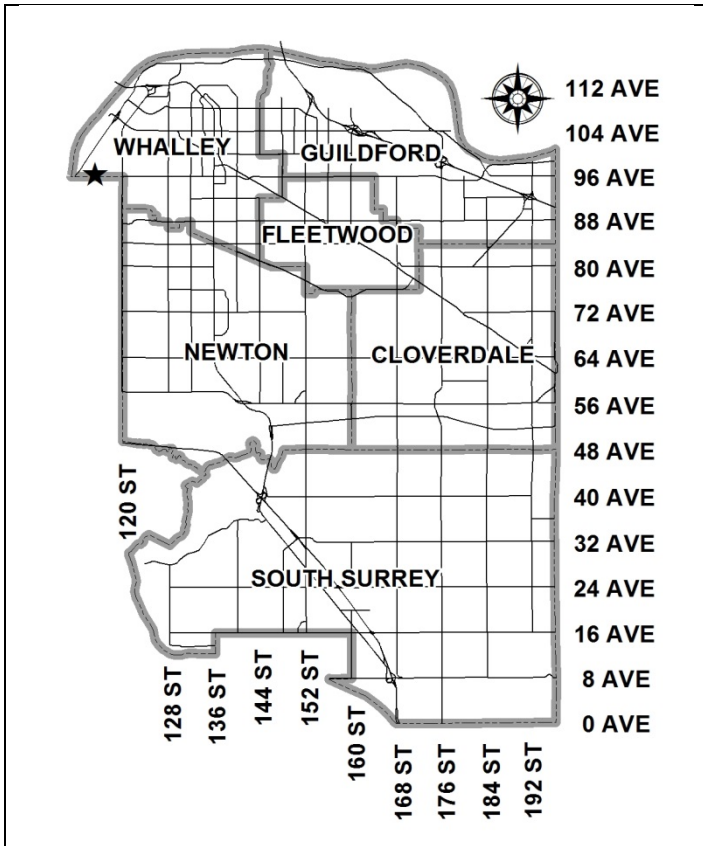


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7915-0012-00

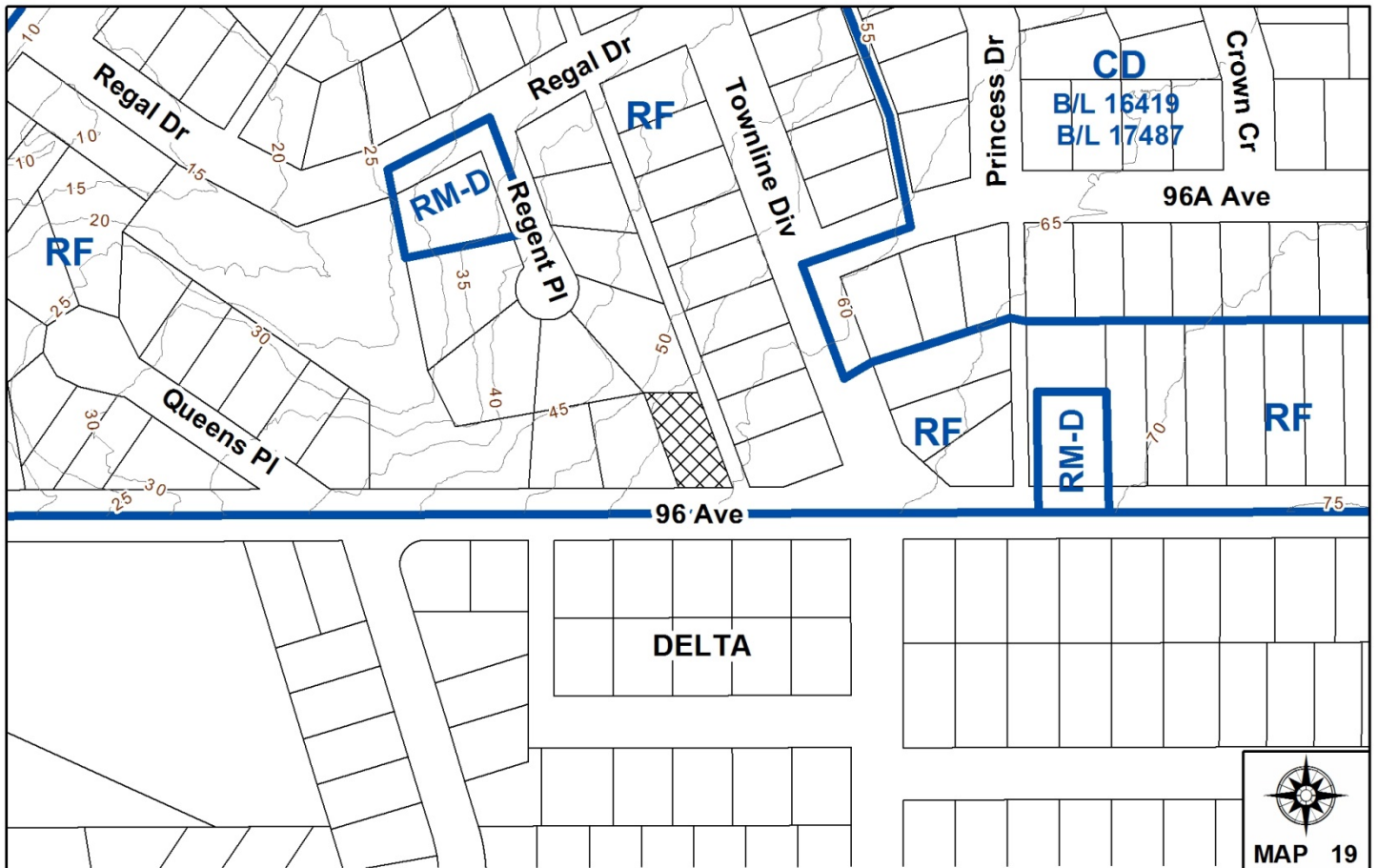
Planning Report Date: April 13, 2015



**PROPOSAL:**

- **Development Variance Permit**  
 in order to vary the side yard setback of the RF Zone for an already constructed addition to an existing single family dwelling.

**LOCATION:** 11361 - 96 Avenue  
**OWNERS:** Amar K. Singh  
 Murugayah Thangiah  
**ZONING:** RF  
**OCP DESIGNATION:** Urban



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to vary the minimum east side yard setback requirement of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for the principal building.

### RATIONALE OF RECOMMENDATION

- The addition to the house has already been constructed without permits and the owner is now addressing this matter.
- Due to the irregular shape of the subject lot, only a small portion of the addition does not comply with the minimum 1.8-metre (6 ft.) side yard setback requirement of the RF Zone.
- The east property line is adjacent a rear lane. Therefore, the requested side yard setback variance will not impact any immediate neighbours.
- The applicant has now applied for a building permit for the already constructed addition to the house.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7915-0012-00 (Appendix II) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum east side yard setback of the "Single Family Residential Zone (RF)" from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for the principal building.
2. Council instruct staff to resolve the following issue prior to approval:
  - (a) the applicant substantially address deficiencies for in-stream building permit Application No. 14-033508 for the subject lot, to the satisfaction of the Planning and Development Department.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwelling	Urban	RF
East (Across rear lane):	Single family dwellings	Urban	RF
South (Across 96 Avenue):	Corporation of Delta, single family dwellings	N/A	N/A
West:	Single family dwelling	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The 767-square metre (8,255 sq. ft.) subject lot is located at 11361 – 96 Avenue in Whalley.
- The lot is designated Urban in the Official Community Plan (OCP) and is zoned "Single Family Residential Zone (RF)".
- The applicant has submitted a building permit application to address an already constructed addition (dining room) to the northeast portion of the existing house. The building addition slightly encroaches into the east side yard setback.

- The applicant is seeking a setback variance for the east side yard setback to enable the building permit application to be processed for the already constructed addition.
- The applicant will be required to substantially address minor deficiencies with the in-stream building permit application prior to issuance of the requested Development Variance Permit including the following:
  - Including spatial calculations on the drawings;
  - The project engineer addressing seismic requirements;
  - Providing height calculations on the drawings;
  - Providing cross ventilation details on the drawings; and
  - Noting the rear yard setback on the site plan.

#### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- The applicant is seeking to vary the "Single Family Residential Zone (RF)" to reduce the minimum east side yard setback from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for the principal building.

Applicant's Reason:

- Approval of the setback relaxation is required to process the in-stream building permit application to address the already constructed addition (dining room) to the northeast side of the existing house.

Staff Comments:

- Due to the irregular shape of the subject lot, only a small portion of the addition does not comply with the minimum 1.8-metre (6 ft.) side yard setback requirement.
- The east property line borders a lane. Therefore, the requested side yard setback variance will not impact an adjacent neighbour.
- Inclusive of the addition, the house has a floor area of 240 square metres (2,566 sq. ft.), resulting a in floor area ratio (FAR) of 0.31 and lot coverage of 21% which comply with the requirements of the RF Zone.
- 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. 7915-0012-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

JD/da

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Information for City Clerk

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

1. (a) Agent:      Name:                      Murugayah Thangiah  
  
   Address:                      11361 - 96 Avenue  
   Surrey, BC V3V 1V7  
  
   Tel:                              778-889-4171

2.      Properties involved in the Application

- (a)      Civic Address:                      11361 - 96 Avenue

- (b)      Civic Address:                      11361 - 96 Avenue  
   Owners:                              Murugayah Thangiah  
   Amar K. Singh  
   PID:                                      000-620-432  
   Lot 140 Section 35 Block 5 North Range 3 West New Westminster District Plan 19524

3.      Summary of Actions for City Clerk's Office

- (a)      Proceed with Public Notification for Development Variance Permit No. 7915-0012-00 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk once the applicant completes the condition of final approval.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0012-00

Issued To: AMAR K SINGH  
MURUGAYAH THANGIAH  
  
("the Owner")

Address of Owner: 11361 - 96 Avenue  
Surrey, BC V3V 1V7

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: 000-620-432  
Lot 140 Section 35 Block 5 North Range 3 West New Westminster District Plan 19524

11361 - 96 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section F Yards and Setbacks, Part 16 "Single Family Residential Zone (RF)", the minimum east side yard setback is reduced from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for the principal building.
4. This development variance permit applies to only the 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.
5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

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

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City Clerk – Jane Sullivan



**PROJECT DESCRIPTION:**

CIVIC ADDRESS: ON 11361 96TH AVE. SURREY, BC  
 LEGAL ADDRESS: LOT 140 SECTION 35  
 B5N R3U1 NUD PLAN 19524

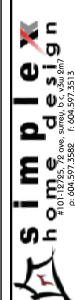
ZONING:.....RF	8 955.00 s.f.
LOT AREA:	4 380.00 s.f.
ALLOWABLE F.A.R.:	930.00 s.f.
EXISTING BASEMENT AREA:	1 042.00 s.f.
PROPOSED BASEMENT FLOOR AREA:	930.00 s.f.
PROPOSED MAIN FLOOR AREA:	1 301.00 s.f.
PROPOSED F.A.R.:	2 566.00 s.f.
SITE COVERAGE ALLOWED:	9 807.00 s.f.
SITE COVERAGE (EXISTING):	1 954.00 s.f.
SITE COVERAGE (PROPOSED):	1 730.00 s.f.

**NOTES - (NEW CONSTRUCTION ONLY)**

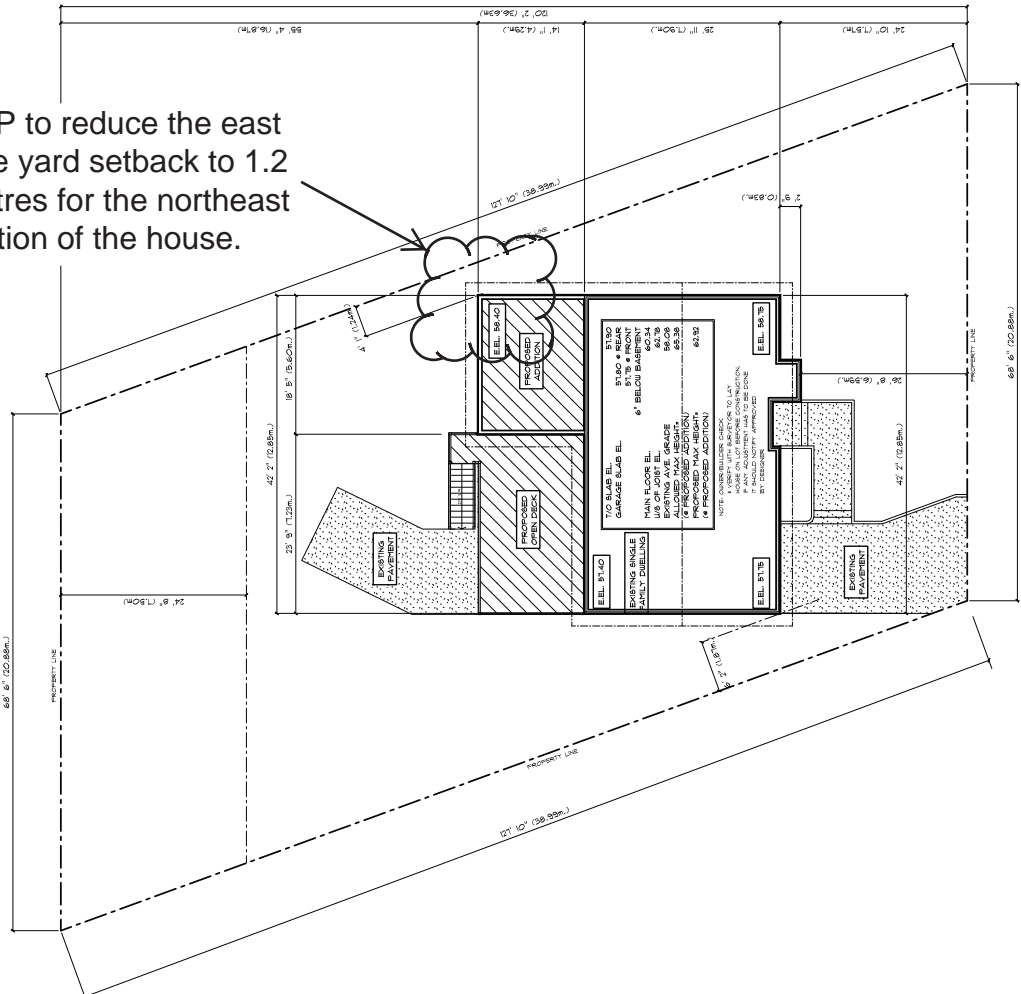
1. THESE PLANS CONFORM TO THE B.C. BUILDING CODE, VARIOUS REQUIREMENTS OF THE NATIONAL BUILDING CODE, AND THE REQUIREMENTS OF THE LOCAL AUTHORITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
2. OWNER/CONTRACTOR/BUILDER TO CHECK ALL DIMENSIONS BEFORE START OF CONSTRUCTION AND SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS.
3. ALL TRUSSES TO BE ENGINEERED BY AN ENGINEER & SPACING TO CONFORM WITH THE B.C. BUILDING CODE.
4. ALL BEAM SIZES & SUPPORT SYSTEMS SHOULD BE CHECKED & VERIFIED BY AN ENGINEER.
5. ALL BEAM SIZES & SUPPORT SYSTEMS SHOULD BE CHECKED & VERIFIED BY AN ENGINEER.
6. CONCRETE SHALL BE CAST IN ACCORDANCE WITH THE B.C. BUILDING CODE.
7. ALL CONSTRUCTION TO CONFORM WITH B.C. BUILDING CODE, CURRENT EDITION.
8. IT IS OWNER'S/BUILDER'S RESPONSIBILITY TO GET CORRECT ZONING & U.L.U. LOT, ZONING INFORMATION FROM COUNCIL APPROPRIATELY. SIMPLEX HOME DESIGN SHALL NOT BE RESPONSIBLE FOR ANY ZONING VIOLATIONS.
9. EXTERIOR FINISHES SHALL BE AS SHOWN ON THESE PLANS. ANY CHANGES TO FINISHES SHALL BE APPROVED BY THE ARCHITECT.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
11. SURVEYOR TO CORRECT BUILDING SIZE AND LOCATION. DISCREPANCY THAT MAY OCCUR SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

**REFERENCE NOTES: (NEW CONSTRUCTION)**

1. FOOTINGS TO BE LOCATED AND SIZED AS PER SUBS
2. FOUNDATION WALL THICKNESS AND HEIGHT TO CONFORM WITH TABLE 9.15.4.2.P
3. FOUNDATION WALL THICKNESS AND HEIGHT TO CONFORM WITH TABLE 9.15.4.2.P
4. WATERPROOFING REQUIRED ON GRADE SLABS & BELOW GRADE WALLS UNLESS INDICATED OTHERWISE. WATERPROOFING SHALL BE AS PER ARTICLE 9.13.4.1
5. CONCRETE SHALL COMPLY WITH SUBSECTION 9.16.4
6. GROUNDWATER SHALL COMPLY WITH SECTION 9.18
7. CONCRETE SHALL COMPLY WITH SUBSECTION 9.16.4
8. UNREINFORCED MASONRY & MASONRY VENEER TO BE BUILT AS SPECIFIED IN SECTION 9.20
9. MASONRY TO BE CONSTRUCTED AS PER SECTION 9.20
10. WOOD-FRAME PRESERVATION SHALL COMPLY WITH SUBSECTION 9.23.9
11. WOOD-FRAME PRESERVATION SHALL COMPLY WITH SUBSECTION 9.23.9
12. WOOD-FRAME PRESERVATION SHALL COMPLY WITH SUBSECTION 9.23.9
13. UNLESS OTHERWISE SPECIFIED IN TABLE 9.23.3.4
14. BUILDING FRAMES SHALL BE RICHWOODE TO THE FOUNDATION
15. ALL WALLS SHALL BE 100mm MINIMUM INSULATION UNLESS OTHERWISE SPECIFIED IN SECTION 9.23.4
16. BEARING SUPPORTING FLOORS SHALL COMPLY WITH SUBSECTION 9.23.9
17. FLOOR JOISTS SHALL COMPLY WITH SUBSECTION 9.23.9
18. WALL STUDS SHALL COMPLY WITH SUBSECTION 9.23.10
19. WALL STUDS SHALL BE 100mm MINIMUM INSULATION UNLESS OTHERWISE SPECIFIED IN SECTION 9.23.10
20. FLOORING SHALL COMPLY WITH SUBSECTION 9.23.12
21. FLOOR & CEILING FINISHES SHALL COMPLY WITH SUBSECTION 9.23.13
22. SUB FLOORING SHALL COMPLY WITH SUBSECTION 9.23.15
23. CEILING SHALL COMPLY WITH SUBSECTION 9.23.15
24. WALL SHEATHING SHALL COMPLY WITH SUBSECTION 9.23.16
25. INSULATION REQUIRED AS PER ARTICLE 9.25.5.1
26. INSULATION REQUIRED AS PER ARTICLE 9.25.5.1
27. GROUND WALL INSULATION SHALL BE USED ON HORIZONTAL SURFACE ONLY (SEE SENTENCE 9.25.2.4.1.1)
28. INSULATION SHALL BE AS SPECIFIED IN SECTION 9.25.5.1
29. CONTINUITY OF AIR BARRIERS CRITICAL. REFER ARTICLE 9.25.3.3
30. VAPOR BARRIER REQUIRED AS PER ARTICLE 9.25.4.1
31. MEANS FOR PROTECTING SHALL COMPLY WITH ARTICLE 9.20.2.2
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100. MEANS FOR PROTECTING SHALL COMPLY WITH ARTICLE 9.20.2.2



DVP to reduce the east side yard setback to 1.2 metres for the northeast portion of the house.



**SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 LEGEND  
 EXISTING HOME

1

PLAN No. 22-124-14  
 DRAWN: DIB

SCALE: 1/8" = 1'-0"  
 DATE: JULY 10, 2014

DATE: JULY 10, 2014  
 DATE: JULY 10, 2014

PROPOSED RENOVATION FOR MR. MURUGAYAH THANGIAH ON 11361 96TH AVE. SURREY, B.C.