

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7909-0092-00

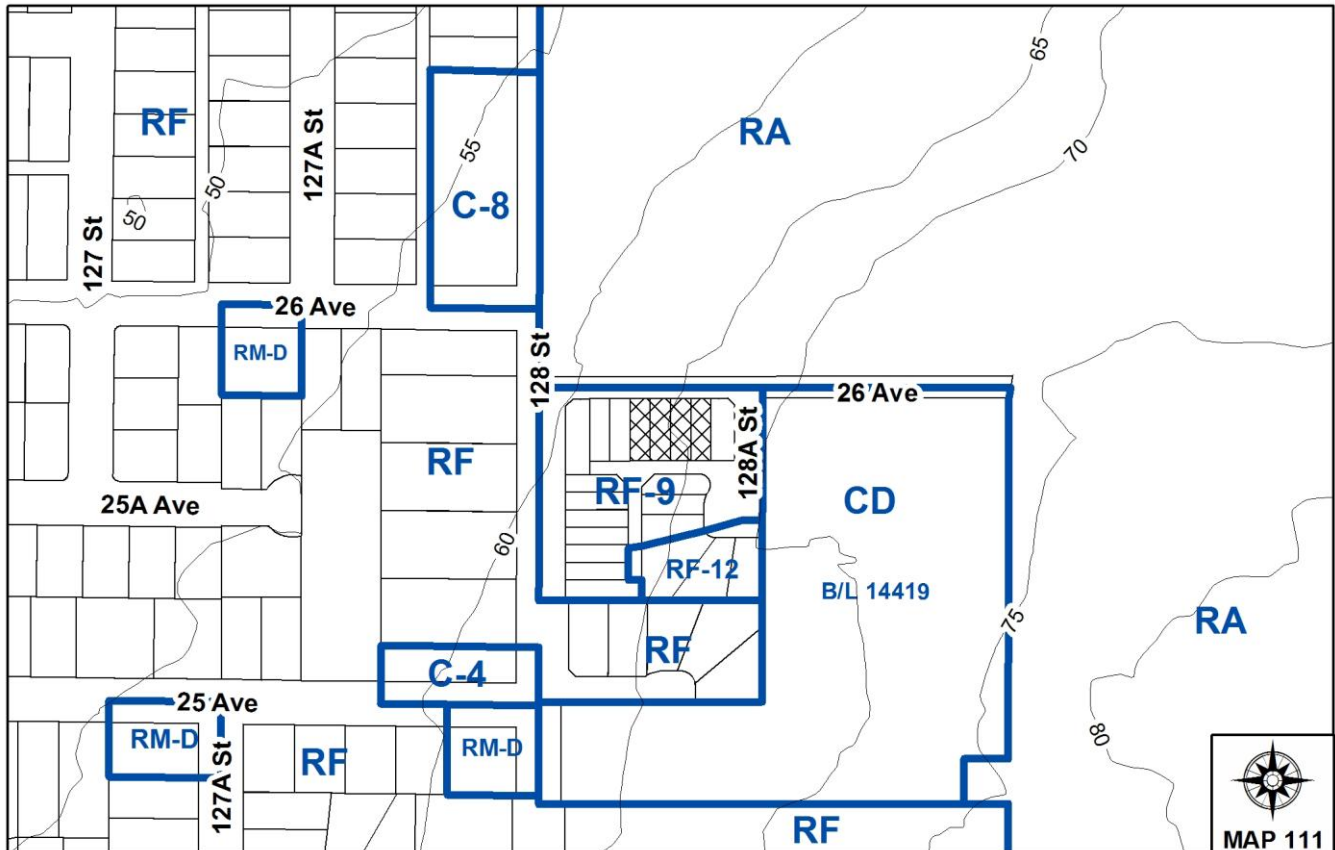
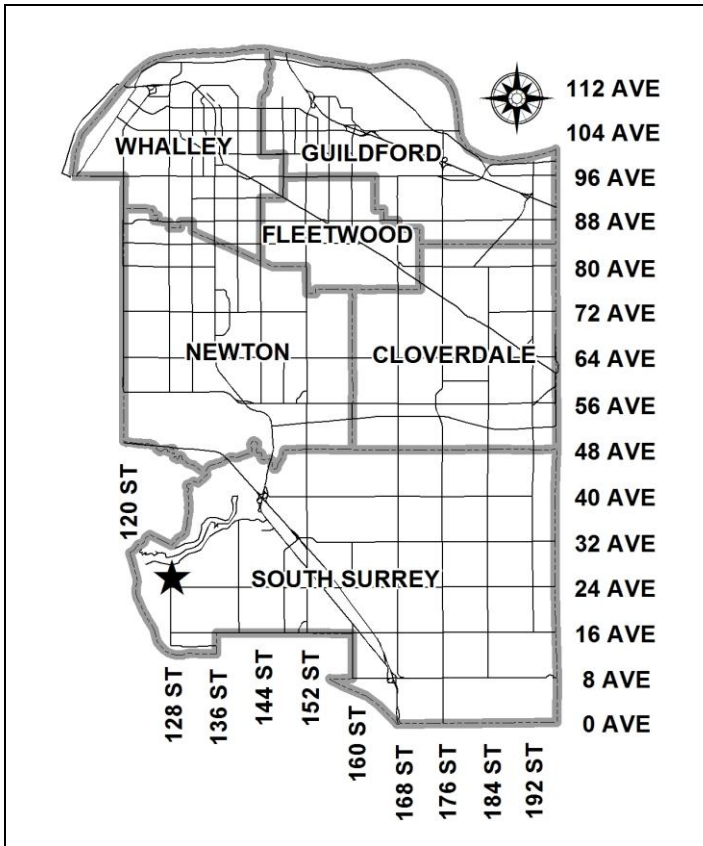
Planning Report Date: June 15, 2009

**PROPOSAL:**

- **Development Variance Permit**

in order to reduce the minimum required separation between the principal building and the detached garage from 6.0 metres (20 ft.) to 5.5 metres (18 ft.) on 4 single family small lots.

**LOCATION:** 12828/32/38/42 - 26 Avenue  
**OWNER:** Brian Woznikoski et al  
**ZONING:** RF-9  
**OCP DESIGNATION:** Urban  
**LAP DESIGNATION:** Urban Residential



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The RF-9 Zone requires a minimum separation of 6.0 metres (20 ft.) between the principal building and accessory building and structures (including detached garages or carports).
- The applicant proposes a Development Variance Permit (DVP) to reduce the minimum separation distance between the principal building and the detached garage from 6.0 metres (20 ft.) to 5.5 metres (18 ft.) on 4 existing RF-9 lots.

### RATIONALE OF RECOMMENDATION

- The proposed Development Variance Permit (DVP) is in response to a design constraint created by the steep slope of the rear lane which provides access to future detached garages on the subject lots. Without the proposed DVP, the driveways to the detached garages would be inaccessible to some vehicle types due to the grade change between the lane and the lots.
- Alternative solutions have been explored to adjust the house and garage locations in order to address this concern. The proposal to shift the garage 0.5 metres (2 ft.) closer to the principal building and away from the lane is the most reasonable option in order to allow the owner to retain the maximum floor area and a functional house plan, as well as respond to the existing lot constraints.
- The design consultant for the lots has confirmed that standard incursions such as concrete stairwells, decks, and stairs have been kept to a minimum to ensure that the reduced liveable rear yard space is designed for maximum efficiency and liveability.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7909-0092-00, (Appendix III) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum separation distance between the principal building and the detached garage of the RF-9 Zone from 6.0 metres (20 ft.) to 5.5 metres (18 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant lots.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North (Across 26 Avenue):	Crescent Park.	Suburban/Park	RA
East, South and West:	Vacant lots.	Urban/Urban Residential	RF-9

DEVELOPMENT CONSIDERATIONSBackground

- The subject proposal involves 4 currently vacant RF-9 lots located on the south side of 26 Avenue, just east of 128 Street. The 4 subject lots are part of a larger subdivision which includes a total of 18 RF-9 lots and 3 RF-12 lots. The Rezoning application that allowed the subdivision to proceed was approved by Council on April 30, 2007 (Project No. 7905-0400-00).
- While the 4 subject lots meet the lot size requirements of the RF-9 Zone, the rear lane which provides access to future detached garages on the lots, has a relatively steep slope. The lane slope is at the maximum permitted by the City (12%). Due to the steep lane slope, the future driveways on the lots will rise 0.28 metres (11 inches) on one side, and will fall 0.28 metres (11 inches) on the other. The resulting driveway slope would be a problem for most vehicles which would likely bottom out causing damage to the undercarriage.

- The solution proposed by the design consultant for the lots is to increase the length of the driveway by 0.5 metres (2 ft.). The detached garage would be situated 1.0 metres (4 ft.) from the rear property line, instead of the standard 0.5 metres (2 ft.). This would lower the driveway slope to allow cars to properly navigate the driveway without fear of damage.
- In order to achieve the additional 0.5 metres (2 ft.) length on the driveway, the applicant proposes to reduce the required separation between the detached garage and the principal building (dwelling) of the RF-9 Zone from 6.0 metres (20 ft.) to 5.5 metres (18 ft.). This variance is discussed below.

### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum required separation between the principal building and the detached garage of the RF-9 Zone from 6.0 metres (20 ft.) to 5.5 metres (18 ft.).

Justification for Variance:

- The required 6.0 metre (20 ft.) separation between the principal building and the detached garage constitutes the liveable rear yard on the lots and is therefore valuable outdoor space. However, it is also important that the future owners of these lots are able to access their garages and as such this is a trade-off situation.
- Other options for achieving the additional 0.5 metres (2 ft.) of driveway length were explored, but were deemed to be problematic:
  - The garage depth could be reduced but the proposed detached garages are already at the minimum depth required under the Zoning By-law (6.0 metres/20 ft.) and any further reduction would result in the garages being incapable of accommodating longer vehicles;
  - The required front yard setback of the principal building could be reduced from 3.5 metres (12 ft.) to 3.0 metres (10 ft.). However, due to the grading of the site, and the resulting need for front yard retaining walls and stairs, the design consultant feels this reduction would result in reduced landscaping and a less attractive streetscape; and
  - The house depth could be reduced, however, this solution results in a loss of valuable floor area, and could severely jeopardize the functionality of future floor plans, therefore, it is deemed onerous.
- The proposed 0.5 metre (2 ft.) reduction to the liveable rear yard has been identified as the optimal solution to address the severe site gradient, while not affecting the street front landscaping or impacting the future home size or design. The design consultant for the lots has confirmed that standard incursions such as concrete stairwells, decks, and stairs have been kept to a minimum. As such, while the liveable rear yard space has been reduced, it has been designed for maximum efficiency and liveability.
- Staff supports the 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. Site Plans and Building Elevations
- Appendix III. Development Variance Permit No. 7909-0092-00

Jean Lamontagne  
General Manager  
Planning and Development

RG/kms

v:\wp-docs\planning\plncom09\06081553rg.doc  
KMS 6/9/09 10:07 AM

Information for City Clerk

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

1. (a) Agent:      Name:                Brian Woznikoski  
                         Address:             3106 O'Hara Lane  
                                                Surrey, BC  
                                                V4A 3E7  
                         Tel:                     604-536-1385

2.      Properties involved in the Application

- (a)      Civic Addresses:      12828, 12832, 12838 and 12842 - 26 Avenue
  
- (b)      Civic Address:            12828 - 26 Avenue  
            Owner:                     Athwal Construction Inc., Inc. No. 403906  
            PID:                      027-086-441  
            Lot 11 Section 20 Township 1 New Westminster District Plan BCP30579
  
- (c)      Civic Address:            12832 - 26 Avenue  
            Owner:                     Athwal Construction Inc., Inc. No. 403906  
            PID:                      027-096-459  
            Lot 12 Section 20 Township 1 New Westminster District Plan BCP30579
  
- (d)      Civic Address:            12838 - 26 Avenue  
            Owner:                     Athwal Construction Inc., Inc. No. 403906  
            PID:                      027-096-467  
            Lot 13 Section 20 Township 1 New Westminster District Plan BCP30579
  
- (e)      Civic Address:            12842 - 26 Avenue  
            Owner:                     Brian Wayne Woznikoski  
            PID:                      027-096-475  
            Lot 14 Section 20 Township 1 New Westminster District Plan BCP30579

3.      Summary of Actions for City Clerk's Office

- (a)      Proceed with Public Notification for Development Variance Permit No. 7909-0092-00.

## DEVELOPMENT DATA SHEET

**Existing Zoning: RF-9**

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		1,019 m <sup>2</sup>
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures	52%	52%
Paved & Hard Surfaced Areas		
Total Site Coverage		
<b>SETBACKS</b> ( in metres)		
Front	3.5 m	3.5 m
Rear	6.5 m	6.5 m
Side #1 (East)	1.2 m	1.2 m
Side #2 (West)	1.2 m	1.2 m
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	9.5 m	9.5 m
Accessory	5.0 m	5.0 m
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total	4	4
<b>FLOOR AREA: Residential</b>	692 m <sup>2</sup>	692 m <sup>2</sup>
<b>FLOOR AREA: Commercial</b>		
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>	692 m <sup>2</sup>	692 m <sup>2</sup>

*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

## Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)	40 uph/16 upa	40 uph/16 upa
FAR (gross)		
FAR (net)	0.68	0.68
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	8	8
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
---------------	----	---------------------------------	----