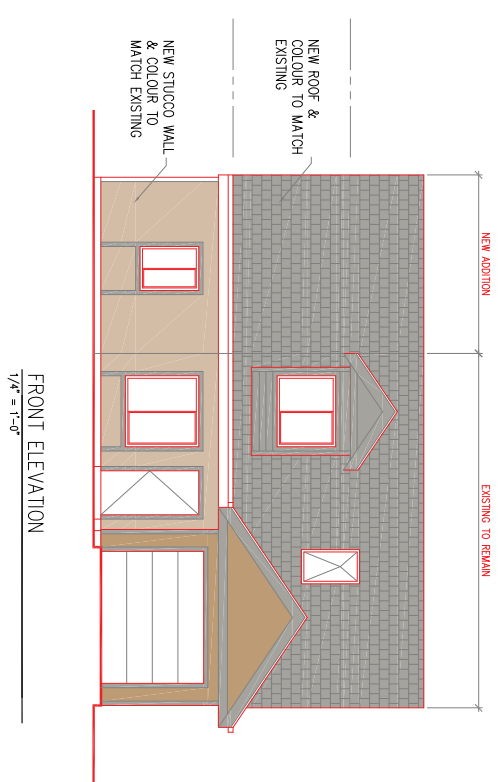
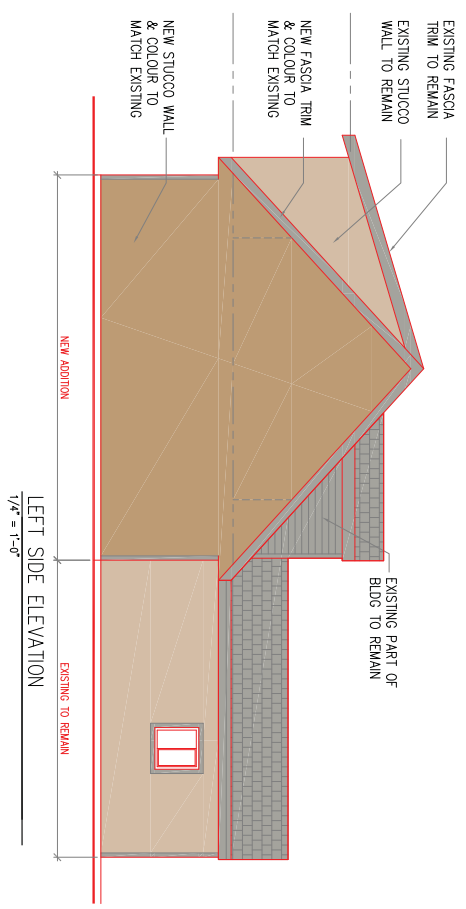
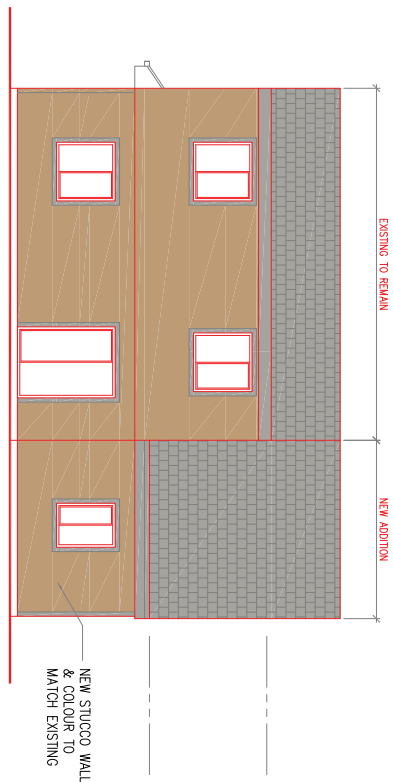
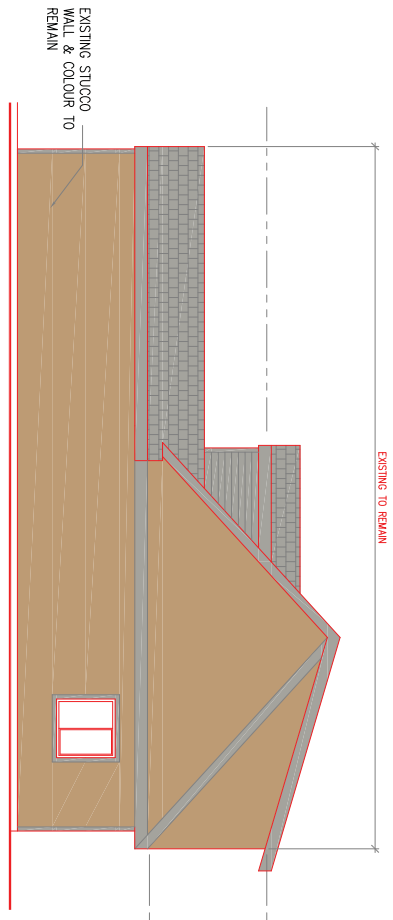
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Scale Factor: 1
Drawn: RPL
File: RPL
Sheet: A-3
of 3 Sheets

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

© 2004/05
RPL
DESIGNS

633 SUNSET AVENUE
COQUITLAM, BC V3K 5B4
TEL / FAX (604) 636-5287
E-MAIL: RPLDESIGN@YAHOO.COM

REVISIONS	BY

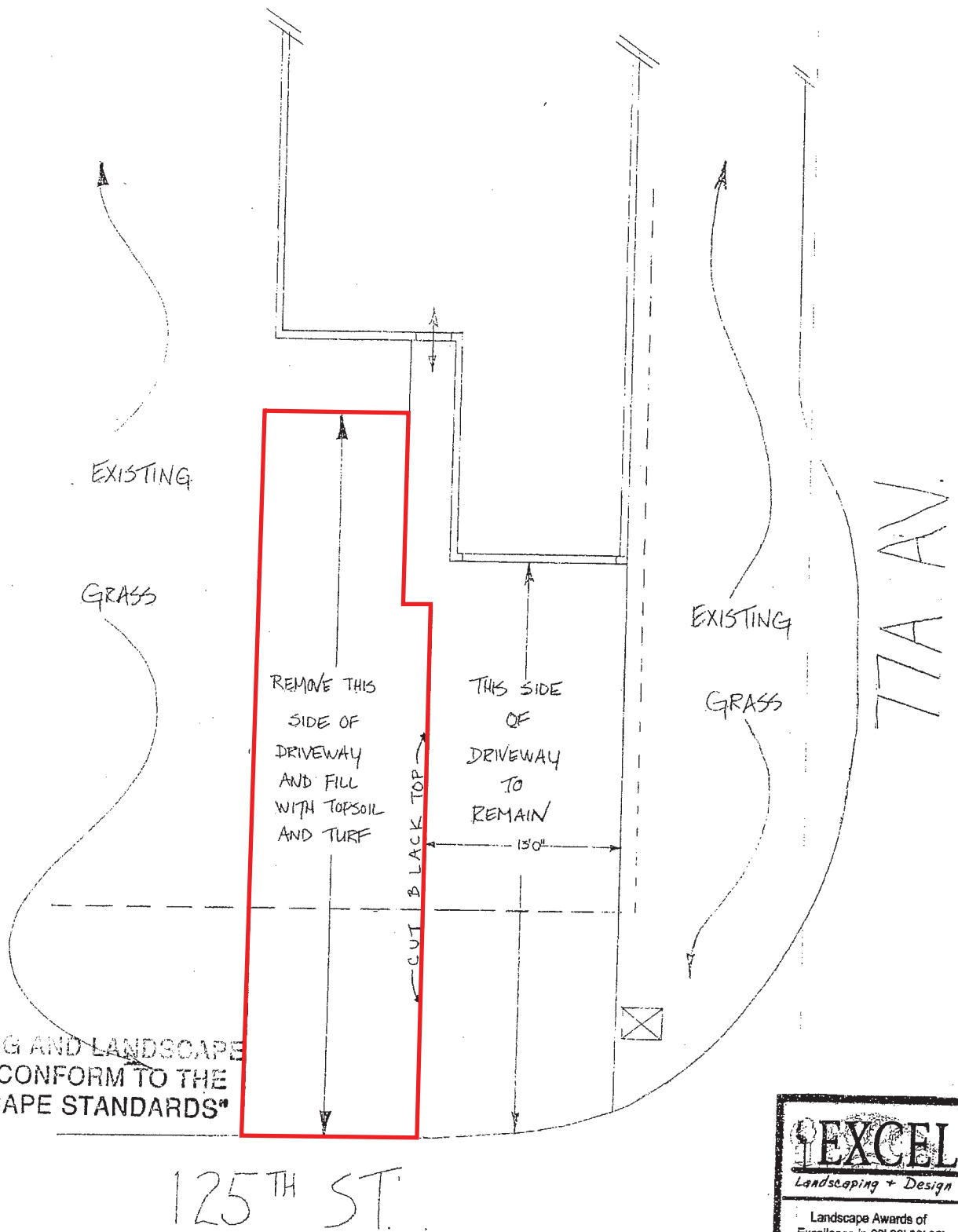


RIGHT SIDE ELEVATION

REAR ELEVATION

LEFT SIDE ELEVATION

FRONT ELEVATION



ALL LANDSCAPING AND LANDSCAPE MATERIALS TO CONFORM TO THE BC SLA "LANDSCAPE STANDARDS"

125TH 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