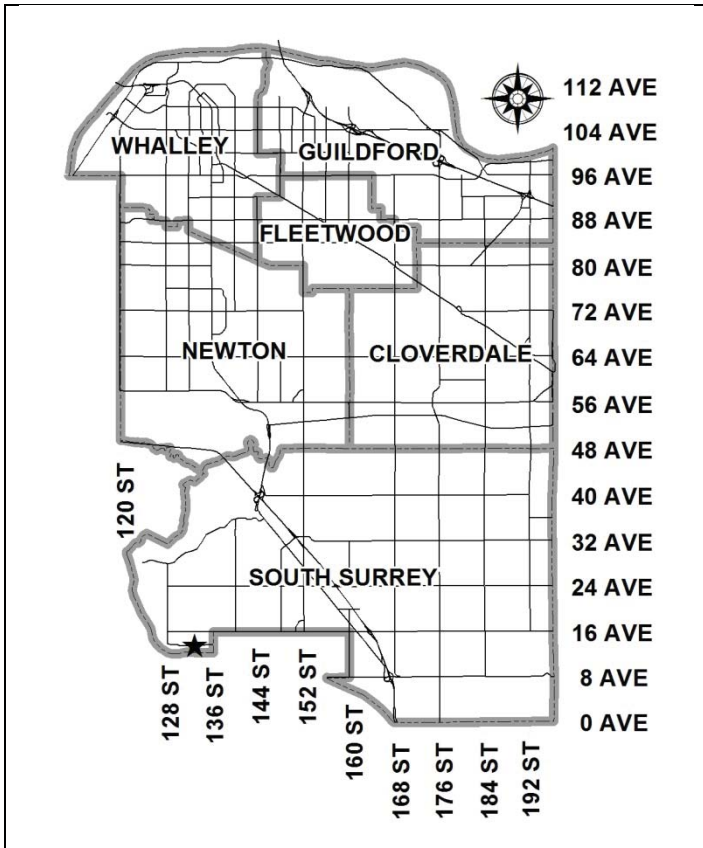


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0080-00

Planning Report Date: April 3, 2017



PROPOSAL:

- **Development Variance Permit**

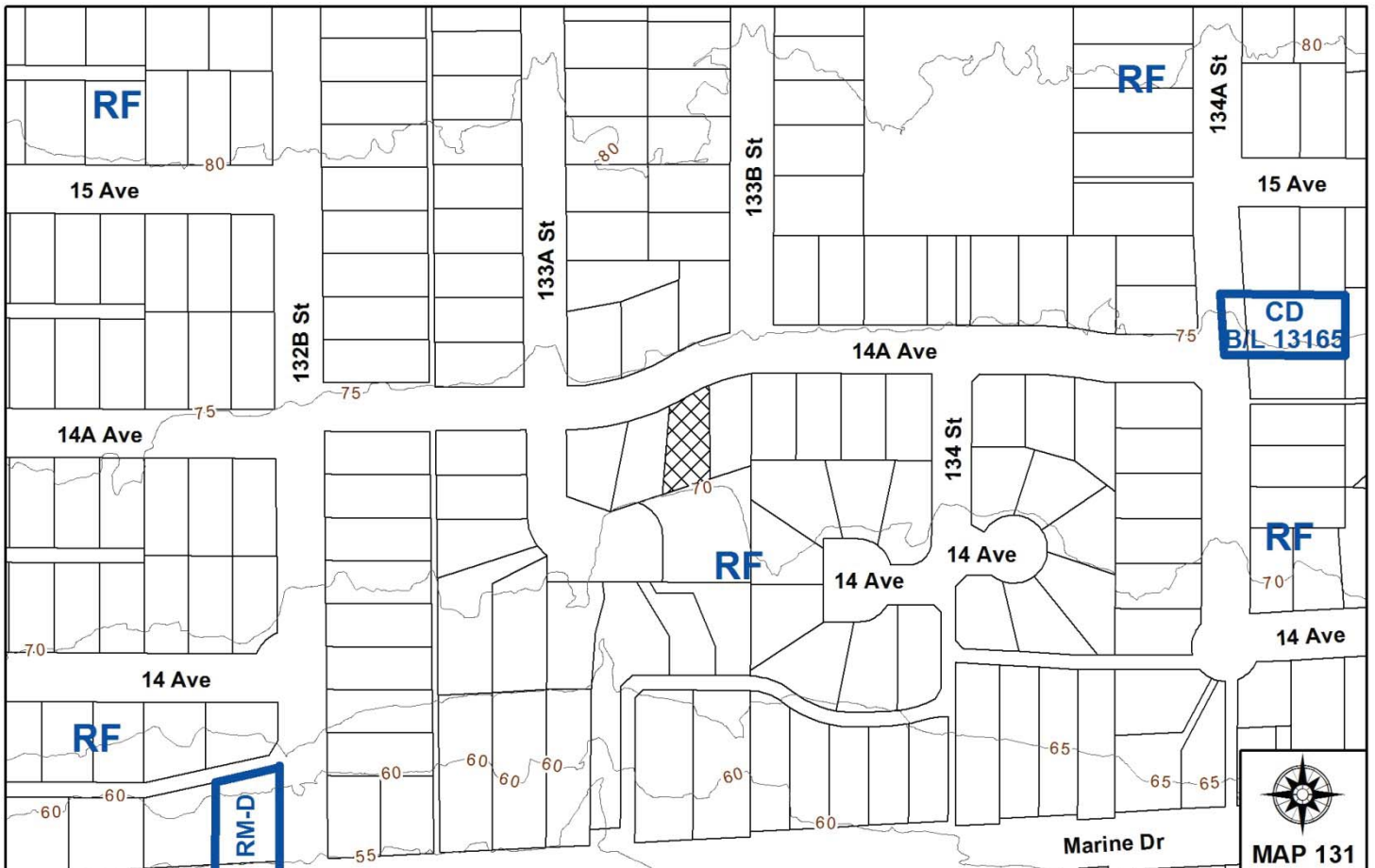
to reduce the minimum rear and side yard setback of the RF Zone to permit the retention of an enclosed deck.

LOCATION: 13346 - 14A Avenue

OWNER: Laurie A Harvey
 Scott A McKinney

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 a variance to reduce the minimum rear and side yard setbacks of an existing enclosed deck attached to the principal building.

RATIONALE OF RECOMMENDATION

- The reduced rear and side yard setback is for an existing enclosed deck that was constructed by a previous owner without permit. The enclosed deck is non-conforming to the rear and side yard setbacks in the RF zone. The south-east corner encroaches into the 7.5 metre (25 ft.) rear yard setback, while the east side encroaches into the 1.8 metre (6 ft.) side yard setback. The remainder of the principal building complies with the setback requirements.
- A Development Variance Permit is required to allow the retention of the non-conforming enclosed deck.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7917-0080-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of a principal building the "Single Family Residential Zone (RF)" from 7.5 metres (25 ft.) to 6 metres (20 ft.); and
 - (b) to reduce the minimum east side yard setback of a principal building in the "Single Family Residential Zone (RF)" from 1.8 metres (6 ft.) to 1.3 metres (4.4 ft.).
2. Council instruct staff to resolve the following issues prior to Development Variance Permit issuance:
 - (a) Submission and City acceptance of Building Permit drawings for the non-conforming enclosed deck.

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 (Across 14A Avenue):	Single Family Dwelling	Urban	RF
East:	Single Family Dwelling	Urban	RF
South:	Open Space	Urban	RF
West:	Single Family Dwelling	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject property, located at 13346 – 14A Avenue, is designated "Urban" in the Official Community Plan and is zoned "Single Family Residential Zone (RF)". The property is not located in a Neighbourhood Community Plan.

- The applicant is proposing a Development Variance Permit to reduce the rear yard (south) setback for a principal building from 7.5 metres (25 ft.) to 6 metres (20 ft.), and the side yard (east) setback for a principal building from 1.8 metres (6 ft.) to 1.3 metres (4.4 ft.).
- The reduced rear and east side yard setback will allow for the retention of the existing enclosed deck in its current location.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- to reduce the minimum rear yard setback of a principal building in the RF Zone from 7.5 metres (25 ft.) to 6 metres (20 ft.).
- to reduce the minimum east side yard setback of a principal building in the RF Zone from 1.8 metres (6 ft.) to 1.3 metres (4.4 ft.).

Applicant's Reasons:

- The existing enclosed deck, which is attached to the principal building, was constructed by a previous owner without permit. The south-east corner and east side of the enclosed deck encroaches into the required rear and side yard setbacks.
- The applicant is requesting a Building Permit for a basement renovation, and requires a Development Variance Permit for the non-conforming enclosed deck in order to proceed.

Staff Comments:

- The enclosed deck is 13.5 m² (145 ft²) in area and is off the main floor of the existing dwelling. The south-east corner and east side of the enclosed deck are non-conforming with the setback requirements in the RF Zone. The remainder of the principal building conforms to the required setbacks.
- The deck is well screened from the east by a neighbouring tree and to the west by trees on the subject property. South of the property is City owned open space. Therefore, the siting of the enclosed deck has minimal impact on neighbouring properties.
- The City has received no formal complaints from other property owners with the siting of the enclosed deck.
- The subject property is located within a Development Permit Area for Hazard Lands – Steep Slopes. In lieu of a Development Permit, the Building Permit will need to demonstrate the structural integrity of the deck, including consideration of the existing slopes in the rear yard.
- Staff support the requested variance to proceed to Public Notification.

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. 7917-0080-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DZ/da

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0080-00

Issued To: LAURIE A HARVEY
SCOTT A MCKINNEY

(the "Owner")

Address of Owner: 13346 – 14A Avenue
Surrey, BC V4A 6H6

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: 002-444-771
Lot 213 Section 8 Township 1 New Westminster District Plan 57217

13346 – 14A Avenue

(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 16 Single Family Residential Zone (RF), the minimum Rear Yard Setback for a Principal Building is reduced from 7.5 metres (25 ft.) to 6 metres (20 ft.); and

(b) In Section F. Yards and Setbacks of Part 16 Single Family Residential Zone (RF), the minimum Side Yard Setback for a Principal Building is reduced from 1.8 metres (6 ft.) to 1.3 metres (4.4 ft.).

4. 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.

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

6. 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 – Linda Hepner

City Clerk – Jane Sullivan

SCHEDULE A



squareonecontracting.ca

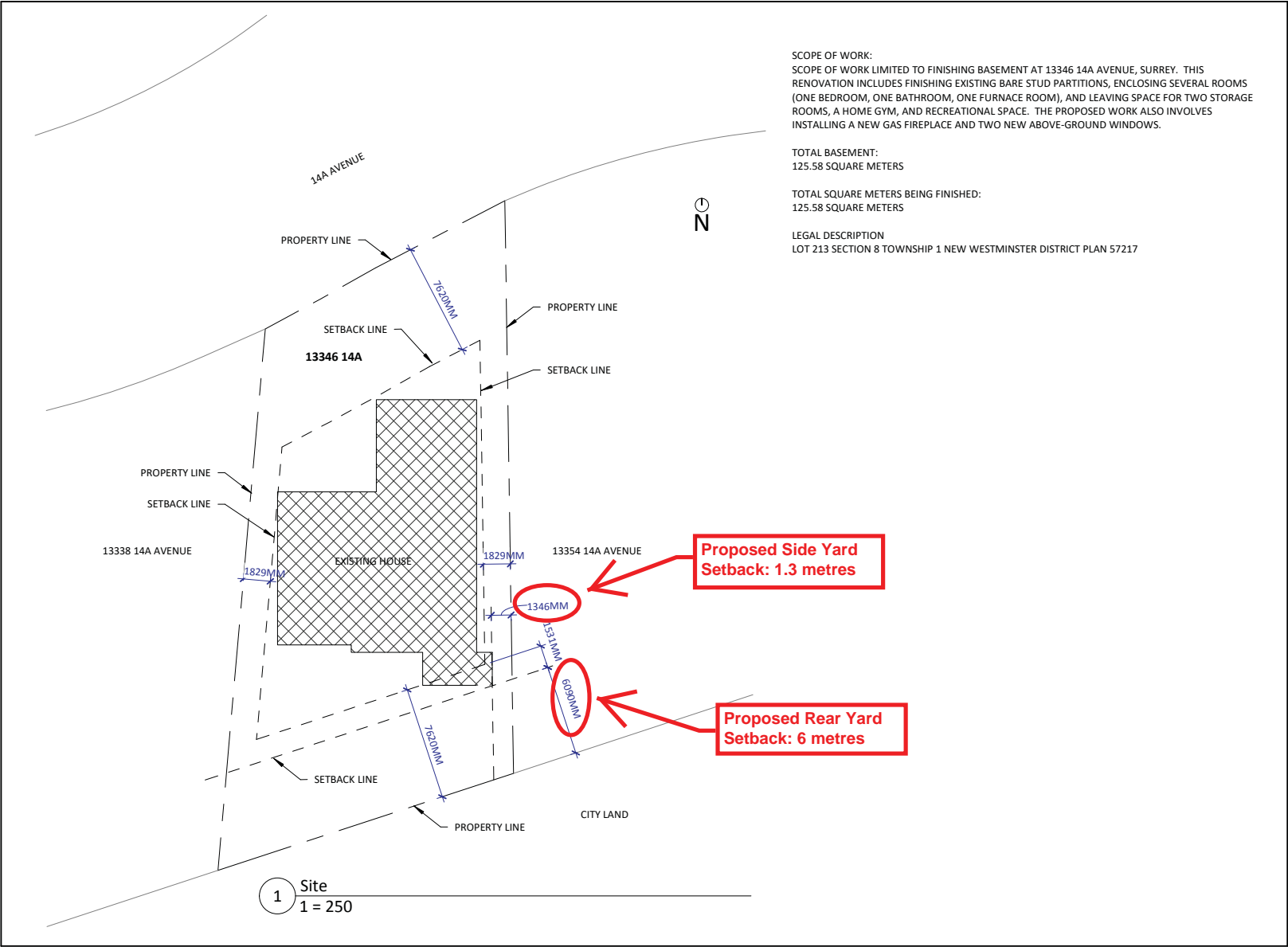
SCOPE OF WORK:
 SCOPE OF WORK LIMITED TO FINISHING BASEMENT AT 13346 14A AVENUE, SURREY. THIS RENOVATION INCLUDES FINISHING EXISTING BARE STUD PARTITIONS, ENCLOSING SEVERAL ROOMS (ONE BEDROOM, ONE BATHROOM, ONE FURNACE ROOM), AND LEAVING SPACE FOR TWO STORAGE ROOMS, A HOME GYM, AND RECREATIONAL SPACE. THE PROPOSED WORK ALSO INVOLVES INSTALLING A NEW GAS FIREPLACE AND TWO NEW ABOVE-GROUND WINDOWS.

TOTAL BASEMENT:
 125.58 SQUARE METERS

TOTAL SQUARE METERS BEING FINISHED:
 125.58 SQUARE METERS

LEGAL DESCRIPTION
 LOT 213 SECTION 8 TOWNSHIP 1 NEW WESTMINSTER DISTRICT PLAN 57217

REVISIONS		
NO.	DAT	DESCRIPTIO



HARVEY RESIDENCE
 13346 14A AVE
 SURREY, BC
 V4A 6H6

title
 Cover Sheet + Site
 Plan
 scale | = 250
 date FEB 10 2016
 drawn JP
 job no. 1602
 sheet no. 0.00

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. Contractors are responsible to ensure that all work is executed to the requirements of the latest edition of the B.C. Building Code.

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1 Site
 1 = 250