

September 29, 2009
PLANNING DIVISION

REZONING YOUR PROPERTY

IF YOU ARE BUILDING NEW STRUCTURES OR CHANGING THE USE OF YOUR PROPERTY,
YOU MAY NEED TO REZONE YOUR PROPERTY.

THIS GUIDE PROVIDES AN OVERVIEW OF ZONING AND REZONING AND APPLICATION
PROCEDURES.

**THIS PAMPHLET IS FOR GENERAL GUIDANCE ONLY. IT DOES NOT REPLACE BY-LAWS
OR OTHER LEGAL DOCUMENTS.**

What is Zoning?

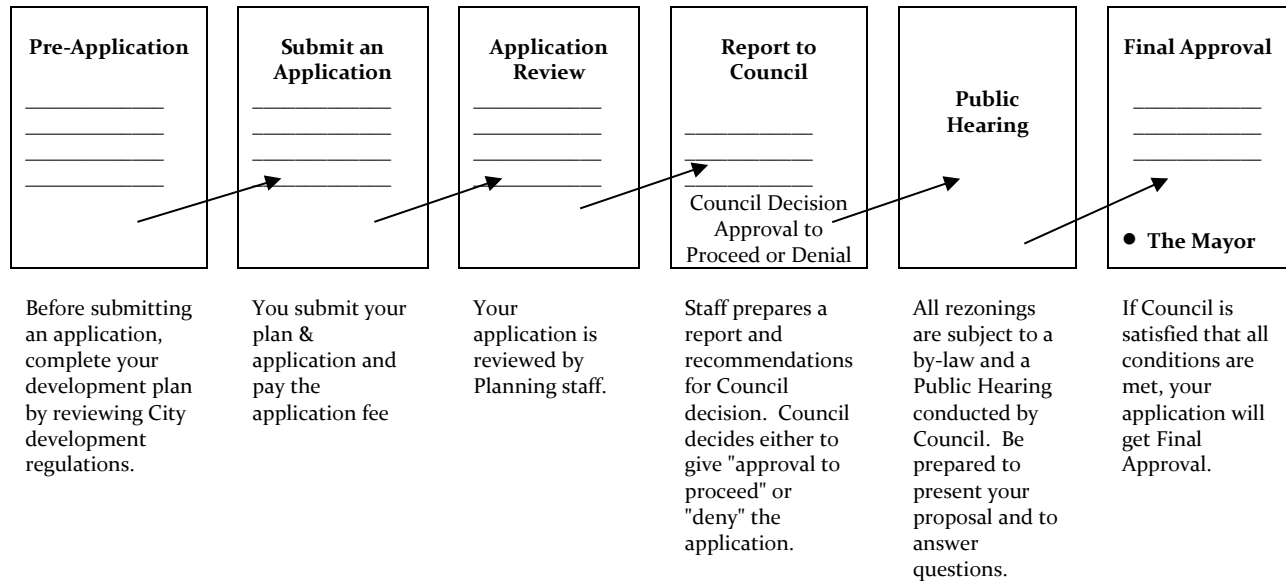
Every property in Surrey has a legal zoning classification specifying the types of buildings allowed on that property, the types of uses or activities that can take place on that property, restrictions on the floor area and height of buildings, minimum distances separating buildings and property lines, the amount of off-street parking required, as well as other requirements.

The purpose of zoning is to ensure that specific types of land uses (e.g. industrial) are located in appropriate areas and that the types of buildings or land uses on one property will not conflict with surrounding properties. Zoning maps showing the zoning category for each property in Surrey are available at the Planning & Development Department. Copies of Surrey Zoning By-law No. 12000, which contains development regulations for each zoning category, are available at the City Clerk's office. Excerpts of Zoning By-law No. 12000 are available at the Planning & Development Department

Rezoning is the process of legally changing the zoning category of a property. Before any development takes place on a property, whether it be constructing new buildings, or changing the types of uses or activities that occur on that property, the owner of the property should first check the existing zoning regulations for that property. If the proposed development is not permitted by the existing zoning, the property owner (or agent of the property owner) will have to apply to the City of Surrey for a change in the zoning category of that property.

The Rezoning Application Process

The major stages of the rezoning application process are briefly explained in the following sections.



Pre-Application

Your development should be well planned before submitting an application. In preparing your proposal, you should be aware of the City plans, policies and regulations that may apply to your property.

Official Community Plan - Surrey's Official Community Plan divides the City into 12 land use designations. Each designation allows specific types of land uses and zoning categories. Check the Official Community Plan for the designation of your property and the land uses or zoning allowed within that designation.

Local Area Plans and Neighbourhood Concept Plans provide detailed plans for specific area of Surrey. Check to see if your property is located within one of these areas, and if so, what land use and zoning is planned.

Zoning By-law and Maps - Zoning maps show the existing zoning of your property. Refer to Surrey Zoning By-law No. 12000 to see the zoning and regulations necessary for your project.

Guidelines for Residential Character Studies and Building Schemes - See the Planning & Development Information sheet titled, "Designing Neighbourly Homes".

Engineering Services - Surrey's Subdivision By-law requires all developments to meet specific requirements for sanitary sewer, storm water disposal, water supply, roads and other utilities. Check at the Engineering Department to see if the required services are available, or if additional servicing is required for your development.

Submit an Application

Once you have prepared your proposal, you can submit a rezoning application form and pay the application fee. Planning staff will assist you but you must provide the following information:

- The property owner's name and address. If someone is applying on behalf of the property of the owner, a *Letter of Authorization* must be signed by all property owner(s) and submitted with the development permit application. A standard *Letter of Authorization* is part of the application form.
- The civic address and legal description of the property.
- The current zoning and the proposed zoning for the property.
- A brief description of your proposed development and a project data sheet showing the details of the proposal; for example, site area, number of units, floor area, setbacks, densities, etc.
- A *Soil Contamination Review Questionnaire* to determine if the site requires a Site Profile review.

The application fee schedule is available at the Planning & Development Department.

Application Review

A City planner will coordinate your application review. The planner will contact you regarding the status of your application and may ask for clarification, additional information, or plan revisions if your proposal does not meet development regulations. Additional information required may include, but is not limited to, development data sheets, lot grading and topographic information, detailed building design and landscaping plans, tree surveys, survey plans and legal documents such as Restrictive Covenants recommending the application either proceed or be denied by Council, and specifying any conditions that must be met.

Pre-notification Process - Once your application is submitted, a pre-notification letter is sent to the owners of surrounding properties. The letter informs property owners of the proposed development and how to get further information. Pre-notification letters are sent to owners of all properties within a 100 metre radius of the subject property, except for Agricultural and Suburban areas where notification is sent for properties within a distance 3 lots deep (see the Planning & Development Information sheet titled "*Pre-notification*").

Erect a Development Proposal Sign on the Property. The applicant is responsible for erecting a Development Proposal sign on the subject property. Applications will not proceed to Council until the applicant submits a photograph proving the sign is in place. Staff will inform you of the procedures for erecting this sign. Handouts showing the sign specifications are available at the Planning & Development Department.

If Necessary, Apply for a Tree Cutting Permit. If you intend to remove trees from the property, you may require a tree removal permit, depending on the size, species and location of trees being removed. Please refer to the "*Developer's Guide to the Tree Preservation By-law*".

Report to Council

The Report to Council, prepared by Planning & Development Department staff, includes an assessment of the application, a recommendation for the application to proceed or be denied, and any conditions that must be addressed.

The report is considered by Council during a regularly scheduled Council meeting held in Council Chambers and open to the public. At this meeting, Council will decide whether to give the application approval to proceed, to table the application, or to deny the application. Council may also raise additional conditions or requirements to be met by the application.

If your application is approved to proceed, the Rezoning By-law will be introduced, the by-law will be given First and Second readings and a date for Public Hearing will be set. If your application is denied, you will be notified of Council's decision by the City Clerk and your application is closed.

Public Hearing

All rezoning by-laws are subject to a statutory Public Hearing held before City Council in the Council Chambers. The owners and occupants of all properties and occupants located within 100 metres of the subject property are formally notified. However, any person who deems their interests may be affected by the development proposal has the opportunity to express their concerns to Council. You, or your representative, should attend the Public Hearing and be prepared to respond to any questions.

The Public Hearing is the last opportunity for Council to receive input from the applicant or the public before making a final decision on the application. Council may approve the application to proceed, may deny the application or return the application back to staff. If Council approves the application to proceed, Council will give Third Reading to the Zoning By-law.

Final Approval

If the majority of Council members are satisfied that the development proposal is beneficial to the community and that all legal requirements and conditions are met, Council may vote to give your application final Approval. You will be notified of Council's decision by the City Clerk.

For further information on specific development proposals, contact the Planning and Development Department, 8:30 a.m. to 4:30 p.m. Monday through Friday.