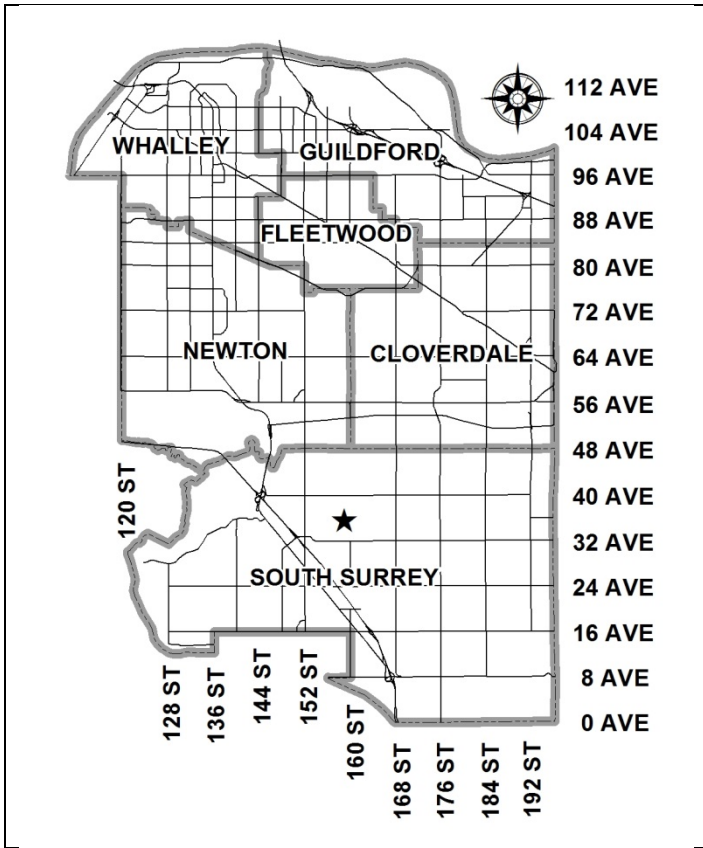


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7915-0377-00

Planning Report Date: November 30, 2015



**PROPOSAL:**

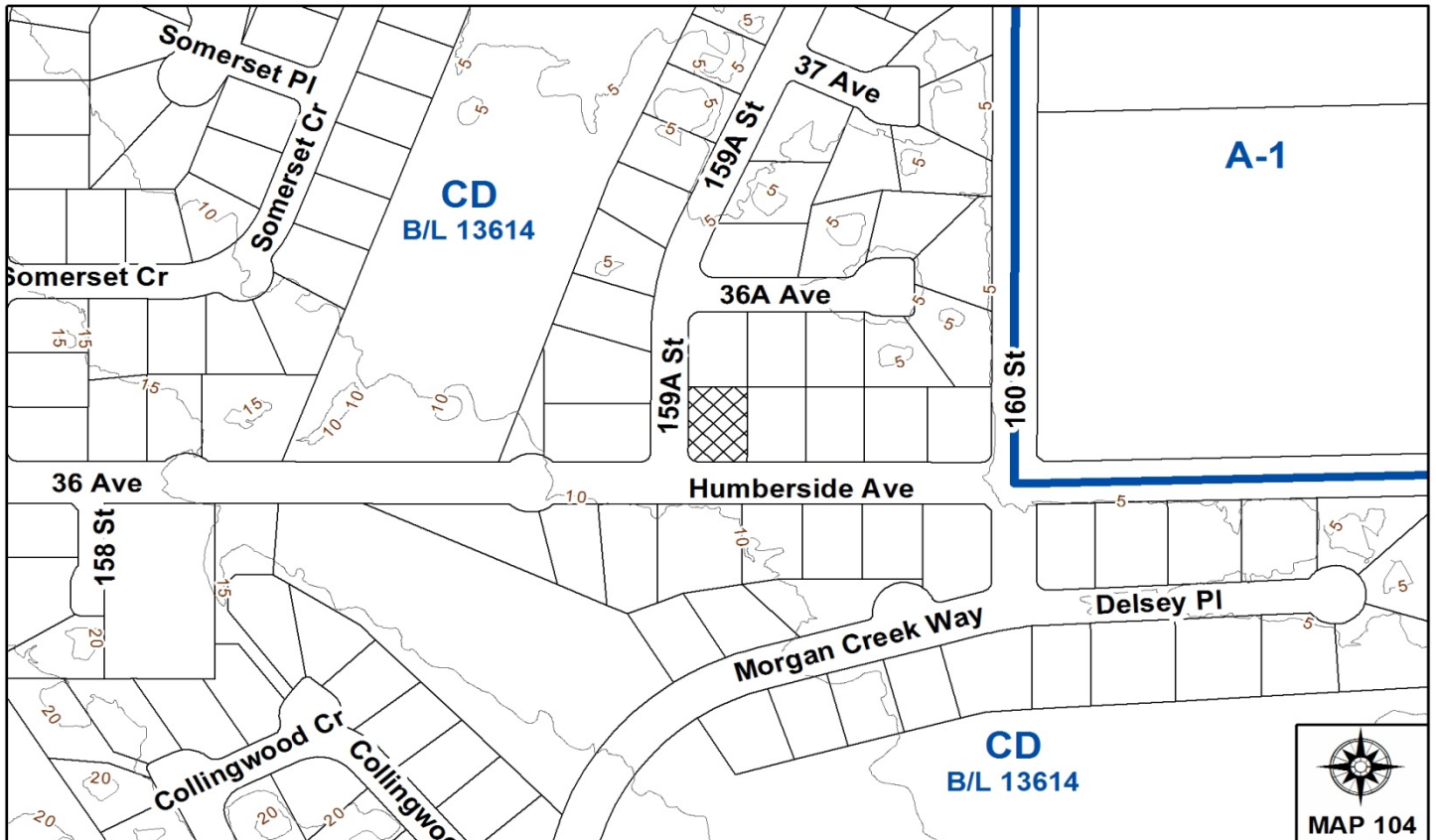
- **Development Variance Permit**  
 to reduce the minimum side yard setback on a flanking street for an existing accessory building.

**LOCATION:** 15951 - Humberside Avenue

**OWNER:** Irene R Beck

**ZONING:** CD (By-law No. 13614 & 14475)

**OCP DESIGNATION:** Suburban



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to reduce the minimum side yard setback on a flanking street for an existing accessory building from 7.5 metres (25 ft.) to 3.4 metres (11 ft.).

### RATIONALE OF RECOMMENDATION

- The reduced side yard setback of 3.4 metres (11 ft.) will allow for an existing, non-conforming accessory building (shed) to be retained. The accessory building will be used to house equipment for a proposed in-ground pool.
- The existing, non-conforming accessory building (shed) was constructed in approximately 2010. The shed is set back from the property line by 3.4 metres (11 ft.) and is well-screened from the street by a hedge approximately 1.8 metres (6 ft.) high. The structure is also set back from the pavement of 159A Street by a 6.0 metre-wide (20 ft.) grass boulevard.
- The accessory building was designed to match the principal residence and no complaints have been received from neighbours regarding the structure.
- Staff supports the requested variance to proceed to Public Notification.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7915-0377-00 (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum side yard setback on a flanking street for an accessory building from 7.5 metres (25 ft.) to 3.4 metres (11 ft.).

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 Designation	Existing Zone
North & East:	Single family dwellings	Suburban	CD (By-law 13614 & 14475)
South (Across Humberside Avenue):	Single family dwellings	Suburban	CD (By-law 13614 & 14475)
West (Across 159A Street):	Single family dwellings	Suburban	CD (By-law 13614 & 14475)

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 15951 Humberside Avenue and is zoned Comprehensive Development By-law No.13614, amended by By-law No. 14475, and designated Suburban in the Official Community Plan.
- The applicant is requesting a Development Variance Permit to reduce the minimum side yard setback on a flanking street for an existing accessory building from 7.5 metres (25 ft.) to 3.4 metres (11 ft.).
- The accessory building is one storey and 9.0m<sup>2</sup> (96 sq. ft.) in size. The location of the structure is shown in Appendix II.
- The reduced side yard setback will allow for an existing, non-conforming accessory building (shed) to be retained and used to house equipment for a proposed in-ground pool.

- The interior side yard setback for accessory buildings in the CD Zone (CD By-law 13614 & 14475) is 1.0 metre (3 ft.). However, as this property is on a flanking street, the setback is 7.5 metres (25 ft.) to correspond with the front and side yard setbacks of the principal residence.
- The existing accessory building was constructed in approximately 2010, with a design and materials that are consistent with that of the principal residence. No complaints have been received from neighbours regarding the structure.

#### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum side yard setback on a flanking street for an accessory building of the CD Zone (Bylaw 13614) from 7.5 metres (25 ft.) to 3.4 metres (11 ft.).

Applicant's Reasons:

- The reduced side yard setback will allow for an existing, non-conforming accessory building (shed) to be retained and used to house equipment for a proposed in-ground pool. To remove or relocate the shed for these purposes would be prohibitively expensive for the owner.
- The existing accessory building was constructed in approximately 2010. The applicant purchased the property in May 2015.
- The accessory building was designed to match the aesthetic of the principal residence.

Staff Comments:

- The shed is set back from the property line by 3.4 metres (11 ft.) and is well-screened from the street by a hedge approximately 1.8 metres (6 ft.) in height.
- The structure is set back from the pavement of 159A Street by a 6.0 metre-wide (20 ft.) grass boulevard.
- No complaints have been received from neighbours regarding the structure.
- Staff support the requested variance to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary
- Appendix II. Site Plan
- Appendix III. Photos of Existing Accessory Building
- Appendix IV. Development Variance Permit No. 7915-0377-00

*original signed by Ron Hintsche*

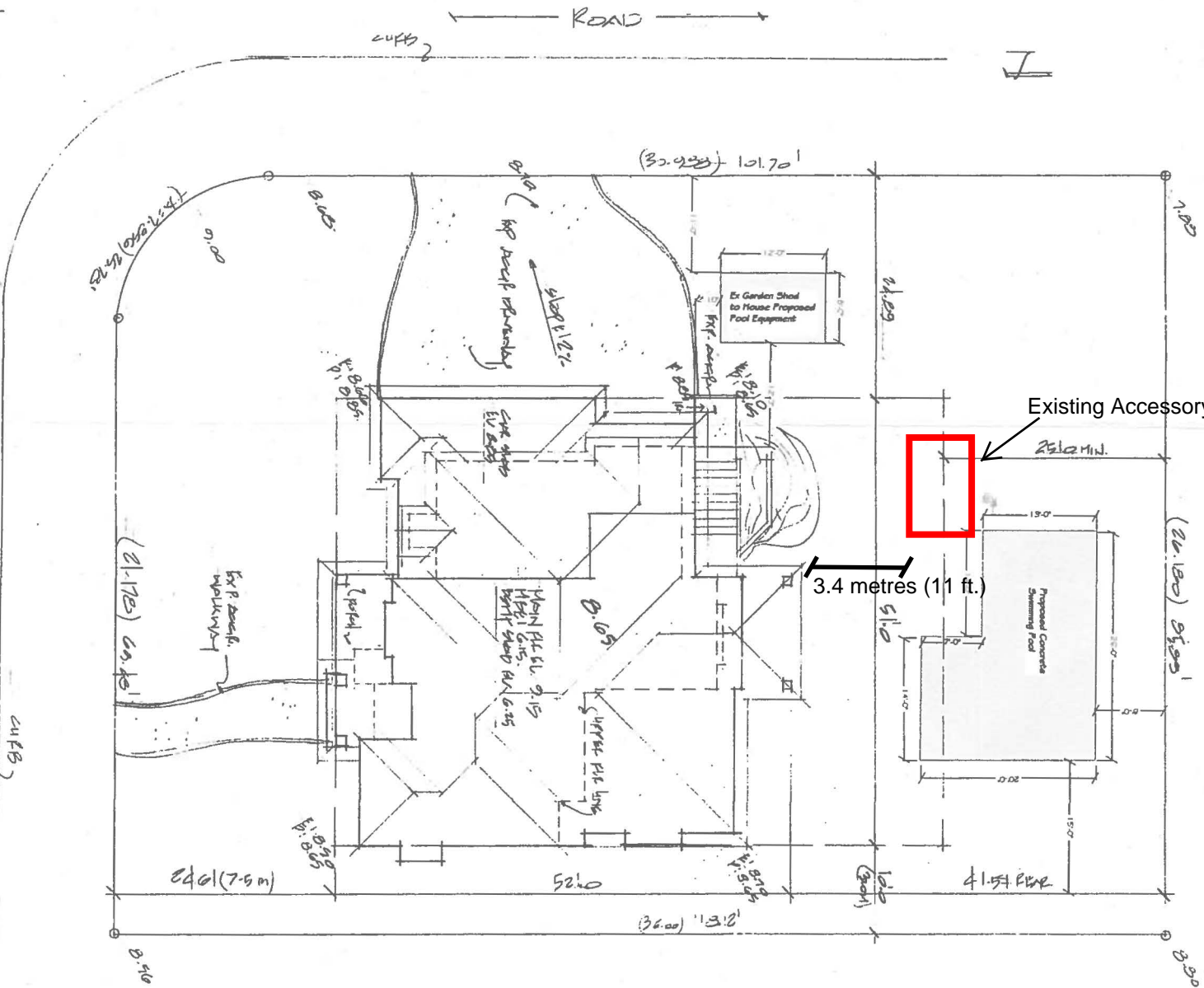
Jean Lamontagne  
General Manager  
Planning and Development

RJG/dk

Information for City Clerk

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

1. Agent:                  Name:                    George Beck  
  
    Address:                15951 - Humberside Avenue  
    Surrey, BC V3Z 0J1  
  
    Tel:                        604-831-1507 - Work  
    604-8311-507 - Home
  
2.        Properties involved in the Application
  - (a)      Civic Address:            15951 - Humberside Avenue
  
  - (b)      Civic Address:            15951 - Humberside Avenue  
            Owner:                     Irene R Beck  
            PID:                            025-215-205  
            Lot 168 Section 26 Township 1 New Westminster District Plan Lmp52301
  
3.        Summary of Actions for City Clerk's Office
  - (a)      Proceed with Public Notification for Development Variance Permit No. 7915-0377-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.



Lot 168 (3375sq ft)  
 0.000sq ft 32.92m x 70.00m Max. developable  
 Main Pit: 100sq ft  
 Pool: 197sq ft  
 Access: 50sq ft  
 Total: 319sq ft  
 Lot 252 (25720.5sq ft)  
 Main Pit: 100sq ft  
 Access: 50sq ft  
 Total: 214sq ft

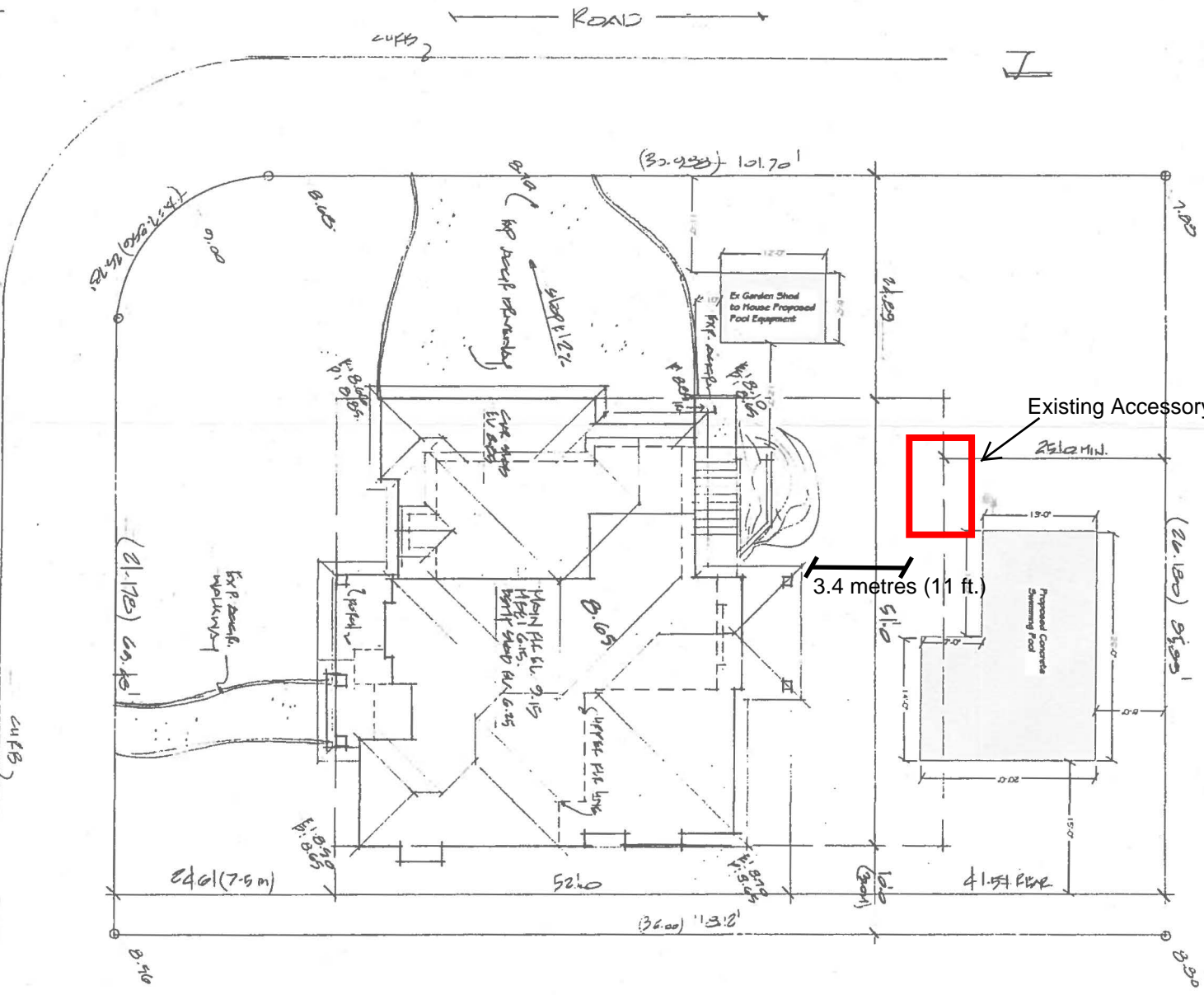
HWY 267 SIDE AVE  
 HWY 267 SIDE AVE

**SITE PLAN**  
**LEGAL DESCRIPTION**  
 Lot # 168 - Morgan Creek Phase 9, South Surrey

APPENDIX III







0.0000 32.7' 15.4' = 3380.74 sq Max. RECOVERABLE  
 Prop. H/W: 1200sq UPST. Flt.: 1197sq; covered 504sq  
 existing 5124 sq  
 TOTAL: 3190sq  
 10.25% (32720.5sq)  
 Prop: MAIN Flt.: 1704sq; covered 504sq  
 existing 253 sq  
 TOTAL: 2141 sq

H/V BEY SIDE AVE

**SITE PLAN**  
**LEGAL DESCRIPTION**  
 Lot # 168 - Morgan Creek Phase 9, South Surrey

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0377-00

Issued To: Irene R Beck

("the Owner")

Address of Owner: 15951 HUMBERSIDE AVE  
SURREY BC V3Z 0J1

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: 025-215-205  
LT 168 SC 26 T1 PLLMP52301  
15951 Humberside Ave

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

(a) In Section F, Yards and Setbacks, of CD By-law No. 13614, as amended by By-law No. 14475, the minimum side yard setback on a flanking street for an accessory building is reduced from 7.5 metres (25 ft.) to 3.4 metres (11 ft.).

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

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 .

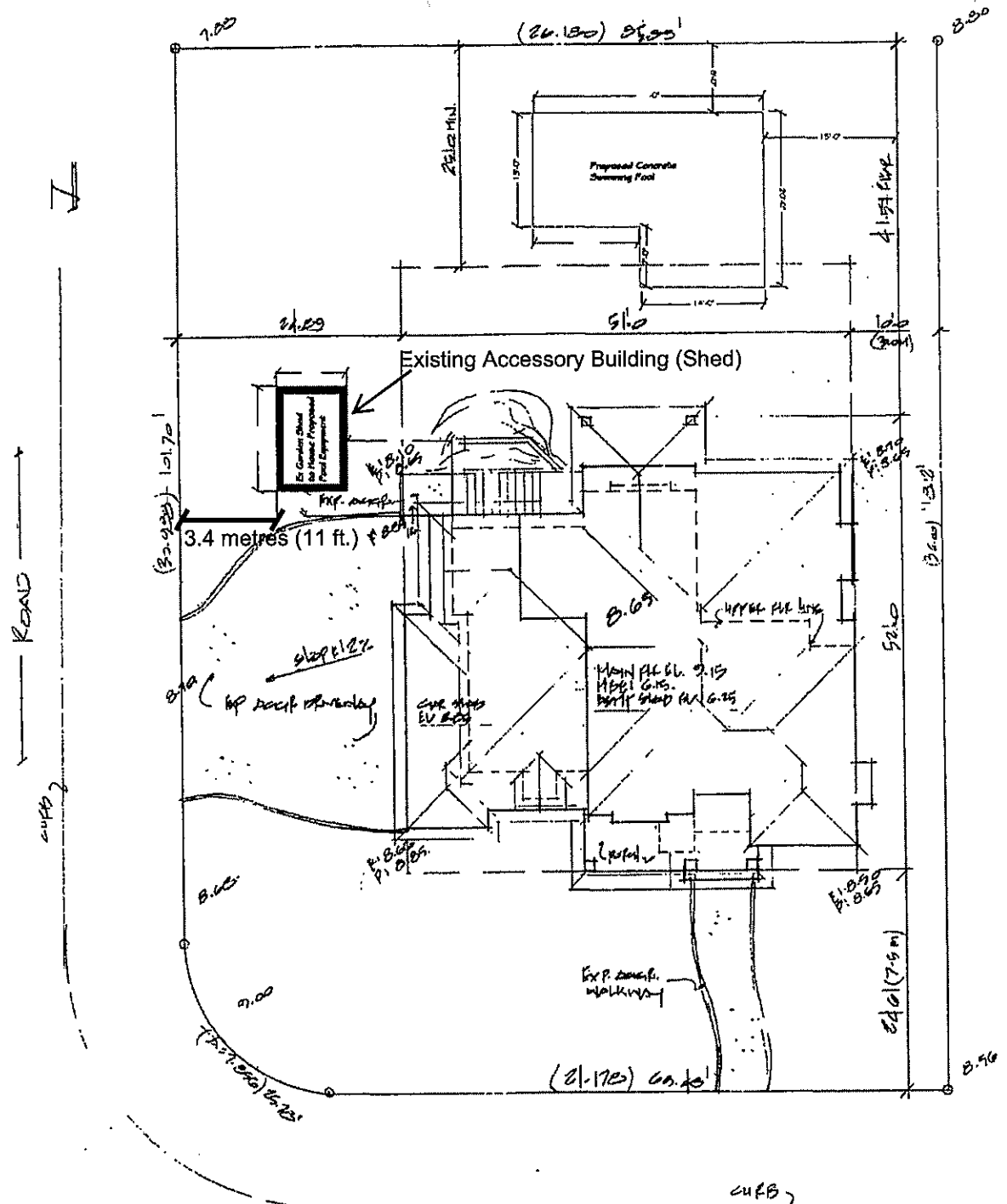
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Mayor – Linda Hepner

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City Clerk – Jane Sullivan

SCHEDULE A



TOP 21519' BY 163 (33751)  
 10.00% OF 32% FSI = 320.00 SF MAX. DEVELOPMENT  
 PROP: MAIN FIB: 1700 SF UPPER FIB: 1174 SF; GARAGE: 70 SF  
 ACCESS: 105 SF  
 TOTAL: 3100 SF  
 ---  
 10.25% (2670.5 SF)  
 PROP: MAIN FIB: 1700 SF; GARAGE: 70 SF  
 POTENTIAL: 253 SF  
 TOTAL: 2141 SF

HUMBERSIDE NW

**SITE PLAN**  
**LEGAL DESCRIPTION**  
 Lot # 168 - Morgan Creek Phase 9, South Surrey