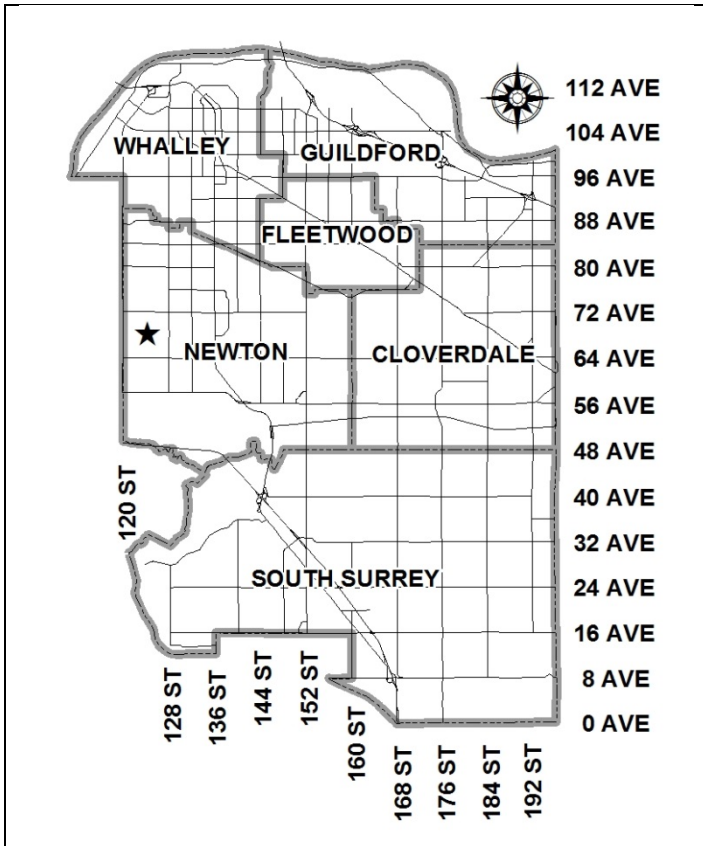


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0127-00

Planning Report Date: September 8, 2014



PROPOSAL:

- **Development Variance Permit** in order to permit an existing deck.

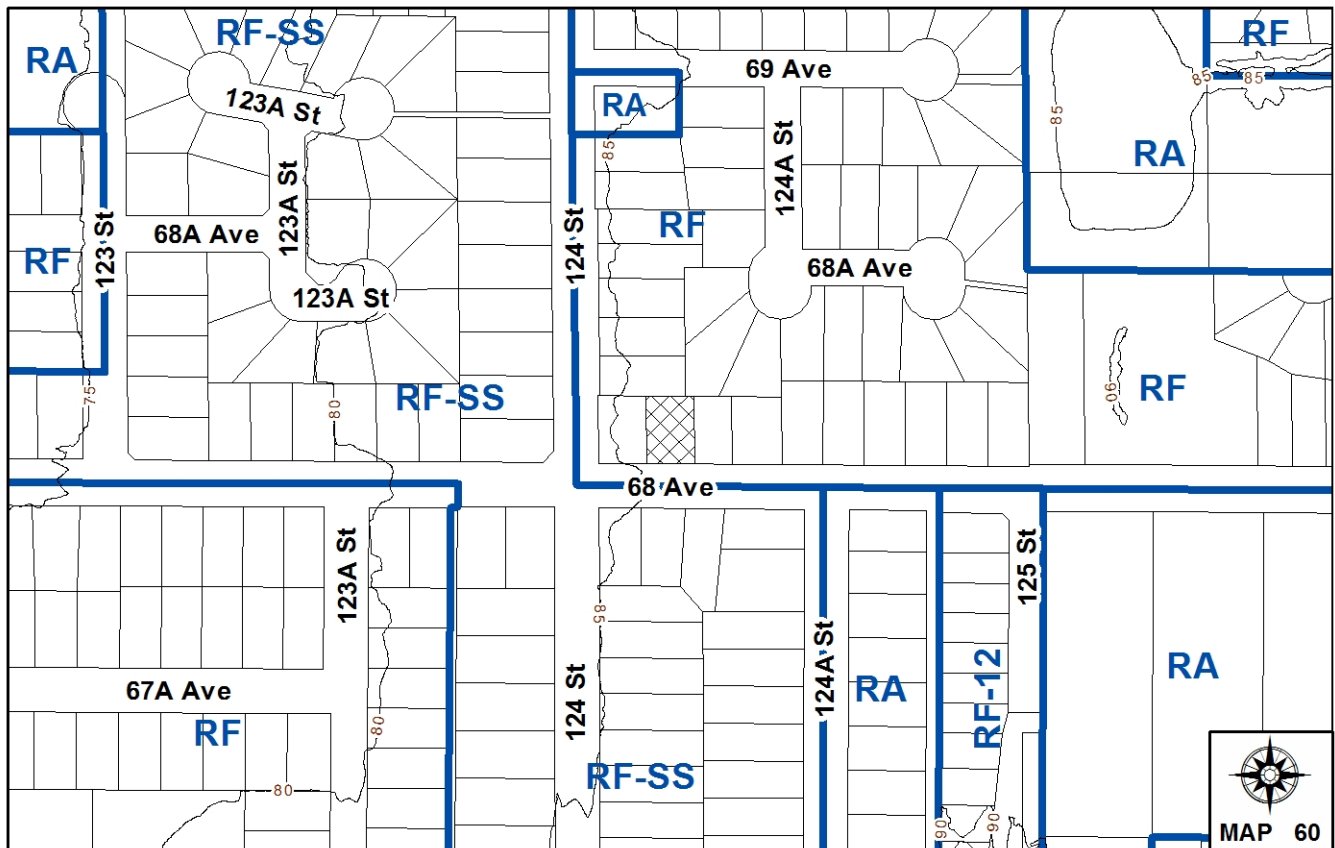
LOCATION: 12423 - 68 Avenue

OWNER: Avtar S. Dhaliwal
 Kanwaljit Singh

ZONING: RF

OCB 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 seeking to reduce the side yard setback to permit an existing deck.

RATIONALE OF RECOMMENDATION

- The dwelling with the deck extension meets the maximum requirements of lot coverage and results in no increase to FAR under the RF Zone.
- The adjacent neighbour to the east has no objections to retaining the existing deck.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7914-0127-00 (Appendix III) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum east side yard setback of the RF Zone from 1.8 metres (6 feet) to 0.2 metres (0.7 feet).

REFERRALS

Engineering: The Engineering Department has no objection to the Development Variance Permit.

SITE CHARACTERISTICS

Existing Land Use: Single Family Dwelling

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North, East and West:	Single Family Residential	Urban/ Urban Residential	RF
South (Across 68 Avenue):	Single Family Residential	Urban/ Urban Residential	RF-SS

DEVELOPMENT CONSIDERATIONSSite Context

- The subject property is located on the north side of 68 Avenue, east of 124 Street. The property is designated "Urban" in the Official Community Plan (OCP) and "Urban Residential" in the Newton Local Area Plan (LAP).
- The subject property is currently zoned "Single Family Residential (RF)" and is 660 square metres (7,104 square feet) in area. The existing two-storey dwelling has a total floor area of 408 square metres (4,397 square feet).
- There is an existing extension of an uncovered deck located on the second storey on the east side of the dwelling. The dimensions of the deck is 3 metres (10 feet) wide by 7.5 metres (25 feet) deep, and 23 square metres (248 square feet) in area. The deck is constructed of wood with metal railings and glass panels. There is direct access to the deck from the dwelling on the second storey and via a staircase from the rear yard.

- The applicant purchased the property in June, 2012 with the existing deck extension. The applicant indicated the deck had been in existence for approximately 3 to 4 years. In May, 2013 a Stop Work Order was posted indicating the deck was built without a valid building permit. Subsequently, the applicant submitted a building permit application to bring the deck into compliance, but the issuance of the building permit has been put on hold pending the approval of a Development Variance Permit.

Current Proposal

- The applicant is requesting to reduce the east side yard setback from 1.8 metres (6 feet) to 0.2 metres (0.7 feet) in order to retain the existing uncovered deck extension (Appendix II).
- The deck is supported by three posts 2.3 metres (7.5 feet) above the existing grade. The RF Zone requires covered outdoor spaces with a height above 1.8 metres (6 feet) be included in the floor area ratio (FAR), with the exception of 10% of the maximum allowable floor area. In this case, the covered outdoor space below the deck is less than 10% of the maximum allowable floor area and therefore, does not increase the FAR.
- The covered outdoor space created by the deck does not result in a lot coverage beyond the maximum requirement under the RF Zone.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum east side yard setback of the RF Zone from 1.8 metres (6 feet) to 0.2 metres (0.7 feet).

Applicant's Reasons:

- The property was purchased without the knowledge that the deck extension had been constructed without a building permit. The applicant has expressed that financial hardship is preventing the removal of the deck.
- The adjacent neighbour to the east has no objections to retaining the existing deck.

(b) Staff Comments:

- The dwelling with the deck extension meets the maximum requirements of lot coverage and FAR under the RF Zone.
- The applicant has provided a letter from the adjacent neighbour to the east at 12429 – 68 Avenue indicating that they have no objections with retaining the existing deck.
- Staff supports this application proceeding to Public Notification.

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 and Building Elevations
- Appendix III. Development Permit No. 7914-0127-00

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

DH/da

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DEVELOPMENT DATA SHEET

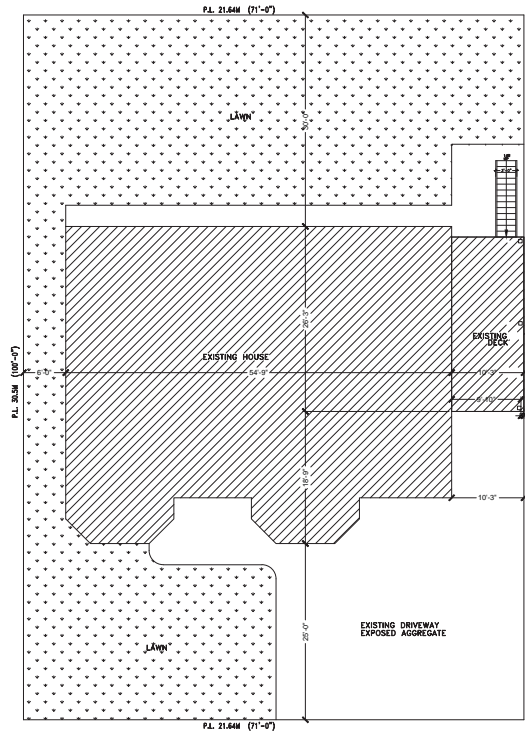
Existing Zoning: RF

Required Development Data	Minimum Required / Maximum Allowed	Existing
LOT AREA* (in square metres)		660 m ²
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	36%	34%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5m	
Rear	7.5m	
Side #1 (E)	1.8m	0.2m
Side #2 (W)	1.8m	
BUILDING HEIGHT (in metres/storeys)		
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		1
TOTAL RESIDENTIAL FLOOR AREA		408 m ²

Heritage Site	NO	Tree Survey/Assessment Provided	N/A
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** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd



Ⓢ SITE PLAN
SCALE: 1/8" = 1'-0"

68 AVE

CIVIC ADDRESS:
12423-68 AVE, SURREY, BC
LEGAL DESCRIPTION:
LT2 SEC 18 TWP 2 PL 84505 MWD
ZONING: RF
CALCULATIONS:
LOT AREA = 7100 SQ. FT.
EXISTING DECK AREA = 160.8 SQ. FT.



**SMANN
DESIGN
CO**

7844-124 STREET
SURREY, BC
V3W3X6
TEL: 778-823-3645
satinder@smanndesign.ca

THESE PLANS CONFORM
TO THE B.C. BUILDING
CODE 2012 EDITION

Drawings are to be read in
conjunction with each other,
any discrepancies found on
any drawings are to be
reported to the Designer
before commencing work.
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SINGLE FAMILY
12423-68TH AVENUE
SURREY, BC

TITLE
PLAN
ELEVATIONS

SCALE	1/8" = 1'-0"
DATE	JUNE/19/2013
DRAWN	CHECKED
NAV	SATINDER
JOB NO.	13012
SHEET NO.	A2.0

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0127-00

Issued To: AVTAR S. DHALIWAL
KANWALJIT SINGH

("the Owner")

Address of Owner: 12423 - 68 Avenue
Surrey, BC V3W 2C9

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: 015-720-381
Lot 2 Section 18 Township 2 New Westminster District Plan 84506

12423 - 68 Avenue

(the "Land")

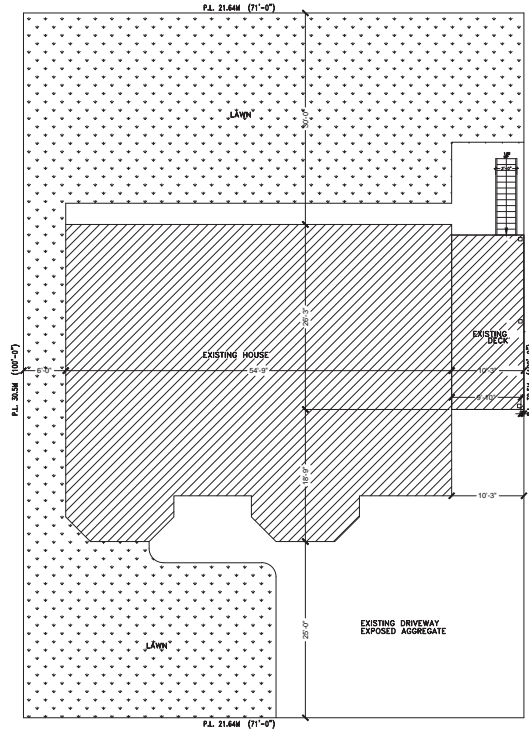
3. Surrey Zoning By-law, 1993, No. 12000, as amended as follows:
 - (a) In Section F of Part 16 "Single Family Residential Zone (RF)" the minimum east side yard setback is varied from 1.8 metres (6 feet) to 0.2 metres (0.7 feet).
4. The siting of buildings and structures shall be in accordance with the drawings labelled Schedule A (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. 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 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan



Ⓢ SITE PLAN
SCALE: 1/8" = 1'-0"

68 AVE

CIVIC ADDRESS:
12423-68 AVE, SURREY, BC
LEGAL DESCRIPTION:
LT2 SEC 18 TWP 2 PL 84505 MWD
ZONING: RF
CALCULATIONS:
LOT AREA = 7100 SQ. FT.
EXISTING DECK AREA = 160.8 SQ. FT.



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THESE PLANS CONFORM
TO THE B.C. BUILDING
CODE 2012 EDITION

Drawings are to be read in
conjunction with each other,
any discrepancies found on
any drawings are to be
reported to the Designer
before commencing work.
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SINGLE FAMILY
12423-68TH AVENUE
SURREY, BC

TITLE	PLAN ELEVATIONS
SCALE	1/8" = 1'-0"
DATE	JUNE/19/2013
DRAWN	CHECKED
NAV	SATINDER
JOB NO.	13012
SHEET NO.	A2.0



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SINGLE FAMILY
12423-88TH AVENUE
SURREY, BC

TITLE
PLAN
ELEVATIONS

SCALE 1/4"=1'-0"
DATE JUNE/18/2013
DRAWN RAY CHECKED SPITINDER
JOB NO. 13012

SHEET NO. A2.0

