

City of Surrey  
PLANNING & DEVELOPMENT REPORT

File: 7920-0150-00

Planning Report Date: July 13, 2020

PROPOSAL:

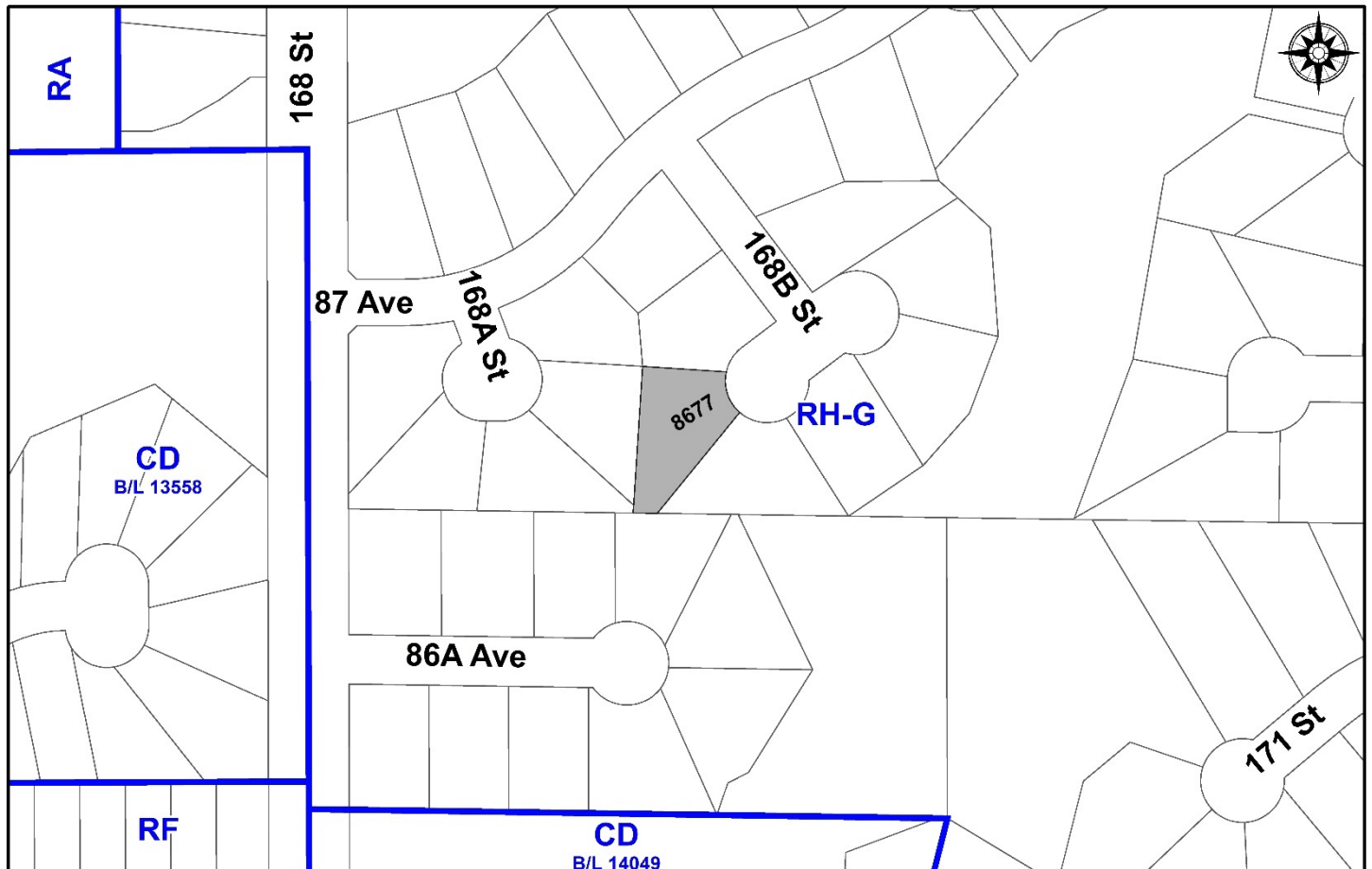
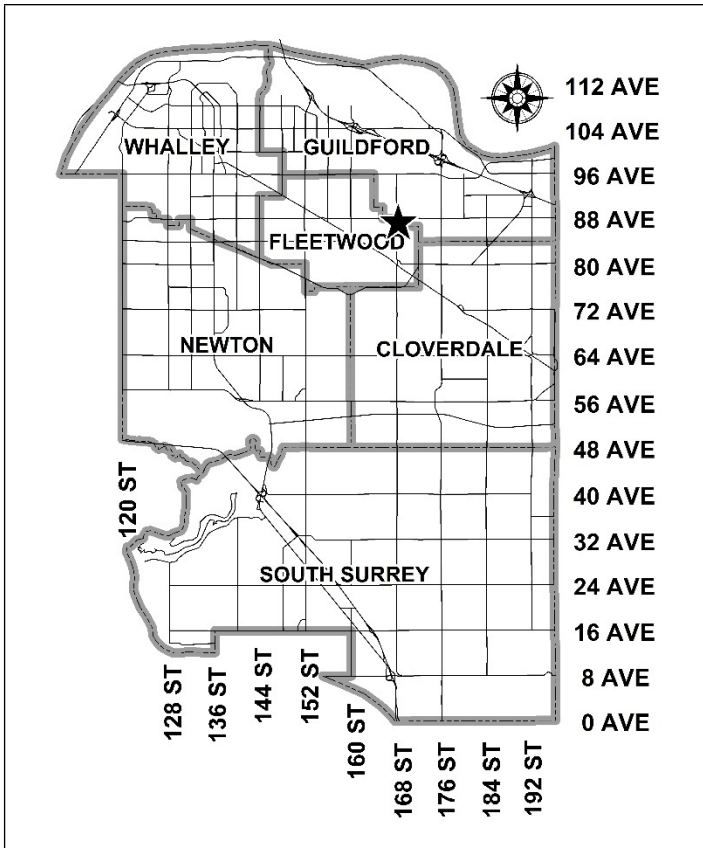
- **Development Variance Permit**

to relax the rear yard setback for an existing patio canopy on the lot.

LOCATION: 8677 - 168B Street

ZONING: RH-G

OCP DESIGNATION: Suburban



**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 rear yard setback of the RH-G Zone from 7.5 metres to 6.27 metres to accommodate retention of a patio canopy previously constructed without permits.

**RATIONALE OF RECOMMENDATION**

- The patio canopy has been in place for several years without complaints from the neighbours. The closest dwelling is located to the west of the subject property and is more than 15 metres from the canopy.
- The relaxation will only apply to the patio canopy. The remainder of the existing dwelling exceeds the minimum rear yard setback of 7.5 metres from the rear property line.

## RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7920-0150-00 (Appendix I), to reduce the minimum rear yard setback of the Half Acre Residential Gross Density Zone (RH-G) from 7.5 metres to 6.27 metres for a patio canopy, to proceed to Public Notification.

## Referrals

Engineering: The Engineering Department has no comments regarding the requested variance.

## SITE CHARACTERISTICS

Existing Land Use: Single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwelling	Suburban	RH-(G)
East:	Single family dwelling	Suburban	RH-(G)
South:	Single family dwelling	Suburban	RH-(G)
West:	Single family dwelling	Suburban	RH-(G)

## DEVELOPMENT CONSIDERATIONS

Background:

- The subject property, located at 8677 168B Street is designated "Suburban" in the Official Community Plan and is zoned Half Acre Residential Gross Density Zone (RH-(G)).
- In May 2004, a building permit was issued to construct a single-family dwelling on slab, with Final Occupancy granted in May 2005.

- The current owner purchased the property in 2010, and there was a secondary suite constructed on the main floor of the dwelling. The current owner has applied for a building permit to legitimize this suite.
- During the field check for the building permit, it was noted that a canopy had been constructed over the rear patio without a building permit. The canopy does not comply with the minimum 7.5 metre rear yard setback of the Half Acre Residential Gross Density Zone (RH-G).

#### Current Proposal

- The current owner is trying to rectify the construction that was previously done without permit. The patio canopy that was installed is sited 6.27 metres from the rear property line.
- The patio canopy is structurally attached to the dwelling. A structural engineer has inspected the patio canopy and it is structurally sound.
- The patio canopy allows the family to use the outdoor space during inclement weather. It also covers the entrance to the basement area where the sump pump is located. The cover helps to protect this equipment from the rain.

#### BY-LAW VARIANCE AND JUSTIFICATION

- (a) Requested Variance: to relax the rear yard setback of the principle building from 7.5 meters to 6.27 metres for a patio canopy.

##### Applicant's Reasons:

- The current owner purchased the property in 2010 and the patio canopy was already constructed at that time.
- The applicant would like to retain this structure as it provides for protection from the weather. The building permit for the secondary suite is reliant on also having a permit for the patio canopy.

##### Staff Comments:

- The structure has been located over the patio for several years, without complaints from the neighbours. The corner of the patio canopy is more than 15 metres from the neighbouring dwelling to the west. The remainder of the existing dwelling is sited more than 7.5 meters from the rear property line
- Staff support this requested variance to proceed to Public Notification.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

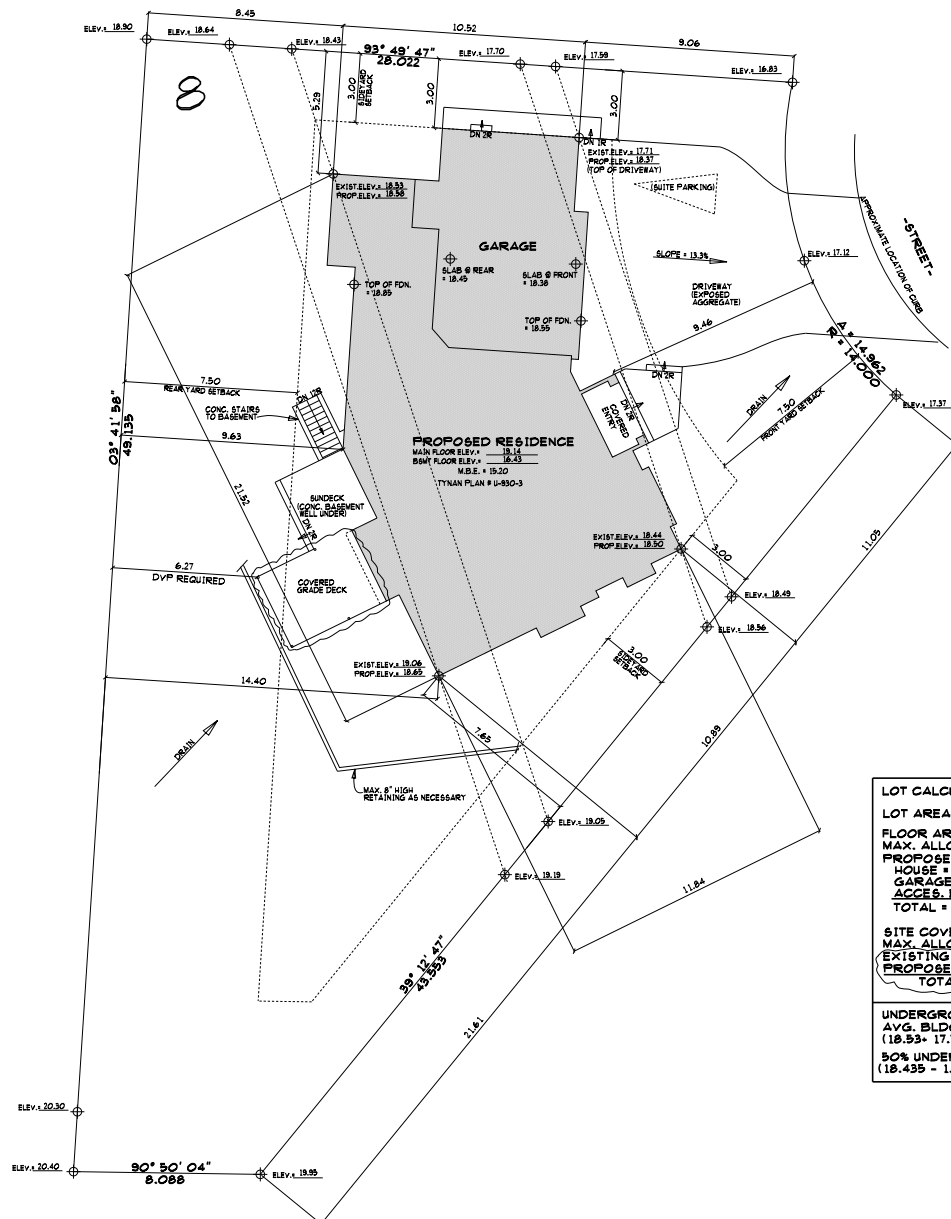
- Appendix I. Site Plan
- Appendix II. Development Variance Permit No. 7920-0150-00

*approved by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

LAP/cm

# Appendix I



## SITE PLAN

SCALE 1:100 METRIC

**LOT CALCULATIONS:**

LOT AREA = 1120 SQ.M. (12055.5 SQ.FT.)

FLOOR AREA RATIO:  
MAX. ALLOWABLE FLOOR AREA = 3957 SQ.FT.

**PROPOSED:**  
HOUSE = 3095  
GARAGE = 657  
ACCES. BLDG. (COUNT 105)  
TOTAL = 3857 SQ.FT.

**SITE COVERAGE:**  
MAX. ALLOWABLE @ 0.25 = 3013 SQ.FT.  
EXISTING = 2712 SQ.FT.  
PROPOSED = 186 SQ.FT.  
TOTAL = 2898 SQ.FT.

**UNDERGROUND BASEMENT VOLUME:**  
AVG. BLDG. GRADE = (18.53 + 17.71 + 18.44 + 19.06) / 4 = 18.435  
50% UNDERGROUND ACHIEVED AT SLAB LEVEL (18.435 - 1.355) = 17.08

8677-1688 STREET

**LICENSE AND COPYRIGHT**  
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**ENGINEERING REQUIREMENT**  
THESE PLANS ARE INTENDED TO BE USED IN CONJUNCTION WITH STRUCTURAL SPECIFICATIONS PROVIDED BY A PROFESSIONAL STRUCTURAL ENGINEER ACCREDITED BY THE CANADIAN PROVINCE HAVING JURISDICTION. IT IS UNDERSTOOD THAT THE STRUCTURAL ENGINEER OR REGISTERED ENGINEER TAKES FULL RESPONSIBILITY FOR SPECIFICATIONS THEY PROVIDE BY USING THESE PLANS. THE LICENSE PURCHASER ACKNOWLEDGES THAT TYNAN DESIGN LTD. ACCEPTS NO RESPONSIBILITY FOR THE STRUCTURAL DESIGN.

**RESPONSIBILITY OF LICENSEE**  
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**INFORMATION SOURCES**  
PREPARATION OF THESE PLANS REQUIRES RELIANCE ON INFORMATION PROVIDED BY OTHERS, INCLUDING LEASING PLANS, LOT GRADING PLANS, THE PRESENTATION PLAN, SURVEY PLANS AND OTHER INFORMATION PROVIDED BY OTHERS. TYNAN DESIGN LTD. ACCEPTS NO LIABILITY FOR INFORMATION USED ON THESE PLANS THAT WAS GENERATED BY AN ENTITY OTHER THAN TYNAN DESIGN LTD.

**LOT GRADING**  
GRADING INFORMATION PROVIDED ON THIS PLAN IS CONSIDERED TO BE THE BEST INFORMATION PROVIDED BY OTHERS, AND LINEAR INTERPOLATION BETWEEN POINTS IS USED. THE LICENSE PURCHASER'S REPRESENTATION IS BEING MADE THAT THE LINEAR INTERPOLATION REPRESENTATION IS BEING USED. IF LEVELS THEY DO NOT, INTERPOLATIONS ARE PROVIDED AS A MEANS OF VISUALIZING A SITE GRADED INTO PLANES THAT CONNECT THE SURVEYED DATA POINTS. SHOULD A PERSON HIGH TO ESTABLISH PRECISE EXISTING GRADES FOR THEIR OWN INFORMATION, THEY SHOULD SO CONSULT A PROFESSIONALLY CERTIFIED SURVEYOR.

**REMARKS:** IF ANY EXISTING OR PROPOSED GRADES PROVIDED ON THESE PLANS, IN ALL CASES DWELLING ON ALL SIDES OF THE STRUCTURE AT A GRADIENT OF NOT LESS THAN 1:100, SHALL BE IN CONFORMANCE WITH THE B.C. BUILDING CODE.

**RETAINING WALLS**  
TYNAN DESIGN LTD. ACCEPTS NO RESPONSIBILITY FOR THE CONSTRUCTION OR DESIGN OF RETAINING STRUCTURES. RETAINING WALLS SHALL BE CONSTRUCTED ACCORDING TO GENERALLY ACCEPTED PRACTICE IN CONSIDERATION OF BEARING, LOCATION, AND POTENTIAL LATERAL MOVEMENT RESULTING FROM STRUCTURAL DEFLECTIONS AND DRAINAGE DESIGN THAT IS ACCEPTED BY THE LICENSE PURCHASER. BEFORE THE WALL, THE LICENSE PURCHASER SHOULD CONSULT A STRUCTURAL ENGINEER AND/OR A GEOTECHNICAL ENGINEER TO APPROVE THE DESIGN AND INSTALLATION OF RETAINING WALLS.

**LIMITS OF LIABILITY**  
TYNAN DESIGN LTD. ACCEPTS NO LIABILITY FOR ANY DAMAGES, CONSEQUENTIAL OR OTHERWISE ARISING FROM SAID USE, AND AGREES THAT THE AGENT TYNAN DESIGN LTD. SHALL NOT EXCEED THE FEE OR PRICE OF THE LICENSE PAID FOR USE OF THESE PLANS.

**ENERGY EFFICIENCY REQUIREMENTS**  
THIS HOME IS DESIGNED TO COMPLY WITH ENERGY EFFICIENCY REQUIREMENTS AND VALUES USING THE PRESCRIPTIVE METHOD FOR CLIMATE ZONE 4 OF THE ENERGY EFFICIENCY REGULATIONS (FOR B.C. BUILDING CODE 2018 EDITION, AS AMENDED).

THE ENERGY DETAIL SHEETS FORM AN INTEGRAL COMPONENT OF THESE PLANS, AND CONSTRUCTION SHALL NOT BE PROCEEDED UNLESS THEY ARE THOROUGHLY REVIEWED AND APPROVED BY THE LICENSE PURCHASER WHO SHALL TAKE FULL RESPONSIBILITY FOR COMPLIANCE WITH SAID DETAIL SHEETS.

**TREES**  
EXISTING TREES ARE LOCATED USING A SCALING METHOD BECAUSE DIMENSIONAL DATA IS NOT AVAILABLE. THEREFORE, THE LOCATION OF TREES ON THESE PLANS IS INHERENTLY IMPRECISE. TREE LOCATIONS MUST BE CONFIRMED BY A TREE SURVEY PRIOR TO CONSTRUCTION AND ANY DISCREPANCIES MUST BE REPORTED TO TYNAN DESIGN LTD. TYNAN DESIGN LTD. ACCEPTS NO RESPONSIBILITY FOR THE USE OF EXISTING TREE LOCATION INFORMATION IN SURVEY CONTRIBUTION BY A REGISTERED LAND SURVEYOR IS NOT PROVIDED TO US PRIOR TO CONSTRUCTION.

**LEGAL DESCR. BUILDING CODE:**  
THESE PLANS CONFORM TO THE BRITISH COLUMBIA BUILDING CODE 2018 EDITION, OCCUPANCY GROUP C.

**CUSTOMER:** PLANT

**DESIGN:** MS

**DRAWN:** MM

**CHECKED:** DV

**REV. DATE BY:** 08/02/2022

**SCALE:** 1:100 (METRIC)

**U-930-03**  
(LOT #)

SHEET 1 OF 3

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0150-00

Issued To:

(the "Owner")

Address of Owner:

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: 025-275-704  
Lot 8 Section 30 Township 8 New Westminster District Plan LMP52454

8677 - 168B Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section F Yards and Setbacks of Part 15 "Half-Acre Residential Gross Density Zone (RH-G)", the minimum rear yard setback is varied from 7.5 metres to 6.27 metres for a patio canopy.
4. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
5. 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.

6. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
  
7. 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 – Doug McCallum

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City Clerk – Jennifer Ficocelli



# Schedule A

Variance to relax the rear yard setback of the principal building from 7.5 metres to 6.27 metres for a patio canopy.

