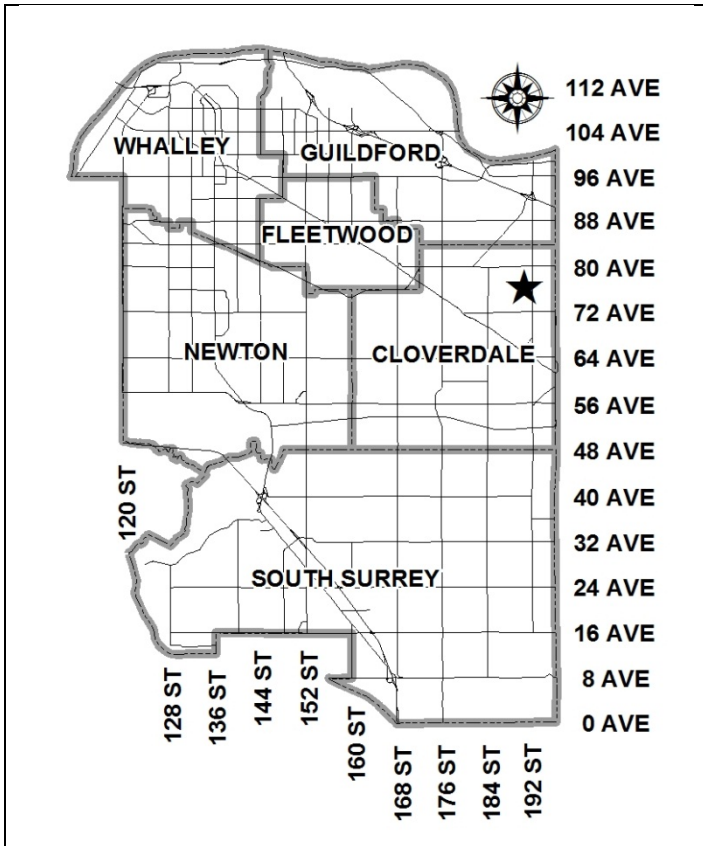


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0163-00

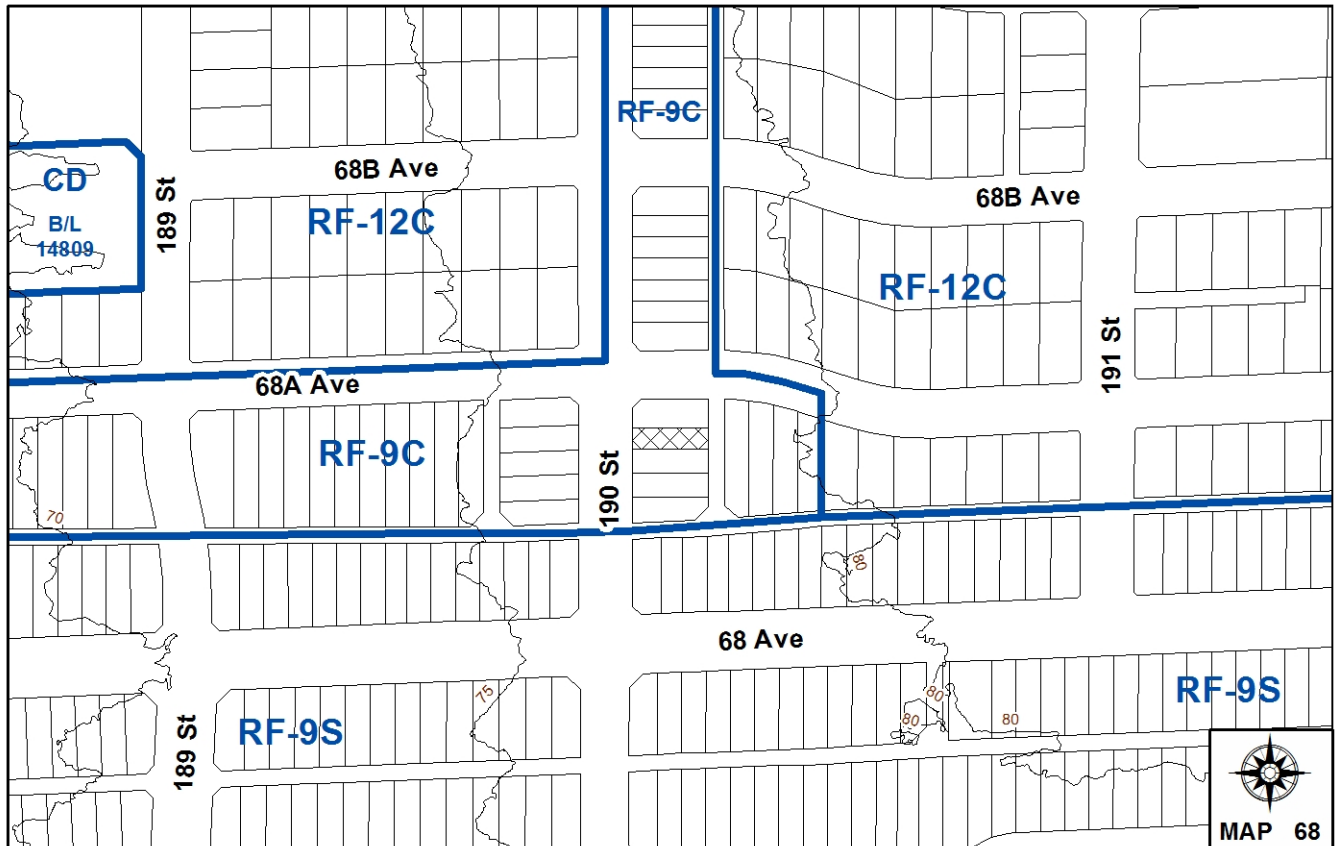
Planning Report Date: September 9, 2013



PROPOSAL:

- **Development Variance Permit**
 in order to permit the construction of a garage with reduced length of parking spaces.

LOCATION: 6840 - 190 Street
OWNER: Bradley Harker and Karyn Emmons
ZONING: RF-9C
OCP DESIGNATION: Urban
NCP DESIGNATION: 10 - 15 u.p.a. (Medium Density)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking relaxation to the length of parking spaces.

RATIONALE OF RECOMMENDATION

- Due to building setback and separation requirements, a variance to the length of the two parking spaces is required for a detached garage to receive final building inspection.
- Length of both parking spaces within the side-by-side double garage are below the minimum length requirement of the Zoning By-law but are above the minimum small car parking space length.
- The owner is able to park their two existing vehicles within the garage.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7913-0163-00 (Appendix III) varying the following to proceed to Public Notification:

- (a) to vary Section B of Part 5 of Zoning By-law No. 12000 to reduce the length of parking spaces within a double garage from from 6.1 metres (20 ft.) to 5.1 metres (17 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling and detached garage.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Single family dwelling.	10 – 15 u.p.a. (Medium Density)	RF-9C
East (Across lane):	Single family dwelling with coach house.	10 – 15 u.p.a. (Medium Density)	RF-9C
South:	Single family dwelling.	10 – 15 u.p.a. (Medium Density)	RF-9C
West (Across 190 Street):	Single family dwelling.	10 – 15 u.p.a. (Medium Density)	RF-9C

DEVELOPMENT CONSIDERATIONS

- The subject site is located at 6840 – 190 Street and is designated Urban under the Official Community Plan (OCP), is designated at 10 – 15 u.p.a (Medium Density) under the East Clayton Neighbourhood Concept Plan (NCP) and is zoned Single Family Residential (9) Coach House Zone (RF-9C).
- The subject site was rezoned from RA to RF-9C in 2004 as part of Development Application 7903-0287-00, which created 53 lots zoned RF-9C, 12 lots zoned RF-12C, 16 lots zoned RF-9S, and 1 lot zoned RF (total of 82 single family residential lots).
- Although the RF-9C Zone allows for coach houses, the subject lot (and all the homes in the vicinity facing 190 Street) has opted to construct a basic, single-storey detached garage rather than a detached garage with a coach house.
- On December 21, 2004, a building permit was issued for the construction of a single family dwelling on the subject lot that was to be used as a show home. The building permit that

was issued was for a single family dwelling only, and did not include a building permit for a detached garage.

- Besides being a show home, this house was also one of the first RF-9C homes constructed in Surrey on a narrow 7.9-metre (26 ft.) wide lot. As the RF-9C Zone was newly created, builders and developers were not familiar with the intricacies of the small lot zone. The garage was not constructed until after the show home/house was completed.
- In 2005, the then owner (Qualico Homes) constructed a detached garage on the property, without a permit, that did not meet the minimum depth requirements in the RF-9C Zone.
- In 2007, Qualico Homes applied for a building permit to legalize the subject garage. The building permit application has sat dormant since 2007 as a Council-approved Development Variance Permit (DVP) is required to reduce the depth of the existing garage before a building permit can be issued.
- In July 2013, Qualico Homes applied for a DVP on behalf of the current owners.
- The exterior depth of a detached garage is typically 6.3 metres (21 ft.) which allows for a 6.1-metre (21 ft.) long parking space from interior wall to interior wall. As per the RF-9C Zone, siting of the garage must also meet the 6-metre (20 ft.) separation requirement between the house and garage as well as a minimum 0.5-metre (1.5 ft.) rear yard setback.
- As the parking spaces within the existing double garage are only 5.1 metres (17 ft.) in length whereas the Zoning By-law requires a minimum length of 6.1 metres (20 ft.), a DVP is required to reduce the length of the parking spaces. Approval of the DVP would, in turn, allow the Building Division to issue a building permit for the garage, which could lead to the garage being granted final approval by the Building Division.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary Part 5 of Zoning By-law No. 12000 to reduce the length of two parking spaces within a double garage from 6.1 metres (20 ft.) to 5.1 metres (17 ft.).

Applicant's Reasons:

- The garage is already constructed and Council-approval of the proposed variance is required to legalize the building.
- Without a DVP, the garage would need to be demolished. Reconstruction would be problematic as there is not enough rear yard to allow a detached garage of the required depth and still achieve the minimum setback required between the single family dwelling and the detached garage.
- The owners have two vehicles which currently fit within the existing garage dimensions.

Staff Comments:

- The size and floor plate of the single family dwelling was such that it precluded the construction of a detached garage that would have been able to meet both the minimum depth for a detached garage and the minimum separation between the detached garage and the single family dwelling. On most single family lots, the size and location of the single family dwelling is adjusted to ensure that the minimum garage depth and separation distance can be achieved.
- The existing single family dwelling on the site was constructed as a show home and was one of the first homes constructed on a 7.9-metre (26 ft.) wide RF-9C zoned lot.
- The proposed parking space length of 5.1 metres (17 ft.) exceeds the 4.9-metre (16 ft.) minimum for small car parking spaces.
- Staff are concerned that granting a reduction to the length of the parking spaces within the existing detached garage will prohibit the parking of standard size cars or large vehicles on site, thereby exacerbating the widely recognized existing on-street parking problems in East Clayton. However, the current owners reportedly have only two vehicles and both fit within the subject garage.
- Due to the setback and separation requirements, a garage cannot be constructed on the lot without a variance, and the applicant will have no garage if a variance is not approved.
- Staff support the proposed variance in this instance.

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. 7913-0163-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JKS/da

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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0163-00

Issued To: Bradley Harker and Karyn Emmons

("the Owner")

Address of Owner: 6840 - 190 Street
SURREY, BC V4N 5P2

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: 026-060-442
Lot 53 Section 16 Township 8 Plan BCP13462
6840 - 190 Street

(the "Land")
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

Part 5, Section B, is varied to reduce the length of a parking space within a double garage is reduced from 6.1 metres to 5.1 metres.
4. The siting and construction of buildings and structures shall be in accordance with the drawings numbered 7913-0163-00 (A) through to and including 7913-0163-00 (B) (the "Drawings") which are 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.

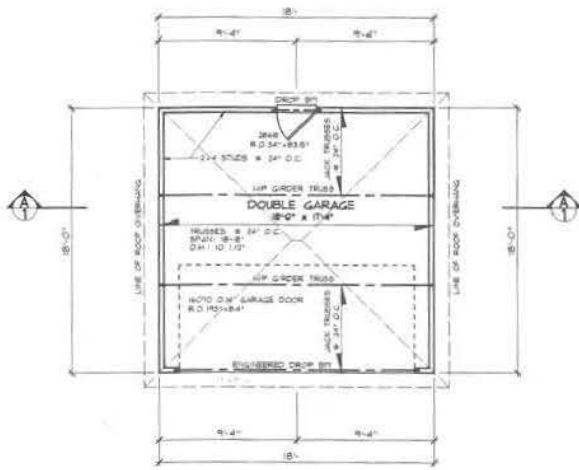
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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

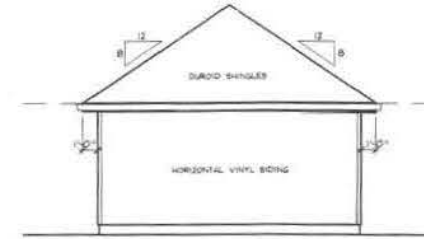
City Clerk – Jane Sullivan



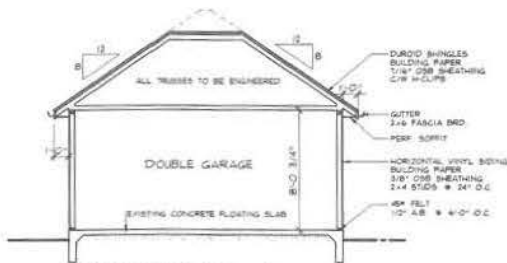
GARAGE FLOOR PLAN
336 SQ.FT.



FRONT ELEVATION



RIGHT ELEVATION



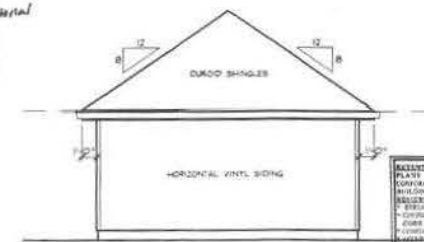
SECTION A

45 min. rated wall
e. lean to R



REAR ELEVATION

Roof pitch, finish material
& siding to match
dwelling



LEFT ELEVATION

PERMIT: ALL CONSULTANT DESIGN PLANS ARE EXTENDED FOR CONFORMANCE WITH THE EQUIPPED BUILDING CODE. ALL L.A.S. BUILDING CODES SHALL APPLY. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING CODE. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING CODE. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING CODE.

THESE PLANS HAVE BEEN REVIEWED FOR SUBSTANTIAL COMPLIANCE WITH THE MINIMUM STANDARDS OF THE B.C. BUILDING CODE, CURRENT EDITION. DEVELOPMENT PERMITS WHERE APPLICABLE AND ALL RELEVANT MUNICIPAL BYLAWS DETAILS ON THE PLANS WHICH EXCEED THE ABOVE NOTED MINIMUM STANDARDS ARE NOT CONSIDERED IN THE ISSUANCE OF THIS PERMIT.
NOTE: THE REVIEW OF THESE PLANS DOES NOT GUARANTEE COMPLIANCE.
DATE: 05/01/2005 PLAN CHECKER: [Signature]

Tyvan Consulting Ltd.
THESE PLANS CONFORM WITH THE REGISTERED BUILDING SCHEME.
Signature: [Signature]
Date: [Date]
Company: Tyvan Consulting Ltd.
Address: 13820 108th AVENUE
City: Burnaby B.C. V3T 2K4
Phone: (604) 281-6792
Fax: (604) 281-6822

QUALICO DEVELOPMENTS (VANCOUVER) INC.
SUITE 201-10331-180TH STREET, SURREY, B.C. V3R 4B1 PHONE: 592-3011

DESIGNED BY: CANTON
SCALE: 1/8" = 1'-0"
DATE: MAY 11, 2005

PROJECT: DOUBLE GARAGE (18'- WIDE)
TOTAL FLOOR AREA: 336 SQ.FT.
LOT NUMBER: 53
SUBDIVISION: 18th - 140th Street

REVISIONS

NO.	DATE	DESCRIPTION
1		City Hall

SHEET 1 OF 1