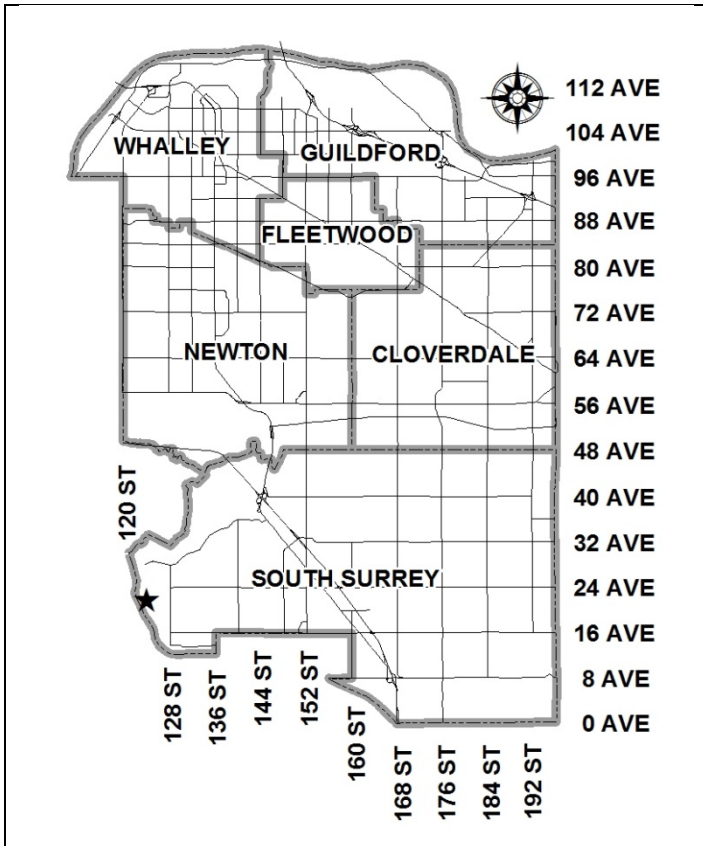


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0181-00

Planning Report Date: July 7, 2014



PROPOSAL:

- **Development Variance Permit**
 in order to reduce the minimum front yard setback requirement to permit an in-ground swimming pool.

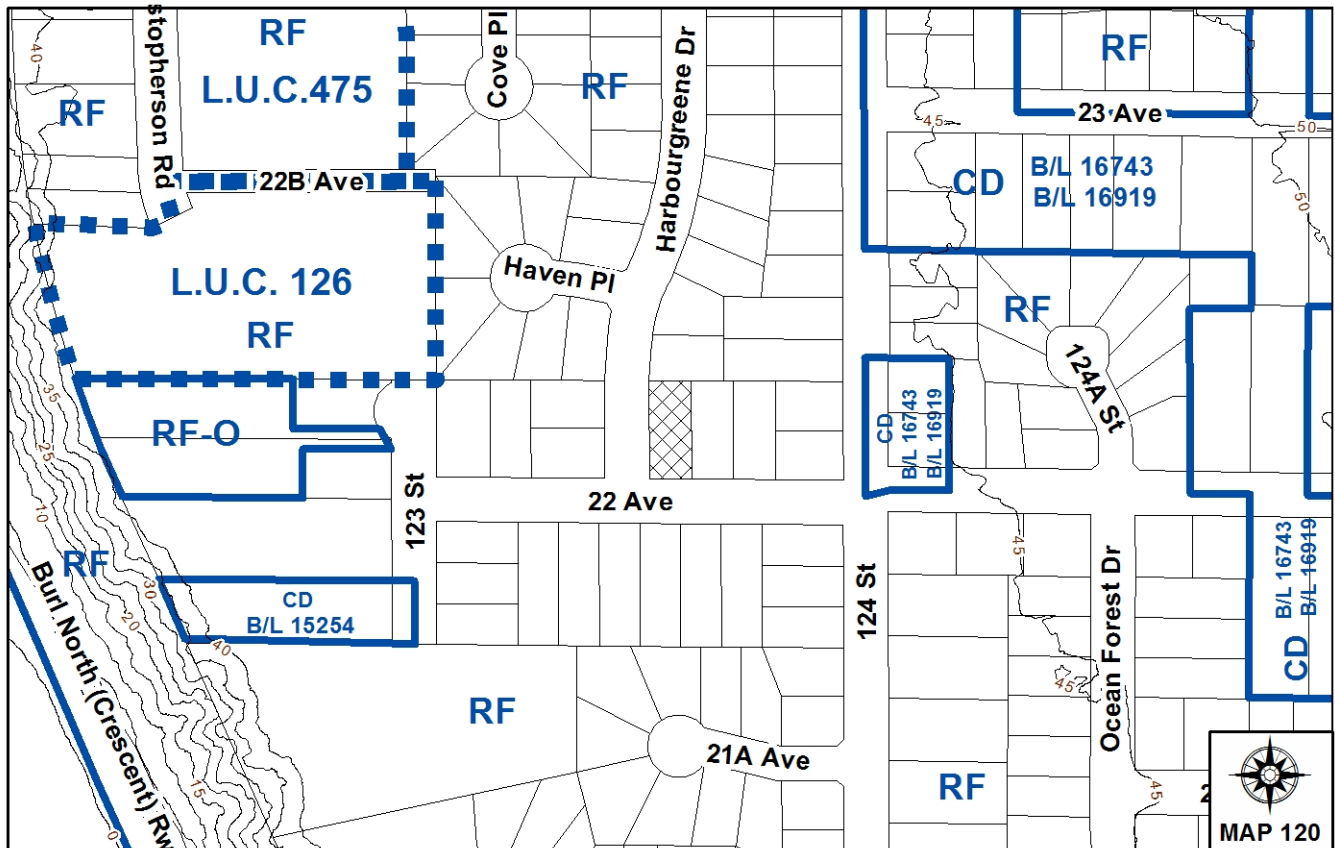
LOCATION: 2220 - Harbourgreene Drive

OWNER: Wanda J. Symons
 Robert M. Symons

ZONING: RF

OCP DESIGNATION: Urban

LAP DESIGNATION: Urban Residential



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is requesting a Development Variance Permit (DVP) to reduce the minimum front yard setback requirement under the "Single Family Residential Zone (RF)" in order to permit the construction of an in-ground swimming pool.

RATIONALE OF RECOMMENDATION

- The proposed setback variance is considered reasonable to permit a small in-ground swimming pool and avoids the need to remove several large by-law sized trees located within the rear yard.
- The in-ground swimming pool is 12.7 metres (42 ft.) from 22 Avenue and exceeds the minimum front yard setback for principal structures under the RF Zone. In addition, the adjacent property located at 12367 – 22 Avenue is partially screened by a 1.7 metre (5.6 ft.) high fence and several large trees along the west lot line which should further screen the in-ground swimming pool as well as provide additional privacy.
- The proposed in-ground swimming pool will be fully fenced to comply with City By-laws; therefore, it will not be visible from 22 Avenue.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7914-0181-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF Zone for an accessory structure from 18 metres (60 ft.) to 12.7 metres (42 ft.).
2. Council instruct staff to resolve the following issue prior to final approval:
 - (a) provide a letter from a qualified Arborist which confirms the proposed in-ground swimming pool will not negatively impact the root protection zone of off-site trees; and
 - (b) reduce the height of the existing fence along 22 Avenue from 1.7 metres (5.6 ft.) to 1.2 metres (4 ft.) in compliance with the maximum height restrictions for fences in residential zones located within the front yard setback, as specified in the General Provisions section of Zoning By-law No. 12000.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family residential

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North, East and West (Across Harbourgreene Drive):	Single Family Residential	Urban/Urban Residential	RF
South (Across 22 Avenue):	Single Family Residential	Urban/Urban Residential and Open Space	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located on the northeast corner of 22 Avenue and Harbourgreene Drive. The property is designated "Urban" in the Official Community Plan (OCP), "Urban Residential" in the Semiahmoo Peninsula Local Area Plan (LAP) and zoned "Single Family Residential Zone (RF)".

Current Proposal

- The applicant is requesting a Development Variance Permit (DVP) to reduce the minimum front yard setback for an accessory structure from 18 metres (60 ft.) to 12.7 metres (42 ft.) in order to permit an in-ground swimming pool.
- The proposed pool is kidney-shaped and relatively small (3 metres [10 ft.] wide by 6 metres [20 ft.] long) and is proposed to be sited in the east side yard of the subject property, at the south end of the existing dwelling.
- In addition, the proposed in-ground swimming pool will be fully fenced along the south lot line and, therefore, will not be visible to pedestrians or passing motorists along 22 Avenue.
- The applicant is required to reduce the height of the existing fence along 22 Avenue from 1.7 metres (5.6 ft.) to 1.2 metres (4 ft.) in order to comply with the maximum height restrictions for fences located within a front yard setback for residential zones, as specified in the General Provisions section of Zoning By-law No. 12000.

TREES

- According to the signed and sealed topographic survey, there are no by-law sized trees on-site impacted by the proposed in-ground swimming pool. However, staff will require a letter from a registered Arborist which confirms the in-ground swimming pool will not negatively impact the root protection zone of off-site trees at 12367 – 22 Avenue.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum front yard setback for an accessory building from 18 metres (60 ft.) to 12.7 metres (42 ft.) to permit an in-ground swimming pool.

Applicant's Reasons:

- The proposed setback variance will avoid the need to remove several large by-law sized trees located within the rear yard.

Staff Comments:

- The requested variance will permit a small in-ground swimming pool and preserve several existing by-law sized trees located within the rear yard.
- The in-ground swimming pool is setback 1.68 metres (5.5 ft.) from the east property line which exceeds the minimum side yard setback for accessory structures under the RF Zone.

- The small size of the in-ground pool allows it to be mostly accommodated within the east side yard setback without extending beyond the southern façade of the attached garage.
- The adjacent property at 1267 – 22 Avenue is partially screened by a 1.7 metre (5.6 ft.) high fence and several large trees along the west lot line which should further screen the in-ground swimming pool and provide additional privacy.
- Therefore, the proposed front yard setback relaxation is supported by City staff.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners, Action Summary and Project Data Sheets
Appendix II. Development Variance Permit No. 7914-0181-00

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

MRJ/da

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DEVELOPMENT DATA SHEET

Existing Zoning: RF

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	N/A	832 sq. m.
Road Widening area		
Undevelopable area		
Net Total	N/A	N/A
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage	34%	22.3%
SETBACKS FOR ACCESSORY BUILDINGS (in metres)		
Front	18 metres	12.7 metres
Rear	1.8 metres	+1.8 metres
Side #1 (East)	1.0 metre	1.68 metres
Side #2 (West)	7.5 metre	+7.5 metres
BUILDING HEIGHT (in metres/storeys)		
Principal	9 metres	N/A
Accessory	4 metres	N/A
NUMBER OF RESIDENTIAL UNITS	N/A	N/A
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	431.2 sq. m.	305.7 sq. m.
FLOOR AREA: Commercial	N/A	N/A
Retail		
Office		
Total		
FLOOR AREA: Industrial	N/A	N/A
FLOOR AREA: Institutional	N/A	N/A
TOTAL BUILDING FLOOR AREA	431.2 sq. m.	305.7 sq. m.

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY	N/A	N/A
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		
AMENITY SPACE (area in square metres)	N/A	N/A
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	N/A	N/A
Industrial	N/A	N/A
Residential	4 spaces	4 spaces
Institutional	N/A	N/A
Total Number of Parking Spaces	4 spaces	4 spaces
Number of disabled stalls	N/A	N/A
Number of small cars	N/A	N/A
Tandem Parking Spaces	N/A	N/A
Size of Tandem Parking Spaces	N/A	N/A

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0181-00

Issued To: WANDA J. SYMONS
ROBERT M. SYMONS

("the Owner")

Address of Owner: 2220 - Harbourgreene Drive
Surrey, B.C. V4A 5J2

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: 001-321-641
Lot 85 Section 18 Township 1 New Westminster District Plan 46366

2220 - Harbourgreene Drive

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F. of Part 16 Single Family Residential zone (RF), the minimum front yard setback for an accessory structure is reduced from 18 metres (60 feet) to 12.7 metres (42 feet) in order to permit an in-ground swimming pool.
4. 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.
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

DATE: April 15, 2011
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

2220 Westborough Dr.
 Surrey, B.C.

SITE PLAN/DATA

1. DO THESE PLANS HAVE BEEN REVIEWED FOR SUBSTANTIAL COMPLIANCE WITH THE MINIMUM LOCAL SUBSTANTIAL COMPLIANCE WITH THE B.C. BUILDING CODE, CURRENT BCRA, AND ALL RELEVANT MUNICIPAL REGULATIONS AND BYLAW PROVISIONS? YES [] NO [X]
 AND ALL RELEVANT MUNICIPAL REGULATIONS AND BYLAW PROVISIONS ARE NOT CONSIDERED IN THE ISSUANCE OF THIS PERMIT.
 NOTE: THE REVIEW OF THESE PLANS DOES NOT GUARANTEE COMPLIANCE.
 DATE: 04/15/11 PLAN CHECKER: [Signature]

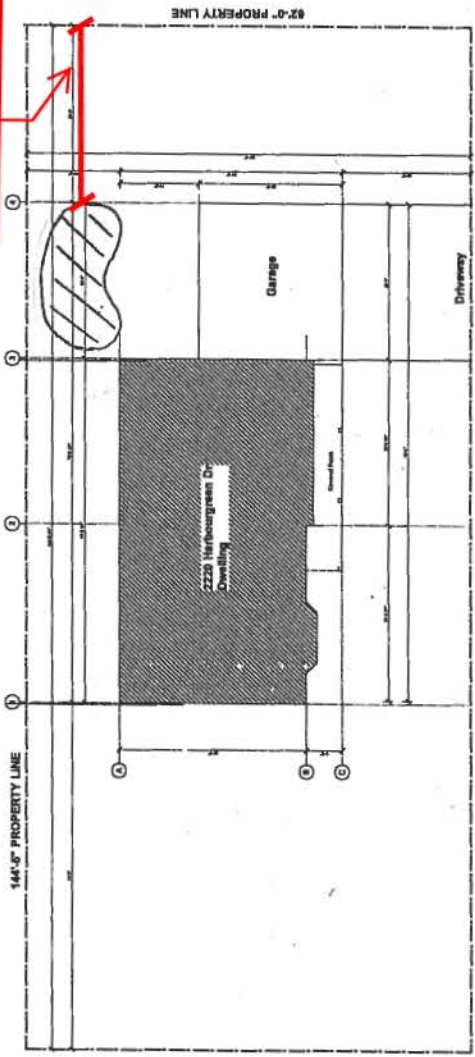
GROUND FLOOR	AREA of floor (sqm)	AREA of floor (sqft)
UPPER FLOOR		

- LIST OF DRAWINGS:
- A-1.01 SITE PLAN / PROJECT DATA
 - A-2.01 EXISTING PLANS
 - A-3.01 EXISTING ELEVATIONS
 - A-3.01 PROPOSED PLANS
 - A-3.01 PROPOSED ELEVATIONS

CIVIC ADDRESS:
 2220 Westborough Dr.
 Surrey, B.C.



DVP to vary the minimum front yard setback for an accessory structure from 18 metres (60 ft.) to 12.7 metres (42 ft.)



1 PROPOSED SITE PLAN
 Scale: 1/8" = 1'-0"