

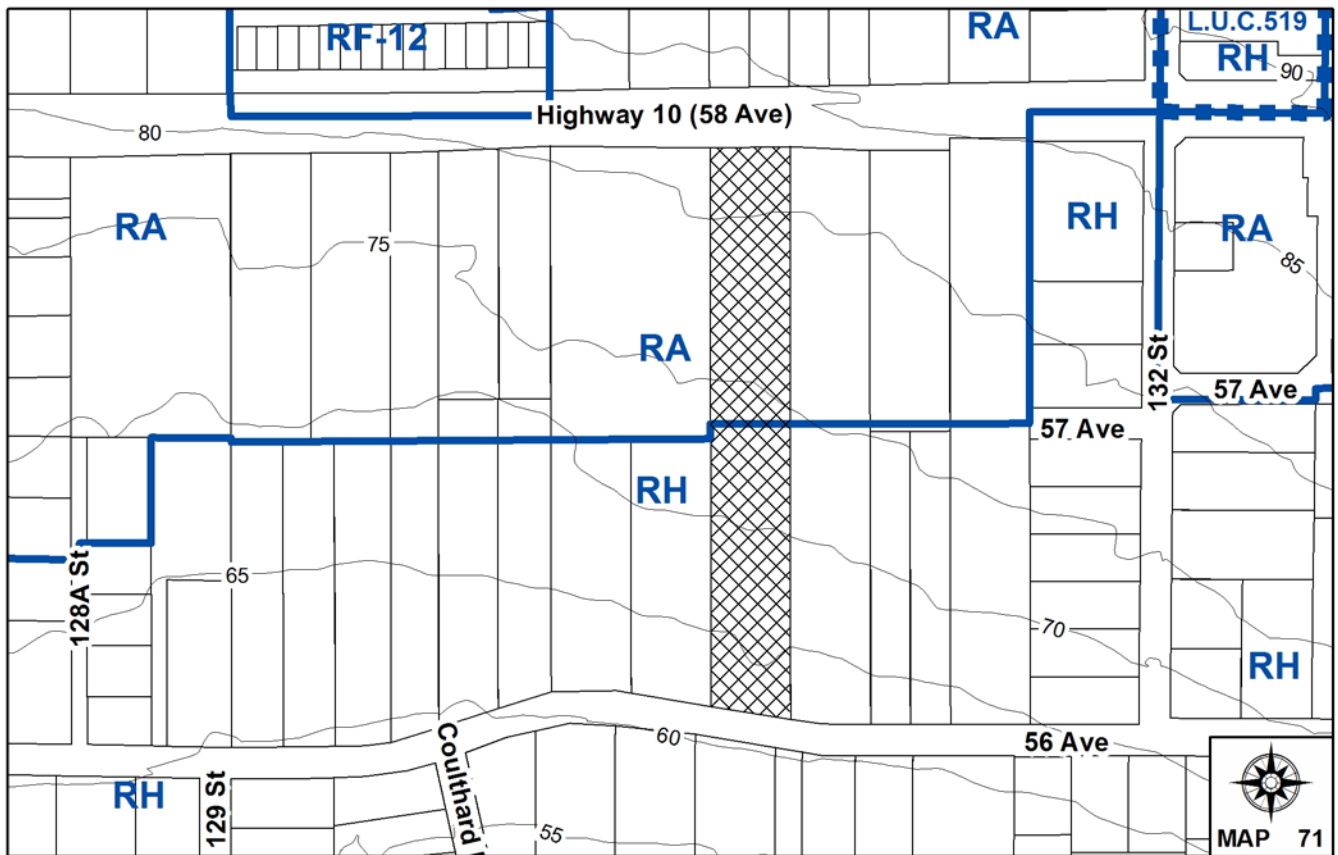
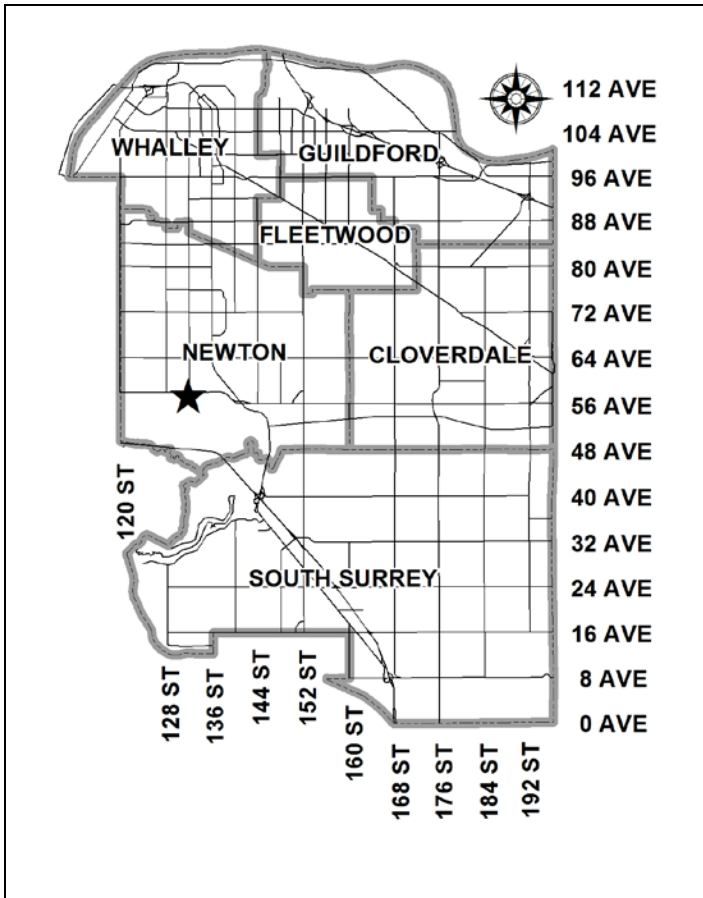
Planning Report Date: November 29, 2010

PROPOSAL:

- **Development Variance Permit**

in order to permit the retention of an existing swimming pool and pool shed.

LOCATION: 13063 - 56 Avenue
OWNER: Dipender-Pal Kaur Gurm
ZONING: RH
OCB DESIGNATION: Suburban
LAP DESIGNATION: Suburban Residential (1/2 Acre)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to relax the minimum side yard on flanking street setback from 7.5 metres (25 ft.) to 2.9 metres (10 ft.) for the existing pool and to 2.3 metres (8 ft.) for the existing pool shed.

RATIONALE OF RECOMMENDATION

- The applicant requests that the proposed 131 Street be shifted to the west, which allows for the retention of the existing pool and pool shed. The proposed realignment of 131 Street is in accordance with the new subdivision application on the property to the west, 13031 – 56 Avenue.
- The Engineering Department has no objections to the proposed realignment of 131 Street.
- The existing pool is in-ground and will not be visible from the street. The existing pool shed is one-storey and is a small structure, approximately 23 square metres (250 sq.ft.).

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0051-00, (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard on flanking street setback of the RH Zone from 7.5 metres (25 ft.) to 2.9 metres (10 ft.) for the existing pool and to 2.3 metres (8 ft.) for the existing pool shed.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: The parcel at 13063 – 56 Avenue has a single family dwelling, a pool, a pool shed and a detached garage.

Adjacent Area:

Direction	Existing Use	OCP/NCP or LAP Designation	Existing Zone
North (Across Highway No. 10):	Vacant, proposed for park.	Suburban/Parks	RA
East, West and South (Across 56 Avenue):	Large single family parcels.	Suburban/Suburban Residential (1/2 acre) and Suburban Residential (1 acre)	RA and RH

DEVELOPMENT CONSIDERATIONS

- The subject site is located at 13063 – 56 Avenue and contains an existing house, pool, pool shed and detached garage. The southerly portion of the parcel is zoned "Half-Acre Residential Zone" (RH) and the northerly half of the parcel is zoned "One-Acre Residential Zone" (RA). The applicant applied for a rezoning (from RA to RH) and subdivision on the subject site and the neighbouring parcel at 13030 – 58 Avenue (Highway No. 10) under File No. 7906-0051-00. The rezoning application received Third Reading on May 17, 2010.
- The applicant originally proposed to remove the pool and pool shed to allow for the construction of the proposed 131 Street on the westerly edge of the subject site and a Preliminary Layout Approval (PLA) letter dated June 7, 2010 was sent to the applicant on this basis. However, the applicant now proposes to shift the alignment of 131 Street further west so that the existing pool and pool shed can be retained.

- The owner of the parcel to the west (13031 – 56 Avenue) has agreed to the proposed westerly shift of 131 Street. The Engineering Department has no concerns with the proposed realignment of 131 Street.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- The applicant is proposing to relax the minimum side yard on flanking street setback of the RH Zone from 7.5 metres (25 feet) to 2.9 metres (10 feet) for the existing pool and to 2.3 metres (8 feet) for the existing pool shed.

Applicant's Reasons:

- The alignment of the proposed 131 Street has been shifted westward to allow for the retention of the existing pool and pool shed on the subject site. The owner wishes to retain the pool and pool shed.

Staff Comments:

- The existing pool is an in-ground pool and therefore is not a visible structure from the proposed road or surrounding properties. The proposed setback relaxation for the pool will not increase any building massing along the westerly property line.
- The existing pool shed is a small structure (approximately 23 sq.m./250 sq.ft. in area) and is one-storey in height. There is minimal visual impact in allowing the existing pool shed to remain located 2.3 metres (8 feet) from the westerly property line.
- 131 Street was proposed to be realigned to retain the existing pool and pool shed. The neighbour to the west and the Engineering Department support the proposed realignment of 131 Street.

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. Development Variance Permit No. 7906-0051-00

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

KB/kms

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. 11/16/10 3:03 PM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Richard Brooks, H.Y. Engineering Ltd.
 Address: #300 – 9128 – 152 Street
 Surrey, BC
 V3R 4E7
 Tel: 604-583-1616

2. Properties involved in the Application
 - (a) Civic Address: 13063 – 56 Avenue

 - (b) Civic Address: 13063 – 56 Avenue
 Owner: Dipender-Pal Kaur Gurm
 PID: 007-484-879
 West Half Lot 6 South West Quarter Section 8 Township 2 New Westminster
 District Plan 1577 Except Plan 15886 and BCP37317

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7906-0051-00.

CITY OF SURREY

(the "City")

Appendix II

DEVELOPMENT VARIANCE PERMIT

NO. 7906-0051-00

Issued To: Dipender-Pal Kaur Gurm

(the "Owner")

Address of Owner: 13063 – 56 Avenue
Surrey, BC
V3X 2Z3

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: 007-484-879
West Half Lot 6 South West Quarter Section 8 Township 2 New Westminster District Plan
1577 Except Plan 15886 and BCP37317

13063 - 56 Avenue

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

- (b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 14 Half-Acre Residential Zone (RH) the minimum side yard on flanking street is reduced from 7.5 metres (25 ft.) to 2.9 metres (10 ft.) for the existing pool and to 2.3 metres (8 ft.) for the existing pool shed.
5. This development variance permit applies to only that 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. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
7. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
9. 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



Planning & Development Department
 14245 - 56 Avenue, Surrey,
 British Columbia, Canada V3W 1K2
 Tel. (604) 591-4441 Fax. (604) 591-2507

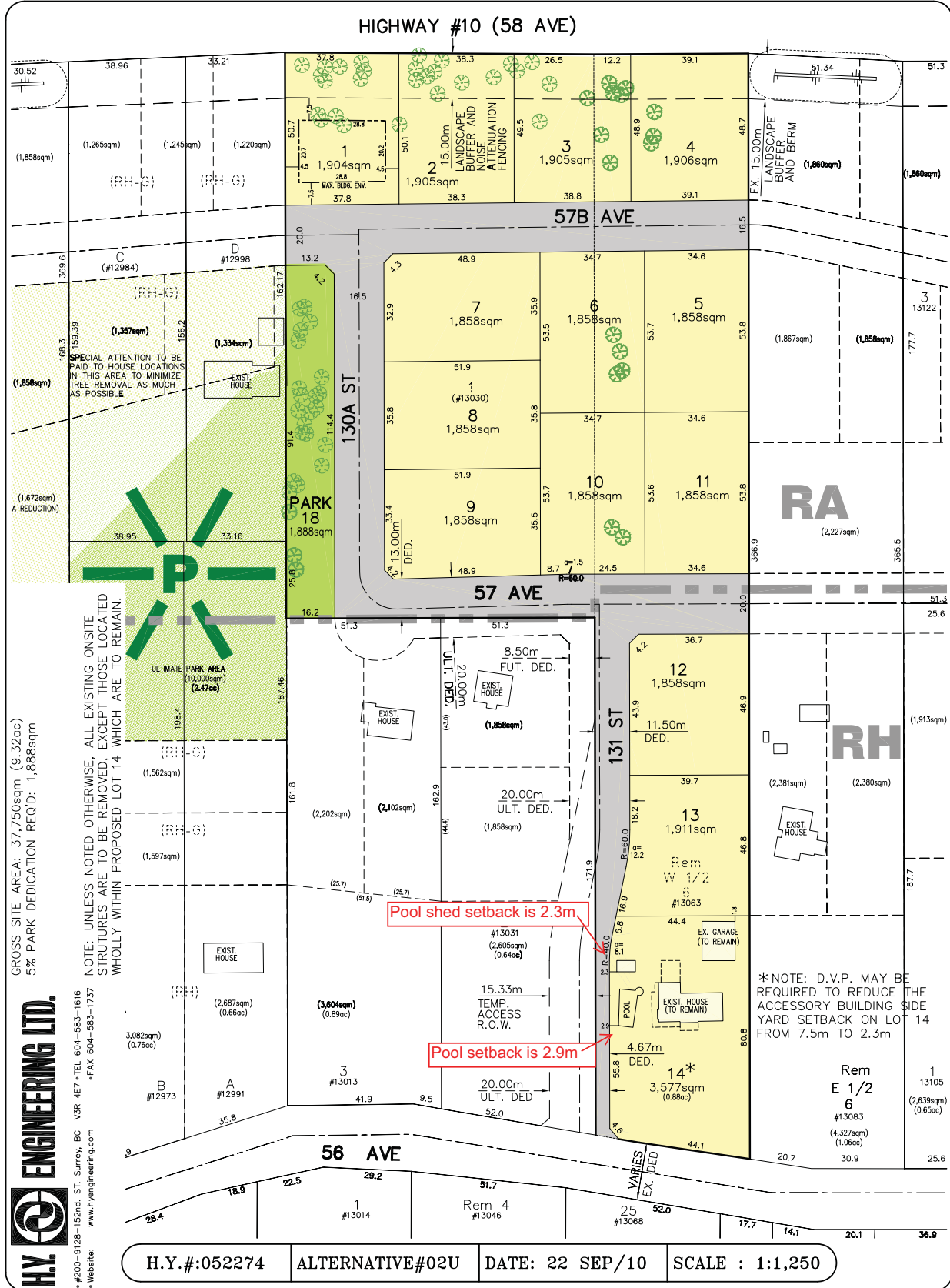
PROPOSED SUBDIVISION LAYOUT

SCHEDULE "A"

File No: 7906-0051-00
 MAP #: 071
 EXIST. ZONE: RA / RH
 PROP. ZONE: RH



CIVIC ADDRESS: #13063 - 56 AVE. AND #13030 HWY.10, SURREY, BC
 LEGAL: LOT 1, PLAN 15772, AND REM.W 1/2 6, PLAN 1577; BOTH OF SECTION 8, TOWNSHIP 2, N.W.D.



HY ENGINEERING LTD.
 #200-9128-152nd. ST. Surrey, BC V3R 4E7 • TEL 604-583-1616
 • FAX 604-583-1737
 Website: www.hyengineering.com

H.Y.#:052274 ALTERNATIVE#02U DATE: 22 SEP/10 SCALE : 1:1,250

Please dimension lot frontages & areas, name existing roads and indicate north
 Preferred scales: 1:500, 1:1000, 1:2500, 1:10,000 Metric
 Larger format drawings may be attached as required

H.Y. DWG. No. E:\PROJECTS\052274\PLANNING\AL02U.DWG