

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7918-0415-00

Planning Report Date: December 17, 2018

**PROPOSAL:**

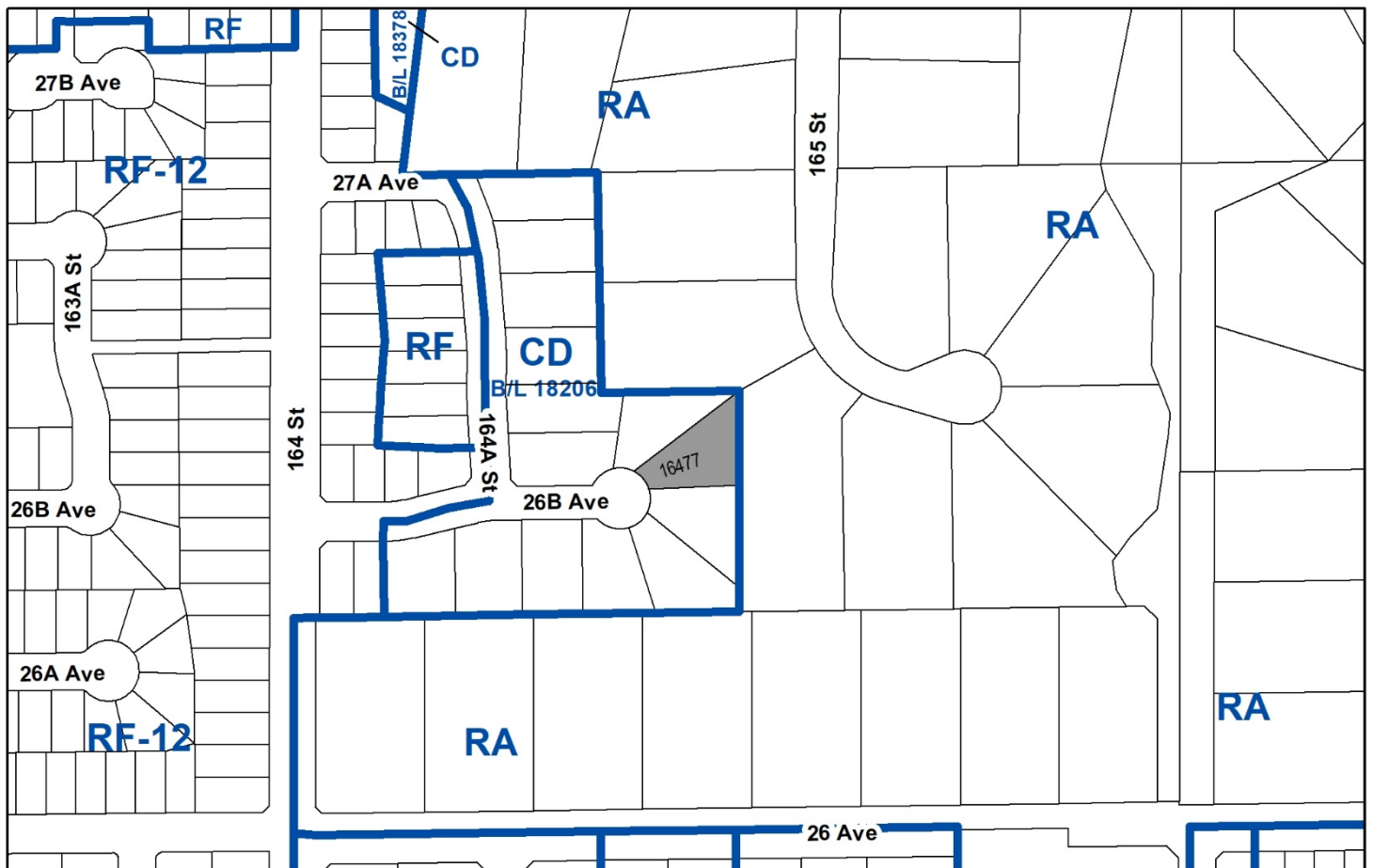
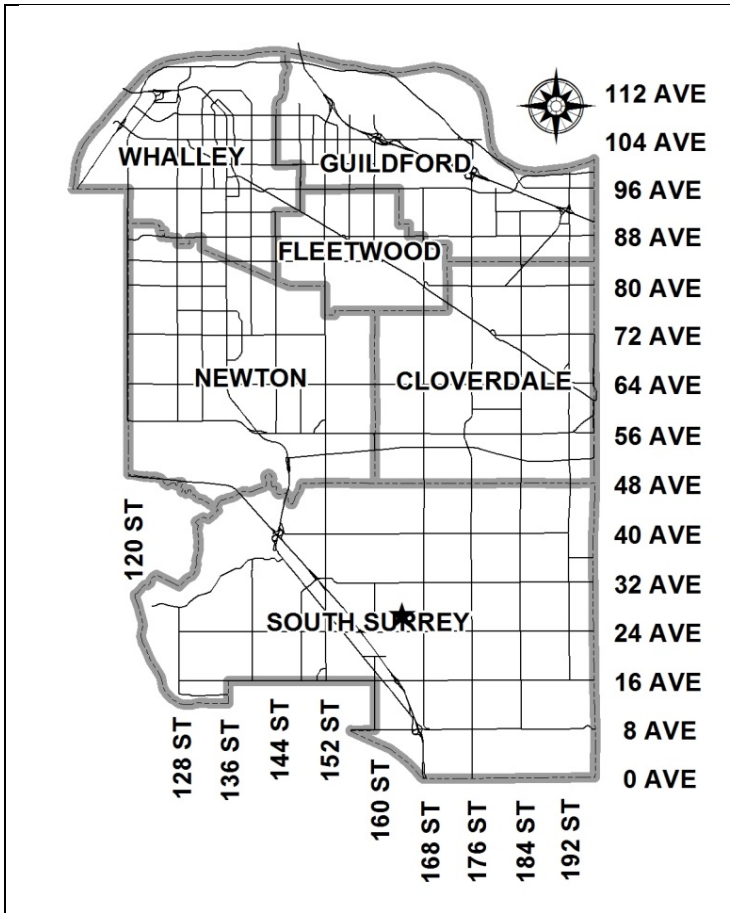
- **Development Variance Permit**  
 to reduce the minimum rear yard setback requirement to permit an in-ground swimming pool.

**LOCATION:** 16477 - 26B Avenue

**ZONING:** CD (By-law No. 18206)

**OCP DESIGNATION:** Urban

**GLUP DESIGNATION:** Transitional Density  
 (2-4 u.p.a.)



### 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 rear setback in order to permit construction of an in-ground swimming pool in the rear yard.

### RATIONALE OF RECOMMENDATION

- The proposed in-ground pool will be well-screened from the property to the east by a 2.5 metre (8 ft.) wide landscape buffer which was required as a condition of development approval through application 7913-0226-00.
- The applicant has provided a signed letter of support from the bordering property owners, including the neighbouring property owner to the east, located at 2737 – 165 Street.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7918-0415-00 (Appendix II), to reduce the minimum rear setback of an accessory structure under the CD Zone (By-law No. 18206) from 12.5 metres (41 ft.) to 3.0 metres (10 ft.), to proceed to Public Notification.

REFERRALS

- Engineering: The Engineering Department has no objection or requirements relative to the issuance of the proposed variance, subject to limiting the excavation within 2 meters of the property line to protect the existing storm sewer adjacent to the rear property line.
- Fire: No referral required.
- Parks: No referral required.

SITE CHARACTERISTICS

Existing Land Use: Single Family Dwelling

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>GLUP Designation</b>	<b>Existing Zone</b>
North:	Single Family Residential	Transitional Density (2-4 u.p.a.)	RA & CD (By-Law No. 18206)
East:	Single Family Residential	Rural	RA
South:	Single Family Residential	Transitional Density (2-4 u.p.a.)	CD (By-law No.18206)
West:	Single Family Residential	Transitional Density (2-4 u.p.a.)	CD (By-law No. 18206)

DEVELOPMENT CONSIDERATIONS

- The subject property, located at 16477 - 26B Avenue, is designated "Urban" in the Official Community Plan, and zoned "Comprehensive Development Zone (CD)" (By-law No. 18206).
- The lot was created under Development Application No. 7913-0226-00. To help with the transition between the lots developed under 7913-0226-00 and the existing suburban estate lots to the south and east, large-sized urban lots including the subject lot, were placed along the south and east perimeter of this development site. Furthermore, in order to allow for a larger separation between the adjacent estate homes and proposed homes, the rear setback was increased from 7.5 metres (25 ft.) to a minimum of 12.5 metres (41 ft.) under the CD Zone. The increased setback is applicable to both the

Principal Buildings and Accessory Buildings and Structures that are greater than 10 square meters (105 sq. ft.) in size.

- The applicant is proposing a Development Variance Permit to reduce the rear yard setback for a proposed 18 by 36 foot in-ground swimming pool from 12.5 metres (41 ft.) to 3.0 metres (10 ft.).

#### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear setback of an accessory structure from 12.5 metres (41 ft.) to 3.0 metres (10 ft.).

Applicant's Reasons:

- The accessory structure (in-ground pool) is proposed to be located in the rear yard, with a reduced rear yard setback of 3.0 metres (10 ft.). The existing dwelling is setback 12.51 metres (41 ft.) from the rear property line.

Staff Comments:

- The proposed in-ground pool is considered an accessory structure and does not comply with the required rear yard setback in the CD Zone.
- The rear yard is well screened with a 2.5 metre wide landscape buffer containing a row of Western Red Cedar trees along the east property line, offering privacy from the property to the east at 2737 165 Street.
- A letter of support has been received from the neighbouring property owners, including the neighbour to the east.
- Staff support this application to proceed to Public Notification.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary (Confidential)  
Appendix II. Development Variance Permit No. 7918-0415-00

*original signed by Ron Hintsche*

Jean Lamontagne  
General Manager  
Planning and Development

APPENDIX I HAS BEEN  
REMOVED AS IT CONTAINS  
CONFIDENTIAL INFORMATION

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0415-00

Issued To:

(the "Owner")

Address of Owner:

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: 029-513-430  
Lot 9 Section 24 Township 1 New Westminster District Plan EPP44834

16477 - 26B Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:  
  
In Section F of Setbacks of "Comprehensive Development Zone (CD)" (By-law No. 18206) the required rear yard setback is reduced from 12.5 metres (41 ft.) to 3.0 metres (10 ft.) 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   .

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Mayor – Doug McCallum

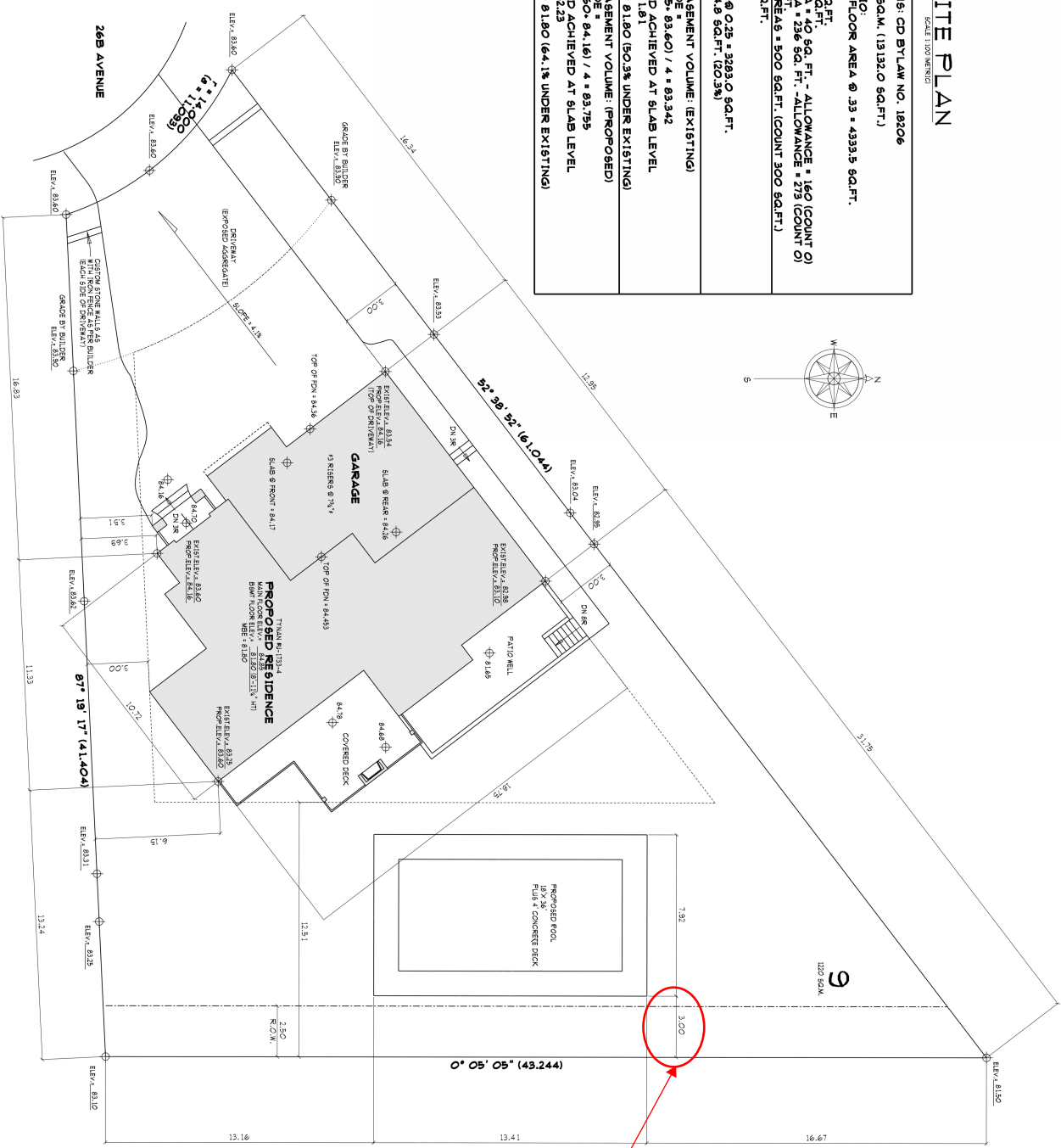
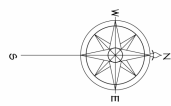
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City Clerk

**SITE PLAN**

SCALE: 1:100 (METRIC)

LOT CALCULATIONS: CD BYLAW NO. 18206
FLOOR AREA RATIO: MAX. ALLOWABLE FLOOR AREA @ .33 = 4339.5 SQ.FT.
PROPOSED: HOUSE = 3028 SQ.FT. FRONT PORCH = 140 SQ.FT. - ALLOWANCE = 160 (COUNT) REAR COV. AREA = 236 SQ.FT. - ALLOWANCE = 273 (COUNT) HIGH CEILING AREA = 500 SQ.FT. (COUNT 300 SQ.FT.) TOTAL = 4186 SQ.FT.
51% SITE COVERAGE: MAX. ALLOWABLE @ 0.25 = 3283.0 SQ.FT. PROPOSED = 2664.8 SQ.FT. (20.3%)
UNDERGROUND BASEMENT VOLUME: (EXISTING) AVG. BLDG. GRADE = 83.34+ 82.98+ 83.25+ 83.60 / 4 = 83.342 50% UNDERGROUND ACHIEVED AT SLAB LEVEL 83.342 - 1.929 = 81.81
UNDERGROUND BASEMENT VOLUME: (PROPOSED) UNDERGROUND BASEMENT VOLUME = (PROPOSED) AVG. BLDG. GRADE = 84.16+ 83.10+ 83.60+ 84.16 / 4 = 83.755 50% UNDERGROUND ACHIEVED AT SLAB LEVEL 83.755 - 1.929 = 82.23
BASEMENT SLAB = 81.80 (64.1% UNDER EXISTING) BASEMENT SLAB = 81.80 (64.1% UNDER EXISTING)



**DVP to reduce the rear setback from 12.5 m (41 ft.) to 3.0 m (10 ft.)**

**NOTE: THE ENERGY DETAIL SHEETS FORM AN INTEGRAL COMPONENT OF THESE PLANS AND NO CONSTRUCTION SHOULD TAKE PLACE UNLESS THE SPECIFICATIONS OF THE SAID DETAIL SHEETS ARE THOROUGHLY REVIEWED BY THE OWNER AND THE BUILDER WHO SHALL TAKE FULL RESPONSIBILITY FOR COMPLIANCE WITH THE BC BUILDING CODE (LATEST EDITION AND REVISION)**

**ENERGY EFFICIENCY REQUIREMENTS**  
THIS HOME IS DESIGNED TO COMPLY WITH THE ENERGY EFFICIENCY CODE (CLIMATE ZONE 4 - LOWER MAINLAND AND SOUTHERN VANCOUVER ISLAND WITH NO H.V. BESS 2012 LATEST EDITION)

**GENERAL:**  
THANK YOU FOR INCLUDING US IN YOUR PROJECT. WE WILL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS AND THE ACCURACY AND COMPLETION OF THE PROJECT. WE WILL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES. WE WILL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS AND THE ACCURACY AND COMPLETION OF THE PROJECT. WE WILL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES.

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**THE BUILDING SITE:**  
THE OWNER OF THE SITE IS TO VERIFY THE EXISTING DIMENSIONS OF THE SITE AND THE LOCATION OF ALL UTILITIES AND SERVICES. THE BUILDER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES. THE BUILDER IS RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS AND THE ACCURACY AND COMPLETION OF THE PROJECT. THE BUILDER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES.



**TYNAN DESIGN LTD.**

TYNAN DESIGN LTD. HEAD OFFICE:  
13628 108th AVENUE, SURREY, B.C. V3T 2K4  
TEL: (604) 581-5122 FAX: (604) 581-4822

**SITE PLAN**



<b>CIVIC ADDRESS:</b>	<b>BUILDING CODE:</b>
<b>CLIENT:</b>	<b>DESIGNER:</b>
<b>DATE:</b>	<b>CHECKED:</b>
<b>SCALE:</b>	<b>DATE:</b>
<b>SHEET 1 OF 7</b>	<b>REV 0</b>