

City of Surrey
ADDITIONAL PLANNING COMMENTS
 File: 7907-0252-00

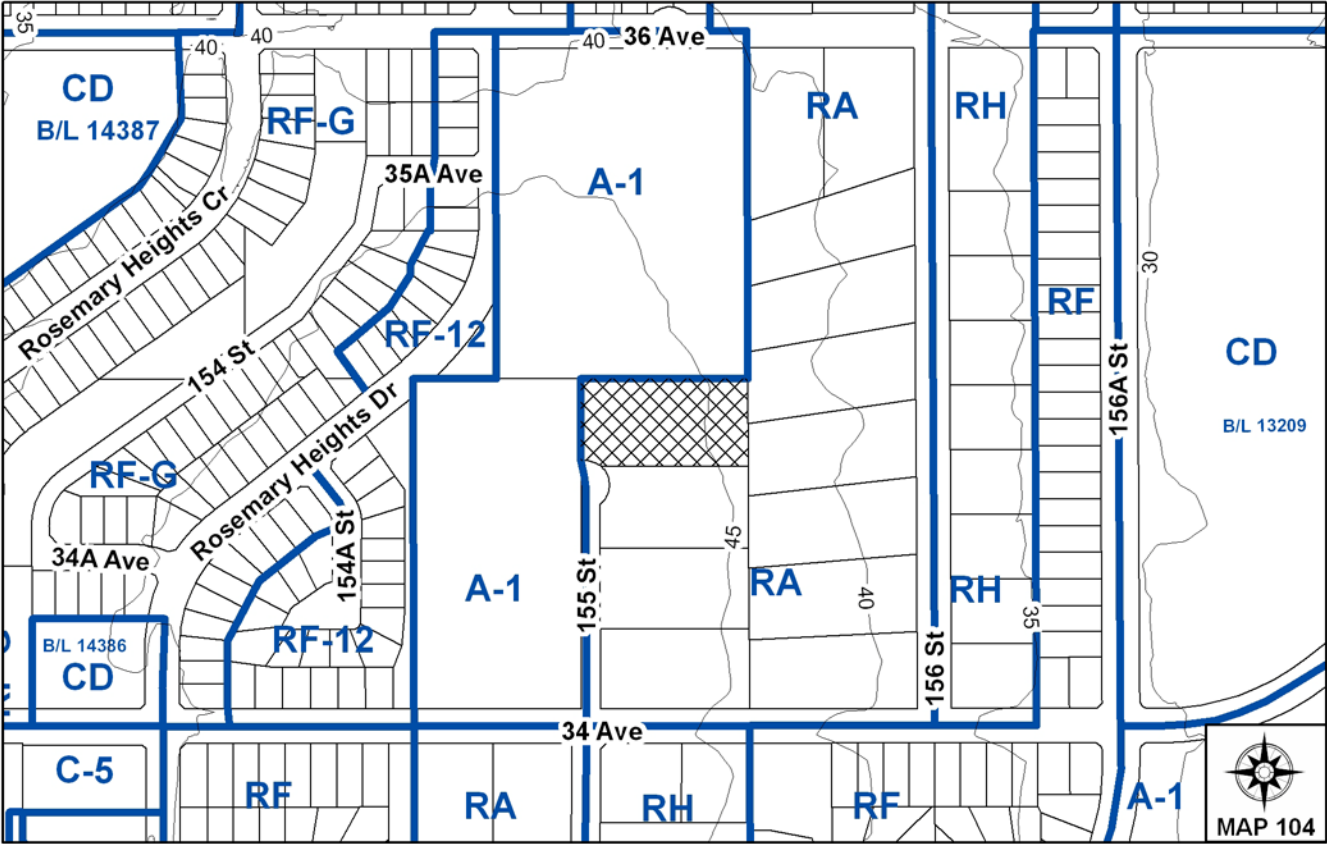
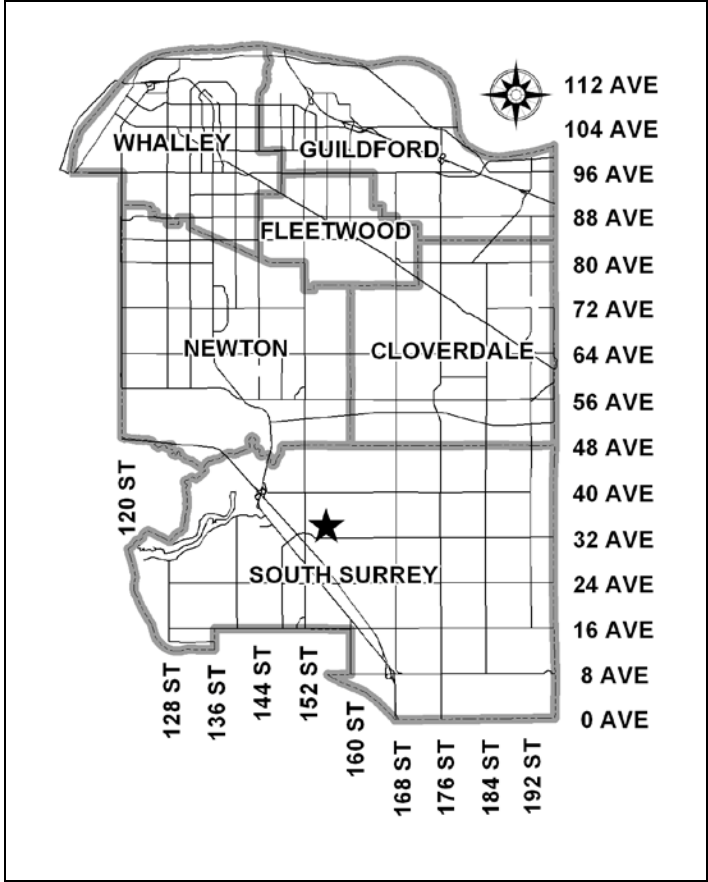
Planning Report Date: November 19, 2007

PROPOSAL:

- **Development Variance Permit**

in order to increase the maximum height of an accessory structure from 4.0 metres (13 ft.) to 6.5 metres (21 ft.) to allow retention of an existing sports court on an RA zoned site.

LOCATION: 3486 - 155 Street
OWNERS: Tim and Nancy Barker
ZONING: RA
OCP DESIGNATION: Suburban
NCP DESIGNATION: Suburban ½ Acre Residential



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Exceeds the maximum allowable height of an accessory structure in the RA Zone.

RATIONALE OF RECOMMENDATION

- The application was referred by Council to staff on November 5, 2007 to examine how the proposal could be modified to address community concerns.
- The applicant has addressed community concerns by proposing to install additional landscape screening to address visual impact and by using low-intensity down-lighting to ensure no lighting impact on surrounding properties.
- The applicant also proposes to register a Restrictive Covenant to ensure the sports court is removed in the future.

RECOMMENDATION

To implement Council's previous decision granting approval to proceed to this project, the Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7907-0252-00, (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to vary the maximum building height for an accessory structure in the RA Zone from 4.0 metres (13 ft.) to 6.5 metres (21 ft.).

ADDITIONAL PLANNING COMMENTS

- The subject application for a Development Variance Permit to allow the retention of an accessory sports court was considered by Council at the November 5, 2007 Regular Council - Land Use meeting (Appendix V).
- Staff recommended denial of the requested variance to the maximum building height.
- After considering the Planning Report and the presentations by the applicants, Council referred the application back to staff to work with the applicant in addressing community concerns.
- The applicants have now revised their proposal to address the visual interface and lighting issues, as well as to ensure the future removal of the sports court structure as described below.

Landscaping

- The applicant has stated that the hedge surrounding the property is currently 4.25 metres (14 feet) in height, and is a combination of evergreen species. The hedge was not trimmed this past summer season in order to allow it to help screen the structure.
- The applicant proposes to augment the surrounding landscaping around the structure by installing a planter box at the west end of the existing attached garage for the planting of 3 cedar hedge plants, which should help to shield the view of the sports court structure from the street.
- Financial securities have been submitted to ensure the additional landscaping is installed and will be a condition of the DVP and building permit.

Lighting

- The applicant has requested that lighting be permitted to be installed to allow year-round use of the sports court. However, to address possible visual impact from lighting or glare, the applicant has agreed to install low wattage, down-facing lighting.
- A lighting consultant has been consulted to determine appropriate lighting to mitigate visual impact. The consultant has recommended installing 6, 175-watt down-facing lights to address the

concerns. The applicant has agreed to this lighting proposal.

- The final lighting specifications have been provided to the satisfaction of the City and form part of the DVP.

Future Removal of the Structure

- To ensure the ultimate removal of the structure, the applicant has committed to register a Section 219 Restrictive Covenant against the title of the property, which will ensure that the above ground portions of the sports court (other than the concrete) will be removed at the expiration of 10 years (at the end of 2017) or when the property is sold, whichever comes first. The Restrictive Covenant will be a condition of the building permit.

CONCLUSION

- On the basis of the above, the Development Variance Permit is in order to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners
Appendix II.	Development Variance Permit No. 7907-0252-00
Appendix III.	November 5, 2007 Planning Report (without Appendices)

Jean Lamontagne
General Manager
Planning and Development

TB/kms

v:\wp-docs\planning\plncom07\11091019.tb.doc
KMS 11/9/07 11:00 AM

Information for City Clerk

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

1. (a) Agent: Name: Tim and Nancy Barker
 Address: 3486 - 155 Street
 Surrey, BC
 V3S 0G4
 Tel: 604-535-5532

2. Properties involved in the Application
 - (a) Civic Address: 3486 - 155 Street

 - (b) Civic Address: 3486 - 155 Street
 Owners: Tim and Nancy Barker
 PID: 017-211-883
 Lot 1 Section 26 Township 1 New Westminster District Plan NWP88363

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7907-0252-00.