

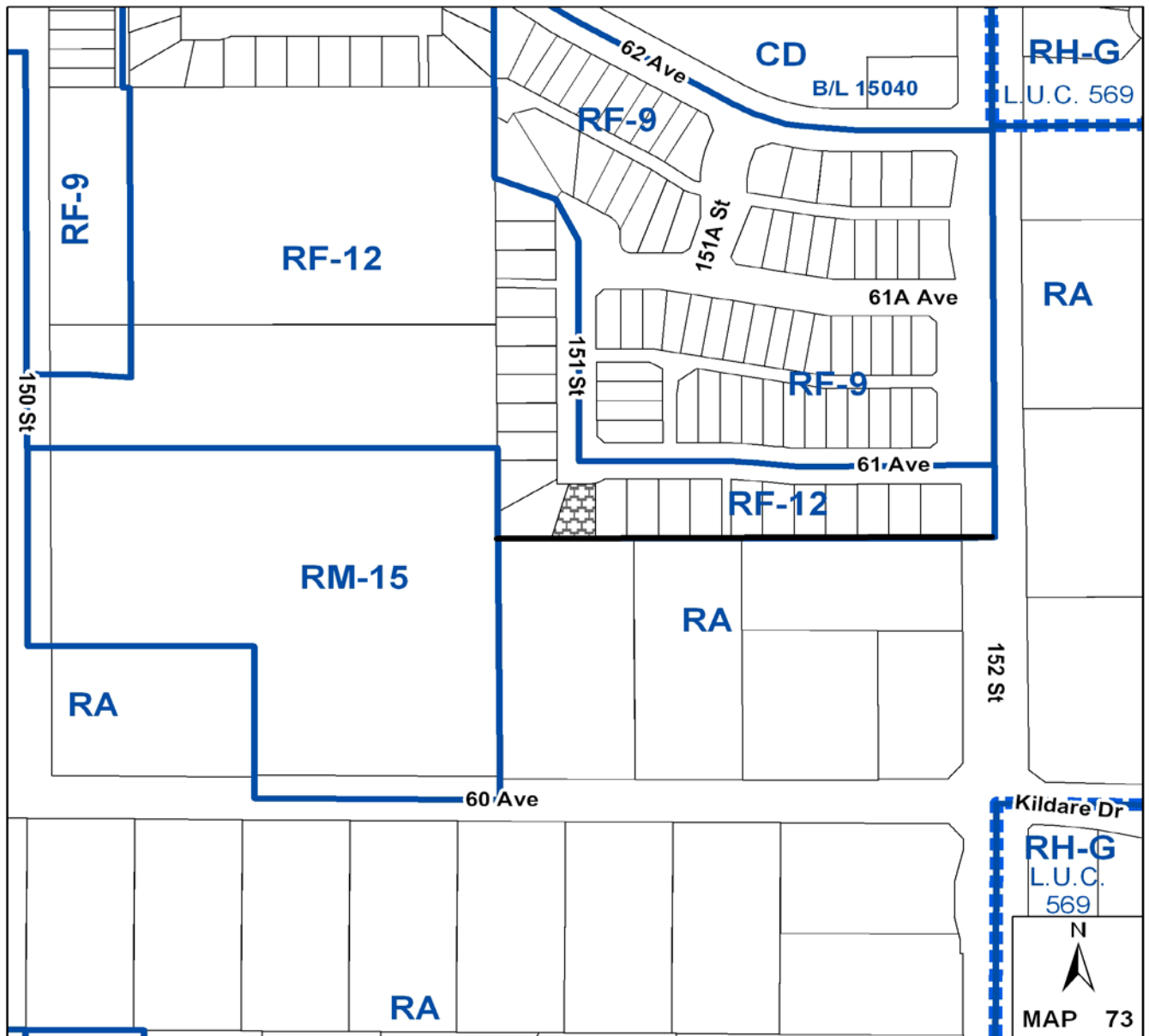
Proposal: Development Variance Permit to vary the rear yard setback from 7.5 metres (25 ft.) to 4.8 metres (15 ft.) to permit a deck and stairs to encroach into the required setback area.

Recommendation: Approval

Location: 15108 - 61 Avenue **Zoning:** RF-12

OCP Designation: Urban

NCP Designation: Single Family Residential (small lots) **Owner:** Morning Star Homes Ltd., Inc. No. 652312



PROJECT TIMELINE

Completed Application Submission Date: January 24, 2006
Planning Report Date: January 30, 2006

PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the rear yard setback for 50% of the width of the building from 7.5 metres (25 ft.) to 4.8 metres (15 ft.)

in order to permit a deck and stairs only to encroach into the required setback area

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7903-0054-02 (Appendix V), varying the following, to proceed to Public Notification:
 - (a) to vary the minimum rear yard setback for 50% of the width of the building from 7.5 metres (25 ft.) to 4.8 metres (15 ft.) to permit a deck and stairs to encroach into the setback area.

REFERRALS

Engineering: The Engineering Department has no concern.

SITE CHARACTERISTICS

- **Existing Land Use** Single family small lot currently in the construction phase that was created as part of a 89-lot RF-9 and RF-12 development.
- **East:** Single family small lot, zoned RF-12, designated Single Family Residential (Small Lot) in the NCP.
- **South:** Vacant suburban lot, zoned RA, designated Townhouses 15 upa Maximum in the NCP.
- **West:** Single family small lot, zoned RF-12, designated Single Family Residential (Small Lot) in the NCP.
- **North:** Single family small lots, zoned RF-9, designated Residential (Small Lot) in the NCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is a Type II RF-12 lot (Lot 46) at 15108 – 61 Avenue. This lot was created as part of a larger eighty-nine (89) lot subdivision that created both RF-9 and RF-12 lots (Development Application No. 7903-0054-00).
- Development Variance Permits (DVP) have previously been issued for several of the RF-9 lots (narrow lots with lane access garages) to address conflict between the proposed grade on the site, elevation of the lane, and compliance with siting requirements in the RF-9 Zone, particularly the minimum 6 metre (20 ft) separation required between the principal building and accessory buildings and structures (Appendix IV).
- The subject lot is a front access, shallow-wide small lot. The maximum floor area ratio permitted in the RF-12 Zone is 0.70, provided that the maximum principal building does not exceed 260 m² (2,800 sq.ft.). However, due to site constraints, the floor area of the principal building proposed on the subject lot is 240 m² (2,583 sq.ft.) including an attached 35 m² (377 sq.ft.) garage.

BY-LAW VARIANCE AND JUSTIFICATION

Requested Variance:

- To vary the rear yard setback for 50% of the width of the building from 7.5 metres (25 ft) to 4.8 metres (15 ft) to permit a deck and stairs to encroach into the required setback area, as shown in Appendix III.

Applicant's Reasons:

- The RF-12 Zone requires a 7.5 metres (25 ft.) rear yard setback but permits a 6.0 metres (20 ft.) setback for 50% of the width of the rear of the principal building on Type II lots. This provision has been applied to the design of the principal building; the variance requested is to permit a deck and stairs to encroach into the required 7.5 metres (25 ft.) setback area (Appendix III).
- In order to accommodate the front and side yard setback requirements of the RF-12 Zone, the house was reduced in size. The main floor area was reduced by 4 m² (44 sq.ft.) resulting in a main floor area of 101 m² (1,090 sq.ft.) and total building floor area of 205 m² (2,200 sq.ft.), excluding the attached garage.

- A 2.4 metre (8 ft) increase in elevation from the front of the lot to the rear of the lot occurs. A rear deck off the main floor is required to facilitate access to the rear yard. The variance would permit a reasonable sized deck (18 sq.m./190 sq.ft.) to be constructed.
- The requested variance is a direct result of the lot configuration and the existing steep grade, and will not negatively impact the privacy of adjacent lots. Although the variance would permit the deck to encroach into the setback area, its construction will continue the building pattern established on adjacent RF-12 lots within the subdivision, as the size and shape is similar to the decks constructed on adjacent RF-12 lots.

Staff Comments:

- The proposed building is not maximizing the minimum front yard provision of the RF-12 Zone. However, due to the configuration of the lot, shifting of the building closer to the front lot line would create a conflict with the required west side yard setback.
- The total deck area is 18 sq.m. (190 sq.ft.) (of which 16 sq. m. (170 sq.ft.) encroaches into the setback), which provides the homeowner with usable outdoor space and mitigates the impact of reducing the rear yard area. In addition, the area below the deck will function as a covered storage space.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

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| Appendix I. | Lot Owners, Action Summary and Project Data Sheets |
| Appendix II. | Contour Map |
| Appendix III. | Plans Showing Deck and Stairs Encroaching into the Setback |
| Appendix IV. | Synopsis of Current and Previous Variances |
| Appendix V. | Development Variance Permit No. 7903-0054-02 |

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated January 26, 2006.
- Soil Contamination Review Questionnaire prepared by Donna Ichikawa dated January 24, 2006.

Murray Dinwoodie
General Manager
Planning and Development

DN/kms

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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: Morningstar Homes Ltd. (Donna Ichikawa)
 Address: 2nd Floor - 946
 Brunette Avenue
 Coquitlam, B.C. V3K 1C9
 Tel: 604-521-0038 Ext. 260

2. Properties involved in the Application

(a) Civic Address: 15108 - 61 Avenue

(b) Civic Address: 15108 - 61 Avenue
 Owner: Morningstar Homes Ltd., Inc. No. 652312
 PID: 026-255-693
 Lot 46 Section 10 Township 2 New Westminster District Plan BCP16874

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7903-0054-02.

CONTOUR MAP FOR SUBJECT SITE

