

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0103-00

Planning Report Date: June 7, 2010

PROPOSAL:

- **Development Variance Permit**

in order to allow side-by-side two-car garages on RF-12 lots measuring less than 13.4 metres (44 ft.).

LOCATION:

6111 and 6137 - 145 Street

OWNER:

Amritpal and Jagdeep Gill et al

ZONING:

RF-12

OCP DESIGNATION:

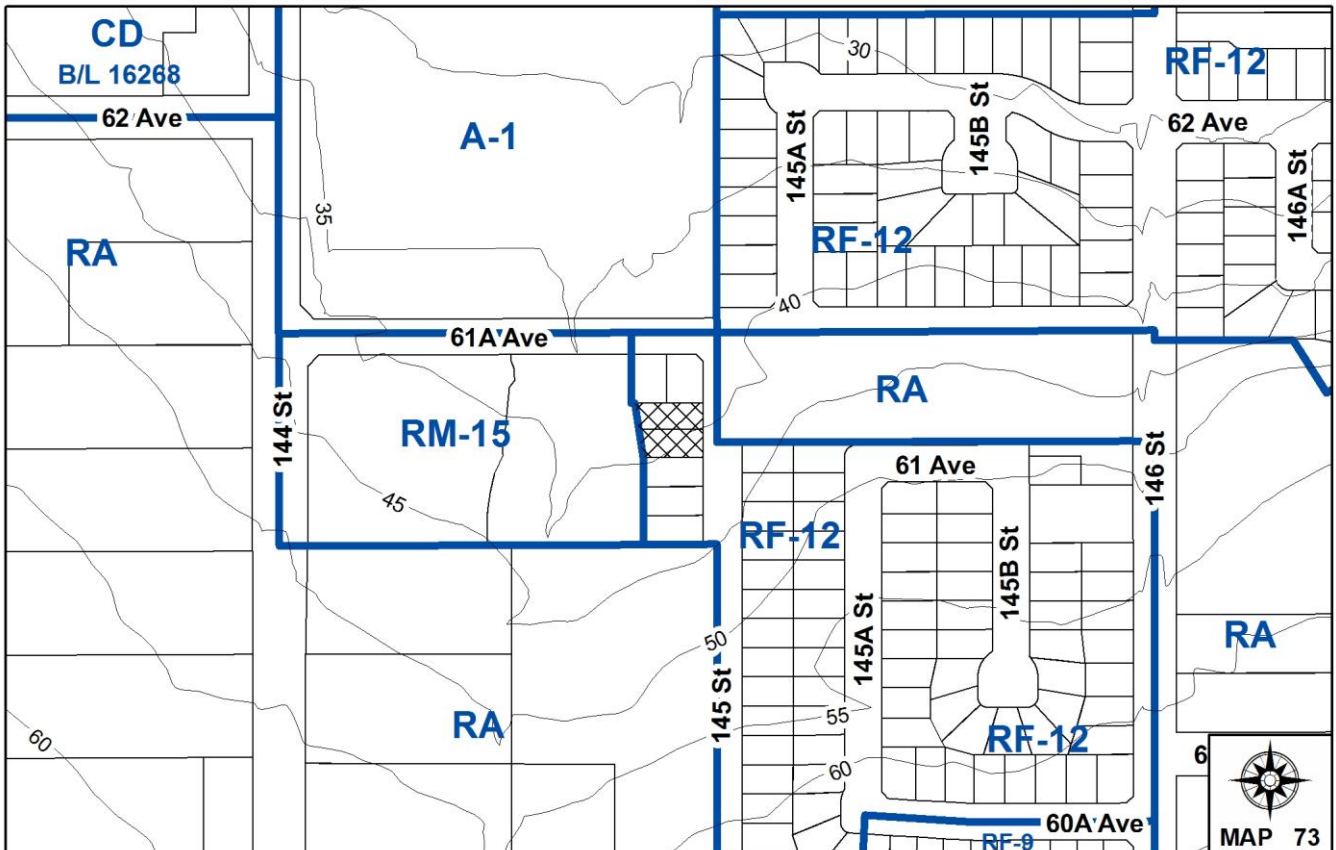
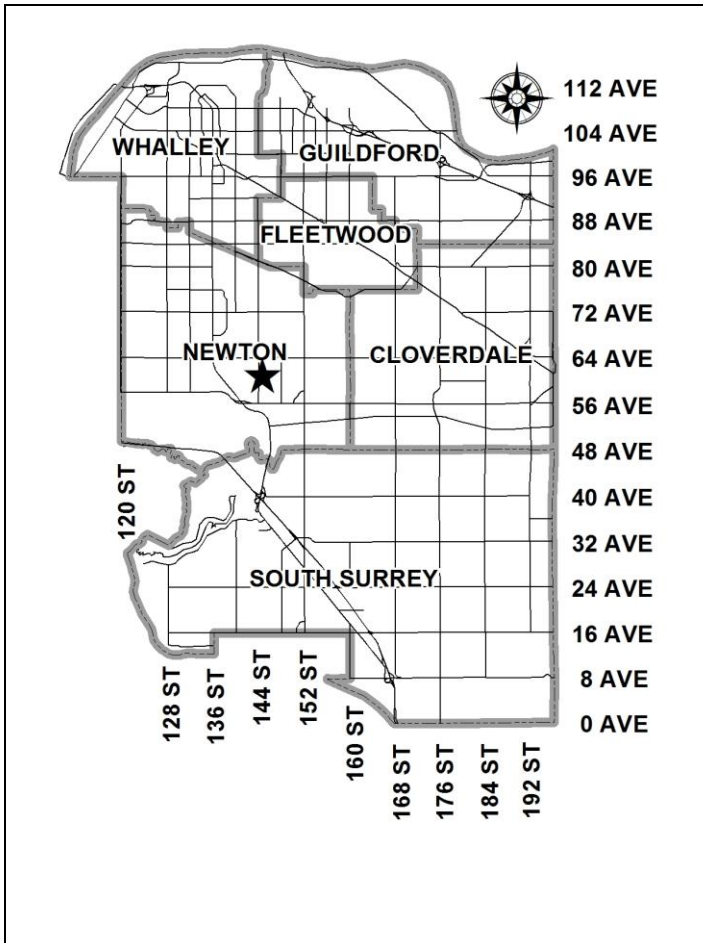
Urban

NCP/LAP

Single Family Residential Flex (6-

DESIGNATION:

14.5



RECOMMENDATION SUMMARY

- Deny the applicant's request for a Development Variance Permit to allow side-by-side, two-car garages on RF-12 lots measuring less than 13.4 metres (44 ft.).

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The subject lots were approved as part of development application No. 7906-0219-00. Lot 4 is 13.1 metres (43 ft.) wide and Lot 5 is 12.2 metres (40 ft.) wide under Surrey Zoning By-law, 1993, No. 12000, "a double-car garage or carport to accommodate two vehicles parked side-by-side shall not be permitted on any lot less than 13.4 metres (44 ft.) wide".

RATIONALE OF RECOMMENDATION

- Lots 4 and 5 were understood by the developer to allow only a single or tandem-single garage, due to their deficient width when these were created by subdivision in 2007. The developer acknowledged this constraint but chose to create these lots in order to maximize lot yield for the site. The purpose of the above mentioned restriction in the Zoning By-law is to limit the dominance of the garage at the front of the home. The garage should not take up more than 50 percent of the front of the home. The RF-12 Zone stipulates minimum side yard setbacks at 1.2 metres (4 ft.).
- On Lot 4, this leaves 10.7 metres (35 ft.) for the building envelope on a 13.1 metre wide (43 ft.) lot. On Lot 5, this leaves 9.8 metres (32 ft.) on a 12.2 metre (40 ft.) lot.
- Double garages are typically 5.5 metres (18 ft.) wide. Hence, on Lot 4, a maximum 10.7 metres (35 ft.) home, the garage would take up more than 50 (51%) percent of the front of the home. On Lot 5, a maximum 9.8 metres (32 ft.) home, the garage would take up more than 50 percent (56%) of the front of the home.
- If the Development Variance Permit is allowed, it will create precedent for more Development Variance Permit applications to build double-car garages on lots of less than 13.4 metres wide, which contravenes the Zoning By-law and adversely affects the streetscape.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Vacant single family lots zoned RF-12.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North and South:	New single family lots, not yet built.	Urban/Single Family Residential Flex – 16-14.5 upa	RF-12
West:	Riparian protection area dedicated under Project No. 7906-0219-00.	Urban/Creek Preservation Area	RM-15
East (Across 145 Street):	Vacant single family lots, not yet built.	Urban/Single Family Residential Flex 6-14.5 upa	RA and RF-12

DEVELOPMENT CONSIDERATIONSBackground

- The subject lots are located on the west side of 145 Street in the South Newton Neighbourhood Concept Plan (NCP). The site is designated “Urban” in the Official Community Plan and “Single Family Residential Flex 6 – 14.5 upa” in the South Newton NCP.
- The subject two (2) properties were created by subdivision in 2007 under Project No. 7906-0219-00. The original lot was rezoned under this project from "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)". In order to maximize the number of single family RF-12 lots on the site, the developer created two lots (Lots 4 and 5) with less than 13.4 metre widths. Lot 4 is 13.1 metres (43 ft.) and Lot 5 is 12.2 metres (40 ft).
- One of the limitations of RF-12 lots less than 13.4 metres wide is the prohibition of double garages/carports unless the said garages/carports are located at the rear of the single family house and has vehicle access from a rear lane. In this case, there is no lane access. The developer was

aware that Lots 4 and 5 would be limited to either a single or single-tandem garage. Despite this constraint, the developer proceeded to create these lots.

JUSTIFICATION FOR THE DEVELOPMENT VARIANCE PERMIT

(a) Requested DVP

- The developer now seeks to build homes with side-by-side two-car garages on 12.2 metre (40 ft) and 13.1 metre (43 ft.) wide RF-12 lots. A Development Variance Permit (DVP) is required to achieve this objective.

Applicant's Justification

- Single garage homes do not sell as well as two-car garage homes. There are pending sales on the two lots subject to a variance granted to allow double garages.

Staff Comments

- The applicant was fully aware when he subdivided the lots that the subject properties would be prohibited from having double side-by-side garages. Despite this understanding, the developer chose to create these lots.
- The Zoning By-law restricts two-car garages on RF-12 lots with smaller lot widths in order to limit the dominance of the garage at the front of small homes 12.2 metre (40.4 ft.) and 13.1 metre (43 ft.) wide lots are not large enough to allow for a two-car garage that takes up less than 50 percent of the front of the home.
- The 12.2 metre (40 ft.) and 13.1 metre (43 ft.) wide RF-12 lots were proposed by the developer in order to maximize the lot yield for the site.
- If this DVP is allowed, it will create precedent for others to try to justify two-car garages on small RF-12 lots and jeopardize the integrity of the RF-12 Zone.

Council Options

- Staff recommend that, due to the concerns noted above, Council deny the proposed Development Variance Permit.
- However, should Council support the proposal, it would be in order for Council to adopt the following recommendation:

"That Council approve Development Variance Permit No. 7910-0103-00 (Appendix III) varying the following on the two subject lots (Lots 4 and 5) to proceed to Public Notification:

- Relax Part 17A (RF-12) Section H.6 Off-Street Parking, to allow a lot less than 13.4 metres (44 ft.) wide to have a double garage with a maximum width of 5.5 metres (18 ft.) to accommodate two vehicles parked side-by-side."

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets and Survey Plan
- Appendix II. Proposed Subdivision Layout, Site Plan, Building Elevations Landscape Plans and Perspective
- Appendix III. Engineering Summary
- Appendix IV. Development Variance Permit No. 7910-0103-00

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: Paul Gill
 Address: 2855 – 169 Street
 Surrey, BC
 V3S 9W8
 Tel: 604-720-2890

2. Properties involved in the Application
 - (a) Civic Addresses: 6111 and 6137 – 145 Street

 - (b) Civic Address: 6111 – 145 Street
 Owner: Amritpal Singh Gill, Jagdeep Kaur Gill, Mohinder Singh Samra, Amrit Singh Gill, Jagdeep Kaur Gill, Mohinder Kaur Samra and Parvinder Kaur Samra
 PID: 027-167-844
 Lot 4 Section 10 Township 2 New Westminster District Plan BCP31838

 - (c) Civic Address: 6137 – 145 Street
 Owner: Amritpal Singh Gill, Jagdeep Kaur Gill, Mohinder Singh Samra, Amrit Singh Gill, Jagdeep Kaur Gill, Mohinder Kaur Samra and Parvinder Kaur Samra
 PID: 027-167-852
 Lot 5 Section 10 Township 2 New Westminster District Plan BCP31838

3. Summary of Actions for City Clerk's Office