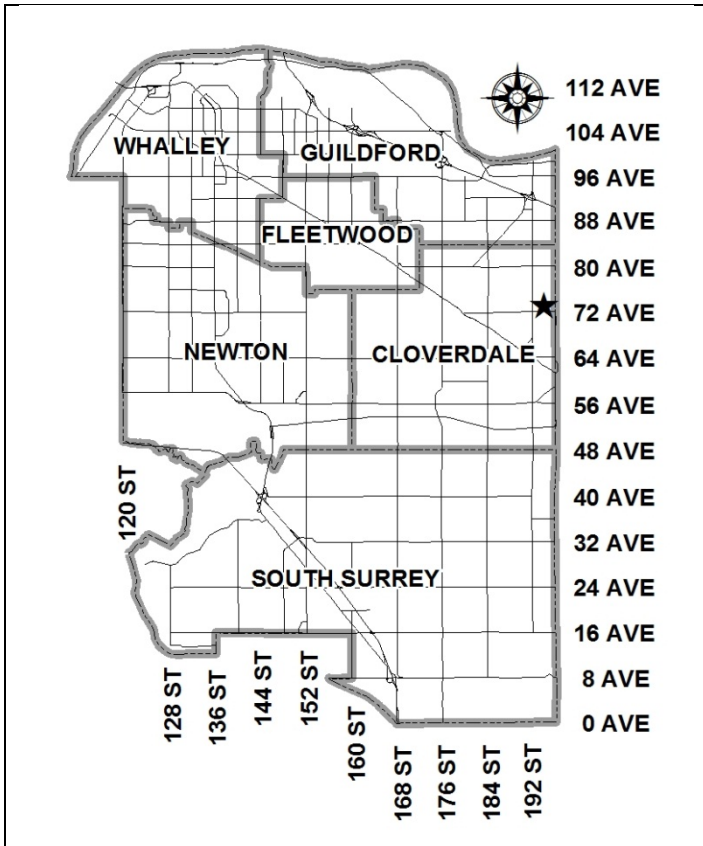


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0186-00

Planning Report Date: October 28, 2013



PROPOSAL:

- **Development Variance Permit**
 in order to vary building separation and front setback requirements and to permit basement access along the side yard for 11 existing small single family lots.

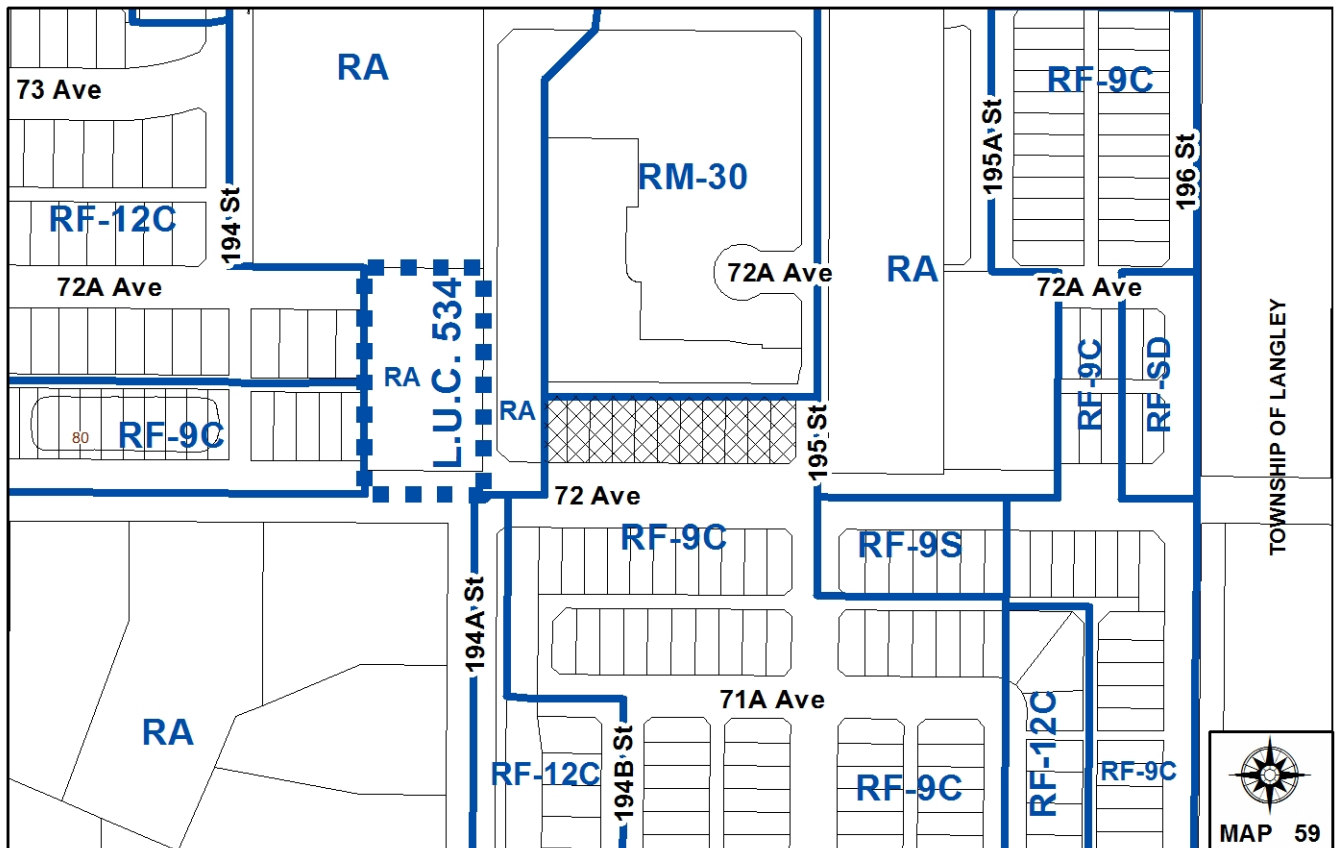
LOCATION: 19453, 19457, 19463, 19467, 19473, 19479, 19483, 19485, 19489, 19495 and 19499 - 72 Avenue

OWNER: Solterra Development (72nd Ave.) Corp.

ZONING: RF-9C

OCP DESIGNATION: Urban

NCP DESIGNATION: 10-15 upa (Medium Density)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to eliminate the minimum separation requirement of 6.0 metres (20 ft.) between the principal building and the detached garage for 11 small single family lots.
- Seeking to reduce the front yard setback of the RF-9C Zone for 11 small single family lots.
- Seeking to eliminate the requirement that basement access and basement wells be permitted only in the rear yard, between the principal building and the rear lot line.

RATIONALE OF RECOMMENDATION

- By eliminating the minimum separation between the principal building and the detached garage, the proposed development can provide for a "Master on Main", and provides for an additional level of housing diversity in the East Clayton NCP – North Extension.
- The applicant has stated that coach houses will not be constructed on any of the lots and three parking spaces will be provided on each lot.
- 72 Avenue is designated an arterial road, and under the current standard of the Subdivision & Development By-law, the width for an arterial road is 30 metres (98 ft.). The subject lots in this block were created when the width for an arterial road was 28 metres (92 ft.). To achieve a consistent streetscape with uniform building setbacks, a reduction to the front yard setback is required.
- Constructing the basement access stairway along the side yard will allow for a fully functional rear yard adjacent to the "Master on Main".

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7913-0186-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to vary the RF-9C Zone to eliminate the minimum separation requirement of 6.0 metres (20 ft.) between the principal building and the detached garage;
 - (b) to reduce the minimum front yard setback of the RF-9C Zone from 3.5 metres (11.5 ft.) to 2.5 metres (8.0 ft.) and from 2.0 metres (6.5 ft.) to 1.0 metre (3 ft.) for the veranda; and
 - (c) to vary the RF-9C Zone to eliminate the requirement that basement access and basement wells be provided only in the rear yard, between the principal building and the rear lot line.
2. Council instruct staff to resolve the following issues prior to issuance of the Development Variance Permit:
 - (a) registration of a Section 219 Restrictive Covenant to specifically prohibit construction of coach houses on each of the 11 subject lots.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Eleven vacant, small single family lots.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Townhouses	15 – 25 upa (Medium – High Density)	RM-30
East (Across 195 Street):	Acreage lot under Application No. 7913-0156-00 for small single family lots (Pre-Council)	10 – 15 upa (Medium Density)	RA
South (Across 72 Avenue):	Small single family lots with coach houses	6 – 10 upa (Low Density) in the East Clayton NCP	RF-9C
West:	Unconstructed City greenway	Public Open Space / Park	RA

DEVELOPMENT CONSIDERATIONS

- The subject site consists of eleven (11) vacant small single family lots located north of 72 Avenue, between 194A Street and 195 Street, in East Clayton. These lots were originally created under Application No. 7909-0204-00, which received Final Adoption on May 3, 2010.
- The 2,990-square metre (0.74-ac.) subject site is designated Urban in the Official Community Plan (OCP) and 10 – 15 upa (Medium-Density) in the East Clayton Neighbourhood Concept Plan (NCP) Extension – North of 72 Avenue, and is zoned "Single Family Residential (9) Coach House Zone (RF-9C)".
- The 11 lots under the current application are owned by Solterra Development (72nd Ave.) Corp., which constructed the existing "Sun at 72" townhouse development to the north. Solterra Development will retain ownership of the lots in a joint venture with DKT Homes known as "Dwell at 72" until the individual lots are sold to, and houses are constructed for, the future property owner.
- The RF-9C Zone requires a minimum separation requirement of 6.0 metres (20 ft.) between the principal building and any accessory buildings and structures, including a detached garage or coach house, except for an outdoor deck or patio.
- The applicant is seeking the elimination of this minimum separation in order to allow for a master bedroom to be constructed on the main floor ("Master on Main") on each of the 11 lots. The "Master on Main" concept allows the master bedroom to be at the same level as the principal living spaces (kitchen, dining room and living room) and outdoor areas in a home, while providing a level of separation from the remaining bedrooms. Due to the space requirements of these uses, the master bedroom would need to be located in the area between the kitchen and the garage.
- The applicant contends that the "Master on Main" in small, single family homes is a concept that has been very well received in other lower mainland markets because it provides a product for homeowners who wish to downsize as they get older but are not interested in moving into a stratified complex such as a townhouse or apartment. According to the applicant, there is a demand for this concept in Surrey, which is lacking in the single family residential market. This is consistent with a principle of the East Clayton NCPs, which is to provide for a diversity of housing options.
- Although permitted under the RF-9C Zone which regulates the site, the applicant has stated that their preference would be to forego construction of a coach house and instead focus on the "Master on Main" concept. The applicant has agreed to register a Section 219 Restrictive Covenant prohibiting construction of any coach houses on all 11 lots.
- Should the individual lot owner prefer to construct a typical single family home with a detached garage, the proposed variance would allow for a 1.8-metre (6-ft.), architecturally-integrated overhang, to be constructed over the rear patio off of the kitchen, increasing the useable outdoor space. As above, the applicant prefers to forego construction of a coach house.

- The lot coverage of the RF-9C Zone is 52%. In addition, a maximum of 30% of the lot area that is not covered by the principal and accessory buildings may be covered by non-porous surfaces. As the "Master on Main" results in additional lot coverage on the main floor, the applicant must address these requirements. The applicant is proposing to construct a single-car garage, two outdoor parking spaces constructed with a permeable parking surface, and landscaping consisting of porous pavers throughout each lot to satisfy these requirements.
- The intent of the separation requirement between the principal and accessory buildings is to provide for a minimum 54 square metres (580 sq.ft.) of outdoor space for the use and enjoyment of the homeowner. The applicant has designed the rear yard to ensure that a useable, enjoyable outdoor space is provided that meets or exceeds this requirement.
- In addition, a variance is required to the front yard setback of the RF-9C Zone to address the increased width of an arterial road since these lots were created, and a variance is required to allow the basement access stairway to be constructed along the side yard (see By-law Variance section).

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To eliminate the minimum separation requirement of 6.0 metres (20 ft.) between the principal building and the detached garage in the RF-9C Zone.

Applicant's Reasons:

- This will allow for an option either to construct a master bedroom to be constructed on the main floor ("Master on Main") on each of the 11 lots, a concept that is lacking in Surrey's single family residential market, or to construct a 1.8-metre (6-ft) overhang over the rear patio.
- None of the lots are intended to accommodate coach houses and three parking spaces will be provided on each lot.

Staff Comments:

- The proposal allows for a greater diversity of housing options in East Clayton, while eliminating eleven (11) coach houses which could otherwise be constructed, along with the associated parking issues.
- The proposal does not exceed the maximum lot coverage nor the maximum amount of allowable, non-porous area of the RF-9C Zone.
- Staff support the requested variance.

(b) Requested Variance:

- To reduce the minimum front yard setback of the RF-9C Zone from 3.5 metres (11.5 ft) to 2.5 metres (8.0 ft.) and from 2.0 metres (6.5 ft.) to 1.0 metre (3 ft.) for the veranda.

Applicant's Reasons:

- The arterial road standard of 30-metre (98 ft.) width was not in effect when the subject lots were created, and will result in any future buildings to be set back and additional 1.0 metre (3.2 ft.) than required in the RF-9C Zone. The applicant wishes to maintain a front yard setback that is consistent with other lots in the neighbourhood.

Staff Comments:

- The subject site fronts 72 Avenue, which is a designated arterial road in the Surrey Road Classification Map (R-91). The Surrey Major Road Allowance Map identifies a 30-metre (98-ft.) wide road allowance for arterial roads.
- Part 7 Special Building Setbacks of the Zoning By-law No. 12000 stipulates that the setback of buildings on a lot abutting an existing or future major road as shown in the Surrey Major Road Allowance Map (attached as Schedule K to the Surrey Subdivision and Development By-law No. 8830) shall be the sum of one-half of the ultimate highway allowance measured from the centreline of the road, plus the required setback of the zone in which the lot is located.
- In the Surrey Road Classification Map (R-91) attached as Schedule D to the Surrey Subdivision and Development By-law, 72 Avenue is identified as an arterial road. Although arterial roads have an ultimate width of 30 metres (98 ft.), 72 Avenue is currently 28 metres (92 ft.) wide.
- In this circumstance, the special front yard setback for the lots within the subject application would be 15 metres (49 ft.) from the centerline, plus the 3.5-metre (11.5 ft.) front yard setback, for a total setback of 18.5 metres (61 ft.).
- The lots under the subject application were originally created when the width of an arterial road was established at 28 metres (92 ft.) wide. Other lots in the vicinity were developed under the same requirement. In order to maintain a streetscape that is consistent with other lots along 72 Avenue, a reduction to the front yard setback of the RF-9C Zone is required for the subject properties.
- Staff support the requested variance.

(c) Requested Variance

- To vary the RF-9C Zone to eliminate the requirement that basement access and basement wells be provided only in the rear yard, between the principal building and the rear lot line.

Applicant's Reasons:

- Constructing the basement access stairway along the side yard will allow for a fully functional rear yard adjacent to the "Master on Main".

Staff Comments:

- The lots under the subject application were originally created prior to this recent regulation being incorporated in the RF-9C Zone (Amendment By-law No. 18050 was approved on September 23, 2013).
- With a lot depth of 28 metres (92 ft.), staff acknowledge that there is insufficient room to provide for a useable back yard with a "Master on Main" should a rear yard basement access be required.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan and Building Elevations
Appendix III.	NCP Plan
Appendix IV.	Development Variance Permit No. 7913-0186-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

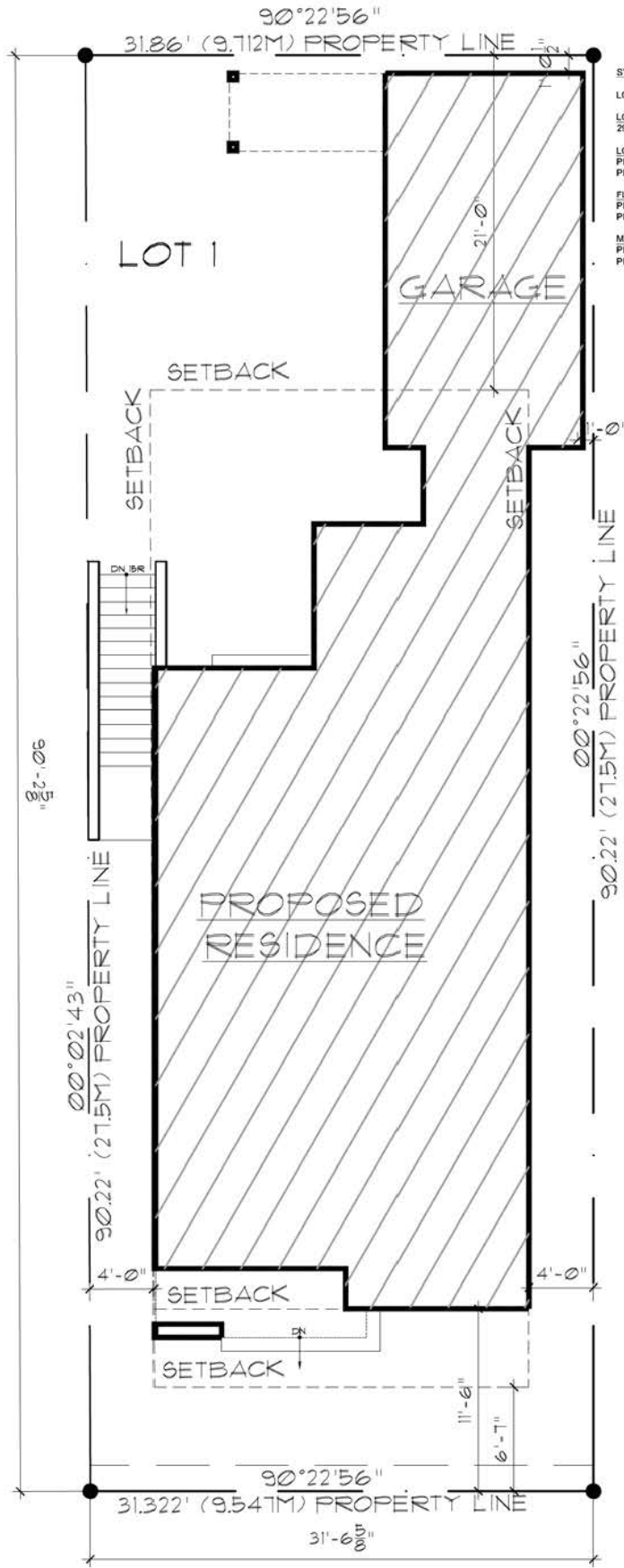
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DRV 10/24/13 11:44 AM

- (i) Civic Address: 19485 - 72 Avenue
Owner: Solterra Development (72nd Ave.) Corp.
PID: 028-265-424
Lot 8 Section 22 Township 8 New Westminster District Plan BCP45197
- (j) Civic Address: 19489 - 72 Avenue
Owner: Solterra Development (72nd Ave.) Corp.
PID: 028-265-441
Lot 9 Section 22 Township 8 New Westminster District Plan BCP45197
- (k) Civic Address: 19495 - 72 Avenue
Owner: Solterra Development (72nd Ave.) Corp.
PID: 028-265-467
Lot 10 Section 22 Township 8 New Westminster District Plan BCP45197
- (l) Civic Address: 19499 - 72 Avenue
Owner: Solterra Development (72nd Ave.) Corp.
PID: 028-265-475
Lot 11 Section 22 Township 8 New Westminster District Plan BCP45197

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7913-0186-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.



SYNOPSIS:

LOT 1	
LOT SIZE: 2902 S.F.	
LOT COVERAGE:	
PERMITTED:	52.0% OR 1509 S.F.
PROPOSED:	48.7% OR 1413 S.F.
FLOOR SPACE RATIO:	
PERMITTED:	1885 S.F.
PROPOSED:	1628 S.F.
MAX HEIGHT:	
PERMITTED:	31'-0"
PROPOSED:	20'-0"

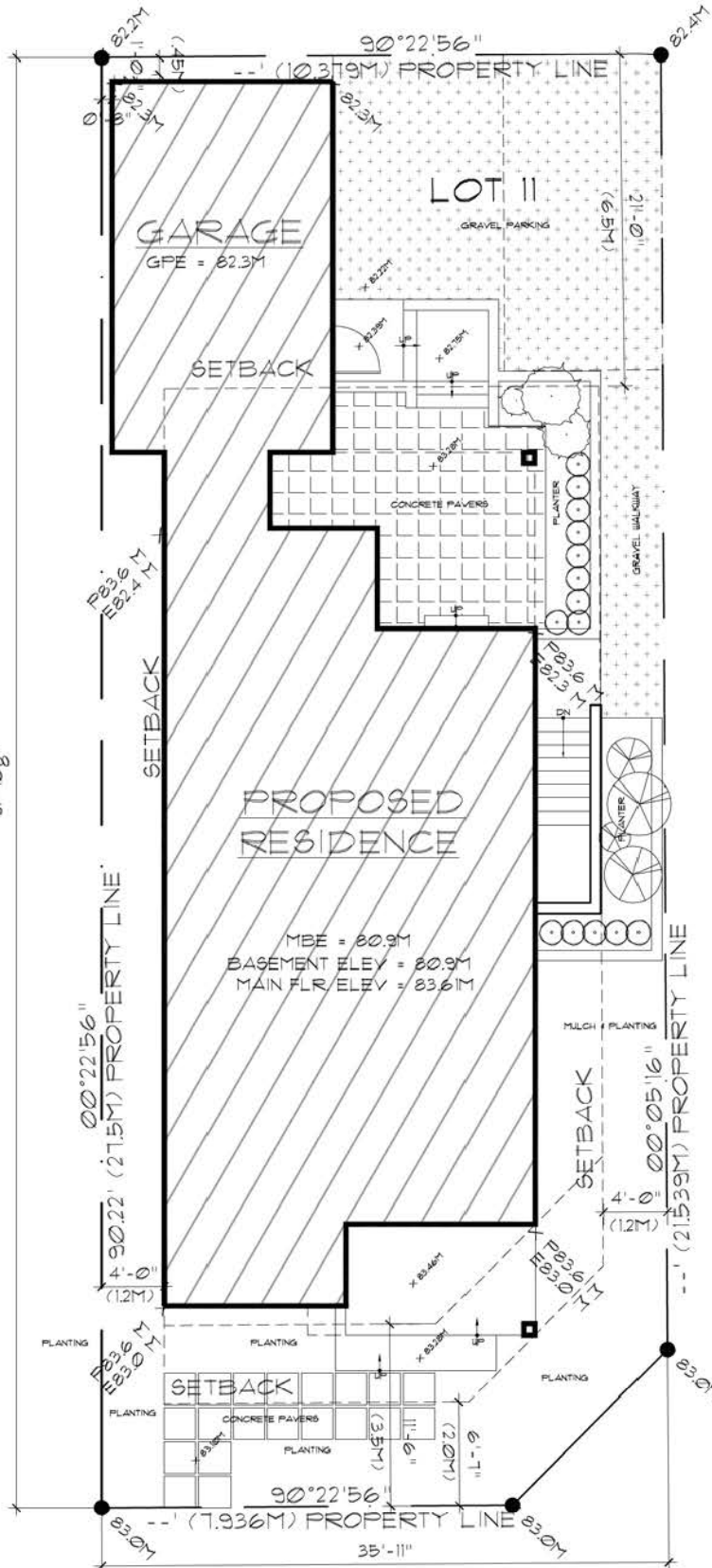
SITE PLAN 72nd AVE

su casa
design inc.
604-856-3222

DKT - MAY 1, 2013



LANEWAY



SYNOPSIS:

LOT 11	
LOT SIZE: 3225 S.F.	
LOT COVERAGE:	
PERMITTED:	52.0% OR 1677 S.F.
PROPOSED:	50.4% OR 1626 S.F.
FLOOR SPACE RATIO:	
PERMITTED:	1865 S.F.
PROPOSED:	N/A
MAX HEIGHT:	
PERMITTED:	31'-0"
PROPOSED:	N/A

SITE PLAN
NTS

72nd AVE

su casa
design inc.
604-856-3222

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0186-00

Issued To: SOLTERRA DEVELOPMENT (72ND AVE.) CORP.
("the Owner")

Address of Owner: 460 - Fraser View Place
Delta, BC
V3M 6H4

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: 028-265-301
Lot 1 Section 22 Township 8 New Westminster District Plan BCP45197
19453 - 72 Avenue

Parcel Identifier: 028-265-319
Lot 2 Section 22 Township 8 New Westminster District Plan BCP45197
19457 - 72 Avenue

Parcel Identifier: 028-265-327
Lot 3 Section 22 Township 8 New Westminster District Plan BCP45197
19463 - 72 Avenue

Parcel Identifier: 028-265-351
Lot 4 Section 22 Township 8 New Westminster District Plan BCP45197
19467 - 72 Avenue

Parcel Identifier: 028-265-378
Lot 5 Section 22 Township 8 New Westminster District Plan BCP45197
19473 - 72 Avenue

Parcel Identifier: 028-265-386
Lot 6 Section 22 Township 8 New Westminster District Plan BCP45197

19479 - 72 Avenue

Parcel Identifier: 028-265-394
Lot 7 Section 22 Township 8 New Westminster District Plan BCP45197

19483 - 72 Avenue

Parcel Identifier: 028-265-424
Lot 8 Section 22 Township 8 New Westminster District Plan BCP45197

19485 - 72 Avenue

Parcel Identifier: 028-265-441
Lot 9 Section 22 Township 8 New Westminster District Plan BCP45197

19489 - 72 Avenue

Parcel Identifier: 028-265-467
Lot 10 Section 22 Township 8 New Westminster District Plan BCP45197

19495 - 72 Avenue

Parcel Identifier: 028-265-475
Lot 11 Section 22 Township 8 New Westminster District Plan BCP45197

19499 - 72 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
- (a) In Section F of Part 17F "Single Family Residential (9) Coach House Zone (RF-9C)" the minimum separation requirement of 6.0 metres (20 ft.) between the principal building and the detached garage is eliminated for Lots 1 to 11.
 - (b) In Section F of Part 17F "Single Family Residential (9) Coach House Zone (RF-9C)", the minimum front yard setback for the principal building is reduced from 3.5 metres (11.5 ft.) to 2.5 metres (8.0 ft.) to the building face and 1.0 metre (3.3 ft.) to the veranda for Lots 1 to 11.
 - (c) In Section J of Part 17F "Single Family Residential (9) Coach House Zone (RF-9C)", the requirement that basement access and basement wells be permitted only between the principal building and the rear lot line is eliminated for Lots 1 to 11.

4. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
5. 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.
6. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
7. 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