

Proposal: DVP to reduce the minimum side yard setback of an accessory building and to eliminate the requirement for one additional parking space where a secondary suite or coach house is constructed for 3 recently approved RF-9C lots.

Recommendation: Approval to Proceed.

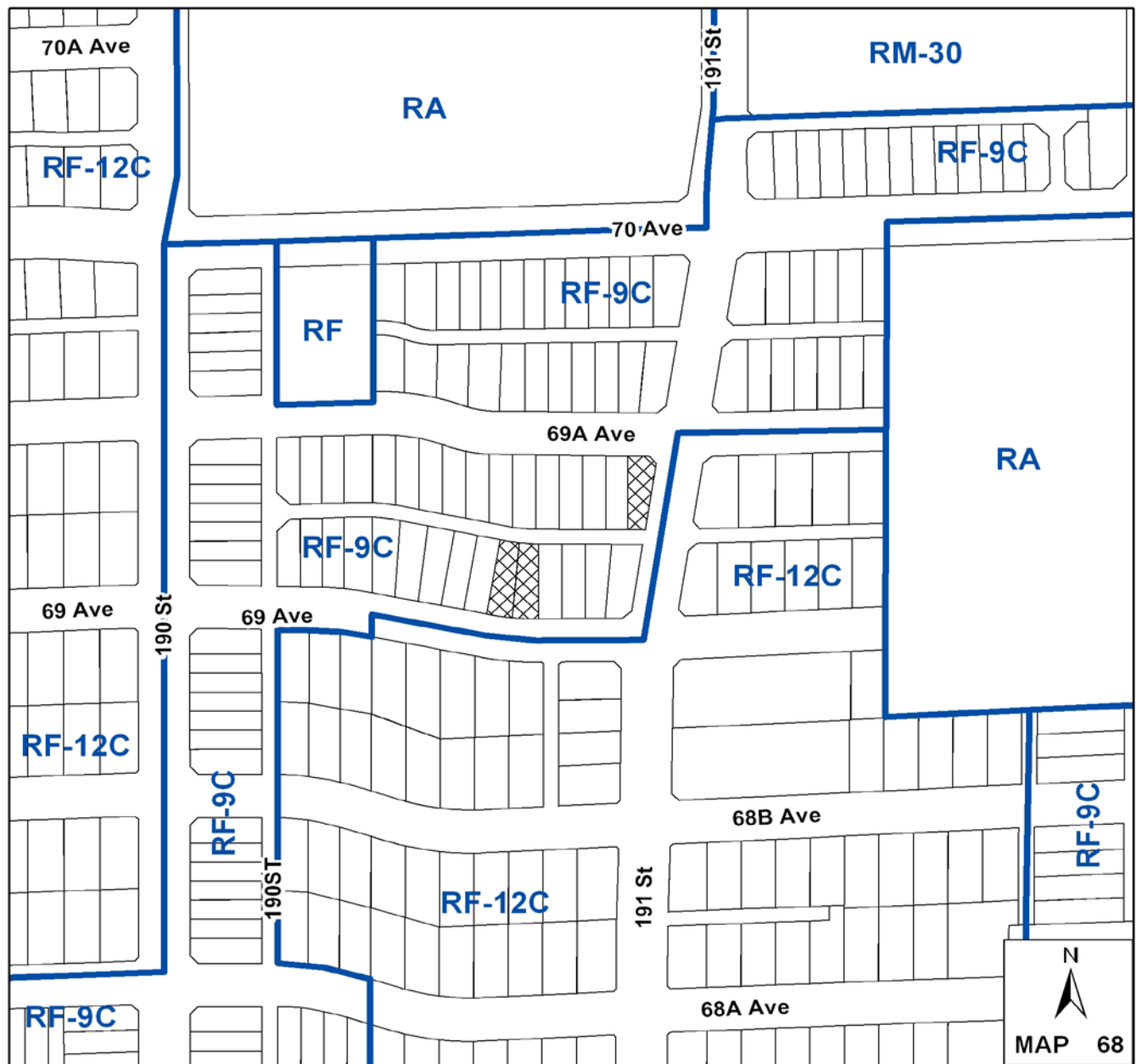
Location: 19073/77 - 69 Avenue/
19096 - 69A Avenue

Zoning: RF-9C

OCP Designation: Urban

NCP Designation: Low Density (6-10 upa)

Owner: Qualico Developments Inc.



PROJECT TIMELINE

Completed Application Submission Date: April 9, 2006
Planning Report Date: June 12, 2006

PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the following RF-9C regulations:
 - to reduce the minimum side yard setback for an accessory building from 2.8 metres (9 feet) to 1.9 metres (6.2 feet) for Lots 41 and 42;
 - to reduce the minimum side yard setback for an accessory building from 2.8 metres (9 feet) to 1.2 metres (4 feet) for Lot 36; and
 - to eliminate the requirement to provide one additional parking space where a secondary suite or coach house is constructed for Lots 36, 41 and 42

in order to permit the construction of double garages on three recently approved small lots in East Clayton.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0170-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) in the RF-9C Zone, where the side yard of an accessory building is 0 metre on one side, the minimum side yard on the opposite side shall be reduced from 2.8 metres (9 feet) to 1.9 metres (6.2 feet) for Lots 41 and 42;
 - (b) in the RF-9C Zone, where the side yard of an accessory building is 0 metre on one side, the minimum side yard on the opposite side shall be reduced from 2.8 metres (9 feet) to 1.2 metres (4 feet) for Lot 36; and
 - (c) to eliminate the requirement in the RF-9C Zone to provide one additional parking space where a secondary suite or coach house is constructed for Lots 36, 41 and 42.

REFERRALS

Engineering: No concerns (Appendix IV).

SITE CHARACTERISTICS

- **Existing Land Use** RF-9C zoned lots created under Application No. 7904-0160-00 with homes under construction.
- **East:** Across 191 Street, small single family lots, zoned RF-12C, designated Low Density (6-10 upa) in the East Clayton NCP.
- **South:** Across 69 Avenue, small single family lots, zoned RF-12C, designated Low Density (6 - 10 upa) in East Clayton NCP.
- **West:** Small single family lots, zoned RF-9C, designated Low Density (6-10 upa) in East Clayton NCP.
- **North:** Small single family lots, zoned RF-9C, designated Low Density (6-10 upa) in East Clayton NCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Background

- The subject properties (Lots 36, 41 and 42) all of Plan BCP19892 are located on the south side of 69A Avenue and to the west of 191 Street. These lots are zoned Single Family Residential (9) Coach House Zone (RF-9C) and comply with the Urban designation in the Official Community Plan (OCP) and the Low Density (6-10 upa) Designation in the East Clayton Neighbourhood Concept Plan (NCP).
- These lots were created as part of larger developments (Application Nos. 7904-0160-00 and 7904-0346), which involved the rezoning of two RA-zoned parcels into 54 lots under the RF-12C, RF-9C and RF-9S Zones. The rezoning by-laws for both projects were approved on July 25, 2005 and the subdivision was subsequently approved.
- As a result of minor curves in the road alignments of both 69 Avenue and 69A Avenue, 3 lots within the subdivision have rear lot widths that are narrower than the frontages.

Current Proposal

- The applicant now wishes to construct double garages on the 3 RF-9C lots with narrower rear yard widths (i.e. Lots 36, 41, and 42).

- Because a coach house or secondary suite in combination with a single family dwelling is a permitted use in the RF-9C Zone, this zone requires an accessory building to be sited with a minimum 2.8-metre (9 ft.) setback on one side of the lot in order to allow for a parking pad area beside the garage, in the event that a secondary suite or coach house is constructed.
- While the subject lots are too narrow at the rear to accommodate coach houses, there would be potential for a secondary suite in each of the houses on the subject lots.
- A double garage with a minimum width of 5.5 metres (18 feet) built with a zero side yard setback on one side of the lot leaves only 1.9 metres (6.2 feet) on the opposite side of the lot for both Lots 41 and 42.
- A double garage with a minimum width of 5.5 metres (18 feet) built at zero side yard setback on one side of the lot leaves only 1.2 metres (4 feet) on the opposite side of the lot for Lot 36.
- As a result, the applicant is requesting a variance to reduce the minimum side yard setback for an accessory building to 1.9 metres (6.2 feet) for Lots 41 and 42, and to 1.2 metres (4 feet) for Lot 36 (see By-law Variance section).
- Since the garages are proposed to be built with a zero side yard setback on one side, the applicant has registered reciprocal easement agreements with a Restrictive Covenant under Section 219 of the *Land Title Act*, between the following lots (all of Plan BCP13462 (as shown on Appendix V)):
 - Lots 36 and 35;
 - Lots 41 and 40; and
 - Lots 42 and 41
- The purpose of the easements is to allow the respective property owners to enter onto or use the easement area on the adjacent lot in order to construct, repair, maintain and inspect the garage sited along the shared property line.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variances:

- In the RF-9C Zone, where the side yard of an accessory building is 0 metre on one side, the minimum side yard on the opposite side shall be reduced from 2.8 metres (9 ft.) to 1.9 metres (6.2 feet), for Lots 41 and 42; and
- In the RF-9C Zone, where the side yard of an accessory building is 0 metre on one side, the minimum side yard on the opposite side shall be reduced from 2.8 metres (9 ft.) to 1.2 metres (4 feet) for Lot 36.

Applicant's Reasons:

- The current single family market conditions drive a need for houses with double garages rather than single garages. Due to the inconsistent shape (narrower at the rear) of the lot, the setback requirements in the RF-9C Zone will not allow these lots to accommodate a double garage, thereby denying these homeowners a very popular marketplace accessory building.

Staff Comments:

- The RF-9C Zone permits either a secondary suite or a coach house.
- The RF-9C Zone requires a minimum of 2 parking spaces for the principal dwelling and an additional parking space for a secondary suite or coach house. Tandem parking is prohibited.
- A double garage is 5.69 metres (18.6 ft.) wide. Due to the width of Lots 41 and 42, measured at the rear, a 5.69-metre (18.6 ft.) wide garage sited at a 0 setback only allows 1.9 metres (6.2 feet) on the opposite side of the lot while the RF-9C Zone requires 2.8 metres (9 ft.). A double garage 5.69 metres (18.6 ft.) wide on Lot 36, only allows 1.2 metres (4 feet) on the opposite side of the lot while the RF-9C Zone requires 2.8 metres (9 ft.).
- The configuration of the 3 lots makes it physically impossible to allow an additional parking pad at the rear.
- While this reduced area for the parking pad is below the standard width requirement of 2.8 metres (9 ft.), siting the garages at zero side yard setback will allow for more usable back yard space.
- The proposed siting of the garage on corner Lot 36 (zero side yard setback along west property line) will allow for improved visibility when vehicles are queuing up to turn onto 191 Street from the lane.
- Therefore, Planning staff support the proposed variances.

(b) Requested Variance:

- To eliminate the requirement in the RF-9C Zone to provide one additional parking space where a secondary suite or coach house is constructed for Lots 36, 41 and 42.

Applicant's Reasons:

- On-street parking is available on both sides of the street on 69 Avenue, 69A Avenue and 191 Street.
- The homes fronting 69A Avenue all have rear lane access.
- The homes fronting the north side of 69 Avenue have rear lane access.

- There should be sufficient on-street parking should the owners of Lots 36, 41, or 42 choose to construct a secondary suite.

Staff Comments:

- Lot 36 fronts onto 69A Avenue. This road permits on-street parking on both the north and south sides of the road. All the homes fronting 69A Avenue have mandatory rear lane access. Combined with the on-street parking on both sides of the road on 69A Avenue and 191 Street, there should be sufficient parking if a secondary suite is constructed on Lot 36.
- Lots 41 and 42 front onto 69 Avenue. This road also allows on-street parking on both the north and south sides of the road. The lots along the north side of the road have mandatory rear lane access, and the lots on the south side of the road have driveway access off of 69 Avenue. The lots on the south side can accommodate parking in double garages and on the driveways. Together with on-street parking available on both sides of the road, there should be sufficient on-street parking if either Lot 41 or 42 constructs a secondary suite.
- As such, Planning staff support the requested variance.

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.	Proposed Site Plan
Appendix IV.	Engineering Summary
Appendix V.	Development Variance Permit No. 7906-0170-00

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated June 5, 2006.

How Yin Leung
Acting General Manager
Planning and Development

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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: Mark Nowotny, Qualico Developments Inc.
 Address: #201 - 10331 - 150 Street
 Surrey, B.C. V3R 4B1
 Tel: 604-582-3011

2. Properties involved in the Application

(a) Civic Address: 19073 and 19077 - 69 Avenue; 19096 - 69A Avenue

(b) Civic Address: 19073 - 69 Avenue
 Owner: Qualico Developments Inc.
 PID: 026-430-835
 Lot 42 Section 16 Township 8 New Westminster District Plan BCP19892

(c) Civic Address: 19077 - 69 Avenue
 Owner: Qualico Developments Inc.
 PID: 026-430-827
 Lot 41 Section 16 Township 8 New Westminster District Plan BCP19892

(d) Civic Address: 19096 - 69A Avenue
 Owner: Qualico Developments Inc.
 PID: 026-430-771
 Lot 36 Section 16 Township 8 New Westminster District Plan BCP19892

3. Summary

(a) Proceed with Public Notification for Development Variance Permit No. 7906-0170-00.

CONTOUR MAP FOR SUBJECT SITE

