

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7920-0242-00

Planning Report Date: December 7, 2020

PROPOSAL:

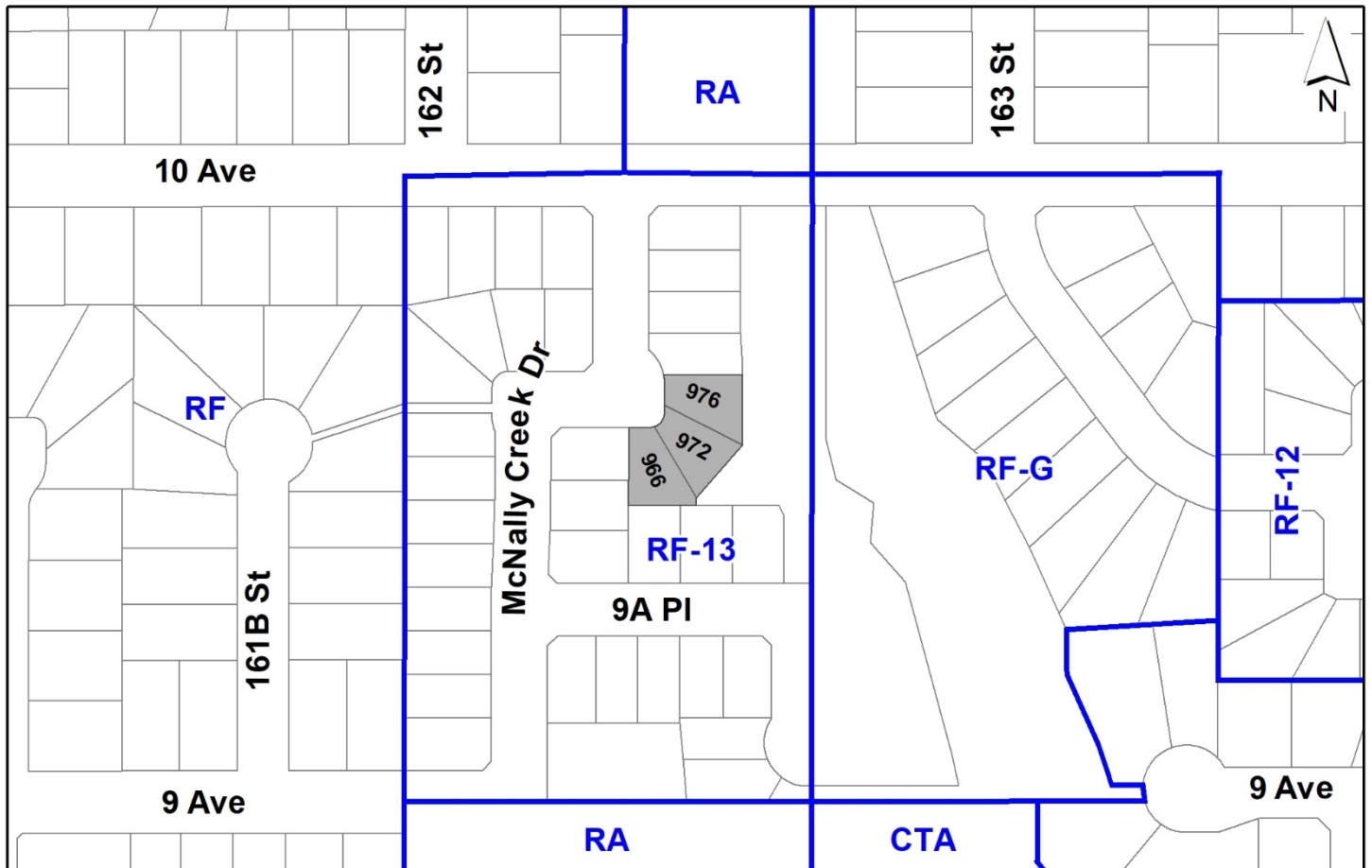
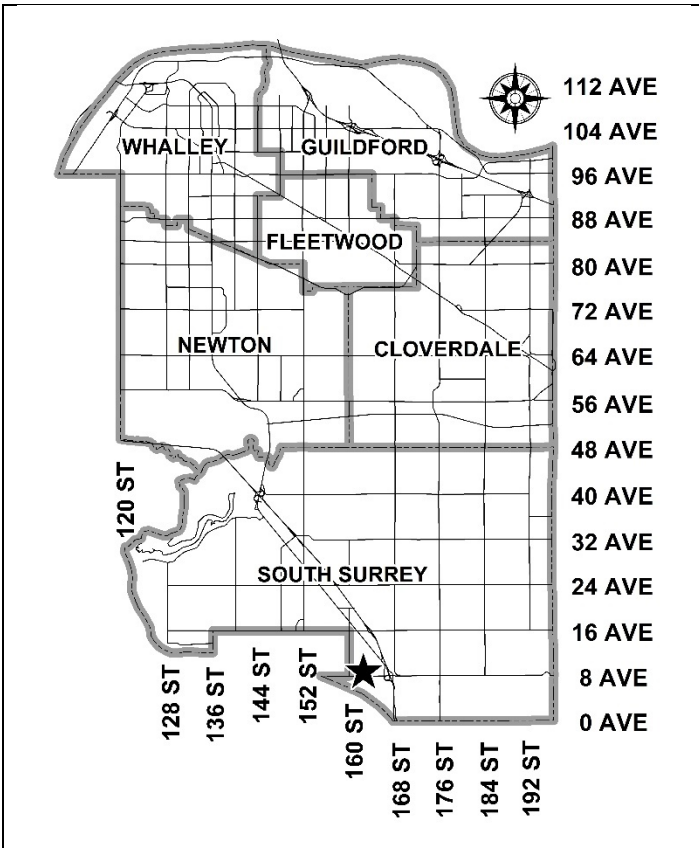
- **Development Variance Permit**

to reduce the rear yard setbacks to permit the development of three new single-family dwellings.

LOCATION: 966 - McNally Creek Drive
 972 - McNally Creek Drive
 976 - McNally Creek Drive

ZONING: RF-13

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing a Development Variance Permit to reduce the rear yard setback requirements for a principal building of the "Single Family Residential (13) Zone (RF-13)".

RATIONALE OF RECOMMENDATION

- Applying the building setback requirements of Zoning By-law No. 12000, will not allow for standard sized single-family dwellings to be constructed on these lots. The irregular shape and depth of the lots does not allow for a functional building footprint. The reduction to the rear yard setbacks will allow the applicant to design a more functional floor plan, while achieving a design that is in keeping with other new houses being constructed in this subdivision.
- The proposed setbacks will have minimal visual impact from neighbouring properties and still provide a functional rear yard interface with neighbouring lots to the south and east.
- The proposed variance will not reduce the protected riparian area around McNally Creek and will not require any additional tree removal.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7920-0242-00 (Appendix I), varying the following, to proceed to Public Notification:

- (a) to reduce the minimum rear yard setback of a principal building of the "Single Family Residential (13) Zone" from 7.5 metres to 6.09 metres for 966 – McNally Creek Drive;
- (b) to reduce the minimum rear yard setback of a principal building of the "Single Family Residential (13) Zone" from 7.5 metres to 6.0 metres for 972 – McNally Creek Drive; and
- (c) to reduce the minimum rear yard setback of a principal building of the "Single Family Residential (13) Zone" from 7.5 metres to 6.86 metres for 976 – McNally Creek Drive.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Vacant residential (subdivided under Development Application No. 7917-0436-00)	Urban	RF-13
North, West & South:	Vacant residential (subdivided under Development Application No. 7917-0436-00)	Urban	RF-13
East:	City Park Lot	Urban	RF-13

Context & Background

- The subject site is located in South Surrey and consists of three properties, 966, 972 & 976 - McNally Creek Drive, which are located on the east side of a bend in McNally Creek Drive south of 10th Avenue. The properties are designated "Urban" in the Official Community Plan (OCP) and are zoned "Single Family Residential (13) Zone (RF-13)".
- 966, 972 & 976 – McNally Creek Drive are irregularly shaped lots 393 square metres, 384 square metres, and 399 square metres each in size, respectively.
- The subject properties were created as part of Development Application No. 7917-0436-00, which received final adoption at the March 11, 2019 Regular Council – Land Use meeting. This approval was for rezoning to RF-13 Zone to facilitate subdivision into 36 single family lots, and 2 open space lots dedicated to the City for protection of the riparian area of an adjacent Class A red-coded watercourse to the east and Class B yellow-coded watercourse to the south.

- The proposed variances to reduce the rear yard setbacks of the RF-13 Zone were identified by the applicant while preparing house designs for the subject lots.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing to reduce the required rear yard setbacks of a principle building of the RF-13 Zone for three lots to permit the development of three new single family dwellings.

Referrals

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

Parks, Recreation & The Parks Department has no objection to the project.
Culture:

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

- The applicant is requesting the following variances:
 - (a) to reduce the minimum rear yard setback of a principal building of the "Single Family Residential (13) Zone" from 7.5 metres to 6.09 metres for 966 – McNally Creek Drive;
 - (b) to reduce the minimum rear yard setback of a principal building of the "Single Family Residential (13) Zone" from 7.5 metres to 6.0 metres for 972 – McNally Creek Drive;
and
 - (c) to reduce the minimum rear yard setback of a principal building of the "Single Family Residential (13) Zone" from 7.5 metres to 6.86 metres for 976 – McNally Creek Drive.
- The subject properties are irregularly shaped with narrow lot frontage along a bend in McNally Creek Drive. Applying the building setback requirements of Zoning By-law No. 12000 will not allow for standard sized single-family dwellings to be constructed on these lots.
- The irregular shape and depth of the lots do not allow for a functional building footprint. The reduction to the rear yard setbacks will allow the applicant to design more functional floor plans, while achieving a design that is in keeping with other new houses constructed in the area.
- The proposed setbacks will have minimal visual impact from neighbouring properties and still provide an appropriate rear yard interface with neighbouring lots to the south and east.
- The reduced rear yard setback will still provide a functional rear yard area to be used by property owners.

- The proposed variance will not reduce the streamside protection area or Green Infrastructure Area around McNally Creek and will not require any additional tree removal.
- The RF-13 Zone requires a minimum rear yard setback for a principal building of 7.5 metres, which may be reduced to 6.0 metres for a maximum 50% of the width of the rear of the principle building for Type II lots. The proposal is to reduce the minimum rear yard setback of 7.5 metres to 6.09 metres, 6.0 metres and 6.86 metres, respectively, for the entire width of the principal building.
- The applicant has provided a letter from Phoenix Environmental Services Ltd., stating that the proposed zoning setbacks will not result in detrimental environmental impact to the protected riparian area along McNally Creek adjoining the subject lots to the east.
- Staff support the requested variances to proceed for consideration.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Development Variance Permit No. 7920-0242-00

approved by Shawn Low

Jean Lamontagne
General Manager
Planning and Development

SR/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0242-00

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: 030-766-885

Lot 30 Section 12 Township 1 New Westminster District Plan EPP89051

966 McNally Creek Dr

Parcel Identifier: 030-766-893

Lot 31 Section 12 Township 1 New Westminster District Plan EPP89051

972 McNally Creek Dr

Parcel Identifier: 030-766-907

Lot 32 Section 12 Township 1 New Westminster District Plan EPP89051

976 McNally Creek Dr

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F Yards and Setbacks of Part 16B "Single Family Residential (13) Zone", the minimum rear yard setback of the principal building is reduced from 7.5 metres to 6.09 metres for 966 – McNally Creek Drive;

- (b) In Section F Yards and Setbacks of Part 16B “Single Family Residential (13) Zone”, the minimum rear yard setback of the principal building is reduced from 7.5 metres to 6.0 metres for 972 – McNally Creek Drive; and
 - (c) In Section F Yards and Setbacks of Part 16B “Single Family Residential (13) Zone”, the minimum rear yard setback of the principal building is reduced from 7.5 metres to 6.86 metres for 976 – McNally Creek Drive.
4. This development variance permit applies to only the portion of 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 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

RF-13 TYPE II ZONING
393 SQ.M.

30

6.00 M FOR 50%

7.50 M

6.09 M DVP FOR
50% OF WIDTH

In Section F Yards and Setbacks of Part 16B
"Single Family Residential (13) Zone", the
minimum rear yard setback of the principal
building is reduced from 7.5 metres to 6.09
metres for 966 – McNally Creek Drive

21'-0"

21'-8" (50.0%)

13.52 SQ. M.

DVP AREA = 8.10 m² (197.85 sq. ft.)

LOT 30, WITH NO DVP

RF-13 ZONE (TYPE II)
LOT AREA = 392.90
MAX. LOT COVERAGE AT 50% = 196.45 m²
LOT COVERAGE ILLUSTRATED = 165.08 m²
MAXIMUM FLOOR AREA @ 0.72 = 282.89 m²
MAXIMUM BY BYLAW CAP = 265 m²

HOUSE ILLUSTRATED

MAIN FLOOR = 148.64m² (1599.95 sq. ft.)
UPPER FLOOR = 99.91 m² (1075.42 sq.ft.)
TOTAL = 248.55 m² (2675.37 sq. ft.)
(NOTE: ASSUMED OPEN TO BELOW = 19 m²)

AVAILABLE FOOTPRINT TOO SMALL BY 16.45 m² (177.07 sq. ft.)

LOT 30, WITH DVP

RF-13 ZONE (TYPE II)
LOT AREA = 392.90
MAX. LOT COVERAGE AT 50% = 196.45 m²
LOT COVERAGE ILLUSTRATED = 165.08 m²
MAXIMUM FLOOR AREA @ 0.72 = 282.89 m²
MAXIMUM BY BYLAW CAP = 265 m²

HOUSE ILLUSTRATED (WITH DVP)

MAIN FLOOR = 157.74m² (1697.90 sq. ft.)
UPPER FLOOR = 107.19 m² (1153.78 sq.ft.)
TOTAL = 264.93 m² (2851.68 sq. ft.)
(NOTE: ASSUMED OPEN TO BELOW = 19 m²)

LIVING AREA = 109.60 m²
(W/DVP = 118.70 m²)

DEN

WC

FOYER

DOUBLE GARAGE
(39.04 m²)

DN 1BR

UP 1BR

20'-6"

20'-6"

22'-2"

42'-8"

20'-6"

31

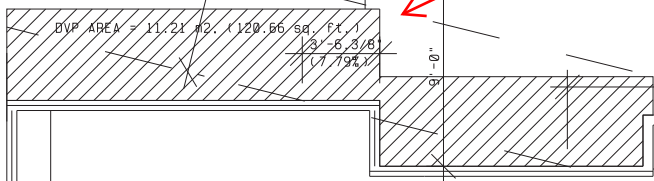
384 SQ.M.

22.60

In Section F Yards and Setbacks of Part 16B "Single Family Residential (13) Zone", the minimum rear yard setback of the principal building is reduced from 7.5 metres to 6.0 metres for 972 – McNally Creek Drive

6.00 M DVP FOR 100% OF WIDTH
7.50 M
6.00 M FOR 50%

45'-4"
13'-4" (29.41%)
4.5M



19'-1.3/8" (42.16%)

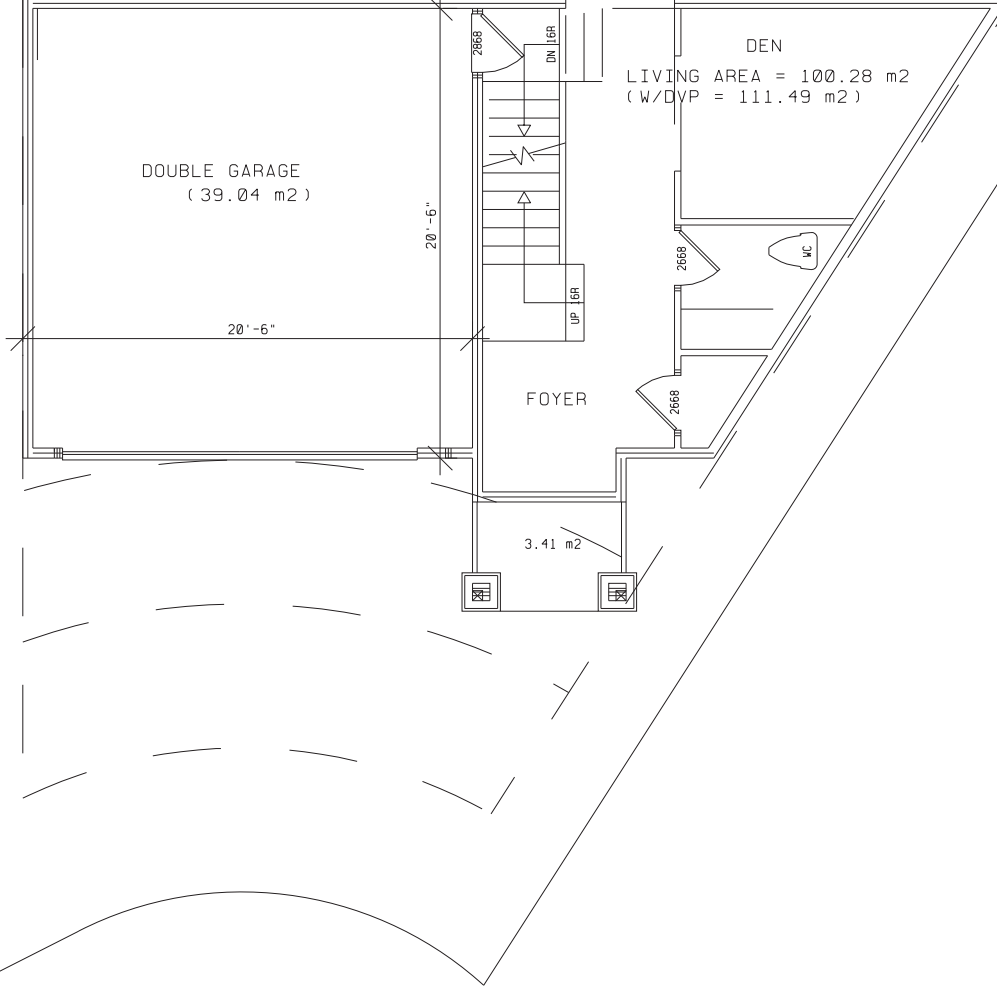
LOT 31, WITH NO DVP
RF-13 ZONE (TYPE II)
LOT AREA = 383.90
MAX. LOT COVERAGE AT 50% = 191.95 m2
LOT COVERAGE ILLUSTRATED = 153.33 m2
MAXIMUM FLOOR AREA @ 0.72 = 276.41 m2
MAXIMUM BY BYLAW CAP = 265 m2

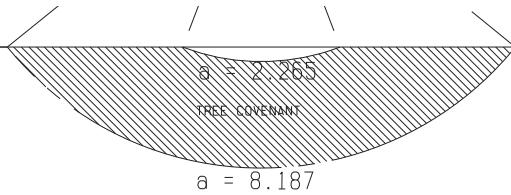
LOT 31, WITH DVP
RF-13 ZONE (TYPE II)
LOT AREA = 383.90
MAX. LOT COVERAGE AT 50% = 191.95 m2
LOT COVERAGE ILLUSTRATED = 159.65 m2
MAXIMUM FLOOR AREA @ 0.72 = 276.41 m2
MAXIMUM BY BYLAW CAP = 265 m2

HOUSE ILLUSTRATED
MAIN FLOOR = 139.32m2 (1499.63 sq. ft.)
UPPER FLOOR = 92.46 m2 (995.23 sq.ft.)
TOTAL = 231.78 m2 (2494.86 sq. ft.)
(NOTE: ASSUMED OPEN TO BELOW = 19 m2)

HOUSE ILLUSTRATED (WITH DVP)
MAIN FLOOR = 150.53m2 (1620.29 sq. ft.)
UPPER FLOOR = 101.42 m2 (1091.68 sq.ft.)
TOTAL = 251.94 m2 (2711.86 sq. ft.)
(NOTE: ASSUMED OPEN TO BELOW = 19 m2)

AVAILABLE FOOTPRINT TOO SMALL BY 33.22 m2 (357.77 sq. ft.)





22.31

398.9 SQ.M.

32

RF-13 TYPE II ZONING

6.86 DVP FOR 50% OF WIDTH

6.00 M FOR 50%

7.50 M

44'-2"

22'-1" (50.0%)

DVP AREA = 4.31 m² (46.39 sq. ft.)

LOT 32, WITH NO DVP

RF-13 ZONE (TYPE II)
 LOT AREA = 398.90
 MAX. LOT COVERAGE AT 50% = 199.45 m²
 LOT COVERAGE ILLUSTRATED = 170.83 m²
 MAXIMUM FLOOR AREA @ 0.72 = 287.21 m²
 MAXIMUM BY BYLAW CAP = 265 m²

HOUSE ILLUSTRATED

MAIN FLOOR = 153.39m² (1651.08 sq. ft.)
 UPPER FLOOR = 103.71 m² (1116.33 sq.ft.)
 TOTAL = 257.10 m² (2767.40 sq. ft.)
 (NOTE: ASSUMED OPEN TO BELOW = 19 m²)

AVAILABLE FOOTPRINT TOO SMALL BY 7.9 m² (85.03 sq. ft.)

LOT 32, WITH DVP

RF-13 ZONE (TYPE II)
 LOT AREA = 383.90
 MAX. LOT COVERAGE AT 50% = 199.45 m²
 LOT COVERAGE ILLUSTRATED = 172.30 m²
 MAXIMUM FLOOR AREA @ 0.72 = 287.21 m²
 MAXIMUM BY BYLAW CAP = 265 m²

HOUSE ILLUSTRATED (WITH DVP)

MAIN FLOOR = 157.72m² (1697.68 sq. ft.)
 UPPER FLOOR = 107.18 m² (1153.68 sq.ft.)
 TOTAL = 264.90 m² (2851.36 sq. ft.)
 (NOTE: ASSUMED OPEN TO BELOW = 19 m²)

LIVING AREA = 114.37 m²
 (w/DVP = 118.68 m²)

DOUBLE GARAGE
 (39.04 m²)

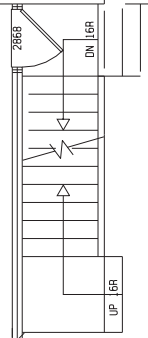
DEN

FOYER

In Section F Yards and Setbacks of Part 16B "Single Family Residential (13) Zone", the minimum rear yard setback of the principal building is reduced from 7.5 metres to 6.86 metres for 976 – McNally Creek Drive.

20'-6"

20'-6"



2668

2668

2668