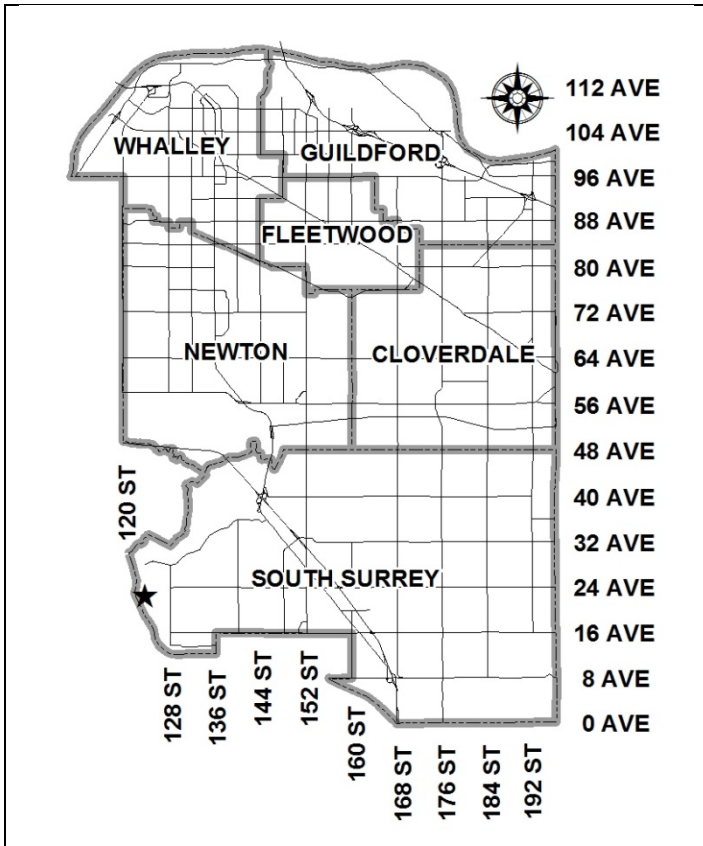


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7914-0274-00

Planning Report Date: October 20, 2014



**PROPOSAL:**

- **Development Variance Permit**  
 in order to correct an inaccuracy and further reduce the minimum front yard setback for a proposed in-ground swimming pool.

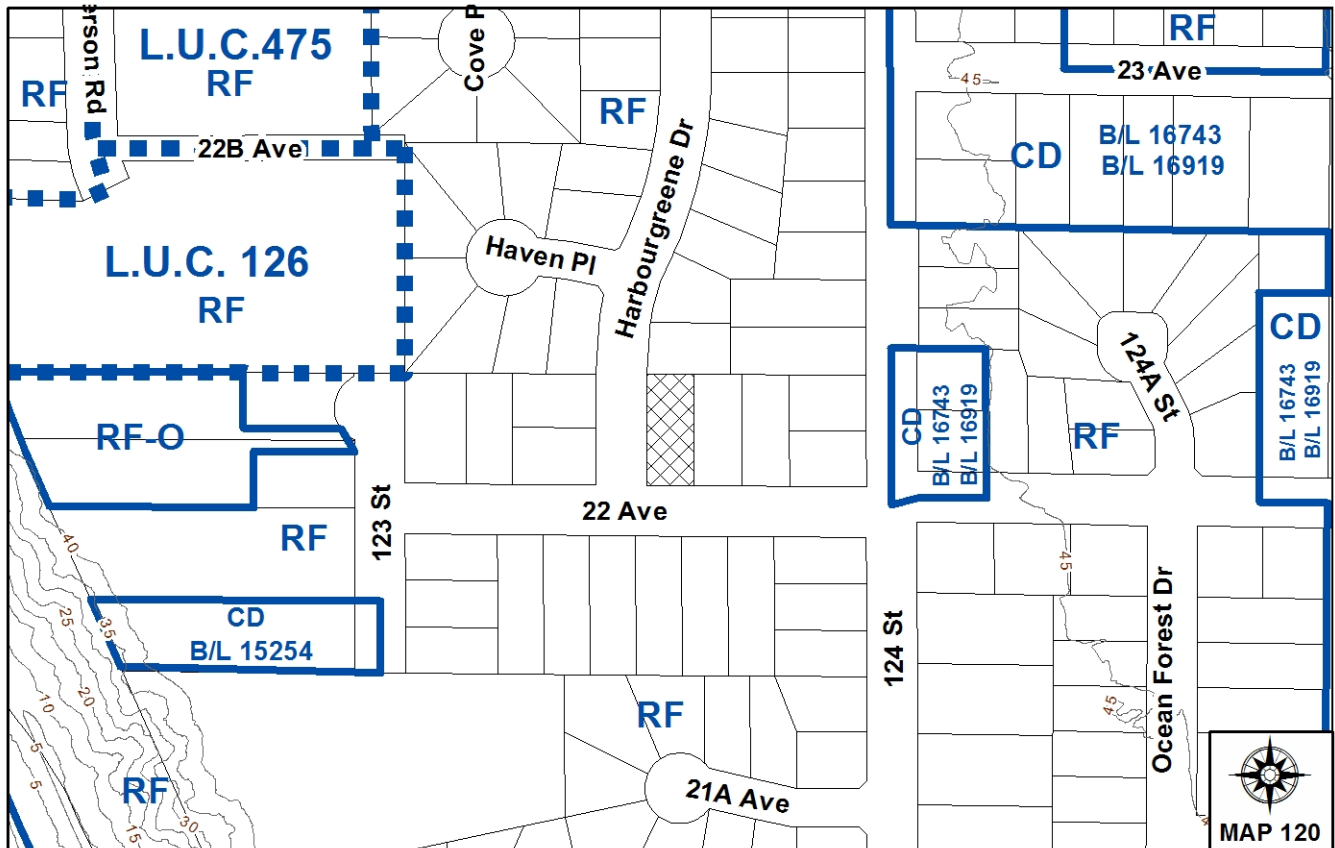
**LOCATION:** 2220 - Harbourgreene Drive

**OWNER:** Robert M. Symons  
 Wanda J. Symons

**ZONING:** RF

**OCP DESIGNATION:** Urban

**LAP DESIGNATION:** Urban Residential



### RECOMMENDATION SUMMARY

- Approval for Development Variance permit to proceed to Public Notification.
- Remove notice of Development Variance Permit No. 7914-0181-00 from title.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- A Development Variance Permit (DVP) is required in order to correct an inaccurate dimension on the site plan previously submitted for File No. 7914-0181-00. The applicant is requesting the proposed variance to further reduce the minimum front yard setback and thereby permit an in-ground swimming pool.

### RATIONALE OF RECOMMENDATION

- The proposed variance will correct an inaccuracy in Development Variance Permit No. 7914-0181-00 and enable the owner to construct an in-ground swimming pool next to the existing dwelling while minimally impacting the side yard privacy of the adjacent property owner at 12367 – 22 Avenue.
- The proposed setback variance of 7.08 metres (23.2 ft.) can be supported on the basis of the same arguments supporting the original variance approved under File No. 7914-0181-00 by Council in July, 2014.
- The attached Development Variance Permit (Appendix II) will replace the existing DVP currently registered on title for 2220 - Harbourgreene Drive.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7914-0274-00 (Appendix II) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum front yard setback of the RF Zone from 18 metres (60 ft.) to 7.08 metres (23.2 ft.).
2. The City Clerk remove notice of Development Variance Permit No. 7914-0181-00 from title upon execution of DVP No. 7914-0274-00.

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)".
- A Development Variance Permit (DVP No. 7914-0181-00) was previously issued by Council in July, 2014 in order to reduce the minimum front yard setback for an accessory structure from 18 metres (60 ft.) to 12.7 metres (42 ft.) thereby allowing an in-ground swimming pool.

### Current Proposal

- The applicant recently discovered an inaccurate dimension on the previous site plan submitted for File No. 7914-0181-00. In response, the applicant requested a Development Variance Permit to further reduce the minimum side yard setback from 12.7 metres (42 ft.) to 7.08 metres (23.2 ft.).
- The proposed pool is kidney-shaped and fairly small (3.05 metres [10 ft.] wide by 6.18 metres [20.3 ft.] long). It is proposed to be sited in the east side yard of the subject property, at the south end of the existing dwelling.
- The in-ground swimming pool is setback 1.84 metres (6 ft.) from the east property line which exceeds the minimum side yard setback for accessory structures under the RF Zone.
- 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. In addition, a registered Arborist recently confirmed the in-ground swimming pool will not negatively affect the root protection zone of the 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 7.08 metres (23.2 ft.) in order to permit an in-ground swimming pool.

#### Applicant's Reasons:

- The applicant previously submitted an inaccurate site plan for File No. 7914-0181-00. The original layout showed a front yard setback of 12.7 metres (42 ft.). However, the applicant subsequently determined that a setback of 7.08 metres (23.2 ft.) would be required to accommodate the proposed in-ground swimming pool.

#### Staff Comments:

- The proposed variance will correct an inaccuracy in Development Variance Permit No. 7914-0181-00 and enable the owner to construct an in-ground swimming pool next to the existing dwelling while minimally impacting the side yard privacy of the adjacent property owner at 12367 – 22 Avenue.
- The proposed setback variance of 7.08 metres (23.2 ft.) can be supported on the basis of similar arguments supporting the original variance approved under File No. 7914-0181-00 in July, 2014 which includes the following:
  - The in-ground swimming pool is relatively small and is mostly accommodated within the east side yard setback without extending beyond the south façade of the attached garage;

- The adjacent property at 12367 – 22 Avenue is partially screened by a 1.7 metre (5.6 ft.) high fence with several large trees on the west lot line that will further screen the in-ground swimming pool and provide additional privacy; and
- The in-ground swimming pool is fully screened along the south lot line by an existing 1.2 metre (4 ft.) high cedar fence and, therefore, will not be visible to pedestrians or passing motorists on 22 Avenue.
- The attached Development Variance Permit (Appendix II) will replace the existing DVP currently registered on title for 2220 Harbourgreene Drive.

#### 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. 7914-0274-00

*original signed by Nicholas Lai*

Jean Lamontagne  
General Manager  
Planning and Development

MRJ/da

\\file-server1\net-data\cscd\generate\areaproduct\save\26643583011.doc  
DRV 10/16/14 10:21 AM



## DEVELOPMENT DATA SHEET

Existing Zoning: RF

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total	N/A	832 sq. m.
Road Widening area		
Undevelopable area		
Net Total	N/A	N/A
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage	34%	22.3%
<b>SETBACKS</b> ( in metres)		
Front	18 metres	7.08 metres
Rear	1.8 metres	+1.8 metres
Side #1 (East)	1.0 metre	1.84 metres
Side #2 (West)	7.5 metres	+7.5 metres
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	N/A	N/A
Accessory	N/A	N/A
<b>NUMBER OF RESIDENTIAL UNITS</b>	N/A	N/A
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
<b>FLOOR AREA: Residential</b>	431.2 sq. m.	305.7 sq. m.
<b>FLOOR AREA: Commercial</b>	N/A	N/A
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>	N/A	N/A
<b>FLOOR AREA: Institutional</b>	N/A	N/A
<b>TOTAL BUILDING FLOOR AREA</b>	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**

<b>Required Development Data</b>	<b>Minimum Required / Maximum Allowed</b>	<b>Proposed</b>	
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	YES



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0274-00

Issued To: ROBERT M. SYMONS  
WANDA J. SYMONS  
  
("the Owner")

Address of Owner: 2220 - Harbourgreene Drive  
Surrey, BC 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 ft.) to 7.08 metres (23.2 ft.) 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

**BC LAND SURVEYOR'S FORMS  
LOCATION CERTIFICATE COVERING  
PART OF LOT 85 SEC 18 TP 1 NWD  
PLAN 46366**

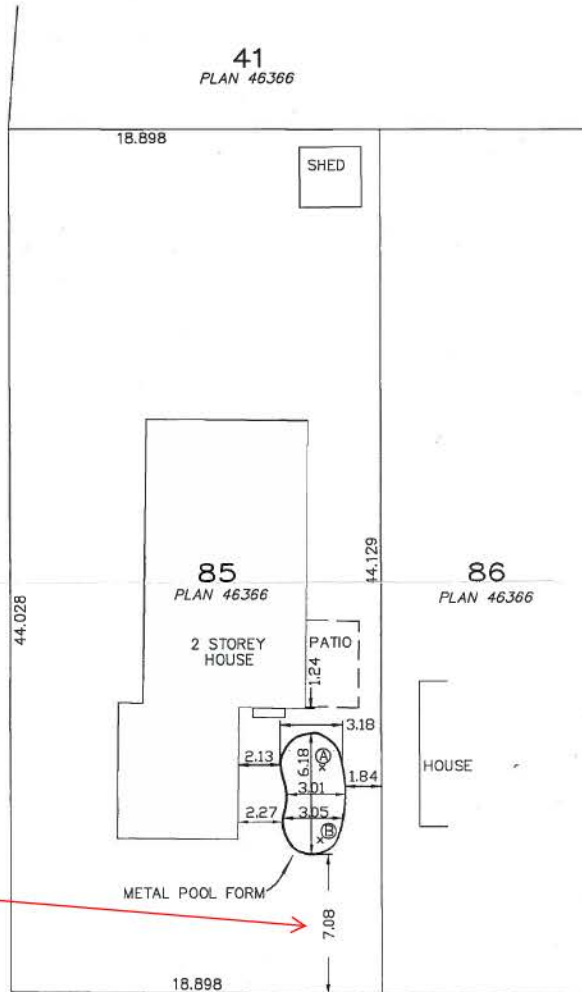
CIVIC ADDRESS:

2220 Harbourgreene Dr., Surrey, BC  
P.I.D. 001-321-641

SCALE 1 : 250



HARBOURGREENE DRIVE



**Proposed variance to reduce the minimum front yard setback for an accessory structure from 18 metres (60 ft.) to 7.08 metres (23.2 ft.) to permit an in-ground swimming pool**

22ND AVENUE

Notes:

Measurements shown are to the outside of the forms and/or to the exterior of the house.

Property boundary dimensions shown hereon, are derived from Plan 46366.

This document shows the relative location of surveyed structures with respect to the boundaries of the parcel described above.

All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or part without the consent of the signatory.

The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

CERTIFIED CORRECT  
DATED THIS 2nd DAY OF September, 2014

*M. Adam Fulkerson*  
M. Adam Fulkerson B.C.L.S.

DEPTH ELEVATIONS

- Ⓐ 42.00m
- Ⓑ 41.24m

Elevations are Geodetic (CVD28 GVRD-2005 - IN METERS)  
Derived from Control Monument 5486 located at the intersection of 124th St and 22 Ave.  
Elevation = 43.387m

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED  
BUILDING CORNERS SHOWN ON THIS PLAN ARE NOT TO BE USED TO RE-ESTABLISH PROPERTY CORNERS