

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7915-0184-00

Planning Report Date: September 14, 2015

PROPOSAL:

• Development Variance Permit

to reduce the minimum rear yard setback of the RF-12 zone to permit the retention of an existing deck.

LOCATION: 14873 - 62A Avenue

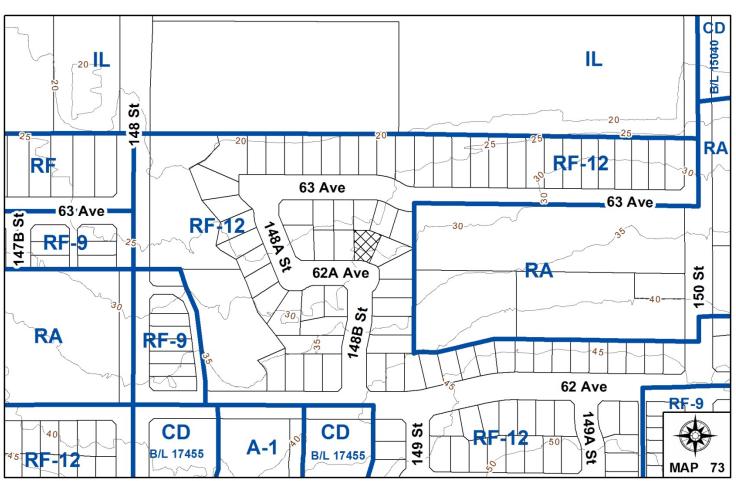
OWNER: Ahmad S Nasserjah

Frozan Nasserjah

ZONING: RF-12
OCP DESIGNATION: Urban

NCP DESIGNATION: Single Family Residential Flex 6-

14.5 u.p.a.



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RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• The applicant is requesting a Development Variance Permit to reduce the minimum rear yard setback permitted in the "Single Family Residential (12) Zone (RF-12)".

RATIONALE OF RECOMMENDATION

- The applicant recently constructed a deck located at the rear of the property, which encroaches into the minimum rear yard setback of the RF-12 zone.
- Adjacent and rear yard property owners have signed in support of the variance and indicate the existing deck has no impact on their privacy (Appendix III).

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RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council approve Development Variance Permit No. 7915-0184-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 3.8 metres (12 ft.).

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/NCP	Existing Zone
		Designation	
North, South, East & West:	Single Family	Urban/Single	RF-12
	Dwelling	Family Residential	
		Flex 6-14.5 u.p.a.	

DEVELOPMENT CONSIDERATIONS

Background/Proposal

- The subject property is located on the north side of 62 A Avenue, opposite 148 B Street. The property is designated as "Urban" in the Official Community Plan (OCP) and is currently zoned "Single Family Residential (12) Zone (RF-12)".
- The owners recently constructed a sundeck in the rear yard; however, no Building Permit was obtained for the deck.
- After a complaint was received for the construction of the new deck, the applicant submitted a Building Permit application to the City.
- Through the building permit review process, staff noted that the deck did not comply with the minimum rear yard setback of the RF-12 zone.
- The requested variance to reduce the rear yard setback will allow the retention of the newly constructed deck.

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BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

• To reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 3.8 metres (12 ft.).

Applicant's Reasons:

• The variance will allow for the retention of the newly constructed deck.

Staff Comments:

- The deck is uncovered and constructed with a 42 inch high railing and black aluminum pickets.
- It is noted that 3.8m setback variance is measured to the corner of the deck. Most of the deck surface is setback more than 3.8m from the rear property line.
- Adjacent and rear yard property owners have signed in support of the variance and indicate the existing deck has no impact on their privacy (Appendix III).
- Staff supports this variance 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 Plans

Appendix III. Signatures in Support of the Proposed Variance Appendix IV. Development Variance Permit No. 7915-0184-00

original signed by Nicholas Lai

Jean Lamontagne General Manager Planning and Development

<u>Information for City Clerk</u>

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

1. (a) Agent: Name: Ahmad S Nasserjah

Address: 14873 – 62A Avenue

Surrey, BC V₃S ₂W₉

Tel: 604-503-3141 - Home

2. Properties involved in the Application

(a) Civic Address: 14873 - 62A Avenue

(b) Civic Address: 14873 - 62A Avenue Owner: Frozan Nasserjah

Ahmad S Nasserjah

PID: 028-581-156

Lot 25 Section 10 Township 2 New Westminster District Plan BCP47981

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7915-0184-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

DEVELOPMENT DATA SHEET

Existing Zoning: RF-12

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)	N/A	N/A
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)	50%	30%
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	6.0 m (20 ft.)	6.0 m (20 ft.)
Rear	7.5 m (25 ft.)	3.81 m (12.5 ft.)
Side #1 (N,S,E, or W)	1.2 m (4 ft.)	1.2 m (4 ft.)
Side #2 (N,S,E, or W)	1.2 m (4 ft.)	3.05 m (10 ft.)
BUILDING HEIGHT (in metres/storeys)	N/A	N/A
Principal		,
Accessory		
NUMBER OF RESIDENTIAL UNITS	N/A	N/A
Bachelor		,
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	N/A	N/A
FLOOR AREA: Commercial	N/A	N/A
Retail		
Office		
Total		
FLOOR AREA: Industrial	N/A	N/A
FLOOR AREA: Institutional	N/A	N/A
TOTAL BUILDING FLOOR AREA	N/A	N/A

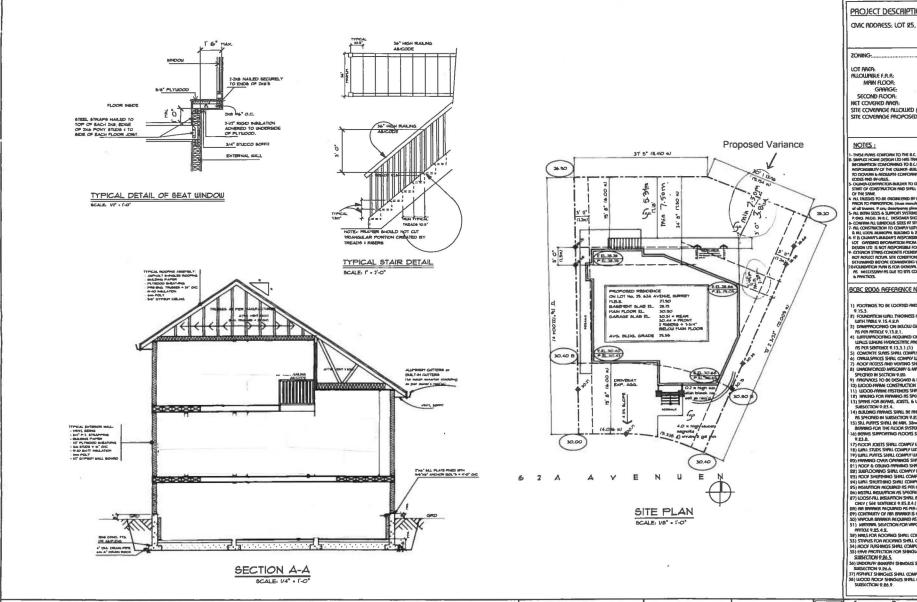
^{*} If the development site consists of more than one lot, lot dimensions pertain to the entire site.

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY	N/A	N/A
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		
AMENITY SPACE (area in square metres)	N/A	N/A
Indoor		
Outdoor		
PARKING (number of stalls)	N/A	N/A
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
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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PROJECT DESCRIPTION:

CIVIC ADDRESS: LOT 25, 62 A AVENUE, SURREY, BC

85.19 ZONING

LOT RACA: RLLOWABLE F.R.R.: 3 785.67 s.f. 2 650.00 s.f. MAIN FLOOR: 950.00 s.f. 380.00 s.f. GARAGE SECOND FLOOR 833 00 s / NET COVERED AREA. 2 163.00 s.f. SITE COVERAGE RILIOURD (50%) 1 892,83 s.f.

1 340.00 s.f.

NOTES:

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11) LILDODO-FRIME CONSTRUCTION SPECIO DE NER SECTION 9-28-2

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SUBSECTION 9.96 S.

SURSECTION 9.86.6. 37) ASHIBAT SHINGLES SHREE COMPLY WITH SURSECTION 9.86.7

PROPOSED RESIDENCE for MEHAR CONSTRUCTON on LOT 25 - 62 A AVENUE, SURREY, B.C.

PLAN No 98-3-95-11 SCRIE: AS SHOULN DATE DEC 2011 DARLIN:

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issues. Full Name: Address: 14872 - 63 AVE SUZREY, BC. Phone: Signature: Full Name: Address: SUIRREY, BC Phone: Signature: Full Name: 148.41 61A AVE Address: Phone: Signature: Full Name: Address: Phone: Signature:

In regards to the rear deck at 14873 – 62A Avenue, Surrey, BC we do not have any privacy or any other

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0184-00

Issued To:

Ahmad S Nasserjah

("the Owner")

Address of Owner:

14873 62A AVE

SURREY BC V₃S₂W₉

Issued To:

Frozan Nasserjah

("the Owner")

Address of Owner:

14873 62A AVE

SURREY BC V₃S ₂W₉

- 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: 028-581-156 LT 25 SC 10 T2 PLBCP47981 14873 62A Ave

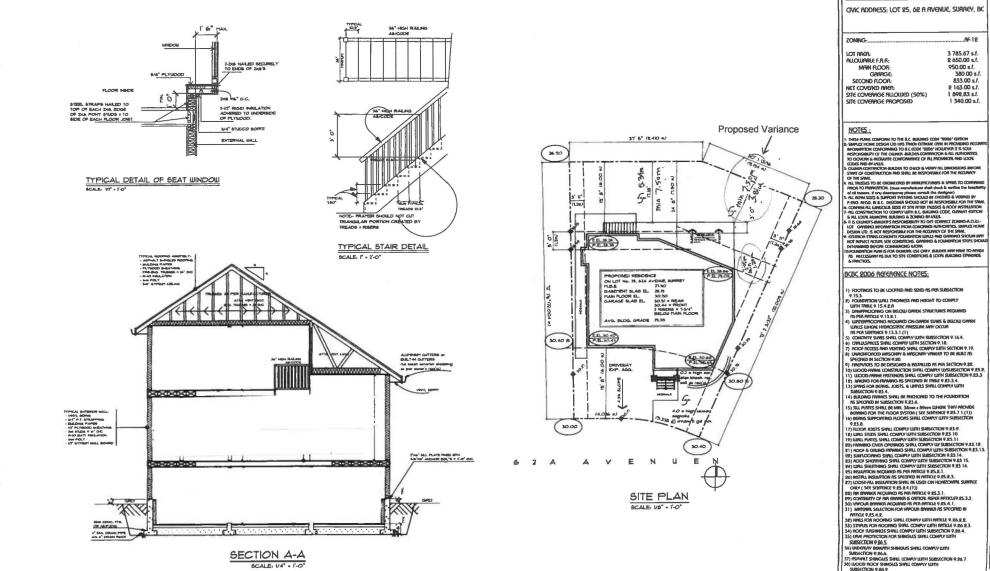
(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of the "Single Family Residential (12) Zone (RF- 12)" the minimum rear yard setback for a primary dwelling is varied from 7.5 metres (25 ft.) to 3.8 metres (12 ft.).

6.	This development variance permit applies to only the <u>portion of the buildings and</u> <u>structures on the Land</u> 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.
8.	The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
9.	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.
10.	The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
11.	This development variance permit is not a building permit.
	ORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 . D THIS DAY OF , 20 .
	Mayor Linda Hanner
	Mayor – Linda Hepner

City Clerk - Jane Sullivan





PROJECT DESCRIPTION:

CIVIC ADDRESS: LOT 25, 62 A RVENUE, SURREY, BC

1 340.00 s.f.

LOT RACA: 3 785.67 s.f. ALLOWABLE F.A.A: MAIN FLOOR: 2 650,00 s.f. GARAGE 380 00 s.f. SECOND FLOOR: NET COVERED AREA: SITE COVERAGE ALLOWED (50%) 9 163.00 s.f.

NOTES :

1. THESE PLANS COMPORAL TO THE B.C. BUILDING CODE "\$506" EDITION

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ARTICLE P.ES.4.2.
38) NRSS FOR ROOFING SHIFLL CONFLY WITH RITHCLE 9.26.2.2.

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PROPOSED RESIDENCE for MEHAR CONSTRUCTON on LOT 25 - 62 A AVENUE, SURREY, B.C.

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