

NO: **R068**

COUNCIL DATE: **April 2, 2012**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **April 2, 2012**

FROM: **General Manager, Planning and Development**

FILE: **3900-30**

SUBJECT: **Final Zoning Conversions Related to Zoning By-law No. 5942 Zones -
Red Tape Reduction Through Simplification**

RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information;
2. Approve all necessary actions toward achieving the following:
 - (a) rezoning the properties, as documented in Appendix I attached to this report;
 - (b) the deletion of Schedule E of Surrey Zoning By-law, 1993, No. 12000 in its entirety; and
 - (c) the deletion Section B.2 of Part 3 Zones of Surrey Zoning By-law, 1993, No. 12000; and
3. Instruct the City Clerk to bring forward the necessary amendment by-law for the required readings and set a date for the related Public Hearing.

INTENT

The purpose of this report to obtain Council approval to rezone properties that remain zoned under Surrey Zoning By-law, 1979, No. 5942 ("By-law No. 5942") to a zone under Surrey Zoning By-law, 1993, No. 12000 ("By-law No. 12000") to simplify the zoning regulations in the City, which supports investor confidence.

BACKGROUND

When By-law No. 12000 was adopted in September 1993, lands affected by in-stream rezoning applications retained zoning under By-law No. 5942 and were identified in Schedule E of By-law No. 12000.

On June 20, 1994, Council adopted the recommendations of Corporate Report No. R448 (Res. 94-2207), which outlined the procedure to rezone properties identified in Schedule E of By-law No. 12000 from zoning under By-law No. 5942 to appropriate zones under By-law No. 12000 (i.e., zoning conversions).

Since 1994, there have been 15 Zoning By-law amendments converting the zoning of Schedule E properties from By-law No. 5942 zones to appropriate corresponding By-law No. 12000 zones. Following the last amendment to Schedule E, on July 10, 2006, (Amendment By-law No. 15957), 35 properties with zoning under By-law No. 5942 remained on Schedule E of By-law No. 12000.

DISCUSSION

Since the last zoning conversion on July 10, 2006, three more properties listed in Schedule E have been rezoned to By-law No. 12000 zones under land development applications, leaving 32 properties listed in Schedule E that should be converted to appropriate corresponding zones under By-law No. 12000. These 32 properties are documented on pages 1 to 3 of Appendix I.

Staff undertook a detailed review of all properties in Surrey and discovered five additional properties, other than those listed in Schedule E, that retain zoning under By-law No. 5942 that should be converted to the appropriate corresponding zones under By-law No. 12000. These properties are documented on page 4 of Appendix I.

To reduce confusion and "red tape" that arises from time to time due to properties across the City being zoned under two separate Zoning By-laws, and to streamline the land development review process, it is considered appropriate to rezone those properties with zoning under By-law No. 5942 to a corresponding zone under Zoning By-law No. 12000, which will allow Schedule E to be deleted from By-law No. 12000. It is also necessary to delete Section B.2 of Part 3 of By-law No. 12000, which defines which properties are to be included in Schedule E.

Even after the properties listed in Schedule E have been converted to By-law No. 12000 zones, there are a number of properties in Surrey that remain zoned under By-law No. 5942. The I-4 and I-P(2) Zones are holding zones in By-law No. 5942, limited to Bridgeview and Surrey Bend, respectively that do not have a corresponding zone in By-law No. 12000. The conversion of these properties to appropriate By-law No. 12000 zones will occur separately, under a different process, at some future time. In addition, there are some Comprehensive Development (CD) Zones under By-law No. 5942. Although the CD Zones for single-family sites may be converted in the future to incorporate secondary suites, zoning conversions for the remaining CD-zoned sites will be longer term.

The owners of the properties listed in Appendix I will be notified, in writing by the City Clerk, that their land will be rezoned as part of the conversion process recommended in this report. Since the rezoning of these properties is initiated by the City of Surrey, the individual property owners are not required to erect Development Proposal Signs on their property. As more than 10 properties are involved in the rezoning by-law, the City is exempt from notifying landowners within 100 metres of the site of the proposed rezoning. However, in accordance with the usual procedures, the City Clerk will advertise the proposed rezonings in the local newspapers.

CONCLUSION

Based on the above discussion it is recommended that Council:

- Approve all necessary actions toward achieving the following:
 - rezoning the properties as documented in Appendix I attached to this report from zones under By-law No. 5942 to corresponding zones under By-law No. 12000;

- the deletion of Schedule E of By-law No. 12000 in its entirety; and
- the deletion Section B.2 of Part 3 Zones of By-law No. 12000; and
- Instruct the City Clerk to bring forward the necessary amendment by-law for the required readings and set a date for the related Public Hearing.

Original signed by
Jean Lamontagne
General Manager
Planning and Development

GAG/kms/saw

Attachment:

Appendix I – Properties Proposed for Rezoning

Properties Proposed for Rezoning

File No.	Legal Description	Address	Existing By-law 5942 Zone	Proposed Equivalent By-law 12000 Zone
5686-302	Parcel "A" (J140637E) Lot 1 Block 15 District Lot 4 Group 2 NWD Plan 886	12118 Old Yale Road	I-G	IL-1
	Lot 1 District Lot 4 Group 2 NWD Plan 69995	12094 Old Yale Road	I-G	IL-1
	Parcel "A" (H41885E) Lot 2 Block 15 District Lot 4 Group 2 NWD Plan 886	10882 Spruce Road	I-G	IL-1
5688-551-00	Lot 3 Sec. 21 TP 2 NWD Plan LMP 13209 Except Plan BCP 31707	7238 – 137 Street	C-R(1)	C-8
	Strata Lot 1 and Strata Lot 2 Section 21 Township 2 New Westminster District Strata Plan BCS2011	7288 – 137 Street	C-R(1)	C-8
5689-682-00	Lot 3, East Section 35, Range 2, Plan 17876	13845 – 96 Avenue	R-F	RF
5690-169-00	Lot 2, 28.28' Portion, Section 19 & 20, Range 2, Plan 8305, 16.64 Acre	12389 – 104 Avenue	A-1	A-1
5690-409-00	Parcel 19 Except: The Southerly 90 Feet Section 15, Township 2, Plan 16163	6823 – 148 Street	RS	RA
5691-104-00	Lot 3, District Lot 232 (Ex. 10494 and Parcel B) Plan 6357 (Except Right of Way 38428)	5353 King George Boulevard	A-3 and R-1	A-1
	Parcel A, 3 District Lot 232, Reference 10494	5419 King George Boulevard	R-1	RH
	Lot 30, Section 4 & 9, Township 2 Plan 6632, District Lot 51 (Except Explanatory Plan 10832, S 100' Plan 380)	14011 Colebrook Road	A-3 and R-1	A-1
	Lot 170, District Lot 51, Plan 64486	14026 Trites Road	R-1	RH
	Parcel A, 33 Portion District Lot 51, Section 4 & 9, Township 2, Sk 12420 (except West 33' & S100')	13663 Colebrook Road	A-1 and A-3	A-1
	Lot Parcel Section 4, Township 2, Plan 12794, District Lot 51, Explanatory Plan 52130	13910 Trites Road	A-3	A-1
	Lot 1, 32 District Lot 51 Plan 9873	13769 Colebrook Road	A-1 and A-3	A-1
	Lot 2, Lot 32, District Lot 51, Plan 9873	13809 Colebrook Road	A-1 and A-3	A-1

File No.	Legal Description	Address	Existing By-law 5942 Zone	Proposed Equivalent By-law 12000 Zone
	Lot 3, 32 District Lot 51 Plan 9873	13843 Colebrook Road	A-1 and A-3	A-1
	Lot 4, Lot 32, District Lot 51, Group 2, Plan 9873	13859 Colebrook Road	A-1 and A-3	A-1
	Lot 5, 28 District Lot 51, Plan 7987 (Except South 100') (Except Right of Way 38428)	14311 Colebrook Road	A-3	A-1
	Lot 5, 29 District Lot 51 Plan 7984 (Except 14546 & Right-of-Way 38428)	14149 Colebrook Road	A-3	A-1
	Lot 9, District Lot 51, Plan 22553	13304 Coulthard Road	A-1 and R-1	A-1
	Lot 33, District Lot 51, Plan 6632 (Except 12420)	5365 – 136A Street	A-1 and A-3	A-1
	Lot 40, District Lot 51, Plan 24938	13275 Colebrook Road	A-1	A-1
	<p>All that portion of Lot 51 Except: Firstly: Parcel "A" (Explanatory Plan 34762) Secondly: Parcel "B" (Reference Plan 35242) Thirdly: Part in Plan LMP26933 District Lot 51 Group 2 New Westminster District Plan 30413 lying northwesterly of a line described as follows:</p> <p>Commencing at a point on the westerly boundary of said Lot 51 said point being 20.4 metres southerly from the northwesterly corner of said Lot 51.</p> <p>Thence northeasterly to a point on the easterly boundary of said Lot 51 said point being the southwesterly corner of Lot 4 Except: Parcel "A" (Explanatory Plan 14439) District Lot 51 Group 2 New Westminster District Plan 9136 and 52.2 metres more or less southerly from the northeasterly corner of said Lot 51.</p>	13067 Colebrook Road	R-1	RH

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	<p>All that portion of Lot 51 Except: Firstly: Parcel "A" (Explanatory Plan 34762) Secondly: Parcel "B" (Reference Plan 35242) Thirdly: Part in Plan LMP26933 District Lot 51 Group 2 New Westminster District Plan 30413 lying southeasterly of a line described as follows:</p> <p>Commencing at a point on the westerly boundary of said Lot 51 said point being 20.4 metres southerly from the northwesterly corner of said Lot 51.</p> <p>Thence northeasterly to a point on the easterly boundary of said Lot 51 said point being the southwesterly corner of Lot 4 Except: Parcel "A" (Explanatory Plan 14439) District Lot 51 Group 2 New Westminster District Plan 9136 and 52.2 metres more or less southerly from the northeasterly corner of said Lot 51.</p>	13067 Colebrook Road	A-1	A-1
	Lot 70, District Lot 51, Plan 38583 (Explanatory Plan 66470)	13208 Coulthard Road	A-1	A-1
	Parcel A, Lot 5, Block 29, District Lot 51 Explanatory Plan 14546 (Except 0.64 Ac)	14091 Colebrook Road	A-3	A-1
	Parcel T, District Lot 51, Parcel 24277, Except 1.12 Ac, Lot 1)	13555 Colebrook Road	A-1	A-1
5691-415-00	Lot 4, Section 21, Township 2, NWD Plan LMP 29085	3155 – 136 Street	R-A(G)	RA-G
	Lot 6, Section 21, Township 2, NWD Plan LMP 29085	3133 – 136 Street	R-A(G)	RA-G
	Lot 7, Section 21, Township 2, NWD Plan LMP 29085	3115 – 136 Street	R-A(G)	RA-G
5692-0324-00	Lot 230 SW Section 8 Township 8 NWD Plan 48970	5940 – 176 Street	R-F	RF

File No.	Legal Description	Address	Existing By-law 5942 Zone	Proposed Equivalent By-law 12000 Zone
5693-0222-00	Lot 16 Except: Firstly: Part on Plan LMP34843, Secondly: Part Plan LMP34844, Thirdly: Part Dedicated Road on Plan BCP19508, Section 17 Township 8 New Westminster District Plan 34607	6784 – 176 Street	A-1	A-1
5692-0324-00	Lot 230 Section 8 Township 8 New Westminster District Plan 48970	5940 – 176 Street	R-F	RF
5693-0132-00	Block 80 Except: Part Subdivided by Plan LMP24614, New Westminster District Plan 5271	14855 St. Andrew Drive	A-1	A-1
5690-0127-00	Lot 3 Section 19 Block 5 North Range 2 West New Westminster District Plan BCP39778	12090 – 104 Avenue	I-G	IL
	Lot 5 Except Plan 68294, Section 34 Township 7 New Westminster District Plan 50097, except that portion described as Commencing at a point 76.350 metres east of the southwesterly property line; Thence northerly at 2° 15/46 for a distance of 208.647 metres; Thence easterly at 109°04'05 for a distance of 181.691 metres; Thence southerly at 211°45'55 for a distance of 173.028 metres; Thence westerly at 88°41'20	4552 – 192 Street	A-2	A-2