

NO: R017

COUNCIL DATE: February 10, 2025

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **February 5, 2025**

FROM: **General Manager, Planning & Development** FILE: **6745-20 (SSMUH)**

SUBJECT: **Transition from Single-Family Residential Zones to Small-Scale Multi-Unit Housing Zones for In-stream Development Applications – Tenth Batch**

RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this report for information;
2. Authorize staff to close and file in-stream Official Community Plan (“OCP”) and zoning bylaw amendments to *Surrey Zoning By-law, 1993, No. 12000*, as amended, and associated development variance permits, to align with provincial housing legislation and new Small-Scale Multi-Unit Housing (“SSMUH”) zones, which reference original single-family or duplex zones, as provided in Appendix “I”; and
3. Authorize staff to close and file in-stream development variance permits without any associated OCP and rezoning, to align with provincial housing legislation and new Small-Scale Multi-Unit Housing zones, which reference original single-family or duplex zones, as provided in Appendix “II”;
4. Authorize the City Clerk to provide notification for replacement of new amendment bylaws, and any associated development variance permits, and schedule for Council consideration of first, second, and third readings of new bylaw amendments for February 24, 2025, and approval as to form for associated development variance permits after final adoption.

INTENT

The intent of this report is to facilitate alignment of in-stream rezoning and development variance permit applications with the new Small-Scale Multi-Unit Housing zoning bylaw requirements mandated by provincial legislation and as adopted by the City on July 8, 2024 to allow in-stream application processes to proceed under the zoning currently in effect.

BACKGROUND

In November 2023, the Provincial Government introduced legislation under Bill 44, which included SSMUH requirements intended to facilitate additional housing supply and affordability in British Columbia communities.

On June 10, 2024, Council endorsed Corporate Report No. R0109; 2024, titled “Small-Scale Multi-Unit Housing: Zoning By-law Amendments Related to Provincial Housing Legislation”. These amendments to *Surrey Zoning By-law, 1993, No. 12000* (the “Zoning By-law”) align with provincial housing legislation by replacing 14 single-family zones, one semi-detached zone, four gross density zones, and one duplex zone with nine new SSMUH zones.

DISCUSSION

The new SSMUH Zoning By-law amendments adopted on July 8, 2024 impact about 150 single-family and duplex development applications at third reading. Applications that received final adoption prior to July 8, 2024, or that are proposed to be rezoned from an old single-family or duplex zone to a non-SSMUH zone are not impacted. The impacted in-stream bylaws will need to be filed and closed, and new bylaw replacements and associated development variance permits introduced to align to with new SSMUH zones.

In order to streamline this administrative requirement, it is proposed that these bylaws be brought forward for Council’s consideration in batches over a number of months. This is the tenth batch. The batches that have already been forwarded to Council are noted in the following table:

Batch Number	Council Date
1	July 22
2	September 9
3	September 23
4	October 7
5	October 21
6	November 4
7	November 18
8	January 13
9	January 27

The attached Appendix “I” lists the current batch of in-stream OCP and zoning bylaw amendment applications, including any associated development variance permits. While Appendix “II” lists the current batch of in-stream development variance permits without an OCP or rezoning.

Notification

Section 464 of the *Local Government Act* prohibits public hearings solely for OCP and zoning bylaw amendments related to Section 481.3 (zoning bylaws and small-scale multi-family housing), and therefore no public hearing is required. Notification will be provided in accordance with applicable bylaws and legislative requirements.

Legal Services Review

Legal Services has reviewed this report.

CONCLUSION

This report provides for a tenth batch of in-stream Zoning Bylaw amendment applications to ensure conformity with the new SSMUH framework and alignment with updated zones and regulations.

Ron Gill, MA, MCIP, RPP
General Manager, Planning & Development

Appendix "I" Table of Original and Replacement Bylaws in compliance with SSMUH Zoning By-law Amendments with any associated DVPs

Appendix "II" Table of Original and Replacement DVPs without an OCP or Rezoning in compliance with SSMUH Zoning Bylaw Amendments

<https://surreybc.sharepoint.com/sites/PDCommunityPlanning/Zoning%20Bylaw/Forms/AllItems.aspx?ga=1&id=%2Fsites%2FPDCommunityPlanning%2FZoning%20Bylaw%2FZoning%20Bylaw%20Update%2FSSMUH%20Phase%201%2FIn%2DStream%2F10%2EFeb%2010%20Council&viewid=0e82db0d%2Ddeeb%2D468e%2D80a0%2Da25883affe4>

APPENDIX “I”

Table of Original and Replacement Bylaws in compliance with SSMUH Zoning Bylaw Amendments with any associated DVPs

DEVELOPMENT APPLICATION AND PLANNING REPORT		ORIGINAL BYLAW (CLOSED & FILED)								
	OCP Amendment Bylaw (Final Adoption)	Original Rezoning Amendment Bylaw	From Zone(s)	To Zone(s)	Associated DVP	Replacement Rezoning Amendment Bylaw	From Zone(s)	To Zone(s)	Close DVP	Associated DVP
18-0377	N/A	20115	RA	RF	Yes	21547	RA	R3	7918-0377-00	Yes 7918-0377-01 (See Attachment A)
20-0062	20751	20752	RH	RQ	Yes	21548	R1	R2	7920-0062-00	Yes 7920-0062-01 (See Attachment B)
23-0179	21153	21154	RA	RF	Yes	21549	RA	R3	7923-0179-00	Yes 7923-0179-01 (See Attachment C)
20-0130	N/A	20473	RA	RF-SD	No	21550	RA	R6	N/A	N/A

APPENDIX “II”

Table of Original and Replacement DVPs without OCP or Rezoning in compliance with SSMUH Zoning Bylaw Amendments

DEVELOPMENT APPLICATION AND PLANNING REPORT	ORIGINAL DVP ZONE	ORIGINAL DVP	CURRENT DVP ZONE	Close DVP	REPLACEMENT DVP (NEW SSMUH ZONE)
<u>20-0161</u>	RF-12	7920-0161-00	R4	7920-0161-00	7920-0161-01 (See Attachment D)

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0377-01

Issued To:

(the "Owners")

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: 010-922-032
Lot 1 Block 73 New Westminster District plan 2546
11557 - Surrey Road

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

(b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:

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

(a) In Section C of Part 15 "Urban Residential Zone (R3)", the minimum lot width is reduced from 15 metres to 14.7 metres for proposed Lot 1; and

- (b) In Section F of Part 15 “Urban Residential Zone (R3)”, the minimum south side yard setback is reduced from 1.8 metres to 1.2 metres for principal buildings on proposed Lots 1 and 2.
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 unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) 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 – Brenda Locke

City Clerk – Jennifer Ficocelli

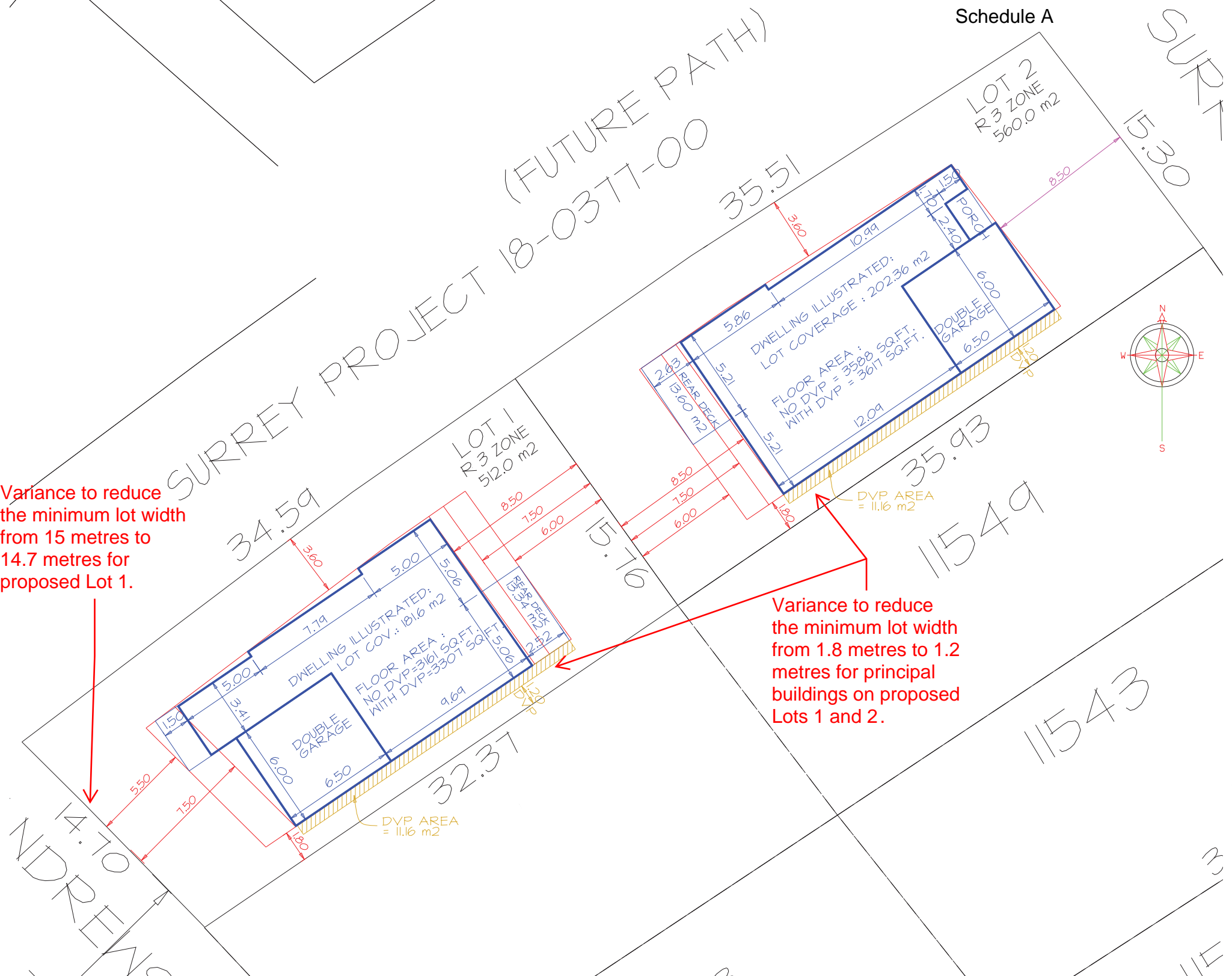
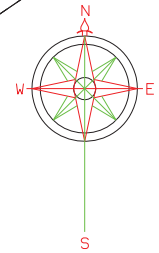
SURREY PROJECT 18-0377-00 (FUTURE PATH)

LOT 2
R3 ZONE
560.0 m²

LOT 1
R3 ZONE
512.0 m²

Variance to reduce the minimum lot width from 15 metres to 14.7 metres for proposed Lot 1.

Variance to reduce the minimum lot width from 1.8 metres to 1.2 metres for principal buildings on proposed Lots 1 and 2.



DWELLING ILLUSTRATED:
LOT COV.: 181.6 m²
FLOOR AREA:
NO DVP = 3161 SQ.FT.
WITH DVP = 3307 SQ.FT.

DVP AREA = 11.16 m²

DWELLING ILLUSTRATED:
LOT COVERAGE: 202.36 m²
FLOOR AREA:
NO DVP = 3588 SQ.FT.
WITH DVP = 3617 SQ.FT.

DVP AREA = 11.16 m²

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0062-01

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: 029-054-711
 Lot 1 Section 11 Township 2 New Westminster District Plan EPP26804
 5872 - 152 Street

(the "Land")

- 3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once titles have been issued, as follows:

Parcel Identifier:

- (b) If the civic addresses change, the City Clerk is directed to insert the new civic addresses for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 14 “Quarter Acre Residential Zone (R2)”, the minimum (east) rear yard principal building setback is reduced from 7.5 metres to 3.85 metres to the principal building face for proposed Lot 1, to retain the existing building on proposed lot 1.
 - (b) In Section F of Part 14 “Quarter Acre Residential Zone (R2)”, the minimum (south) side yard principal building setback is reduced from 2.4 metres to 1.75 metres to the principal building face for proposed Lot 1, to retain the existing building on proposed lot 1.
5. 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.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
7. 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.
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
9. 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 – Brenda Locke

City Clerk – Jennifer Ficocelli

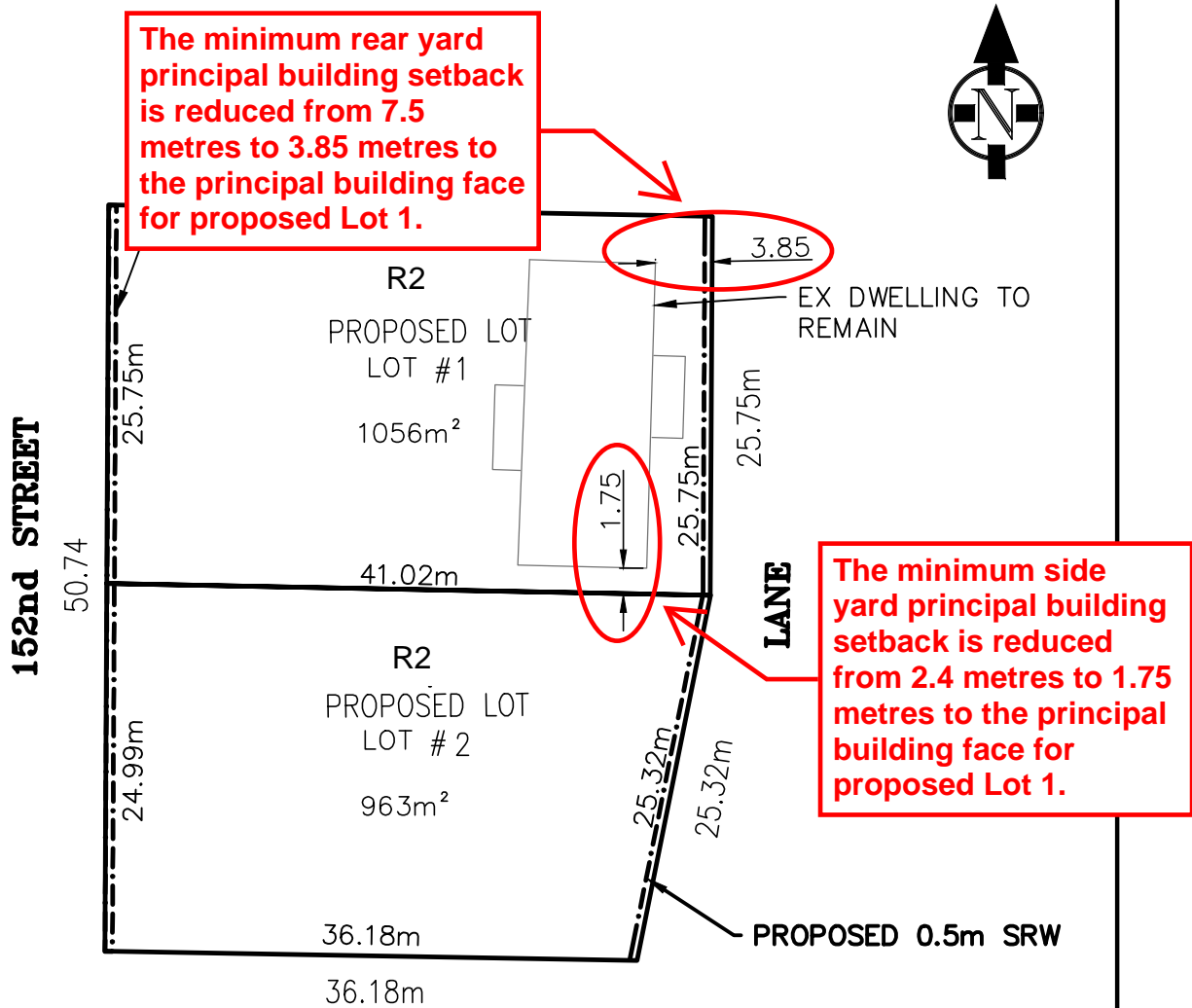
PROPOSED 2 LOT SUBDIVISION LAYOUT

EXIST. ZONE: _____ RH _____

PROP. ZONE: _____ R2 _____

CIVIC ADDRESS: 5872-152 STREET, SURREY, B.C.

LEGAL: LOT 1 SECTION 11 TOWNSHIP 2 PLAN EPP26804 NWD



DEVELOPMENT VARIANCE PERMIT REQUIRED:

1. TO REDUCE THE MINIMUM (SOUTH) SIDE YARD SETBACK OF THE "QUARTER ACRE RESIDENTIAL (R2) ZONE" FROM 2.40m TO 1.75m ON PROPOSED LOT 1
2. AND TO REDUCE THE MINIMUM REAR YARD SETBACK OF THE "QUARTER ACRE RESIDENTIAL (R2) ZONE" FROM 7.50m TO 3.85m ON PROPOSED LOT 1

Westridge Engineering & Consulting Ltd.
 SUITE 215, 12992 - 76 Avenue, Surrey, BC V3W 2V6
 TEL: (778) 564 - 6506
 info@westridgeengineering.ca

PRELIMINARY LAYOUT PLAN
FOR PLANNING PURPOSES ONLY

WEL-2019-C1032		DATE: 14 JUL 2022	SCALE: 1:500
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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7923-0179-01

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: 002-378-884

Lot 2 Section 6 Township 9 New Westminster District Plan 70364 Except Part on Plan EPP4725

17469 - 100 Avenue

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once titles have been issued, as follows:

Parcel Identifier:

- (b) If the civic addresses changes, the City Clerk is directed to insert the new civic addresses for the Land, as follows:

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

Surrey Subdivision and Development By-law, 1986, No. 8830, as amended is varied as follows:
 - (a) In Part 4 General Provisions, Section B.27 Setbacks from Natural Gas Transmission Rights of-Way, sub-section (a) Rear Setback for Principal Buildings, the minimum rear yard setback from the Trans Mountain Oil pipeline right-of-way is reduced from 7.5 metres to 0.0 metres to the basement access well for Lot 4.

5. This development variance permit applies to only the portion of the Land or 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.

6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

7. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A, which is attached hereto and forms part of this development variance permit, is registered in the New Westminister Land Title Office within three (3) years after the date this development variance permit is issued.

8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

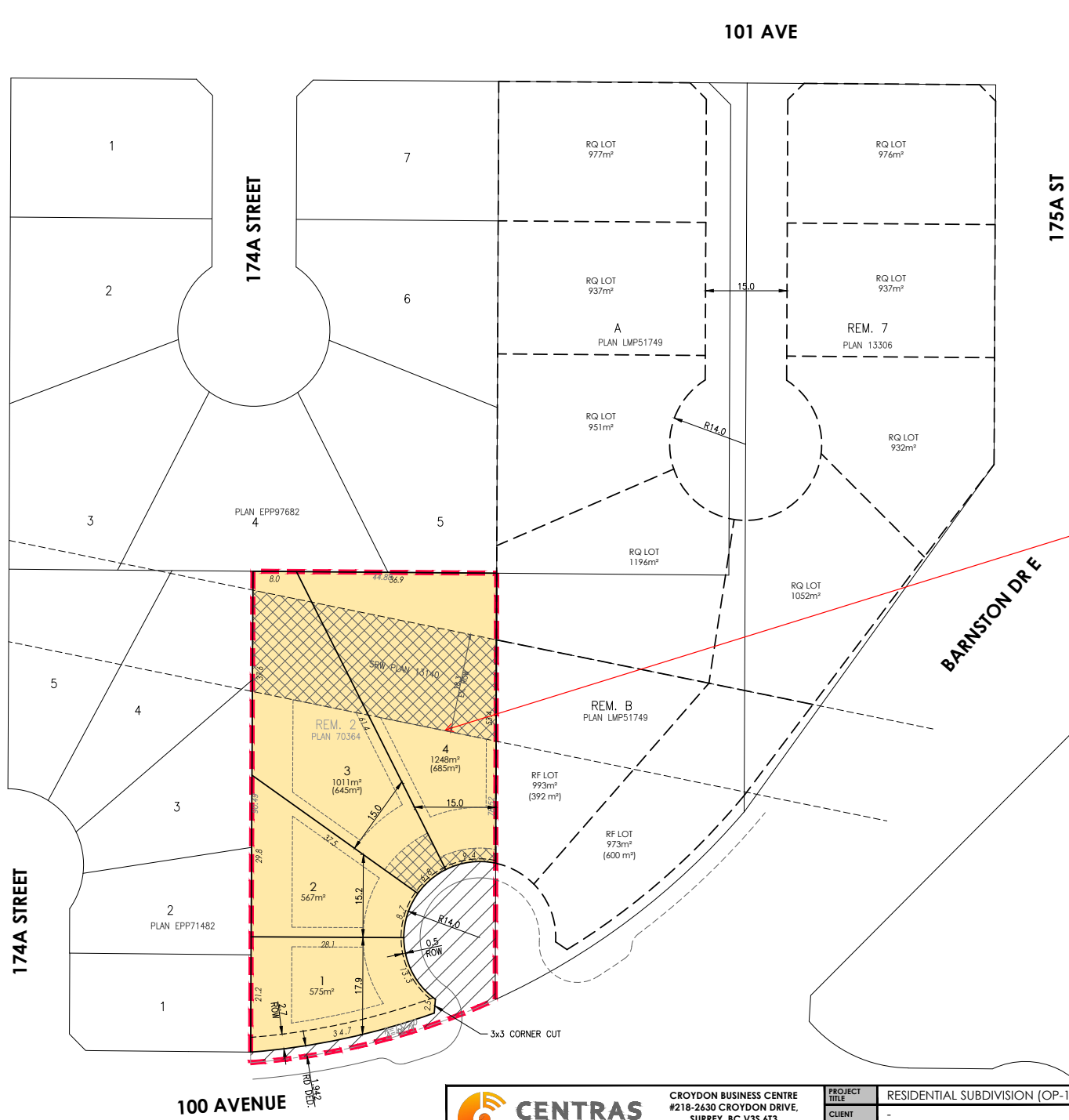
9. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL/DELEGATED OFFICIAL, THE
DAY OF , 20 .

ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli



In Part 4 General Provisions, Section B.27 Setbacks from Natural Gas Transmission Rights-of-Way, sub-section (a) Rear Setback for Principal Buildings, the minimum rear yard setback from the natural gas transmission right-of-way is reduced from 7.5 metres to 0.0 metres to the basement access well.

STATISTICS

Gross Site Area: 3,860 sq.m (0.95 Acres)
 Proposed Zoning: R3
 Min. Lot Area: 560 sq.m (6,000 sq.ft)
 Min. Lot Width: 15 m (50 ft)
 Min. Lot Depth: 28 m (90 ft)
 Proposed # of Lots: 4

PRELIMINARY
 FOR DISCUSSION PURPOSES

100 AVENUE

CENTRAS Engineering Ltd
 CROYDON BUSINESS CENTRE
 #218-2630 CROYDON DRIVE,
 SURREY, BC V3S 6T3
 PHONE: 604-283-2240
 EMAIL: info@centras.ca

PROJECT TITLE	RESIDENTIAL SUBDIVISION (OP-1)	PROJECT ADDRESS	17469 100 AVENUE, SURREY BC	
CLIENT	-	LEGAL	-	
PROJECT No.	23022	MUNICIPAL PROJECT No.	-	DATE
			JAN 2025	SCALE
				1:500

PRELIMINARY PLAN - SUBJECT TO APPROVALS FROM FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0161-01

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: 029-657-300
 Lot 1 Section 31 Block 5 North Range 2 West New Westminster District Plan EPP46328
 12235 - 96 Avenue

(the "Land")

- 3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

- (b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:

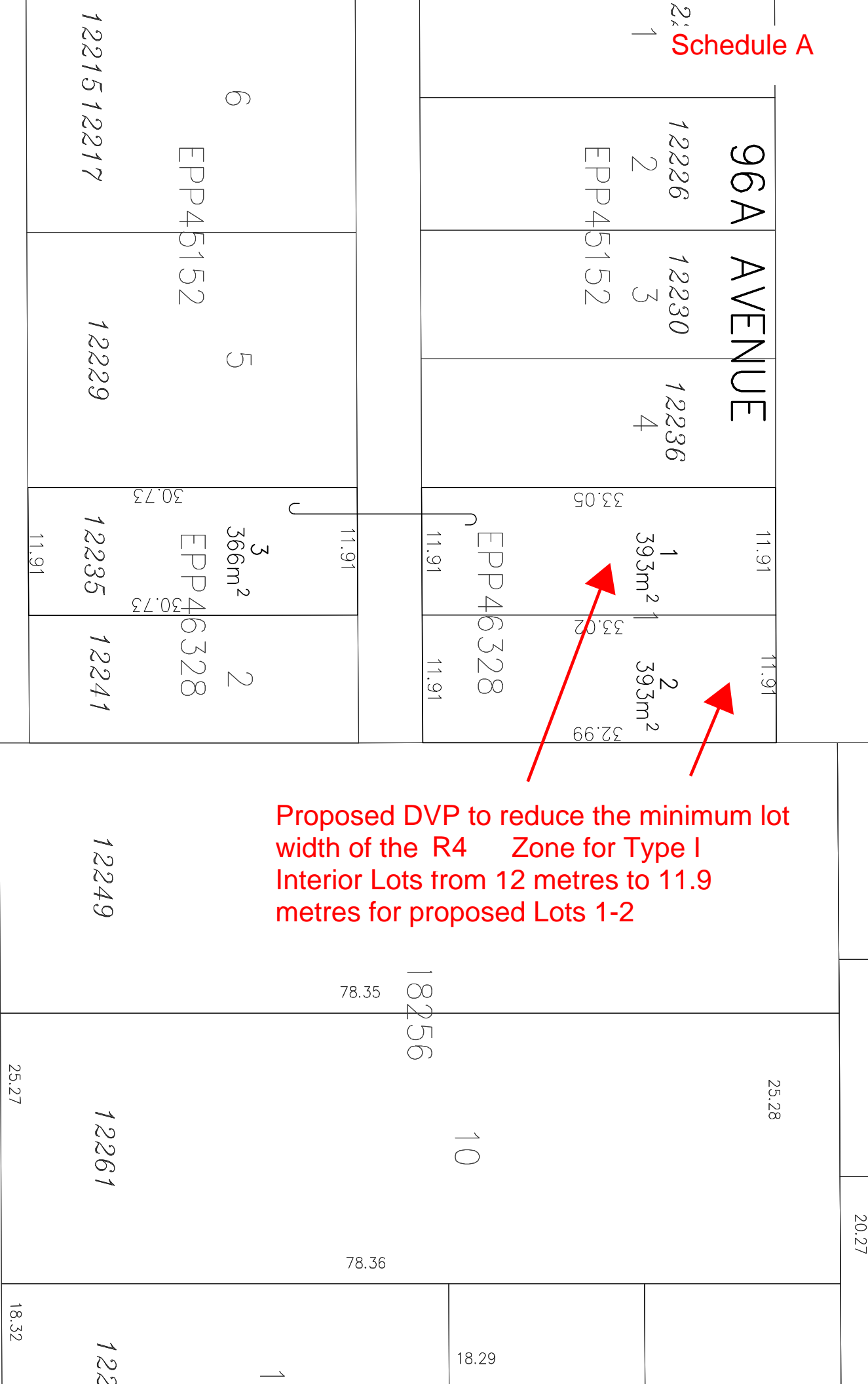
4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section C of Part 16 Small Lot Residential Zone (R4), the minimum Lot width for a Type I Interior Lot is reduced from 12 metres to 11.9 metres for proposed Lots 1 and 2.
5. This development variance permit applies to only the portion of the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. 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.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
7. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
9. This development variance permit is not a building permit.

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Proposed DVP to reduce the minimum lot width of the R4 Zone for Type I Interior Lots from 12 metres to 11.9 metres for proposed Lots 1-2