

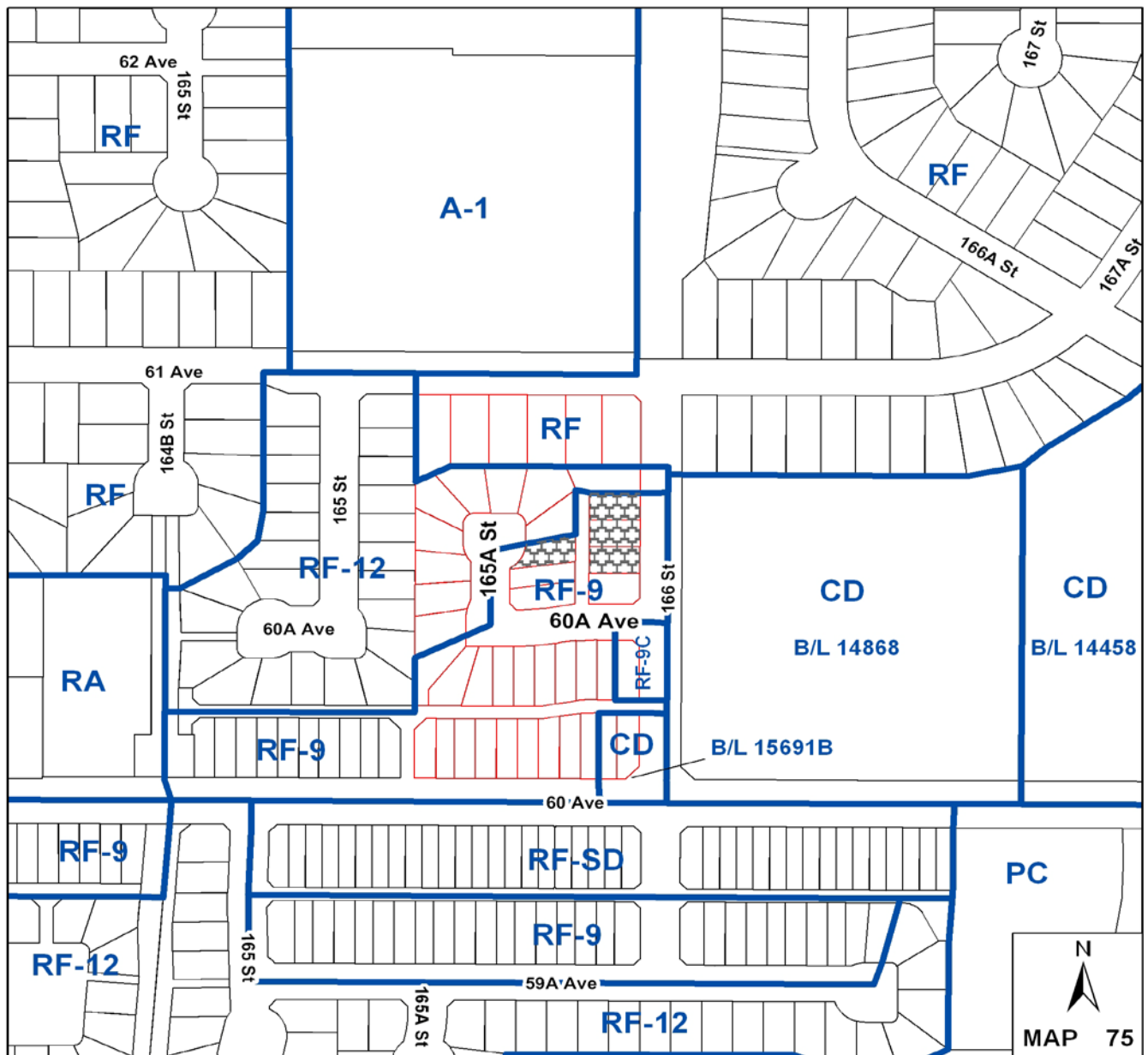
**Proposal:** Development Variance Permit to increase the side yard setback of the attached garage portion of the principal building for 4 recently approved RF-9 (Type III) lots.

**Recommendation:** Approval to Proceed

**Location:** 6059/67/73 - 166 Street and 6064 - 165A Street      **Zoning:** RF-9

**OCP Designation:** Urban      **Owner:** Qualico Developments (Vancouver) Inc.

**NCP Designation:** Small Lots



## PROJECT TIMELINE

Completed Application Submission Date: December 13, 2005  
Planning Report Date: February 20, 2006

## PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the following RF-9 Zone regulations:
  - for Lots 8, 9 and 10, increase the side yard setback for the attached garage portion of the principal building from 0.0 m (0 ft.) to 0.9 m (3.0 ft.); and
  - for Lot 14 increase the side yard setback of the attached garage portion of the principal building from 0.0 m (0 ft.) to 1.6 metres (5 ft.)

in order to accommodate attached garages on four recently approved RF-9 Type III lots in West Cloverdale North.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7905-0394-00 (Appendix V), varying the following, to proceed to Public Notification:
  - (a) to increase the side yard setback of the RF-9 Zone for the attached garage portion of the principal building for Lots 8, 9 and 10 from 0.0 metre (0.0 ft.) to 0.9 metres (3.0 ft.); and
  - (b) to increase the side yard setback of the RF-9 Zone for the attached garage portion of the principal building for Lot 14 from 0.0 metres (0.0 ft.) to 1.6 metres (5 ft.).

## REFERRALS

Engineering: No concerns (Appendix IV).

## SITE CHARACTERISTICS

- **Existing Land Use** Recently approved single family lots.
- **East:** Across 166 Street, newly developed townhouse site, zoned CD (By-law No. 14868), designated Townhouse 8-15 u.p.a. in West Cloverdale North NCP.

- **South:** Across 60 Avenue, newly developed small lot single family residential subdivision, zoned RF-9, RF-12 and RF-SD, designated Semi-Detached Residential and Small Lots in West Cloverdale South NCP.
- **West:** Newly developed single family residential subdivision, zoned RF-9 and RF-12, designated Single Family Small Lots in West Cloverdale North NCP.
- **North:** Recently approved single family lots, zoned RF-12 and RF and across 61 Avenue, A.J. McLellan Elementary School, zoned A-1.

#### PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Complies.

#### DEVELOPMENT CONSIDERATIONS

- Three of the subject lots (Lots 8, 9 and 10 Plan BCP20424), located at 6059, 6067 and 6073 – 166 Street, front 166 Street between 60A Avenue and 61 Avenue and the fourth lot (Lot 14 Plan BCP20424), located at 6064 – 165A Street, fronts the 165A Street cul-de-sac north of 60A Avenue in the West Cloverdale North Neighbourhood Concept Plan (NCP) Area. All of the lots are designated Urban in the Official Community Plan (OCP) and zoned "Single Family Residential (9) Zone (RF-9)".
- The subject lots were created as part of a recent development application (File No. 7904-0153-00) to rezone from RA to RF, RF-9, RF-9C, RF-12 and CD to allow subdivision into 6 standard single family lots, 36 small single family lots and 2 small lots with limited commercial uses. This application received Final Adoption on July 28, 2005.
- Since Final Adoption, prospective purchasers have entered into purchase agreements with the developer, Qualico Developments and the subject lots are currently under contract.
- In order to site the attached garages as indicated on the attached plans (Appendix III), the applicant is requesting a Development Variance Permit to increase the side yard setback for each of the four subject lots.

BY-LAW VARIANCES AND JUSTIFICATION

## (a) Requested Variance:

- For Lots 8, 9 and 10, fronting 166 Street, increase the side yard setback of the RF-9 Zone (Type III) for the attached garage portion of the principal dwelling, from 0.0 metre (0.0 ft.) to 0.9 metre (3.0 ft.).

## Applicant's Reasons:

- The applicant has stated that allowing the side yard setback to be increased from a zero lot line for the attached garage, concerns with maintenance can be alleviated for current and future homeowners.
- With the side yard setback increased from 0.0 metre to 0.9 metre for Lots 8, 9 and 10, a 6-metre (20 ft.) by 6-metre (20 ft.) rear yard outdoor green space is maintained.

## (b) Requested Variance:

- For Lot 14, fronting 165A Street, increase the side yard setback of the RF-9 Zone (Type III) for the attached two-car garage portion of the principal dwelling, from 0.0 metre (0.0 ft.) to 1.6 metre (5 ft.).

## Applicant's Reasons:

- The applicant acknowledges for Lot 14, the shift of the garage from a zero lot line, does not create any added green space in the rear yard but would accommodate a house design that allows for a garage rooftop deck. The proposed rooftop deck adds 23 square metres (250 sq. ft.) of outdoor family/activity space to the backyard that would otherwise not be present with a traditional peaked roof over the garage (Appendix IV).
- Placing the two-car garage with deck above, at zero lot line reduces the physical separation between the house on Lot 14 and the adjacent home (on Lot 15). As such, while this may concentrate green space on Lot 14 it would negatively impact the living space of the adjacent backyard to the north due to close proximity and increased shadow over the lot.
- By allowing the two-car garage and rooftop deck to be situated at an increased side yard setback, the physical separation between the subject home and the adjacent home will provide more privacy and increased outdoor space.

## Staff Comments on Both Requested Variances:

- The RF-9 Zone requires that for Type III lots (which are wide/shallow in shape) the principal building (i.e. house) be sited a minimum of 1.2 metres (4 ft.) from the side lot line, however, the side yard setback for an attached garage or carport must be sited at zero on one side. The rationale behind this regulation was to ensure a minimum 6m (20 ft.) by 6m (20 ft.) backyard space for the residents' enjoyment and natural drainage/infiltration and to provide natural light to the rear portion of the ground floor of the house.

- The variances on both requested variances will only apply to the four subject lots and the homes will be constructed in accordance with the attached site plans (Appendix III).
- The subject lots are approximately 12.6 metres (41.3 ft.) wide, which is wider than the minimum required width for the RF-9 Zone. As such, even with an increased side yard setback, these lots can accommodate a two car garage and an outdoor amenity area, similar to the RF-12 Zone.
- With the increase in side yard, the house design maintains the original intent of the zone by providing for an adequate back yard and outdoor recreation space as well as natural light to the rear portion of the ground floor of the house.
- The house proposed for Lot 14 was designed specifically to address the existing grades while maintaining the original intent of the zone. The lot slopes approximately 2 metres (6.5 ft.) from the front of the home to the rear of the attached garage.
- As a result, the garage is located at the basement level of the house and the main floor living space is located on the second level at the rear of the home.
- In order to provide for outdoor recreation space, a rooftop deck is proposed for the garage and can be accessed off the main floor living space.
- Staff support the requested variances.

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Contour Map
Appendix III.	Proposed Building Envelopes
Appendix IV.	Proposed Elevations for Lot 14
Appendix V.	Engineering Summary
Appendix VI.	Development Variance Permit No. 7905-0394-00

Murray Dinwoodie  
General Manager  
Planning and Development

JJ/kms

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SEH 7/13/10 1:00 PM

Information for City Clerk

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

1. (a) Agent: Name: Hugh Carter, Qualico Developments (Vancouver) Inc.,  
Inc. No. 26101A  
Address: 201 - 10331 - 150 Street  
Surrey, B.C. V3R 4B1  
Tel: 604-582-3011

2. Properties involved in the Application

(a) Civic Addresses: 6059, 6067, 6073 - 166 Street and 6064 - 165A Street

(b) Civic Address: 6059 - 166 Street  
Owner: Qualico Developments (Vancouver) Inc., Inc. No.  
26101A  
PID: 026-463-628  
Lot 10 Section 12 Township 2 New Westminster District BCP20424

(c) Civic Address: 6067 - 166 Street  
Owner: Qualico Developments (Vancouver) Inc., Inc. No.  
26101A  
PID: 026-463-610  
Lot 9 Section 12 Township 2 New Westminster District Plan BCP20424

(d) Civic Address: 6073 - 166 Street  
Owner: Qualico Developments (Vancouver) Inc., Inc. No.  
26101A  
PID: 026-463-601  
Lot 8 Section 12 Township 2 New Westminster District Plan BCP20424

(e) Civic Address: 6064 - 165A Street  
Owner: Qualico Developments (Vancouver) Inc., Inc. No.  
26101A  
PID: 026-463-661  
Lot 14 Section 12 Township 2 New Westminster District Plan BCP20424

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7905-0394-00.

CONTOUR MAP FOR SUBJECT SITE

