

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0290-00

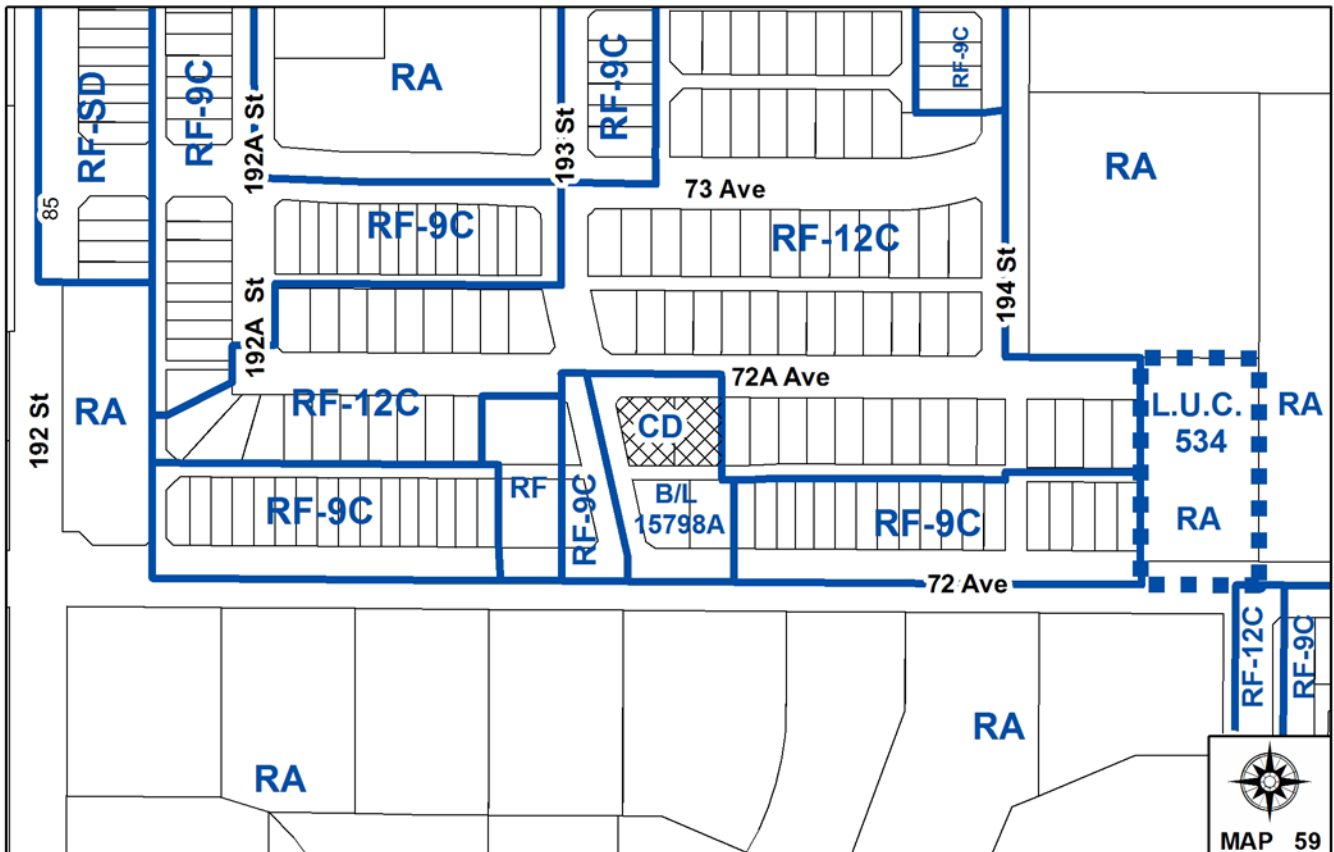
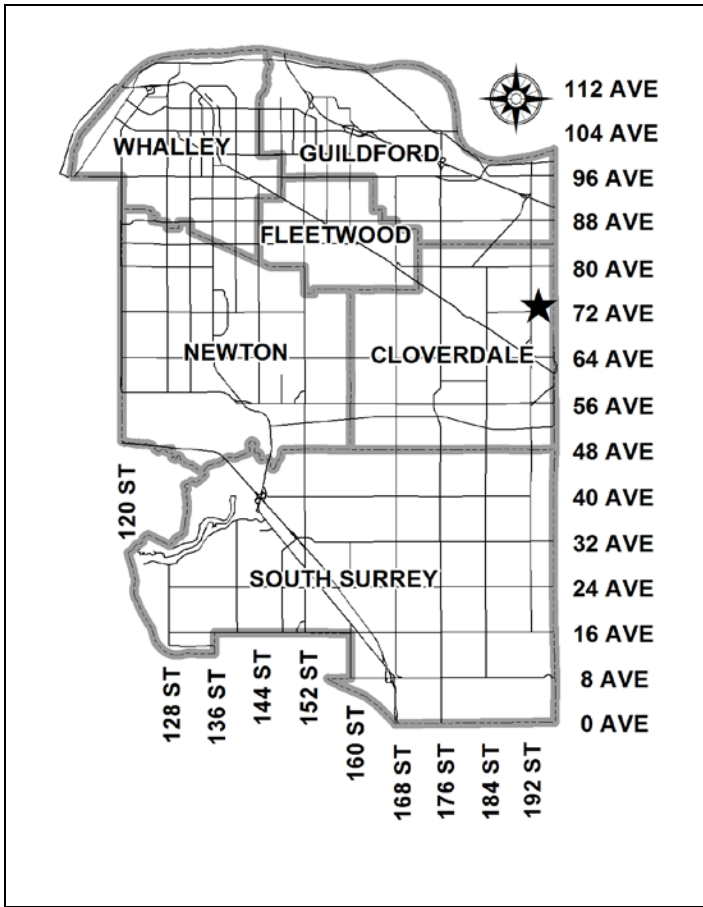
Planning Report Date: February 9, 2009

PROPOSAL:

- **Development Variance Permit**

in order to allow stairs of up to 7 risers to encroach into the front yard setback for two nearly completed manor houses.

LOCATION: 19316 and 19324 - 72A Avenue
OWNER: Rhapsody Ventures Ltd.
ZONING: CD (By-law No. 15798A)
OCP DESIGNATION: Urban
NCP DESIGNATION: Medium-High Density (15-25 upa)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requesting more than three stair risers within the front setback area for two manor houses.

RATIONALE OF RECOMMENDATION

- The approved Development Permit and Building Permit drawings showed one (1) riser projecting into the front yard setback. However, due to revisions to the final building grade, additional risers are required to provide access to the main floor of the nearly completed manor house units.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7908-0290-00, (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to vary Part 4 General Provisions of the Zoning By-law to increase the maximum number of risers encroaching into the front (northern) yard setback from 3 to 7.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Two nearly completed Manor Houses that were approved under Development Permit No. 7905-0003-00.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North (Across 72A Avenue):	Single family dwellings with coach houses.	Low Density 6-10 upa	RF-12C
East:	Single family dwellings with coach houses.	Low Density 6-10 upa	RF-12C
South (Across lane):	Manor homes.	Medium High Density (15-25 upa)	CD (By-law No. 15798A)
West (Across 193 Street):	Vacant lot with temporary retention pond. Third Reading approved for rezoning to CD (based on RM-23) in order to permit development of four manor homes.	Medium High Density (15-25 upa)	RF and RF-9C

DEVELOPMENT CONSIDERATIONS

- On January 11, 2005, the developer submitted an application (7905-0003-00) which included a rezoning to CD and Development Permit to allow the construction of the subject manor houses at the southeast corner of 193 Street and 72A Avenue.

- On October 16, 2006, Council approved the rezoning to CD (By-law No. 15798A) and Development Permit No. 7905-0003-00.
- The approved Development Permit drawings did not show more than 3 stair risers encroaching into the front yard setback. In total, 2 stair risers were indicated, for each of the four units fronting 72A Avenue, with 1 riser within the setback.
- Building permit drawings based on the approved Development Permit drawings were submitted by the applicant and a building permit was issued on April 15, 2008.
- It appears there was miscommunication between the project architect and the project civil engineer as the building permit drawings did not make provisions to account for revisions to the final building grade. As such, 6 additional stair risers are required to provide access to the main floor of the nearly completed manor house for a total of 8 stair risers with 7 in the setback area.
- A 0.5-metre (1.5 ft.) wide right-of-way to provide for connections, runs parallel the southern edge of 72A Avenue. The proposed stair risers will not intrude within this right-of-way.
- The proposed stair encroachment is shown in Appendix II.
- The applicant proposes to augment the landscaping to include screening the side of the stairs.
- The applicant has applied for a minor Development Permit (DP) amendment. Subject to approval of Development Variance Permit, proposed changes will be noted by staff in the DP drawings, including modifications to the landscape plan.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary Surrey Zoning By-law No. 12000, to increase the maximum number of risers encroaching into the front (northern) yard setback from 3 to 7.

Applicant's Reasons:

- Due to the difference in the grade between the main floors and 72A Avenue along the northern property line of the site, additional risers are required to provide access to the main floor.

Staff Comments:

- The additional risers are required to provide access to the main floor.
- As the manor houses are nearly completed, no other options are feasible.

- The applicant has proposed closed risers to the staircase , wooden railings and vinyl siding to screen the open area under the deck. The proposed façade upgrades are intended to improve the street interface of the development.
- As the building is sited in accordance with Development Permit No. 7905-0003-00, and as only additional risers to the stairs are being added, the variance will not impact the adjoining properties.
- Staff support the requested 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, Building Elevation and Cross Sections
Appendix III.	Development Variance Permit No. 7908-0290-00

Jean Lamontagne
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: Sonny Brar
 Address: #212 - 8322 - 130 Street
 Surrey, BC
 V3W 8J9
 Tel: 604-613-5476

2. Properties involved in the Application
 - (a) Civic Address: 19316 and 19324 - 72A Avenue

 - (b) Civic Address: 19316 - 72A Avenue
 Owner: Rhapsody Ventures Ltd., Inc. No. 801906
 PID: 026-926-890
 Lot 28 Section 22 Township 8 New Westminster District Plan BCP27707

 - (c) Civic Address: 19324 - 72A Avenue
 Owner: Rhapsody Ventures Ltd., Inc. No. 801906
 PID: 026-926-881
 Lot 27 Section 22 Township 8 New Westminster District Plan BCP27707

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7908-0290-00.