

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0245-00

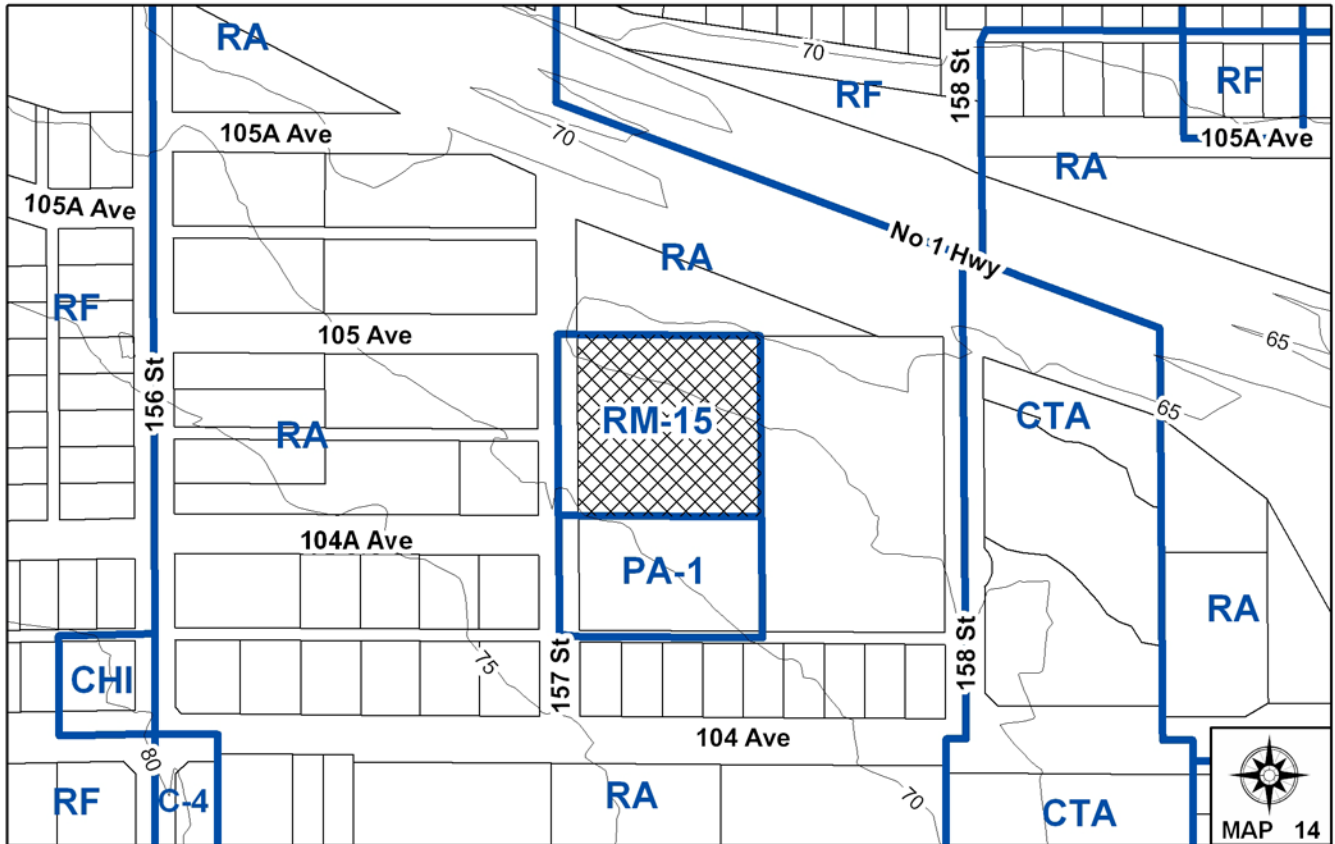
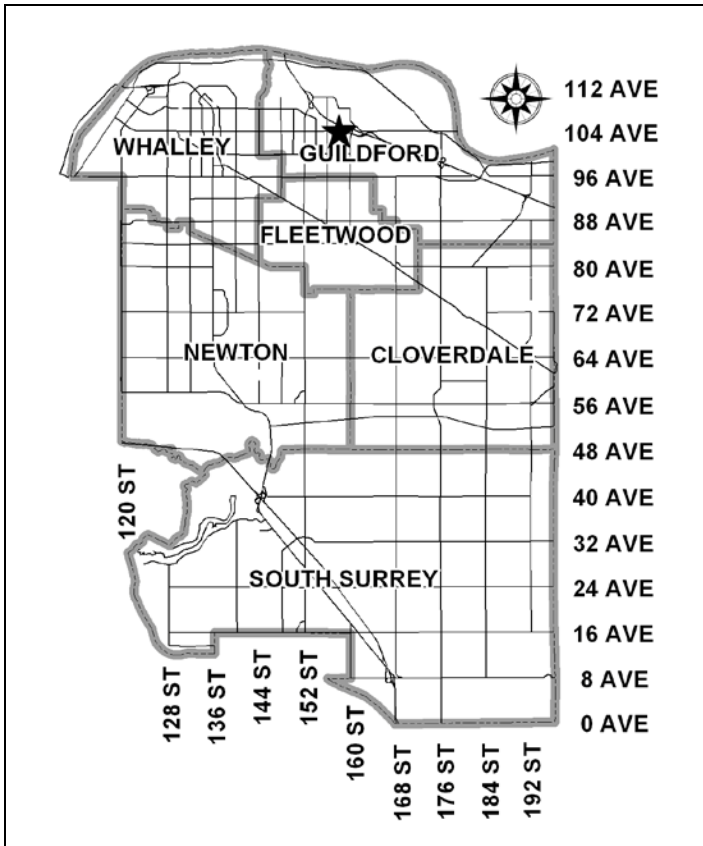
Planning Report Date: October 1, 2007

PROPOSAL:

- **Development Variance Permit**

in order to allow porches and stairs to encroach within the side yard setback of a recently constructed townhouse development.

LOCATION: 10468 - 157 Street
OWNERS: Erika Castellanos and Giuseppe Calla et al
ZONING: RM-15
OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposed porches and stairs encroach into required side yard setback.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7907-0245-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard (south) setback of the RM-15 Zone from 7.5 metres (25 ft.) to 6.7 metres (22 ft.) to the porch for Building 1; and
 - (b) to allow stairs consisting of three risers or more to encroach within the side yard (south) setback area for Building 1.

REFERRALS

Engineering: The Engineering Department has no objection to the project as outlined in Appendix II.

SITE CHARACTERISTICS

Existing Land Use: Recently constructed townhouse units.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North	A large residential lot containing a single detached dwelling.	Urban	RA
East:	A larger residential lot containing a single detached dwelling.	Urban	RA
South:	Church.	Urban	PA-1
West (Across 157 Street):	Large vacant lots.	Urban	RA

DEVELOPMENT CONSIDERATIONS

- The subject site is located at 10468 - 157 Street in the Guildford area. The 2-acre site is designated Urban in the Official Community Plan and was recently rezoned from "One-Acre Residential Zone (RA)" to "Multiple Residential 15 Zone (RM-15)" to allow the development of 14 townhouse units (Application No. 7905-0030-00). This application received final adoption on July 10, 2006.

- The townhouses have been partially constructed. In the course of the building permit and construction process, the developer determined that it is preferable to have access to the rear yards for all the townhouse units within the development.
- Approved Development Permit No. 7905-0030-00 indicates that the townhouse units in Buildings 2, 3 and 4 have access to the rear yards via sliding doors on the main floor level. However, Building 1 has no access to the rear yards from the main floor, due to the change in grade.
- The applicant is proposing to incorporate porches at the second level of the three townhouse units in Building 1 and stairs from the porches in order for the future residents to have access to their backyards. The proposed porches and stairs, which are more than 3 risers, would encroach within the 7.5-metre (25 ft.) side yard setback area requirement of the RM-15 Zone.
- The developer is requesting a Development Variance Permit to permit stairs ranging from 6 to 10 risers, and porches within the side yard (south) setback for Building 1 in order to allow access to the rear yards.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To vary the minimum side yard (south) setback of the RM-15 Zone from 7.5 metres (25 ft.) to 6.7 metres (22 ft.) to the porch for Building 1.

Applicant's Reasons:

- The proposed porches will allow for more outdoor space for the future residents of the three townhouse units and will allow for access to the backyards via the proposed stairs.

Staff Comments:

- Staff concur with the applicant's rationale.
- While a setback variance is proposed to the porch, the setback to the building face remains within the RM-15 Zone requirement of 7.5 metres (25 ft.).
- The proposed variance will not impact the church site to the south as it is the parking lot along the north side of the church site.
- Staff therefore support the proposed variance.

(b) Requested Variance:

- To vary Sub-section E.17(b) of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended, to permit stairs consisting of three (3) risers or more, as measured from finished grade, to encroach into the side yard (south) setback area for Building 1.

Applicant's Reasons:

- Stairs within the side yard (south) setback are proposed because there is no access to the rear yards for the three townhouse units in Building 1. In contrast, the other buildings in the townhouse development have access to the back yards via a sliding door from the main floor of the units.

Staff Comments:

- It is preferable for the residents of the three townhouse units in Building 1 to have access to their backyards, and the proposed encroachment will have little or no impact on the neighbouring church to the south; therefore staff support the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan and Building Elevations
Appendix III.	Engineering Summary
Appendix IV.	Development Variance Permit No. 7907-0245-00

Jean Lamontagne
General Manager, Planning and Development

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