

NO: R023

COUNCIL DATE: February 24, 2025

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **February 13, 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 – Eleventh Batch**

RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this report for information;
2. Authorize staff to close and file in-stream 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 zones, which reference original single-family or duplex zones, as provided in Appendix “I”;
3. Authorize staff to close and file in-stream Comprehensive Development (CD) bylaw amendments to *Surrey Zoning Bylaw, 1993, No. 12000*, as amended, and associated development variance permits, 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”; and
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 March 10, 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 Small-Scale Multi-Unit Housing (“SSMUH”) requirements intended to facilitate additional housing supply and affordability in British Columbia communities.

On June 10, 2024, Council endorsed Corporate Report No. R109; 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 eleventh 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
10	February 11

The attached Appendix “I” lists the current batch of in-stream OCP and zoning bylaw amendment applications, including any associated development variance permits. Appendix “II” lists the current batch of in-stream Comprehensive Development (CD) bylaw amendment applications, including any associated development variance permits.

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 an eleventh 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 CD Bylaws in compliance with SSMUH Zoning By-law Amendments with any associated DVPs

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
21-0332	N/A	21094	RF	RF-10	Yes	21560	R3	R5	7921-0332-00	Yes 7921-0332-01 (See Attachment A)
21-0234	N/A	21007	RA	RF-13	Yes	21561	RA	R4	7921-0234-00	Yes 7921-0234-01 (See Attachment B)
21-0236	N/A	20614	RF	RF-13	No	21562	R3	R4	N/A	N/A
22-0136	20794	20795	RA	RF	No	21563	RA	R3	N/A	N/A
21-0013	N/A	20539	RA	RF-13	No	21564	RA	R4	N/A	N/A

Appendix “II”

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

DEVELOPMENT APPLICATION AND PLANNING REPORT	ORIGINAL BYLAW (CLOSED & FILED)								
	Original Amendment Bylaw	From Zone(s)	To Zone(s)	Associated DVP	Replacement Amendment Bylaw	From Zone(s)	To Zone(s)	Close DVP	Associated DVP
22-0212	20842	RH	CD (based on RQ)	No	21565	R1	CD	N/A	N/A

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7921-0332-01

Issued To:

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: 003-241-327

Lot 8 Section 31 Block 5 North Range 2 West New Westminster District Plan 11934

12252- 97 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 H.3 Off-Street Parking of Part 17 R5 Compact Residential Zone, the requirement to provide a driveway from a rear lane is waived to allow a front access driveway for proposed Lots 1 and 2.
 - (b) Section C.2 Subdivision of Part 17 R5 Compact Residential Zone is varied to reduce the minimum lot depth of the R5 Zone (Type I interior lots) from 30 metres to 28.9 metres for proposed Lots 1 and 2.
6. 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.
 7. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
 8. 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.
 9. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
 10. 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

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7921-0234-01

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: 009-387-838
 Lot 3 Section 9 Township 3 New Westminster District Plan 10868
 13839 58 Avenue

Parcel Identifier: 009-387-871
 Lot 4 Section 9 Township 3 New Westminster District Plan 10868
 13853 58 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:

- (a) to reduce the minimum lot depth of the R4 Zone from 24 metres to 23 metres for proposed Lot 3, to 21.2 metres for proposed Lot 4, and to 22 metres for proposed Lot 5 and 6;
 - (b) to reduce the minimum lot width of the R4 Zone from 13.4 metres to 12.4 metres for proposed Lot 7, to 12.5 metres for proposed Lot 8 and to 12.2 metres for proposed Lot 9; and
 - (c) to allow a double garage that can accommodate two vehicles parked side by side to be accessed from the front yard on a Small Lot Residential (R4) Zone. Type II interior lot, that is less than 13.4 metres wide on proposed Lots 7, 8 and 9.
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. 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 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.

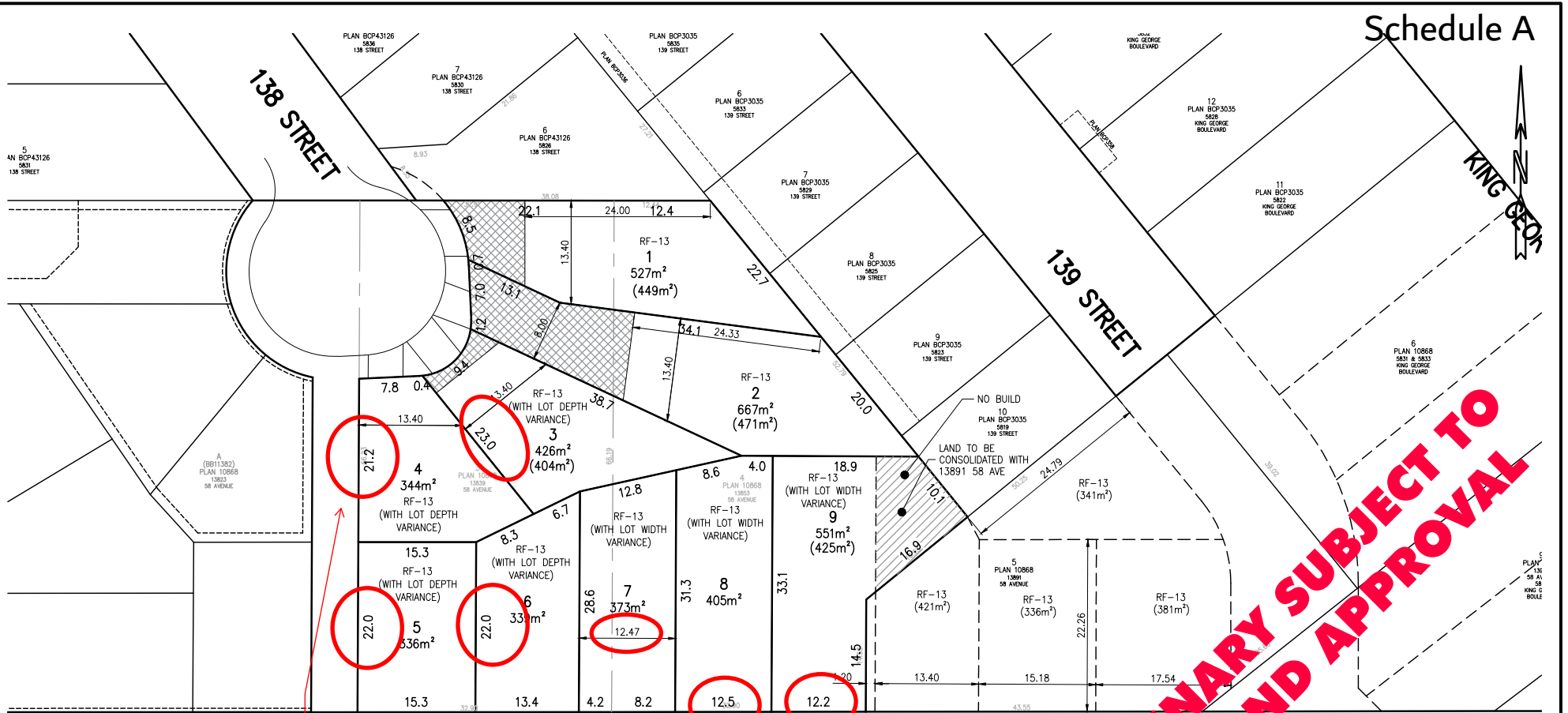
9. This development variance permit is not a building permit.

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to reduce the minimum lot depth of the R4 Zone from 24 metres to 23 metres for proposed Lot 3, to 21.2 metres for proposed Lot 4, and to 22 metres for proposed Lot 5 and 6;

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to reduce the minimum lot width of the R4 Zone from 13.4 metres to 12.4 metres for proposed Lot 7, to 12.5 metres for proposed Lot 8 and to 12.2 metres for proposed Lot 9; and to allow double car garage that can accommodate two vehicles parked side by side to be accessed from the front yard on a Small Lot Residential (R4) Zone Type II interior lot, that is less than 13.4m wide on proposed lots 7, 8, and 9

CLIENT:		PROJECT: 13839 58 AVENUE, SU	
DRAWING TITLE: RESIDENTIAL SUBDIVISION			
PROJECT No. 16048	DATE: JUL 2023	LEGAL:	

Hub Engineering Inc.
Development Consultants

EGBC Permit to Practice Number: 1003404
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