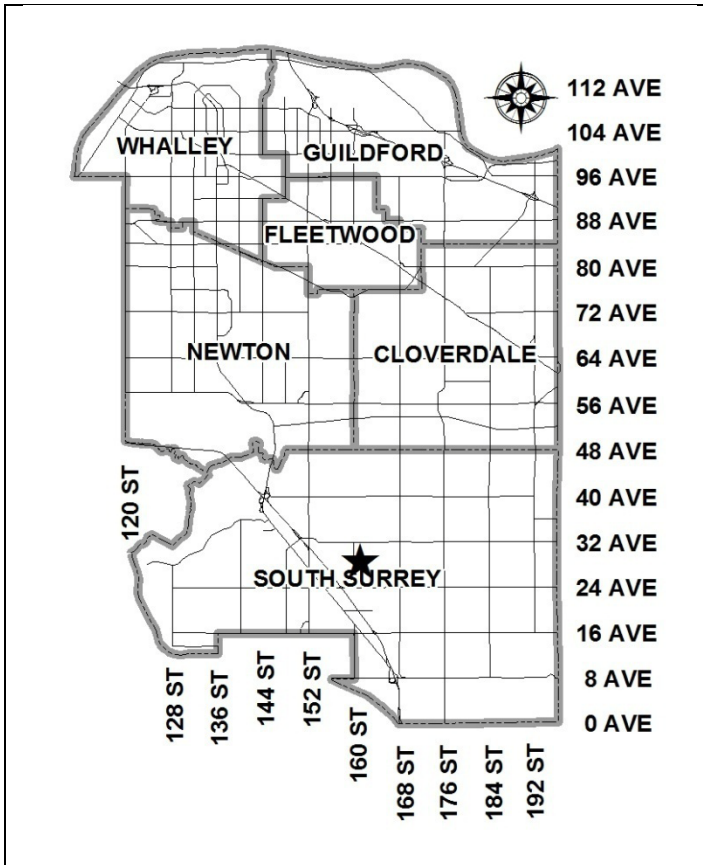


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0022-00

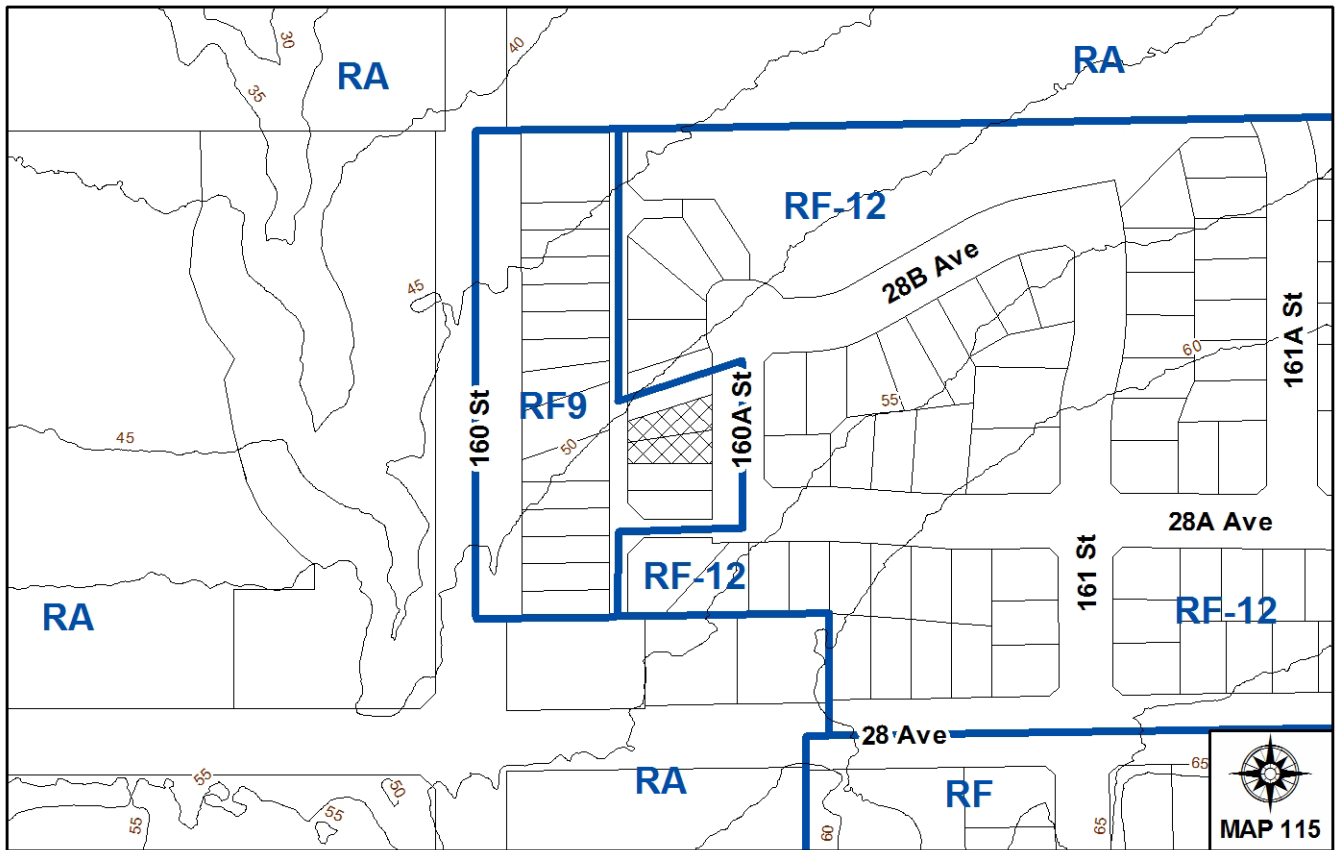
Planning Report Date: March 12, 2012



PROPOSAL:

- **Development Variance Permit**
 in order to permit two-car side-by-side garages on two irregularly shaped RF-9 lots.

LOCATION: 2861 and 2869 - 160A Street
OWNER: Qualico Developments (Vancouver) Inc., Inc. No. A26101 and Stronghold Capital Inc., Inc. No. 0760452
ZONING: RF-9
OCP DESIGNATION: Urban
NCP DESIGNATION: Single Detached (7 upa)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- A variance is required to vary the side yard setback requirement for detached garages on each lot from 2.8 metres (9 ft.) to 0.92 metres (3.0 ft.) for Lot 31 and 0.98 metres (3.2 ft.) for Lot 32, in order to accommodate two-car side-by-side garages.

RATIONALE OF RECOMMENDATION

- The RF-9 Zone stipulates a 2.8 metre (9 ft.) setback on one side so that an additional parking space can be provided. The RF-9 Zone requires 2 parking spaces for the principal dwelling, and an additional parking space for a secondary suite. Double-car garages are proposed on each lot, which will accommodate 2 parking spaces. Another on-site parking space cannot be accommodated on the lot, and therefore a secondary suite is not permitted on either lot. The applicant has agreed to register a Section 219 Restrictive Covenant on each lot, to indicate that secondary suites are not permitted.
- The configuration of the two RF-9 lots is unusual with the narrowing of the lots toward the rear of the property. The configuration makes it impossible to accommodate a double-car garage and the 2.8 metre (9 ft.) side yard setback.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7912-0022-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard setback of the RF-9 Zone from 2.8 metres (9 ft.) to 0.92 metres (3.0 ft.) on Lot 31 and 0.98 metres (3.2 ft.) for Lot 32.
2. Council instruct staff to resolve the following issue prior to approval:
 - (a) registration of a Section 219 Restrictive Covenant to prohibit secondary suites.

REFERRALS

Engineering: The Engineering Department has no objection to the Development Variance Permit.

SITE CHARACTERISTICS

Existing Land Use: Single Family Small Lots

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Grandview Greenway.	Urban/Linear Open Space	RF-9
East (Across 160A Street):	Single family lots.	Urban/Single Detached (7 upa)	RF-12
South:	Single family lots.	Urban/Single Detached (7 upa)	RF-9
West:	Single family lots.	Urban/Single Detached (7 upa)	RF-9

DEVELOPMENT CONSIDERATIONS

- The subject site is designated "Urban" in the Official Community Plan (OCP) and "Single Detached (7 upa)" in the North Grandview Heights Neighbourhood Concept Plan (NCP). The site consists of two RF-9 Type 1 lots, which were created on August 29, 2011, under Development Application No. 7910-0020-00.
- Lot 31 has a frontage width of 11 metres (36 ft.), and Lot 32 has a frontage width of 11.8 metres (39 ft.). The frontage is therefore above the minimum requirement of 9 metres (30 ft.) for RF-9 Type 1 interior lots.

- While the frontage is above the minimum requirement, these lots are irregularly shaped and taper to a width of 7 metres (23 ft.) at the rear of the lots, adjacent to the lane.
- The RF-9 Zone indicates that for Type 1 lots, one side yard setback of an accessory building including a garage may be 0 metres (0 ft.) and the opposite side yard setback must be a minimum of 2.8 metres (9 ft.). However, Lots 31 and 32 are not wide enough to accommodate a double-car garage and a 2.8 metre (9 ft.) setback on one side. Therefore, the applicant has requested a variance to this requirement.
- The reason that the RF-9 Zone stipulates a 2.8 metre (9 ft.) setback on one side is so that an additional parking space can be provided. The RF-9 Zone requires 2 parking spaces for the principal dwelling, and an additional parking space for a secondary suite. Double-car garages are proposed on each lot, which will accommodate 2 parking spaces. Another on-site parking space cannot be accommodated on these lots.
- Because the extra parking space cannot be provided, a secondary suite is not permitted on Lots 31 and 32. The applicant has agreed to register a Section 219 Restrictive Covenant on each lot, to indicate that secondary suites are not permitted.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- to reduce the minimum side yard setback for an accessory building or structure on the opposite side of the lot of the RF-9 Zone from 2.8 metres (9 ft.) to 0.92 metres (3.0 ft.) for Lot 31 and to 0.98 metres (3.2 ft.) for Lot 32.

Applicant's Reasons:

- Lots 31 and 32 are located adjacent to the Grandview interceptor and associated multi-use pathway (Grandview Greenway) within the dedicated parkland. The pathway runs on an angle such that Lots 31 and 32 are irregular, pie-shaped lots with narrow frontage on the rear lane. As a result, it is not possible to meet the minimum 2.8 metre (9 ft.) side yard setback requirement for the detached two-car garage.

Staff Comments:

- Lots 31 and 32 are unable to accommodate a double-car garage and a parking pad for an additional parking space, because of the narrow lot width (7 metres / 23 ft.) adjacent to the lane.
- The applicant has agreed to register a Section 219 Restrictive Covenant on the title of the property, to alert future owners that secondary suites are not permitted on the property.
- Because the extra parking space is only needed if there is a secondary suite, and because a secondary suite is restricted on these two lots, the variance can be supported.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary
- Appendix II. Development Variance Permit No. 7912-0022-00

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

HK/kms

\\file-server1\net-data\csdc\generate\areaproduct\save\7222677094.doc
. 3/8/12 11:19 AM

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0022-00

Issued To: QUALICO DEVELOPMENTS (VANCOUVER) INC., INC. NO. A26101
("the Owner")

Address of Owner: 310 - 5620 - 152 Street
Surrey, BC V3S 3K2

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 028-678-605
Lot 31 Section 24 Township 1 New Westminster District Plan BCP49118

2861 - 160A Street

Parcel Identifier: 028-678-613
Lot 32 Section 24 Township 1 New Westminster District Plan BCP49118

2869 - 160A Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F.1 of Part 17C "Single Family Residential (g) Zone" the minimum side yard setback for an accessory building or structure including a garage on the opposite side of lot for Lot 31 is varied from 2.8 metres (9 ft.) to 0.92 metres (3.0 ft.); and
 - (b) In Section F.1 of Part 17C "Single Family Residential (g) Zone" the minimum side yard setback for an accessory building or structure including a garage on the opposite side of lot for Lot 32 is varied from 2.8 metres (9 ft.) to 0.98 metres (3.2 ft.).
4. The siting of buildings and structures shall be in accordance with the drawing numbered 7912-0022-00(A) (the "Drawing") which is attached hereto and form part of this development variance permit.

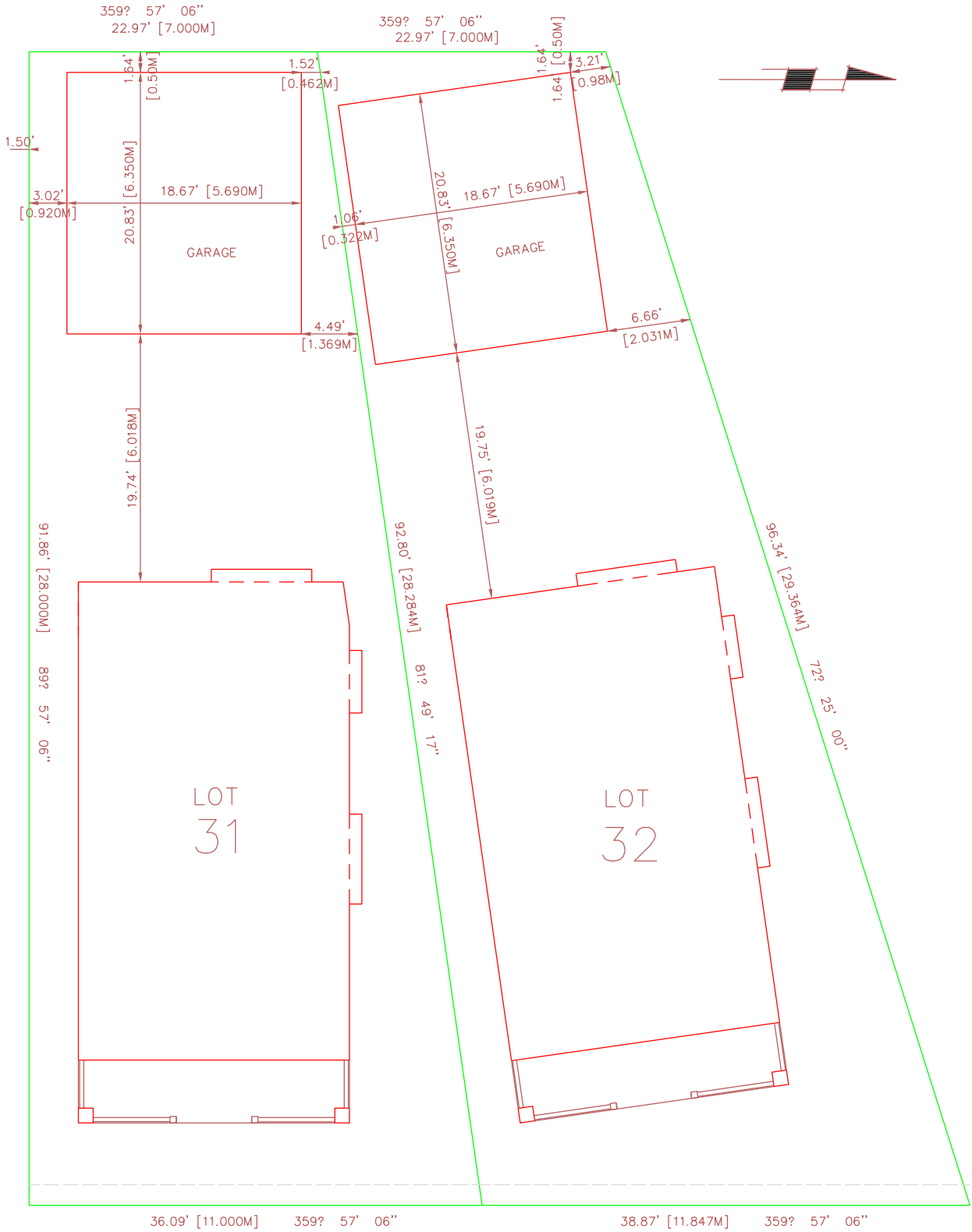
5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
6. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan

LANE



160A STREET