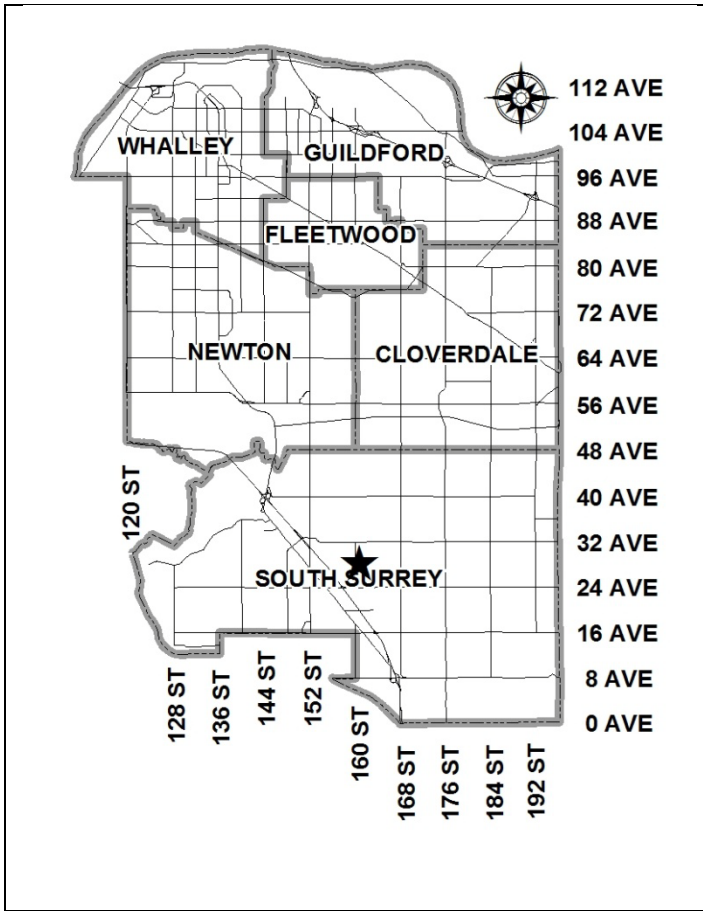


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0230-00

Planning Report Date: October 1, 2012



PROPOSAL:

Development Variance Permit

in order to permit the construction of double-car garages on two existing RF-9 lots.

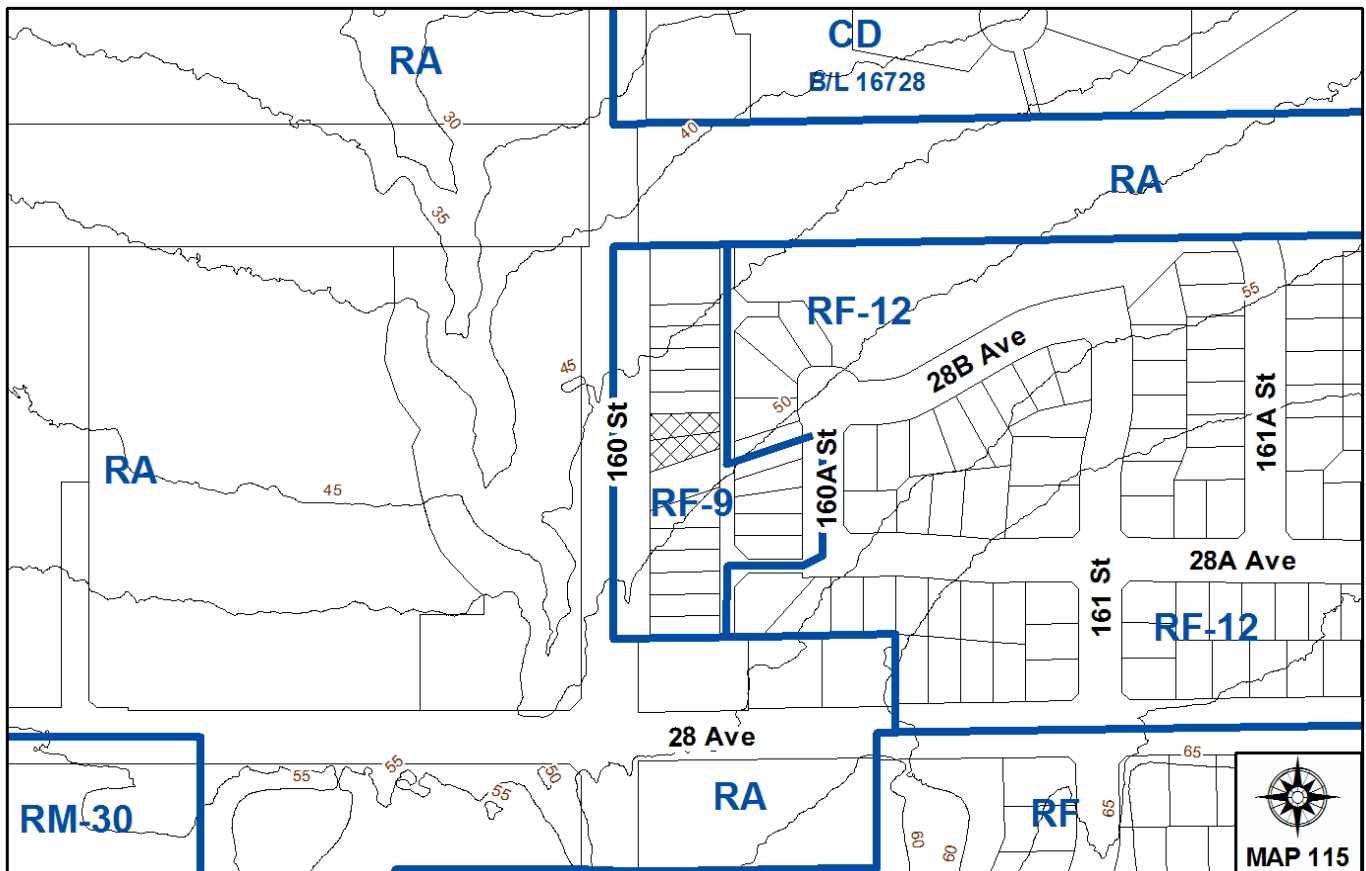
LOCATION: 2866 160 St
 2862 160 St

OWNER: o859905 B C Ltd., Inc.

ZONING: RF-9

OCP DESIGNATION: Urban

NCP/LAP DESIGNATION: Single Detached (7 u.p.a.)(North Grandview Heights NCP)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- A relaxation of the side-yard setbacks of the RF-9 zone is required in order to accommodate construction of a 2-car (side-by-side) garage at the rear of the lot.

RATIONALE OF RECOMMENDATION

- The 2 subject properties are irregular shaped RF-9 lots and narrow to 7 metres at the rear. This narrow width does not allow enough space to accommodate the minimum sized 2 car garage while adhering to the required side yard setback from each property line and minimum separation distance between the garage and the principal building.
- Planning supports the proposed variance provided that a restrictive covenant is registered on title that stipulates a minimum garage width of 6m (19.68 ft), to ensure the garages are built to accommodate two vehicles, as well as registration of a restrictive covenant prohibiting secondary suites as there is insufficient space to accommodate a third parking stall.

RECOMMENDATION

1. Council approve Development Variance Permit No. 7912-0230-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) On Lot 6 to reduce the RF-9 zone minimum side yard setback for Accessory Buildings and Structures from 2.8 metres (9.2 ft.) to 1.4 metres (4.6 ft.);
 - (b) On Lot 7 to reduce the minimum side yard setback for Accessory Buildings and Structures of the RF-9 Zone from 2.8 metres (9.2 ft.) to 0.75 metres (2.46 ft.).
2. Council instruct staff to resolve the following issue prior to approval:
 - (a) registration of a Section 219 Restrictive Covenant prohibiting a secondary suite.
 - (b) registration of a Section 219 Restrictive Covenant specifying a minimum garage width of 6.0 metres between interior walls.
 - (c) Submission of a finalized site plan to the satisfaction of the Planning & Development Department.

REFERRALS

Engineering: The Engineering Department has no objection to the proposal subject to the requirements outlined in Appendix II

Parks and Recreation: Parks and Recreation has no objections to the proposal.

SITE CHARACTERISTICS

Existing Land Use: Single family residence under construction.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Single Family Residential (Under construction).	Urban/Single Detached (North Grandview NCP)	RF-9
East:	Single Family Residential (Under construction).	Urban/Single Detached (North Grandview NCP)	RF-9
South:	Grandview Greenway.	Urban/Linear Open Space (North Grandview NCP)	RF-9
West (Across 160 th St):	Single Family Residential (Acreage) & riparian area	Urban/Cluster Housing (North Grandview NCP)	RA

DEVELOPMENT CONSIDERATIONS

- The 2 subject properties are zoned RF-9, are designated “Urban” in the OCP, “Single Detached” (7 u.p.a.) in the North Grandview Heights NCP, and were created in August 2011 under application 7910-0020-00 as part of a 120 lot RF-9 and RF-12 development. They front 160th Street and have laneway access from the rear.
- The subject properties meet the minimum area and frontage requirements of the RF-9 zone (Type I), however they are irregularly shaped and taper to 7.6 and 7.0 meters at the rear. This irregular configuration is due to the orientation of the Grandview Greenway, which traverses the area in an angled direction and is immediately adjacent to Lot 7.
- The RF-9 zone allows a minimum side yard setback of 0.0 metres for accessory buildings and structures on one side of the lot, provided that the opposite side-yard setback of accessory buildings and structures is at least 2.8 metres. This typically allows for the accommodation of an exterior parking pad.
- This narrow width of the subject properties does not allow enough space to accommodate the minimum sized 2 car garage while adhering to the RF-9 side yard setbacks and minimum separation distance from the garage to the principal building.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- The RF-9 zone allows for the side yard setback for an accessory building to be reduced to 0.0 metres provided that the opposite side yard setback for an accessory building is minimum 2.8 metres (9.2 ft).
- This variance permit will allow the side yard setback to be 0.0 metres along the north property line for Lots 6 and 7, with the opposite side yard setback being a minimum 1.4 metres (4.6 ft.) on Lot 6, and 0.75 metres (2.46 ft.) on Lot 7.

Applicant's Reasons:

- The geometry of the lots, combined with the existing setback requirements, prohibits the applicant from being able to construct a 2-car side-by-side garage at the rear of the lot. Most other lots in the subdivision, created at the same time, do not present this problem.

Staff Comments:

- There are several other RF-9 lots within the vicinity of the subject properties, also utilizing the same laneway with double-car garages.
- The City has experienced a significant on and off street parking demand associated with small lot single family zones. Both lots front an arterial road (160th Street) and are over 80m from the nearest on-street parking, located on 28B Avenue. Each lot has only enough space to provide 2 parking spots.

- It is common for residents to use garage space for storage, while utilizing street parking for vehicles. The 5.5 metre minimum width of garages in the RF-9 zone is particularly conducive to this.
- In order to assist in ensuring that both garage parking spaces on the subject property are utilized as such, the applicant will be required to register a section 219 restrictive covenant stipulating that any garage constructed be oversized to the RF-zone requirements of 6.0 metre minimum interior width. This will help to relieve parking demand on the neighbourhood, and provide more room for storage space.
- The lots are not wide enough to accommodate a third parking space on a parking pad next to the garage. The applicant will also be required to register a Section 219 restrictive covenant to inform future owners that a secondary suite is prohibited as result of the parking limitation.
- The reduced setbacks will have no impact on the use of or access to neighbouring properties.
- Staff support the proposed variance with the above-mentioned conditions.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I	Lot Owners and Action Summary
Appendix II	Engineering Requirements
Appendix III	Development Variance Permit 7912-0230-00
Appendix IV	Draft Site Plan

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DS:saw

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0230-00

Issued To: o859905 B C Ltd

({the Owner{)

Address of Owner: 14489 77 AVE
SURREY BC V3S 9K8

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: 028-677-951
Lot 6 Section 24 Township 1 Plan BCP49118
2866 160 St

Parcel Identifier: 028-677-960
Lot 7 Section 24 Township 1 Plan BCP49118
2862 160 St

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

In Part 17C, Section F.1(4), the minimum side yard setback for Accessory Buildings and Structures on Lot 6 shall be permitted 0.0 metres (0.0 ft) when the opposite side yard setback for Accessory Buildings and Structures is a minimum of 1.4 metres (4.6 ft.).

In Part 17C, Section F.1(4), the minimum side yard setback for Accessory Buildings and Structures on Lot 7 shall be permitted 0.0 metres (0.0 ft) when the opposite side yard setback for Accessory Buildings and Structures is a minimum 0.75 metres (2.46 ft.).
4. This development variance permit applies to only the portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of

this development variance permit. The siting of buildings on the Land shall be in accordance with that shown on Schedule A.

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.

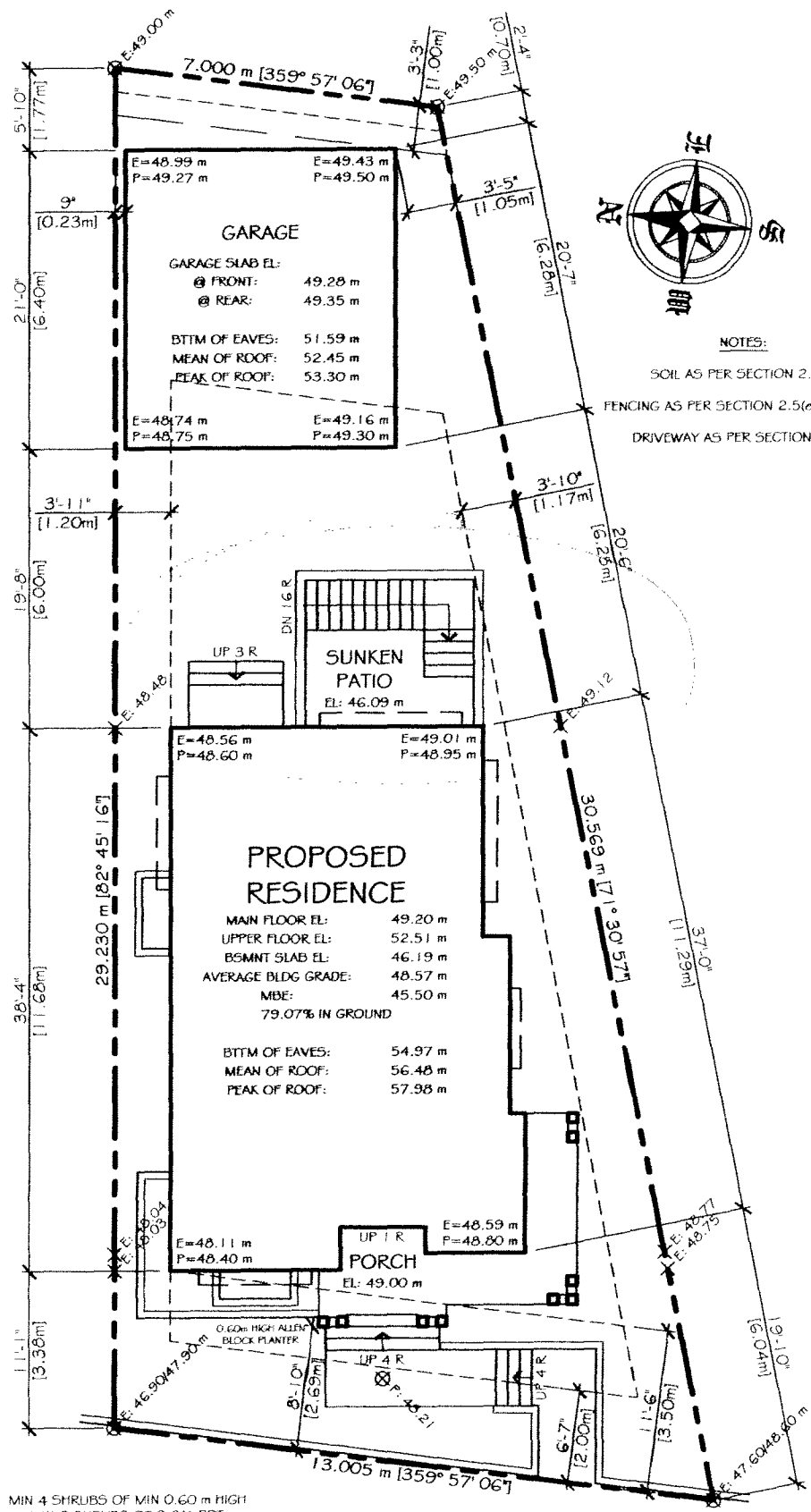
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan

LA, EAST OF 160 STREET

DRAFT



MIN 4 SHRUBS OF MIN 0.60 m HIGH
 MIN 8 SHRUBS OF 3 GAL POT
 SOD TO STREET

LOT 7
 2862 160 STREET

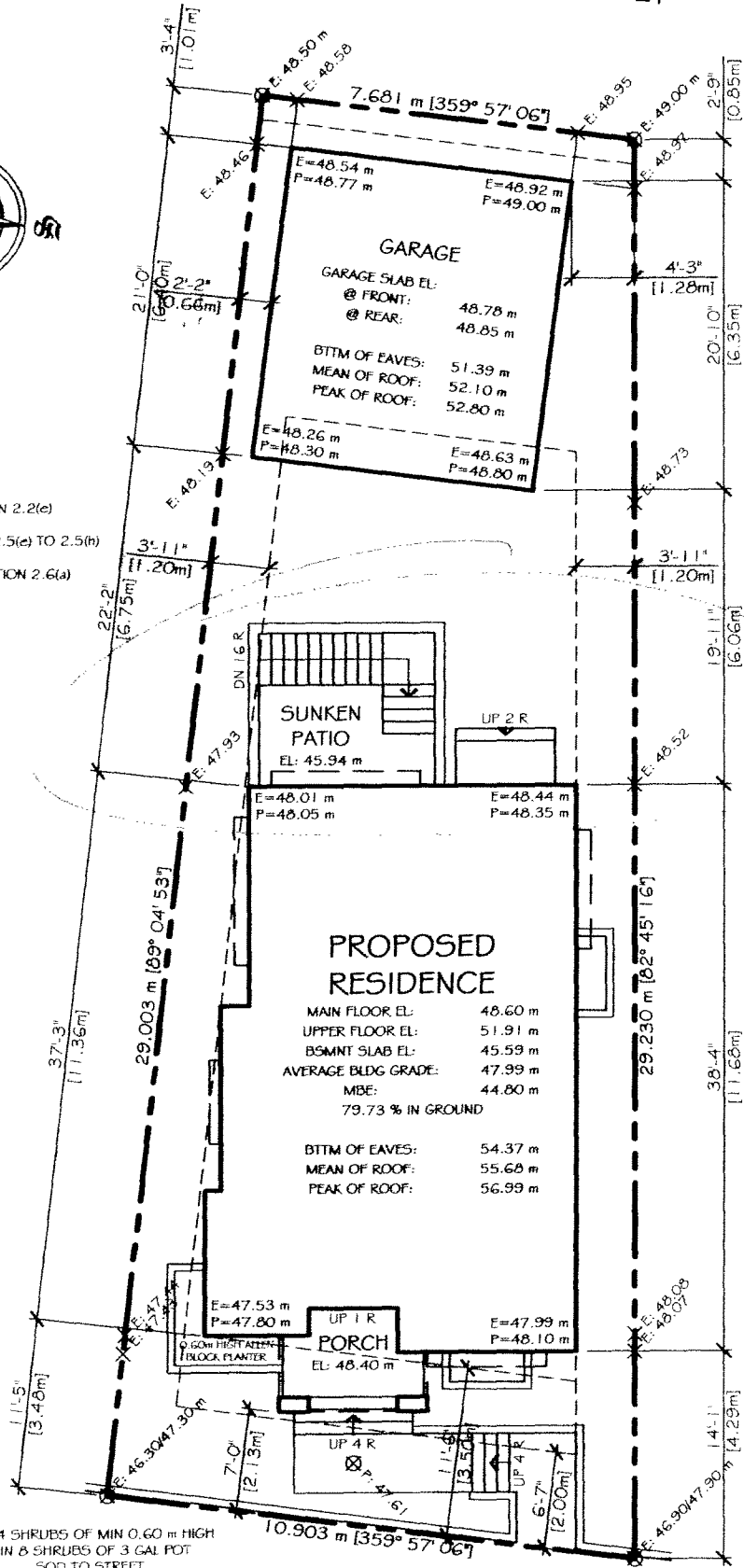
DRAFT

LANE EAST OF 160 STREET



NOTES:

- SOIL AS PER SECTION 2.2(e)
- FENCING AS PER SECTION 2.5(e) TO 2.5(h)
- DRIVEWAY AS PER SECTION 2.6(a)



LOT 6
2866 160 STREET