

NO: R210

COUNCIL DATE: November 4, 2024

# **REGULAR COUNCIL**

TO:	Mayor & Council	DATE:	October 29, 2024
FROM:	Acting General Manager, Planning & Development	FILE:	6745-20 (SSMUH)
SUBJECT:	Transition from Single-Family Residential Zones to S Housing Zones for In-stream Development Applicati		

#### RECOMMENDATION

The Planning & Development Department recommends that Council:

- 1. Receive this report for information;
- 2. Authorize staff to close and file in-stream zoning 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 "I";
- 3. Authorize staff to close and file in-stream development variance permits without any associated 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 staff to close and file in-stream Comprehensive Development 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 "III"; and
- 5. 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 November 18, 2024, 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. 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 singlefamily 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 the coming months. This is the sixth 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

The attached Appendix "I" lists the current batch of in-stream zoning bylaw amendment applications, including any associated development variance permits. Appendix "II" lists the current batch of in-stream development variance permits without rezoning, and Appendix "III" 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 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 sixth batch of in-stream Zoning By-law amendment applications to ensure conformity with the new SSMUH framework and alignment with updated zones and regulations.

Original signed by Ron Gill, MA, MCIP, RPP Acting 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 Rezoning in compliance with
	SSMUH Zoning By-law Amendments
Appendix "III"	Table of Original and Replacement CD Bylaws in compliance with SSMUH
	Zoning By-law Amendments with any associated DVPs
https://surreybc.sharepoint.com/s	sites/pdgmadministration/document library/corporate reports/future/sf to ssmuh transitions - sixth batch/cr & apps sf to ssmuh transitions - sixth batch.docx

# APPENDIX "I"

DEVELOPMENT	ORIGI	NAL BYLAW	(CLOSED & FI	LED)		_	_		
APPLICATION AND PLANNING REPORT	Original Amendment Bylaw	From Zone(s)	To Zone(s)	Associated DVP	Replacement Amendment Bylaw	From Zone(s)	To Zone(s)	Close DVP	Associated DVP
<u>21-0318</u>	20610	RH	RQ	Yes	21449	R1	R2	7921-0318-00	7921-0318-01 (See Attachment A)
<u>22-0189</u>	20964	RF	RF-13	Yes	21450	R3	R4	7922-0189-00	7922-0189-01 (See Attachment B)

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

# <u>CITY OF SURREY</u>

# Attachment A

# (the "City")

# **DEVELOPMENT VARIANCE PERMIT**

NO.: 7921-0318-01

Issued To:

({the Owner{)

Address of Owner:

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: 030-104-165 Lot 1 District Lot 153 Group 2 New Westminster District Plan EPP66037 3888 155 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 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.2 of Part 14 "Quarter Acre Residential Zone (R2)" to reduce the minimum lot width from 24 meters to 20.1 meters for Proposed Lot A and to 23 meters for Proposed Lot B.
- 5. This development variance permit applies to only the <u>portion of the Land</u> 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.

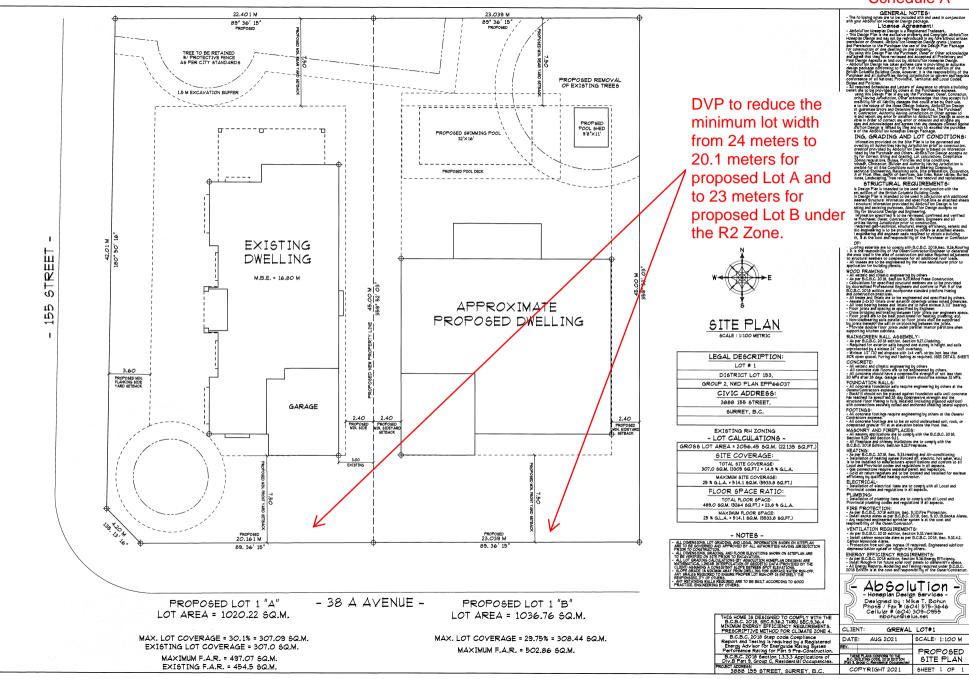
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF  $\,$  , 20  $\,$  .

ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk and Director Legislative Services Jennifer Ficocelli

#### Schedule A



#### CITY OF SURREY

# (the "City")

### **DEVELOPMENT VARIANCE PERMIT**

NO.: 7922-0189-01

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: 000-719-986 Lot 1 Except Part Subdivided by Plan 68285 Section 26 Township 2 New Westminster District Plan 8603

8496 - 156 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 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:

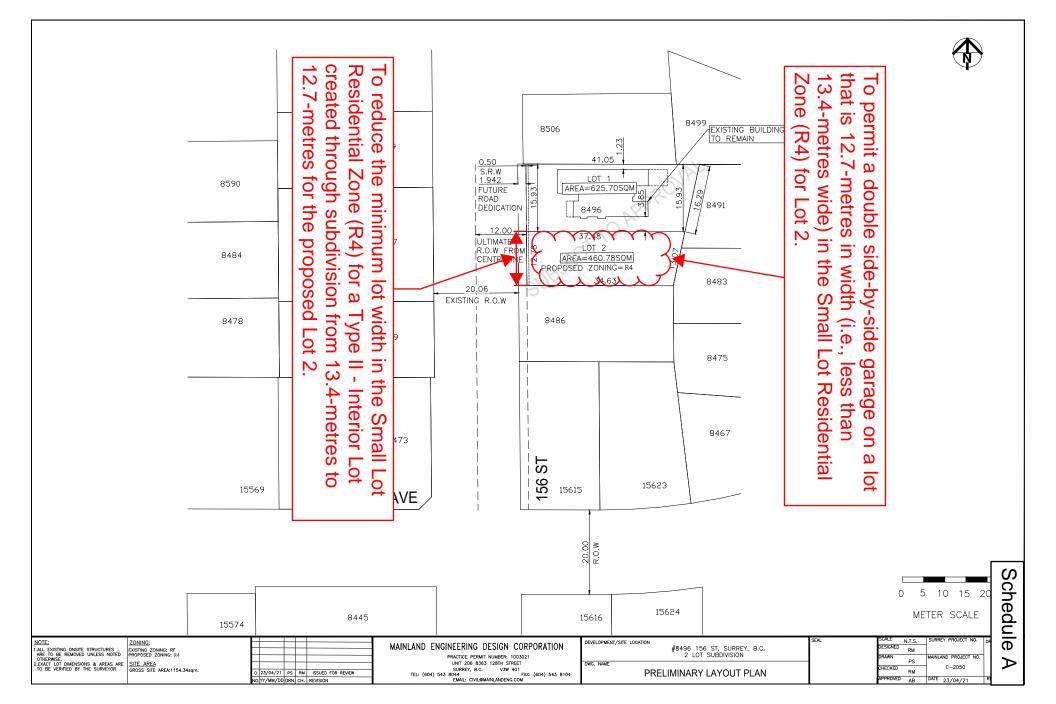
- (a) In Section C.2 of Part 16 Small Lot Zone (R4) the minimum lot width for a Type II Interior Lot created through subdivision is reduced from 13.4-metres to 12.7-metres for the proposed Lot 2 (see Schedule A).
- (b) Sub-Section H.3(a) of Part 16 Small Lot Zone (R4) is varied to permit a double side-by side garage on a lot that is 12.7-metres in width (i.e., less than 13.4-metres wide).
- 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. 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.

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

ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk and Director Legislative Services Jennifer Ficocelli



# **APPENDIX "II"**

# Table of Original and Replacement DVPs without Rezoning in compliance with SSMUH Zoning By-law Amendments

DEVELOPMENT APPLICATION AND PLANNING REPORT	ORIGINAL DVP ZONE	ORIGINAL DVP	CURRENT DVP ZONE	Close DVP	REPLACEMENT DVP (NEW SSMUH ZONE)
<u>22-0224</u>	RH	7922-0224-00	R1	7922-0224-00	7922-0224-01 (See Attachment C)

#### CITY OF SURREY

# (the "City")

#### **DEVELOPMENT VARIANCE PERMIT**

NO.: 7922-0224-01

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: 000-836-630 Lot 25 Section 8 Township 2 New Westminster District Plan 15915

13343 - 56 Ave

#### (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.2. of Part 13 "Suburban Residential Zone (R1)" the minimum lot width is reduced from 30 metres to 25.1 metres for lots 1 and 2.

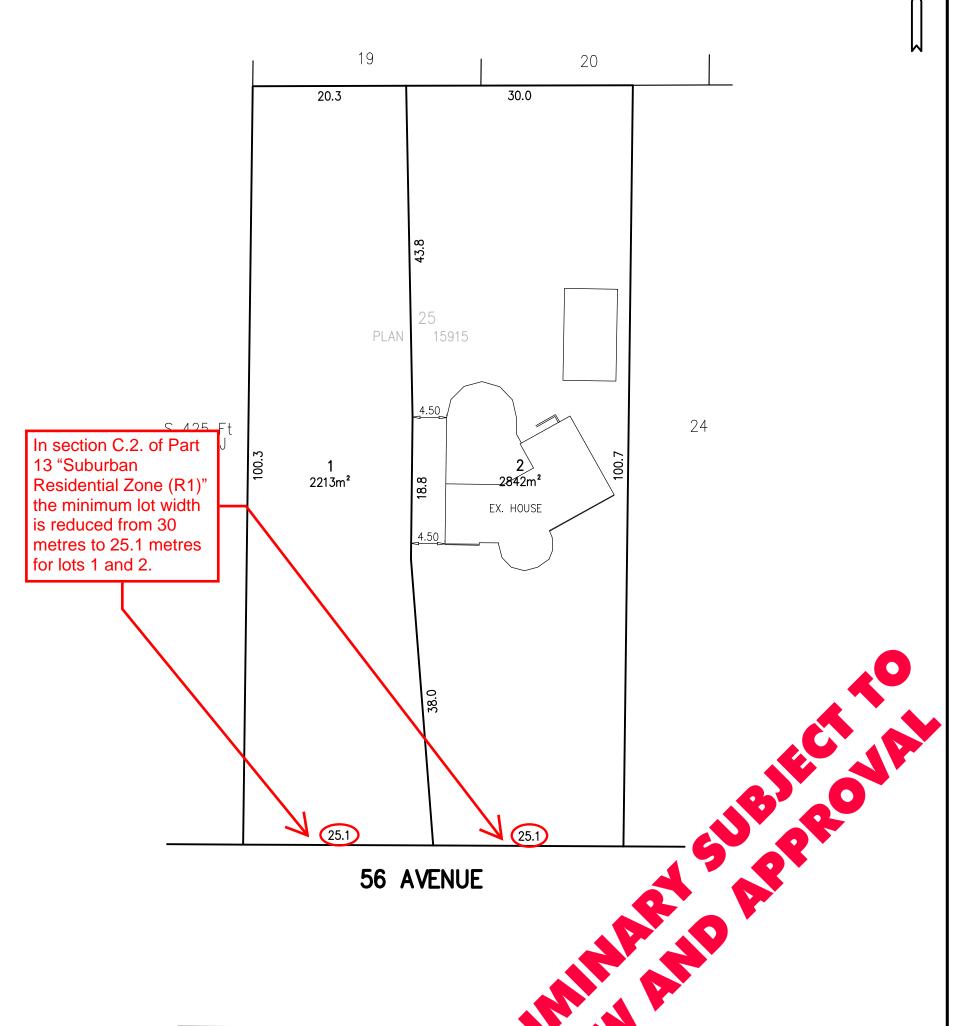
- 5. This development variance permit applies to only the <u>portion of the Land</u> shown on Schedule A which is attached hereto and forms part of this development variance permit.
- 6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development 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 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.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 . ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli

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	RESIDENTIAL SU	BDIVISION					
	ROJECT NO. 2022-116	JUN 2022	LEGAL:			SCALE: 1:500	MUNICIPAL PROJECT NO:
ف		PREL	MINARY PLAN - SUB	JECT TO APPROVAL(S) FR	OM FEDERAL, PROVINCIAL AND	) LOCAL AUTHORITIES	

# APPENDIX "III"

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

DEVELOPMENT APPLICATION AND PLANNING REPORT	ORIG	INAL BYLAV	V (CLOSED & FII	ED)					
	Original Amendment Bylaw	From Zone(s)	To Zone(s)	Associated DVP	Replacement Amendment Bylaw	Amendment Zone(s)		Close DVP	Associated DVP
<u>22-0048</u>	20989	RH	CD (based on RQ)	Yes	21451	R1	CD (based on R2)	7922-0048-00	7922-0048-01 (See Attachment D)

#### CITY OF SURREY

# (the "City")

# **DEVELOPMENT VARIANCE PERMIT**

NO.: 7922-0048-01

Issued To:

("the 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: 004-145-798 Lot 59 Section 10 Township 2 New Westminster Plan 50724 5722 146A St

(the "Land")

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

In section F.1. of Part 14 of the "Quarter Acre Residential Zone (R2)" Zone, the minimum side yard setback of the principal building is reduced from 2.4 metres to 1.78 for proposed Lot 1, in order to retain the existing single-family dwelling.

- 5. This development variance permit applies to only the <u>portion of the Land</u> OR <u>that portion</u> <u>of the buildings and structures on the Land</u> 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.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 . ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli

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Schedule A