

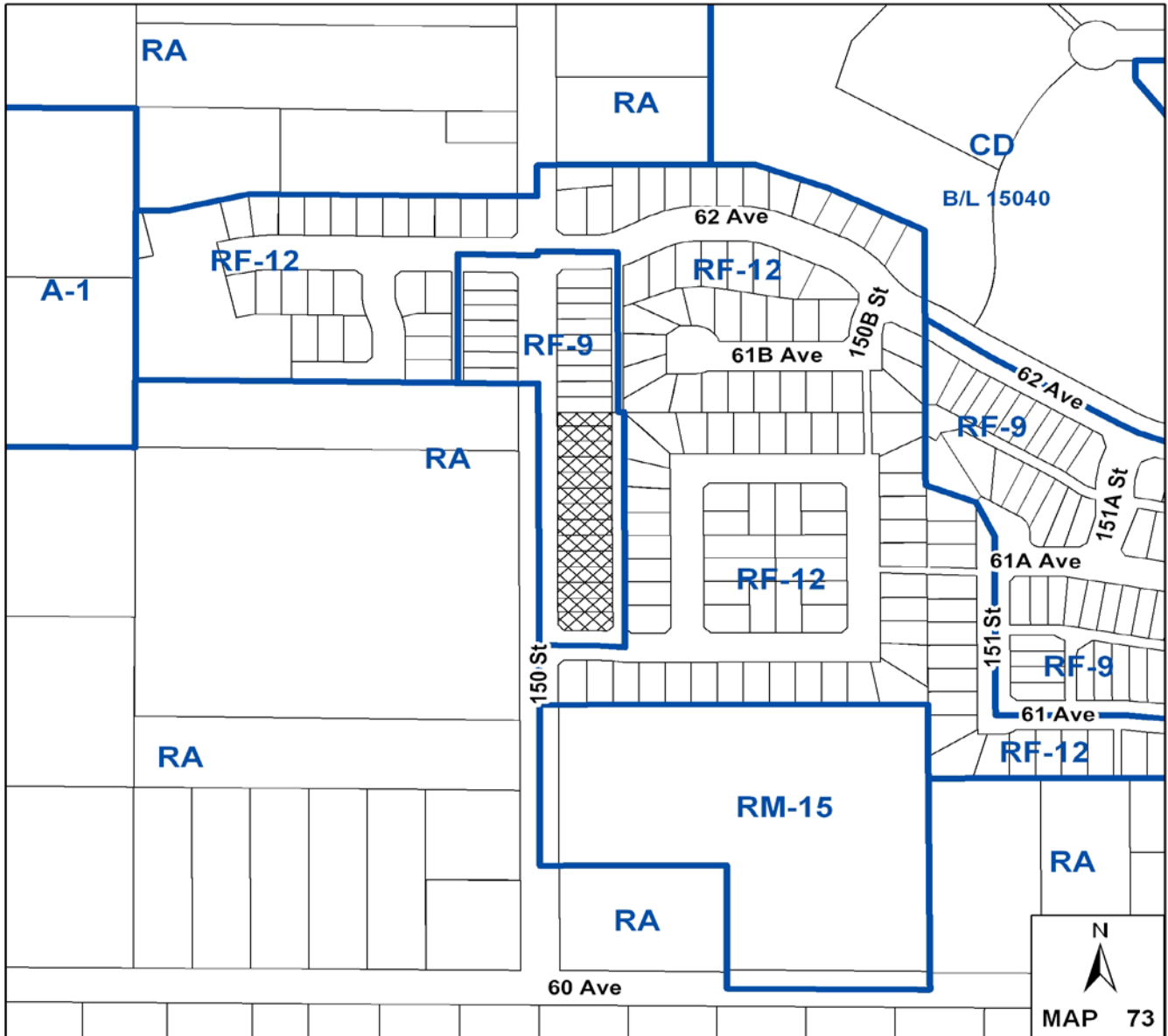
**Proposal:** Development Variance Permit to vary the minimum separation between the principal building and detached garage for 14 lots.

**Recommendation:** Approval to Proceed to Public Notification

**Location:** 6100 Block of 150 Street    **Zoning:** RF-9

**OCP Designation:** Urban

**LAP Designation:** SF Small Lots    **Owner:** Whispering Ridge Development Corp.



## PROJECT TIMELINE

Application Submission Date: March 10, 2006  
Completed Application Submission Date: June 2, 2006  
Planning Report Date: July 24, 2006

## PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
  - Part 17C Section F., Yards and Setbacks in order to reduce the minimum separation between the principal building and an accessory building from 6 metres (20 ft.) to between 4.9 metres (16.1 ft.) and 5.5 metres (18.0 ft.).

## RECOMMENDATION

The Planning & Development Department recommends that Development Variance Permit No. 7906-0101-00 proceed to Public Notification.

## REFERRALS

Engineering: No concerns (Appendix ).

## SITE CHARACTERISTICS

- **Existing Land Use** Single family residential lots in the process of being constructed.
- **East:** Single family residential, zoned RF-12, designated Urban in the OCP, designated Single Family Residential Flex in South Newton NCP.
- **South:** Across 61 Avenue, single family residential design. Urban in the OCP, zoned RF-12, designated Single Family Residential Flex in South Newton NCP.
- **West:** Across 150 Street, Single family residential, designated Urban in the OCP, zoned RA, designated Single Family Residential Flex in South Newton NCP.
- **North:** Recently constructed single family residential small lots, zoned RF-9, designated Urban in the OCP, designated Single Family Residential Flex in South Newton NCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

- The 14 subject RF-9 lots were created as part of a larger 67-lot subdivision completed in 2005 (Development Application No. 7904-0003-00).
- The applicant submitted house plans as part of the Building Permit applications for all 14 lots. City staff at that time advised that the proposed decks/stairs could not encroach on the required minimum 6 metre (20 ft.) building separation. To address this issue, the applicant applied for a Development Variance Permit (DVP).
- The approved building plans showed the encroachments but were noted by City staff as being prohibited. Since building permits were issued as the DVP application proceeded, the applicant was not aware that the approved building plans did not include the encroachment. As a result, the applicant initiated construction of the dwellings to reflect the design as originally submitted.
- The applicant is requesting that variances be granted for all 14-lots to relax the setback distance between the principal dwelling and garage. Relaxations are not needed for the other 55 lots in the subdivision. The applicant has indicated that the relaxations are necessary due to steep topography constraints, grade requirements for drainage and small lot size.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the minimum 6 metre (20 ft.) requirement of separation between the principal building and detached garage to 4.9 metres (16.1 ft.) on Lots 3 to 12 and Lot 14 to 5.3 metres (17.4 ft.) on Lot 3 and 5.5 metres (18.0 ft.) on Lots 1 and 2.

Applicant's Reasons:

- The applicant is citing steep topography, shallow and narrow lots, and grade limitations due to drainage requirements.

Staff Comments:

- Though there are similar lots to the north that have been built without DVPs, the subject lots have greater constraints as they are dealing with steeper lot grades.

- RF-9 lots are the smallest permitted lots in Surrey with 9 metre (30 ft.) frontages. A few of the subject lots have reduced lot widths, two of which are at the minimum permitted reduced lot width of 7.9 metres (26 ft.). There is only one lot with a reduced lot width (8.8 metres/28.9 ft.) to the north.
- Other DVPs have been granted in the area where the topographical constraints are similar.
- Modifications have been made to both dwelling and garage design to improve the lots, minimize the impact of the encroachments and address grade limitations.
- The building elevation was lowered to decrease the number of risers needed to access the rear entry door. The proposed deck is the minimum permitted size, 0.84 square metres (9 sq. ft.), and is located directly above the stairwell landing for basement access. Because it is located above the permitted stairwell landing, it is not decreasing the amount of open space on the lots. The garage slab was also lifted so the garage wall adjacent to the back yard would act as a retaining wall for filling and leveling of the back yard making the remaining open space more functional.
- Detailed information has been provided to verify the steep topography, and the difficulty in achieving a conventional solution to the subject lots.
- The lots to the North managed to accommodate the topography and lot size by inseting the deck and stairs into one of the rear corners of the house. However, due to the steeper grades on the subject lots, the applicant has demonstrated that a DVP for building separation would still be required even with similar modifications to building design, as several additional risers would be needed to achieve access to grade. Only a considerable inseting of the deck into the livable part of the house, thus resulting in a reduction in floor area, would preclude the need for a DVP in this situation, which represents hardship.
- The builder is experienced and is conscious of designing functional and livable lots. They have worked to minimize the impact on the open space requirement of the lots while facilitating a rear entry door. In addition to this, they have created a consistent design for the development as a whole, especially for the lots across the rear lane from the subject properties.

The Planning and Development Department recommends the project be forwarded 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. Contour Map
- Appendix III. Site Plans
- Appendix IV. Engineering Comments
- Appendix V. Development Variance Permit No. 7906-0101-00

How Yin Leung  
Acting General Manager  
Planning and Development

JL/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:            Isle of Mann Construction  
                  Address:        12899 - 76 Avenue, Unit 288  
                                      Surrey, B.C. V3W 1E6  
                  Tel:             604-597-4555
  
2.     Properties involved in the Application
  - (a)    Civic Address:       6158, 6152, 6146, 6142, 6138, 6134, 6130, 6126, 6122,  
                                      6118, 6114, 6110, 6106 and 6102 - 150 Street
  
  - (b)    Civic Address:       6158 - 150 Street  
          Owner:            Whispering Ridge Development Corporation  
          PID:              026-397-269  
          Lot 1 Section 10 Township 2 Plan BCP19430
  
  - (c)    Civic Address:       6152 - 150 Street  
          Owner:            Whispering Ridge Development Corporation  
          PID:              026-397-277  
          Lot 2 Section 10 Township 2 Plan BCP19430
  
  - (d)    Civic Address:       6146 - 150 Street  
          Owner:            Whispering Ridge Development Corporation  
          PID:              026-397-285  
          Lot 3 Section 10 Township 2 Plan BCP 19430
  
  - (e)    Civic Address:       6142 - 150 Street  
          Owner:            Whispering Ridge Development Corporation  
          PID:              026-397-293  
          Lot 4 Section 10 Township 2 BCP19430
  
  - (f)    Civic Address:       6138 - 150 Street  
          Owner:            Whispering Ridge Development Corporation  
          PID:              026-397-307  
          Lot 5 Section 10 Township 2 BCP 19430
  
  - (g)    Civic Address:       6134 - 150 Street  
          Owner:            Whispering Ridge Development Corporation  
          PID:              026-397-315  
          Lot 6 Section 10 Township 2 BCP19430
  
  - (h)    Civic Address:       6130 - 150 Street  
          Owner:            Whispering Ridge Development Corporation  
          PID:              026-397-323  
          Lot 7 Section 10 Township 2 BCP19430

- (i) Civic Address: 6126 - 150 Street  
Owner: Whispering Ridge Development Corporation  
PID: 026-397-331  
Lot 8 Section 10 Township 2 BCP19430
- (j) Civic Address: 6122 - 150 Street  
Owner: Whispering Ridge Development Corporation  
PID: 026-397-340  
Lot 9 Section 10 Township 2 BCP19430
- (k) Civic Address: 6118 - 150 Street  
Owner: Whispering Ridge Development Corporation  
PID: 026-397-358  
Lot 10 Section 10 Township 2 BCP19430
- (l) Civic Address: 6114 - 150 Street  
Owner: Whispering Ridge Development Corporation  
PID: 026-397-366  
Lot 11 Section 10 Township 2 BCP19430
- (m) Civic Address: 6110 - 150 Street  
Owner: Whispering Ridge Development Corporation  
PID: 026-397-374  
Lot 12 Section 10 Township 2 BCP19430
- (n) Civic Address: 6106 - 150 Street  
Owner: Whispering Ridge Development Corporation  
PID: 026-397-382  
Lot 13 Section 10 Township 2 BCP19430
- (o) Civic Address: 6102 - 150 Street  
Owner: Whispering Ridge Development Corporation  
PID: 026-397-391  
Lot 14 Section 10 Township 2 BCP19430

### 3. Summary of Actions for City Clerk's Office

CONTOUR MAP FOR SUBJECT SITE

