

## NOTICE OF SPECIAL COUNCIL MEETING

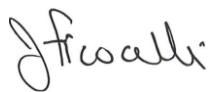
August 9, 2024  
FILE: 0550-20-01

**PURSUANT TO SECTION 126 OF THE**  
**COMMUNITY CHARTER**

TAKE NOTICE THAT a Special Meeting of the Council of the City of Surrey will be held electronically via Microsoft Teams on **Monday, August 12, 2024 at 1:00 p.m.** Members of the public wishing to participate in the Council meeting may access the meeting via livestream on the City's website at [www.surrey.ca](http://www.surrey.ca) or watch the livestream at City Hall (13450 104 Avenue).

The purpose of this meeting is to consider:

- the rescheduling of a public hearing;
- bylaw readings and amendments;
- a Corporate Report for the award of a contract; and
- a motion regarding fire safety.



Jennifer Ficocelli  
City Clerk and Director Legislative Services

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Livestreamed via the City's website [www.surrey.ca](http://www.surrey.ca)

**A. ADOPTION OF THE AGENDA**

Council is requested to pass a motion to adopt the agenda.

**B. DELEGATIONS - PUBLIC HEARING**

1. **Proposed Amendments to Streamside Protection Bylaws and Policy -  
Corporate Report No. R155  
"Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21341"  
"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2024, No. 21186"**

\* See memorandum dated August 8, 2024.

This item is out of order.

**C. BYLAW ACTIONS**

1. **Proposed Amendments to Streamside Protection Bylaws and Policy -  
Corporate Report No. R155**

To amend Streamside Protection to require all watercourse setbacks to meet Provincially and Federally legislated requirements and changes to the Sensitive Ecosystems Development Permit requirements to streamline development application review timelines.

\* See memorandum dated August 8, 2024.

"Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21185"

**That Council file Bylaw No. 21185**

"Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21341"

**That the Public Hearing be held on Monday, September 9, 2024, at 7:00 p.m.**

"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2024, No. 21186"

**That Council rescind Second Reading of Bylaw No. 21186, granted by resolution No. RES.R24-1619 at the July 22, 2024 Regular Council – Public Hearing Meeting.**

**That Council amend Bylaw No. 21186 as outlined in Appendix I.**

**Second Reading, as amended**

**That the Public Hearing be held on Monday, September 9, 2024, at 7:00 p.m.**

2. Imagine Scott Road Visioning Study - Corporate Report No. R129

To amend Schedule G of the Surrey Zoning By-law to update Tier 2 Capital Project Community Amenity Contributions for the Scott Road Visioning Study Area.

- \* See memorandum dated July 29, 2024.

"Surrey Zoning By-law, 1993, No. 12000, Amendment Bylaw, 2024, No. 21327"

**That Council rescind Third Reading of Bylaw No. 21327, granted by resolution No. RES.R24-1564 at the July 22, 2024 Regular Council – Public Hearing Meeting.**

**That Council rescind Second Reading of Bylaw No. 21327, granted by resolution No. RES.R24-1472 at the July 8, 2024 Regular Council – Public Hearing Meeting.**

**That Council amend Bylaw No. 21327 as outlined in Appendix I.**

**Second Reading, as amended**

**That the Public Hearing be held on Monday, September 9, 2024 at 7:00 p.m.**

3. Planning Report - Application No. 7917-0492-00  
2459, 2469 and 2479 - 156 Street; Unconstructed Lane West of Site

Owners: 1168478 B.C. Ltd. (Director Information: R. Kooner, P. Kooner)  
Agent: R. Kooner

To permit the development of a 6-storey rental residential apartment building.

- \* See memorandum dated August 7, 2024.

"Surrey Official Community Plan Bylaw, 2013, No. 18020, Text Amendment Bylaw, 2024, No. 21307"

**That Council rescind Second Reading of Bylaw No. 21307, granted by resolution No. RES.R24-1481 at the July 22, 2024 Regular Council - Land Use Meeting.**

**That Council amend Bylaw No. 21307 as outlined in Appendix I.**

**Second Reading as amended**

At the July 22, 2024 Regular Council - Land Use meeting Council set the Public Hearing date for Monday, September 9, 2024 at 7:00 p.m.

4. Planning Report - Application No. 7917-0078-00  
6690 and 6706 King George Boulevard

Owners: 1070071 B.C. Ltd. (Director Information: J. Thind, N. Ghag, H. Purba, T. Thind, G. Lehal), Ziv Properties Ltd. (Director Information: G. Ziv)  
Agent: DF Architecture Inc. (Jessie Arora)

To permit the development of a 5-storey commercial building, a 6-storey apartment building, and a pavilion café building.

- \* See memorandum dated August 7, 2024.

"Surrey Comprehensive Development Zone 237 (CD 237), Bylaw, 2024, No. 21343"

**That Council receive the updates to Bylaw No. 21343 as outlined in Appendix I.**

At the July 22, 2024 Regular Council - Land Use meeting Council endorsed the Public Notification to proceed for Bylaw No. 21343.

**D. CORPORATE REPORT**

**Item No. R157                      Award of Contract No. 4824-027-11  
Fry's Corner Drainage Pump Station and Dyke Repair**

**E. MAYOR'S REPORT**

**Fire Safety**

Mayor Locke is requesting Council to consider the following motion:

Whereas:

1. Between May 1 and July 31 this year, Surrey Fire Service has responded to over 350 brush and grass fires, most of which were caused by human activity;
2. Dry and hot weather patterns are forecast to continue into the foreseeable future;
3. The City of Surrey is increasing enforcement of fire regulations and reminding residents to take preventative measures during an elevated fire risk due to dry and hot weather conditions; and
4. Residents are reminded that contravention of By-laws can come with significant financial penalties, including up to \$5,000 for the use of fireworks and up to \$2,000 for campfires, plus the costs of prosecution.

Now therefore be it resolved that Council direct staff to report back to Council with an update on the fire risk to the community and measures to address the safety concern.

**F. OTHER BUSINESS**

This section has no items to consider.

**G. ADJOURNMENT**

Council to pass a motion to adjourn the Special Council meeting.

CITY OF SURREY

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# ADOPTION OF THE AGENDA



CITY OF SURREY

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# DELEGATIONS

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TO: **Mayor and Council**

FROM: **City Clerk and Director of Legislative Services**

DATE: **August 8, 2024**

FILE: **3900-20-21185 – 21341 - 21186**

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RE: **Streamside Protection Bylaws**

### **Bylaw Actions**

On March 11, 2024 Council considered Corporate Report R053 regarding Sensitive Ecosystems Development Permit Requirements and introduced "Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21185" ("Bylaw 21185"). Bylaw 21185 received first and second readings.

On July 22, 2024 Council considered Corporate Report R155 regarding Proposed Amendments to Streamside Protection Bylaws and Policy and introduced new bylaws; "Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21341" ("Bylaw 21341") and "Surrey Zoning By-law, 1993, No. 12000, Amendment Bylaw, 2024, No. 21186 ("Bylaw 21186").

It is in order to for Council to file Bylaw 21185, which was introduced on March 11, 2024 and has been replaced by a new bylaw, Bylaw 21341. Bylaw 21341 and Bylaw 21186 are the current bylaws associated with the proposed changes to streamside protection as directed by Council.

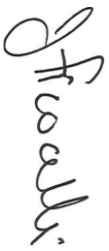
Upon review of Bylaw 21186 a minor error was discovered. Appendix "I" is a redline version of Bylaw 21186 with the changes noted. It is requested that Council rescind second reading, amend Bylaw 21186 to reflect these changes and give Bylaw 21186 second reading, as amended.

### **Public Hearing**

At the July 22, 2024 Regular Council – Public Hearing meeting, Council scheduled a public hearing for Bylaw 21341 and Bylaw 21186. To comply with the notification requirements of Section 94 of the *Community Charter*, staff provided the required notices to the newspaper for inclusion in the August 1 and August 8 community newspapers. The notice was published in the August 1 community newspapers but not in the August 8 community newspapers.



As the public hearing notification was not provided as required by Section 94 of the *Community Charter*, the public hearing is out of order. It is requested that Council schedule a new public hearing date for Bylaw 21341 and Bylaw 2186.

A handwritten signature in cursive script, appearing to read "J. Ficocelli".

Jennifer Ficocelli  
City Clerk and Director of Legislative Services

Appendix "I": Bylaw 21186 with changes noted.

CITY OF SURREY

BYLAW NO. 21186

A bylaw to amend the provisions of Surrey  
Zoning By-law, 1993, No. 12000, as amended.

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The Council of the City of Surrey, ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended as follows:

a. Part 1 Definitions is amended by deleting "**Streamside Setback Area**" in its entirety and replace with the following:

**"Streamside Setback Area**

means the horizontal area within a *lot* where land disturbance of any kind is prohibited, as calculated by a *Qualified Environmental Professional* following ~~an~~the assessment methodology prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended and contained in an Assessment Report deemed to be acceptable by the City of Surrey."

b. Part 7A Streamside Protection is further amended as follows:

i. Section A.1 is deleted in its entirety and replace with the following:

"All lands within a streamside protection area, which includes the *Streamside Setback Area*, are subject to the regulations set out in this Part, except for those lands and uses permitted in the *Agricultural Land Reserve* that are exempt from the Riparian Area Protection Regulation, B.C. Reg.178/2019, as amended."

ii. Section A.2, A.3 and A.5 are deleted in its entirety.

iii. After sub-section A.1 renumber the subsequent section to A.2 to A.3.

iv. Section B.1 "**Streamside Setback Areas**" is deleted in its entirety and replace with the following:

**"B. Streamside Setback Areas**

*A streamside setback area* is calculated by a *Qualified Environmental Professional* following either the simple assessment or the detailed assessment methodology as prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended, and as contained in an Assessment Report deemed to be acceptable by the City of Surrey".

# NOTICE OF PUBLIC HEARING

Surrey City Council will hold an **electronic** Public Hearing

View the livestream at [surrey.ca](https://surrey.ca) or at City Hall  
13450 — 104 Avenue

MEETING DATE

**MONDAY  
AUGUST 12, 2024**

STARTING AT 1PM

PUBLIC HEARING



**"Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21341"**

**"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2024, No. 21186"**

**Purpose of Bylaws:** To amend Streamside Protection to require all watercourse setbacks to meet Provincially and Federally legislated requirements and changes to the Sensitive Ecosystems Development Permit (SEDP) requirements to streamline development application review timelines, as described in Corporate Report R155.

## IMPORTANT – PUBLIC HEARING NOTICE



**Office of the City Clerk**  
13450 – 104 Avenue,  
Surrey, BC V3T 1V8  
Canada

### QUESTIONS FOR THE PLANNER:

Email planning staff at [planningdevelopment@surrey.ca](mailto:planningdevelopment@surrey.ca) if you have any questions regarding this application. For information about the application visit [surrey.ca](http://surrey.ca).

City Hall is open Monday to Friday 8:30am-4:30pm except statutory holidays.

**This notice is intended for the Owner and/or Occupant of which this card is addressed.**

### COMMENTS TO COUNCIL:

**Webform:** [surrey.ca](http://surrey.ca)

**Email:** [clerks@surrey.ca](mailto:clerks@surrey.ca)

**Mail:** Office of the City Clerk at the address above

**Fax:** 604-501-7578

Written submissions will be made public on the City's website and distributed to Council. Submissions must be received by 12:00 noon on the day of the Public Hearing.

### REGISTER TO SPEAK AT THE PUBLIC HEARING:

Follow the registration process at [surrey.ca/city-government/council-meetings/participate-public-hearing](http://surrey.ca/city-government/council-meetings/participate-public-hearing).



Speakers are provided 3 minutes to make comments to Council regarding the bylaws being considered at a Public Hearing.

### WATCH THE PUBLIC HEARING:

View the livestream at [surrey.ca](http://surrey.ca) or at City Hall, 13450 – 104 Avenue

NO: R155

COUNCIL DATE: July 22, 2024

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## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **July 22, 2024**

FROM: **General Manager, Planning & Development** FILE: **3900-30**  
**General Manager, Engineering** **6440-02**

SUBJECT: **Proposed Amendments to Streamside Protection Bylaws and Policy**

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## RECOMMENDATION

The Planning & Development Department and the Engineering Department recommends that Council:

1. Receive this report for information;
2. Direct staff to bring forward a bylaw for readings to amend Part 7A (Streamside Protection) of *Surrey Zoning By-law, 1993, No. 12000* to require all watercourse setbacks to meet Provincially and Federally legislated requirements, consistent with Appendix "I"; and
3. Direct staff to bring forward the necessary amendments to the Sensitive Ecosystems Development Permit section of the *Surrey Official Community Plan Bylaw, 2013, No. 18020* for readings, consistent with Appendix "II".

## INTENT

The intent of this report is to seek Council's endorsement of changes to streamside setbacks set out in *Surrey Zoning By-law, 1993, No. 12000* under Part 7A (Streamside Protection) and changes to the Sensitive Ecosystems Development Permit requirements in the *Surrey Official Community Plan Bylaw, 2013, No. 18020*. These changes are intended to streamline development application review timelines without compromising environmental protection of watercourses.

## BACKGROUND

At its October 30, 2023 Regular Meeting – Public Hearing, through RES.R23-2215, Council directed staff to review Part 7A of *Surrey Zoning By-law, 1993, No. 12000* (the "Zoning By-law") and the Sensitive Ecosystems Development Permit ("SEDP") processes in *Surrey Official Community Plan Bylaw, 2013, No. 18020* (the "OCP") to streamline development application approvals while ensuring protection of the City's interests and environmental protection.

At its March 11, 2024 Regular Meeting – Public Hearing, Council received Corporate Report No. R053; 2024 (Appendix "III"), which set out options for Council's consideration. Council approved Option B in that report and directed staff through RES.R24-477 and R24-478 to:

“bring forward a bylaw to amend Part 7A (Streamside Protection) of *Surrey Zoning By-law, 1993, No. 12000* to require all watercourse setbacks to meet Provincially and Federally legislated requirements”

and

“bring forward the necessary amendments to *Surrey Official Community Plan Bylaw, 2013, No. 18020* for readings, consistent with Appendix "II".”

## DISCUSSION

As described in Corporate Report No. R053; 2024, the protection of environmental and fisheries values associated with watercourses and riparian areas is multi-layered in Surrey, with Federal Department of Fisheries and Oceans (“DFO”), Provincial *Water Sustainability Act* (“WSA”), the Provincial *Riparian Areas Protection Act* and *Riparian Areas Protection Regulation* (“RAPR”), and City approvals all playing a part. In essence, these regulations have the goal of preventing both direct disturbance and indirect impact on streams that support fish and fish habitat from development.

Under RAPR, responsibility for determining the appropriate classification of a watercourse and the associated riparian setbacks that are necessary to protect the fish habitat in the watercourse is assigned to a Qualified Environmental Professional (“QEP”), following a provincially governed professional reliance model that it legislated by the Province’s *Professional Governance Act* (“PGA”). The RAPR sets out a process for a “simple assessment” and a “detailed assessment” that must be followed by a QEP preparing a report in relation to a development proposal. The RAPR requires that a QEP, registered under PGA, certifies that they are qualified to carry out the assessment and that they have followed the proper methodology as set out in the RAPR Technical Manual.

Under Provincial legislation, local governments have the statutory duty to ensure that development approvals and permits granted comply with the provisions associated with the RAPR. Section 12 (b) (4) of the *Riparian Areas Protection Act* states that a local government must:

“4) ensure that its bylaws and permits under Part 14 of the *Local Government Act* . . . . provide a level of protection that, in the opinion of the local government is comparable to, or exceeds that established by the regulation.”

To permit a development that impacts upon a riparian area, therefore, a local government must have bylaws and procedures in place that “meet or beat” the provisions in the RAPR. In the City of Surrey’s case, this includes Part 7A in the Zoning By-law, requirements for SEDP (“DP<sub>3</sub>”) in the OCP, and procedures for receiving and accepting reports from QEPs. The history of the City of Surrey’s regulations and practices in this regard is set out in Corporate Report No. R053; 2024, (Appendix “III”).

In response to Council’s direction in RES.R24-477 and R24-478, staff have reviewed the relevant legislation and legal context, and are of the opinion that the proposed changes to Part 7A of the Zoning By-law contained in Appendix “I”, along with proposed changes to the DP<sub>3</sub> requirements in the OCP contained in Appendix “II”, meet the Federal and Provincial requirements.

In essence, the recommended approach is to amend Part 7A to specifically align with the RAPR as amended from time-to-time, including both the “simple RAPR” option and the “detailed RAPR” option for establishing Streamside Protection and Enhancement Area (“SPEA”) setbacks. It is to

be expected that most, if not all, development applications will select the detailed RAPR approach, which is likely to result in more developable land outside of the SPEA. Proposed amendments to the DP<sub>3</sub> requirements in the OCP align with the proposed Part 7A and clarify when a full or partial waiver of the DP<sub>3</sub> requirement is granted.

## LEGAL SERVICES REVIEW

This report has been reviewed by Legal Services.

## CONCLUSION

In response to Council direction, staff have reviewed environmental regulations, policies, and practices applied in the development application review process. These include the streamside setbacks in Part 7A of the Zoning By-law and the requirements for issuing a Sensitive Ecosystems Development Permit.

Staff conclude that the changes proposed in this report will streamline the processing of applications without compromising important environmental and public interest values, consistent with Federal and Provincial legislation and regulations.

*Original signed by*  
Don Luymes  
General Manager, Planning & Development

*Original signed by*  
Scott Neuman, P. Eng.  
General Manager, Engineering

Appendix "I" Proposed Amendments to *Surrey Zoning By-law, 1993, No. 12000*, Part 7A

Appendix "II" Proposed Amendments to *Surrey Official Community Plan Bylaw, 2013, No. 18020*,  
Sensitive Ecosystems Development Permit

Appendix "III" Corporate Report No. R053; 2024

**Proposed Amendments to  
Surrey Zoning By-law, 1993, No. 12000, as amended**

The following amendments are proposed to Surrey Zoning By-law, 1993, No. 12000, as amended:

**AMENDMENTS TO PART 1 DEFINITIONS**

**1. Streamside Setback Area**

Amend the definition of “Streamside Setback Area”, as follows:

- Delete the definition and insert the following in its place:

**“Streamside Setback Area**

means the horizontal area within a *lot* where land disturbance of any kind is prohibited, as calculated by a *Qualified Environmental Professional* following the assessment methodology prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended and contained in an Assessment Report deemed to be acceptable by the City of Surrey.”

**AMENDMENTS TO PART 7A STREAMSIDE PROTECTION**

**A. General**

Amend Section A. General as follows:

- Replace Sub-section A.1, with the following:

All lands within a streamside protection area, which includes the *Streamside Setback Area*, are subject to the regulations set out in this Part, except for those lands and uses permitted in the *Agricultural Land Reserve* that are exempt from the Riparian Area Protection Regulation, B.C. Reg.178/2019, as amended.

- Delete Sub-sections A. 2 and A.3;
- Renumber Sub-section “A.4” as Sub-section “A.2”;
- Delete Sub-section A.5; and
- Renumber Subsection “A.6” as Sub-section “A.3”.

**B. Streamside Setback Areas**

Delete Section B. Streamside Setback Areas and insert the following in its place:

- “B. Streamside Setback Areas



A streamside setback area is calculated by a *Qualified Environmental Professional* following either the simple assessment or the detailed assessment methodology as prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended, and as contained in an Assessment Report deemed to be acceptable by the City of Surrey.”

## Part 7A Streamside Protection

## STREAM SIDE

(BL 18809)

### A. General

(BL 20300)

- ~~1. All lands within a streamside protection area, which includes the area of land between the stream and top of bank and the streamside setback area, are subject to the regulations set out in this Part, except for those lands and uses permitted in the Agricultural Land Reserve that are exempt from the Riparian Area Regulation, B.C. Reg. 376/2004, as amended.~~
1. All lands within a streamside protection area, which includes the *Streamside Setback Area*, are subject to the regulations set out in this Part, except for those lands and uses permitted in the *Agricultural Land Reserve* that are exempt from the Riparian Area Protection Regulation, B.C. Reg. 178/2019, as amended.
- ~~1. For those portions of a streamside protection area that exceed the Riparian Areas Regulation, B.C. Reg. 376/2004, as amended, no disturbance of any land is permitted except for the construction, maintenance or operation of municipal works and services.~~
- ~~2. Any requirements specified in Riparian Areas Regulation, B.C. Reg. 376/2004, as amended, that are greater than those specified in this Part, must be complied with, as well as any other applicable legislation.~~
2. For the purpose of this Part, a *Qualified Environmental Professional* is a registered professional Biologist, Geoscientist, Engineer, Forester and/or Agrologist registered in British Columbia, with demonstrated education, expertise, accreditation and knowledge relevant to sensitive environments, ecosystems and/or riparian/streamside management.
- ~~3. All streams, for the purpose of this Part, are classified as follows:~~
  - ~~(a) Class A: Inhabited by salmonids year-round or are potentially inhabited year-round with access enhancement;~~
  - ~~(b) Class A/O: Inhabited by salmonids, primarily during the overwintering period, or potentially inhabited with salmonids during the overwintering period with access enhancement and non-salmonid species generally present year-round; or~~
  - ~~(c) Class B: A significant source of food and nutrient value to downstream fish populations with no documented fish presence and no reasonable potential for fish presence.~~
3. The entirety of this Part shall not be used to calculate *density* as described in *undevelopable area*.

**B. Streamside Setback Areas**

(BL 20300)

1. A streamside setback area is calculated by a *Qualified Environmental Professional* following either the simple assessment or the detailed assessment methodology as prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended, and as contained in an Assessment Report deemed to be acceptable by the City of Surrey.

using the minimum distance from the *top of bank*, as follows:

**Minimum Distance From Top of Bank**

STREAM TYPES:	STREAM CLASSIFICATIONS:	
	A or A/O	B
All Stream Types (except as shown below)	30 m <sup>±</sup>	20 m <sup>±</sup>
<b>Channelized</b> <i>Stream that has been dyked, diverted or straightened carrying drainage flows from headwaters or significant sources of groundwater, and can include channels that divert irrigation from a stream and send overflow water back to a stream.</i>	25 m <sup>±</sup>	15 m <sup>±</sup>
<b>Ditches</b> <i>Stream that is a constructed drainage channel, carrying water that does not originate from a headwater or significant source of groundwater.</i>	10 m <sup>±</sup> (5 m for Class A/O)	7 m 2 m
<b>Natural</b> <i>Stream predominantly in its natural state that is not significantly altered by human activity.</i>	30 m <sup>±</sup>	15 m <sup>±</sup>
<b>Large Ravines</b> <i>Stream with a narrow, steep-sided valley with a minimum of 60 m between the top of bank from either side of the stream.</i>	15 m <sup>±</sup>	15 m <sup>±</sup>

1. Provided there is no loss in the total size of an individual *streamside setback area*, the minimum distance from the *top of bank*, may only be reduced by no more than 5 m and increased by no more than 10 within the same *streamside setback area*.

2. Provided there is no loss in the total size of an individual *streamside setback area*, the minimum distance from the *top of bank* may only be reduced by no more than 3 m and increased by no more than 10 m within the same *streamside setback area*.

2. ~~Despite Sections B.1 in this Part, for lots that existed prior to September 12, 2016, where zoning allows for single family dwelling and duplex uses, the streamside setback area is calculated by using the minimum distance from top of bank, as follows:~~

**Minimum Distance from Top of Bank**

STREAM TYPES:	STREAM CLASSIFICATIONS:	
	A or A/O	B
All Stream Types (except as shown below)	15 m	15 m

<del>—Ditches</del>	<del>10 m</del>	<del>7 m</del>
<del>—Stream that is a constructed drainage channel, carrying water that does not originate from a headwater or significant source of groundwater.</del>	<del>(5 m for Class A/O)</del>	<del>2 m</del>

~~3. If those lots, identified in Section B.2 of this Part, are further subdivided or rezoned, then Section B.1 of this Part applies~~

## APPENDIX “II”

### Proposed Amendments to Surrey Official Community Plan By-law, 2013, No. 18020, as amended

The following amendments are proposed to Surrey Official Community Plan By-law, 2013, No. 18020, as amended:

#### AMENDMENTS TO DEVELOPMENT PERMITS – DP<sub>3</sub> SENSITIVE ECOSYSTEMS

##### Area Sub-section

Amend the Area Sub-section as follows:

- In clause a), delete the number “50 m” and insert the number “30 m” in its place;
- In clause b), delete the number “50 m” and insert the number “30 m” in its place.

##### Justification Sub-section

Amend the Justification Sub-section as follows:

- in the seventh (of eight) bullet point delete the text “Riparian Areas Regulation, B.C. Reg. 376/2004” and insert the text “Riparian Areas Protection Regulation B.C. Reg. 178/2019” in its place.
- in the eighth (of eight) bullet point delete the text “Natural Drainage Policy” and insert the text “Storm Drainage Management Policy” in its place.

##### Exemptions Sub-section

Amend the Exemptions Sub-section as follows:

- In clause “iv.” insert the words “and road” following the word “utility”
- Insert a new clause:
  - “viii. Where a parcel of property within a Development Permit Area #3:
    - Does not include a Class A watercourse setback; AND
    - Does not involve a subdivision, rezoning, or Development Permit (DP<sub>1</sub> Form and Character or DP<sub>2</sub> Hazard Lands); AND
    - No environmental protection measures are required in respect of Provincial or Federal regulations; AND
    - No structures, vegetation removal, or regrading of land are proposed within the *streamside setback areas* defined in Part 7A of the Zoning By-law or within a Green Infrastructure Area, as determined by a Qualified Environmental Professional and confirmed by a site survey conducted by a registered BC Land Surveyor”
- Renumber the current clause “viii” to be clause “ix”.

# DEVELOPMENT PERMITS (cont.)

BL 18784  
BL 18787

## DP3: Sensitive Ecosystems

### APPLICATION

*Local Government Act* Section 488, Category (a):

#### **Protection of the Natural Environment, its Ecosystems and Biological Diversity**

A Development Permit will be required prior to development activities for any of the following scenarios:

- ⇒ Subdivision of land
- ⇒ Construction, addition or alteration of a building or structure
- ⇒ Construction of roads and trails
- ⇒ Disturbance of soils, land alteration or land clearing
- ⇒ Installing non-structural surfaces with semi-pervious or impervious materials

### AREA

Development Permit Area #3, for the protection of sensitive ecosystems, is designated as follows:

- a) all parcels of property where any portion of the property falls within 50 30 m of the Green Infrastructure Area, as shown in Figure 67; and
- b) all parcels of property where any portion of the property falls within 50 30 m of the top of bank of either one or both sides of a Class A, A/O or B stream containing fish habitat, as generally shown in Figure 68. Should a stream not illustrated in Figure 68 be identified, it is the responsibility of the applicant to contact the City of Surrey to determine whether or not the area in question falls within this Development Permit Area.

### IMPLEMENTATION

Unless otherwise indicated, and in accordance with the Surrey Development Permit Procedures and Delegation Bylaw, as amended, authority to issue a Sensitive Ecosystem Development Permit is delegated to the Planning and Development Department except where the Development Permit application is accompanied by another application requiring City Council approval. Where the content of a Development Permit cannot be agreed upon between the Planning and Development Department and an applicant, authority to issue a Development Permit remains with City Council.

## DEVELOPMENT PERMITS (cont.)

BL18784

### DP3: Sensitive Ecosystems

#### JUSTIFICATION

Lands of significant ecological value, including riparian areas, fall within Surrey's boundaries. The use of a Development Permit Area for these areas are justified as follows:

- a) Green Infrastructure Areas: Surrey's *Ecosystem Management Study and Biodiversity Conversation Strategy* (BCS) identify Surrey's sensitive ecosystem areas. These areas provide natural environment and ecosystem protection as well as biological diversity. The hubs, sites and corridors identified in the BCS provide a contiguous area of ecological importance because they function as habitat and movement systems for wildlife and other natural habitat preservation; offer increased biodiversity in urban areas; provide natural water storage and drainage; and act as natural purification systems that work to reduce erosion and sedimentation. The purpose of the Sensitive Ecosystem Development Permit Guidelines for Green Infrastructure is to ensure that the protection of these high quality plant communities and wildlife habitat areas occurs concurrently with development. Retaining large, contiguous sensitive ecosystem areas helps to retain habitat diversity and quality of life and provides for an overall healthy community for Surrey residents.
- b) Streamside Areas: Rivers, streams, lakes and ponds provide fish habitat and aquatic habitat for wildlife. Streamside areas, where in a natural state, have dense and structurally-complex vegetation that:
  - have high biodiversity and support a large number of vegetation and wildlife species;
  - contribute to the ecological health of the adjacent stream and its fish habitat;
  - prevent the loss of riparian land due to bank instability and soil erosion;
  - provide natural habitat;
  - provide natural corridor links between ecosystem hubs and sites throughout Surrey and neighbouring communities.

The purpose of establishing a Sensitive Ecosystem Development Permit Area for Streamside Areas is to:

- support development while ensuring these areas remain in a largely natural and undisturbed state;
- satisfy requirements of local government to ensure development compliance with the ~~Riparian Areas Regulation, B.C. Reg. 376/2004~~ **Riparian Areas Protection Regulation B.C. Reg. 178/2019**; and
- Maintain the safe conveyance of stormwater following the City of Surrey's ~~Natural Drainage Policy~~ **Storm Drainage Management Policy**.

# DEVELOPMENT PERMITS (cont.)

## DP3: Sensitive Ecosystems

BL18784

### OBJECTIVES

The City of Surrey's objectives for establishing a Sensitive Ecosystem Development Permit Area for Green Infrastructure and Streamside Areas are to:

- a) Green Infrastructure Areas
  - Maintain and enhance ecosystems and critical habitat for at-risk species and generate opportunities that support and enhance biological diversity;
  - Integrate ecological systems and processes into urban areas and assess conservation values and enhancement priorities equally with land development, growth management and infrastructure planning; and
  - Identify and minimize the disturbance of development on the Green Infrastructure Network, as defined in Surrey's *Biodiversity Conservation Strategy*.
- B) Streamside Areas
  - Conserve, protect and enhance aquatic areas and associated riparian habitat;
  - Encourage ecosystem processes and biodiversity and ensure development activity does not encroach upon or alter riparian and aquatic habitats; and
  - Provide for: drainage maintenance access; potential public trails; beaver habitat accommodation; tree health; natural stream dynamics; and slope stability risk minimization.

### EXEMPTIONS

The following scenarios shall NOT require a Development Permit:

- i. Emergency actions required to prevent, control or reduce an immediate threat to human life and safety, the natural environment and/or property, as authorized by the General Manager, Engineering Department, or their designate.
- ii. Interior renovations within an existing building footprint not resulting in any change to the external structure of a building or causing any disturbance to a site.
- iii. Ecological restoration and enhancement projects authorized by the General Manager, Engineering Department or of the Parks, Recreation and Culture Department, or their designate.
- iv. Construction, maintenance or operation of municipal or public utility **and road** works and services.
- v. Regular and general yard maintenance activities within an existing landscaped area, such as mowing laws, pruning trees and shrubs (in accordance with Surrey Tree Protection Bylaw, as amended), planting vegetation and minor soil disturbances that do not alter the general grade of the land or existing approved landscaped buffers.
- vi. Permitted farm activity within the Agricultural Land Reserve (ALR).
- vii. Where there is an existing agreement with the Federal or Provincial governments and the proposed activities are consistent with those agreements.
- viii. **Where a parcel of property within a Development Permit Area #3:**
  - **Does not include a Class A watercourse setback; AND**
  - **Does not involve a subdivision, rezoning, or Development Permit (DP1 Form and Character or DP2 Hazard Lands); AND**
  - **No environmental protection measures are required in respect of Provincial or Federal regulations; AND**
  - **No structures, vegetation removal, or regrading of land are proposed within the *streamside setback areas* defined in Part 7A of the Zoning By-law or within a Green Infrastructure Area, as determined by a Qualified Environmental Professional and confirmed by a site survey conducted by a registered BC Land Surveyor.**
- ix. Where information is provided, to the satisfaction of the General Manager, Planning and Development Department, that illustrates that portions of a property falling within the Sensitive Ecosystem Development Permit Area do not impact its objectives.





## CORPORATE REPORT

NO: R053

COUNCIL DATE: March 11, 2024

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REGULAR COUNCIL

TO: Mayor & Council DATE: March 7, 2024

FROM: General Manager, Planning & Development FILE: 3900-30  
6440-02

SUBJECT: Proposed Amendments to Environmental (Streamside Protection and Development Permits) Development Application Review Processes

---

## RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this report for information;
2. Approve Option A, to:
  - a) Direct staff to make the proposed changes to Part 7A (Streamside Protection) of *Surrey Zoning By-law, 1993, No. 12000* to reduce Class A/O roadside ditches, from 10-metres to five-metres; and Class B ditches, from seven-metres to two-metres as described in this report; and
  - b) Direct staff to bring forward a bylaw to amend *Surrey Zoning By-law, 1993, No. 12000* for readings, consistent with Appendix "I";

OR

Option B, to:

- a) Direct staff to bring forward a bylaw to amend Part 7A (Streamside Protection) of *Surrey Zoning By-law, 1993, No. 12000* to require all watercourse setbacks to meet Provincially and Federally legislated requirements.
3. Approve the proposed changes to *Surrey Official Community Plan Bylaw, 2013, No. 18020* Sensitive Ecosystems Development Permit requirements and guidelines as described in this report; and
4. Direct staff to bring forward the necessary amendments to *Surrey Official Community Plan Bylaw, 2013, No. 18020* for readings, consistent with Appendix "II."

## INTENT

The intent of this report is to seek Council's endorsement of changes to streamside setbacks set out in *Surrey Zoning By-law, 1993, No. 12000*, specifically those for Class A/O and B roadside ditches, and changes to the Sensitive Ecosystems Development Permit requirements to streamline development application review timelines without compromising environmental protection of watercourses.

## BACKGROUND

The protection of environmental and fisheries values associated with watercourses and riparian areas is multi-layered in Surrey, with Federal Department of Fisheries and Oceans ("DFO"), Provincial *Water Sustainability Act* ("WSA"), and Riparian Areas Protection Regulation ("RAPR") regulations and City regulations all playing a part. In essence, these regulations have the goal of preventing both direct disturbance and indirect impact on streams that support fish and fish habitat from development.

Prior to 2016, the City organized a multi-jurisdictional working group called the Environmental Review Committee ("ERC") made up of staff representatives from DFO, the relevant Provincial Ministries, and City departments. The ERC met regularly to review development applications that sought variances to the prevailing Riparian Areas Regulation ("RAR") setbacks of 30-metres for fish-bearing streams and 15-metres for non-fish-bearing streams. The ERC was an effective and efficient body for determining setbacks on development sites that met the requirements of legislation while providing flexibility where warranted.

Through the period of the early 2010s, senior government representatives progressively withdrew from participating in the ERC. At that time, the Provincial government also amended its regulations around watercourses by introducing the RAPR process. This process depends upon a detailed assessment of riparian areas by a Qualified Environment Professional ("QEP") to establish setbacks that are intended to protect only the fisheries values of the watercourse. The established RAPR setback areas prohibit public access and disturbance, and on development sites are typically fenced to delineate the "no disturbance" area.

In response to the changes in riparian regulations and the withdrawal of Federal (DFO) and Provincial representation on the City's ERC in 2016, the City developed a set of "made in Surrey" streamside setbacks. These were intended to provide clear and consistent guidance and are defined in Part 7A of *Surrey Zoning By-law, 1993, No. 12000* ("the Zoning By-law"), with different setbacks applied to various types of streams (see Appendix "I"). These setbacks "meet or beat" Provincial RAPR setbacks in most cases, which allows the City to approve developments that impact riparian areas without applicants having to seek separate Provincial approvals, which can be time consuming to attain.

The setbacks defined in Part 7A of the Zoning By-law distinguish between various types and classifications of stream consistent with definitions in the *Water Sustainability Act* and RAPR. Class A streams are defined as those (whether natural or channelized) that are inhabited by fish, while Class B streams provide significant food and nutrients to downstream fish habitat but are not inhabited by fish. A third classification of streams, Class A/O, denotes streams (often agricultural or floodplain ditches) that are used by salmonid fish during the rainy season, but not usually year-round.

It is important to note that the setbacks defined in Part 7A are intended to protect for City interests that go beyond the narrower “fish only” protections of RAPR. These include providing access for maintenance, as most streams in Surrey also function as drainage corridors; protecting adjacent homes and properties from bank sloughing or localized flooding; and providing an opportunity for recreational trails to be located outside of the “no disturbance” area defined by a RAPR assessment.

The Part 7A streamside setbacks are complemented by the Sensitive Ecosystems Development Permit (“SEDP”) process that forms part of *Surrey Official Community Plan Bylaw, 2013, No. 18020* (“the OCP”). The SEDP sets out a series of guidelines that ensure that development adjacent to riparian areas is sensitive to the environment and maintains the safe conveyance of stormwater in the City’s natural drainage system.

At its October 30, 2023 Regular Meeting – Public Hearing, Council directed staff to review Part 7A and the SEDP processes to streamline development application approvals while ensuring protection of the City’s interests and environmental protection.

## DISCUSSION

In response to the October 30, 2023 Council direction, staff reviewed the streamside setbacks in Part 7A of the Zoning By-law, along with the SEDP guidelines in the OCP, with the goal of reducing unnecessary restrictions on land development and reducing regulatory processes that add time and cost to the development process, while ensuring environmental protection. Staff in several departments, including Engineering, Planning & Development, and Legal Services have reviewed and contributed to the recommendations set out in this report. The changes to the Zoning Bylaw and OCP set out in Appendix “I” and Appendix “II” were presented at the Development Advisory Committee in November 2023 and were supported.

### Proposed Part 7A – Zoning By-law Changes

The staff review identified an initial opportunity to reduce setbacks for “Class A/O” and “Class B” roadside ditches. These ditches are common in many parts of Surrey, both in newly developing areas – such as Clayton, Grandview, and Tynehead – but also in many older established single-family neighbourhoods in Surrey and in the Agricultural Land Reserve (“ALR”) areas. These roadside ditches touch upon a high percentage of development applications, including both subdivision/rezoning applications as well as building permits on pre-existing single-family lots. For Class B, the seven-metre setback applied to them in Part 7A exceeds the two-metre setback prescribed in RAPR and is routinely varied through the application process. For roadside ditches, this additional setback is not required for drainage maintenance because the ditch is accessible from the roadway.

#### Option A:

The staff recommendation is to reduce the Part 7A Streamside Setback in the Zoning By-law for:

- a) Class A/O roadside ditches, from 10-metres to five-metres; and
- b) Class B ditches, from seven-metres to two-metres.

Staff recommend that the other streamside setbacks in Part 7A remain, as they serve important City interests including drainage access, bank erosion/sloughing, and the opportunity to secure land for linear trail systems through development.

In addition, the effect of new Provincial housing legislation that allows more density in most zones will place added pressure on riparian areas to provide tree canopy and natural infiltration. Where developers seek variances to these setbacks, the City is often able to secure agreements to restore the riparian area and, in most cases, achieve conveyance of the riparian area to the City.

#### Option B:

As an alternative to Option A, staff recommend that all watercourse setbacks, including Class A/O and B watercourses and ditches, be amended to align with existing Provincial and Federal legislation. In this case the City would have less ability to secure additional land to protect against sloughing and linear trails would be prioritized to parks facilities versus outside of the fisheries setback. However, this option provides a better balance of ensuring greater potential for housing and other development opportunities while protecting the environment.

#### Proposed Sensitive Ecosystem Development Permit Changes

The staff review identified a number of changes to the SEDP process to streamline development reviews. These include reducing the area where a Development Permit (“DP”) is required, increasing the instances where an SEDP waiver is granted, and the creation of an “SEDP Light” process for developments which do not warrant a full SEDP submission.

Currently, the SEDP Area (within which a developer must obtain an DP) is defined as any property where a portion of the property is within 50-metres from the top of bank of a Class A, A/O, or B watercourse. Staff propose to reduce this to 30-metres for Class A, A/O, and B watercourses. This small change will reduce the number of properties that would need to apply for an SEDP by an estimated 25%.

The SEDP Implementation requirements in the OCP allow for a waiver “where information is provided that illustrates that portions of a property falling within the [SEDP] area do not impact its objectives.” This requirement is not definitive, however, and has been inconsistently applied. Staff propose to clarify this waiver clause as shown in Appendix “II” to indicate that no SEDP will be required for applications that:

- Do not include a Class A watercourse; AND
- Do not include a subdivision, rezoning, or Development Permit (DP1 Form and Character or DP2 Hazard Lands); AND
- No structures, vegetation removal, or regrading of land are proposed within the streamside setbacks defined in Part 7A of the Zoning By-law, as confirmed by a site survey conducted by a registered BC Land Surveyor.
  - In these cases, where additions, new structures or land disturbances are proposed further or equal distance from the stream setbacks than existing development, such waivers can be granted by staff without verification by a QEP.
  - In these cases, where additions, new structures or land disturbances are proposed closer to the stream setbacks than existing development but remain outside of the setbacks defined in Part 7A, a simple letter from a QEP confirming no adverse impact on the riparian habitat will suffice to apply for an SEDP waiver granted by staff.

Where a development application is within the SEDP Area, where the proposed development includes a subdivision, rezoning, or DP but does not seek a variance to the setbacks defined in Part 7A, staff propose to develop an “SEDP Light” process that will reduce the submission

requirements substantially. If directed by Council, staff will develop this revised process as part of the OCP revision that is underway.

Staff estimate that clarifying the SEDP waivers and implementing an “SEDP Light” process will reduce the number of SEDPs by approximately 50% and save several weeks of staff review on the remaining SEDP applications.

#### Watercourse Assessment and Mapping Project

Staff is proposing to proactively map and assess watercourse classifications and setbacks in areas of the City where there is a lot of development activity (for example, in Neighbourhood Concept Plan [“NCP”] areas). These watercourse assessments and setbacks would be conducted by a QEP retained by the City, and once established and mapped would eliminate the need for a developer to retain their own QEP, unless they wish to vary the City’s setbacks. This will save significant time and money and add certainty to the development approval process.

#### **LEGAL SERVICES REVIEW**

This report has been reviewed by Legal Services.

#### **FINANCE REVIEW**

There are no direct financial considerations arising from the recommendations in this report, with the exception of procuring QEP services to proactively assess and map watercourses in advance of development applications. It is expected that this work will be valued at less than \$500,000, contingent on Housing Accelerator Fund (“HAF”) funding being available for this purpose.

#### **CONCLUSION**

In response to Council direction, staff have reviewed environmental regulations, policies, and practices applied in the development application review process. These include the streamside setbacks in Part 7A of the Zoning By-law, the requirements for issuing a Sensitive Ecosystems Development Permit, and the practices for applying these regulations in the development process. Staff conclude that the changes proposed in this report and as covered by Option A or B will significantly reduce the number of applications that trigger an SEDP requirement and streamline the processing of applications without compromising important environmental and public interest values.



Don Luymes  
General Manager, Planning & Development

Appendix “I” Proposed Amendments to *Surrey Zoning By-law, 1993, No. 12000*, Part 7A

Appendix “II” Proposed Amendments to *Surrey Official Community Plan Bylaw, 2013, No. 18020*  
(Sensitive Ecosystems Development Permit)

**\*Appendices available upon request.**

CITY OF SURREY

BYLAW NO. 21341

A bylaw to amend the provisions of Surrey Official  
Community Plan Bylaw, 2013, No. 18020, as amended.

.....

The Council of the City of Surrey ENACTS AS FOLLOWS:

- I. Surrey Official Community Plan Bylaw, 2013, No. 18020, as amended, is hereby further amended as follows:
  - a. IMPLEMENTATION DP3: Sensitive Ecosystems is hereby further amended as follows:
    - i. Section AREA sub-section a) is amended by deleting "50 m" and replace it with "30 m".
    - ii. Section AREA sub-section b) is amended by deleting "50 m" and replace it with "30 m".
    - iii. Section JUSTIFICATION sub-section b), the seventh bullet point is amended by deleting "Riparian Areas Regulation, B.C. Reg. 376/2004" and replace it with "Riparian Areas Protection Regulation B.C. Reg. 178/2019".
    - iv. Section JUSTIFICATION sub-section b), the eighth bullet point is amended by deleting "Natural Drainage Policy" and replace it with "Storm Drainage Management Policy".
    - v. Section EXEMPTIONS sub-section "iv." insert the words "and road" between the words "utility" and "works".
    - vi. Section EXEMPTIONS insert a new sub-section "viii" immediately after "vii. as follows:
      - "viii. Where a parcel of property within a Development Permit Area #3:
        - Does not include a Class A watercourse setback; AND
        - Does not involve a subdivision, rezoning, or Development Permit (DP1 Form and Character or DP2 Hazard Lands); AND
        - No environmental protection measures are required in respect of Provincial or Federal regulations; AND
        - No structures, vegetation removal, or regrading of land are proposed within the *streamside setbacks areas* defined in Part 7A of the Zoning By-law or within a Green Infrastructure Area, as determined by a Qualified

Environmental Professional and confirmed by a site survey conducted by a registered BC Land Surveyor".

v. After sub-section "viii." renumber the subsequent section to "ix.".

2. This Bylaw shall be cited for all purposes as "Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21341".

PASSED FIRST READING on the 22nd day of July, 2024.

PASSED SECOND READING on the 22nd day of July, 2024.

PUBLIC HEARING HELD thereon on the th day of , 2024.

PASSED THIRD READING on the th day of , 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of , 20\_\_.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

CITY OF SURREY

BYLAW NO. 21186

A bylaw to amend the provisions of Surrey  
Zoning By-law, 1993, No. 12000, as amended.

.....

The Council of the City of Surrey, ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended as follows:

a. Part 1 Definitions is amended by deleting "**Streamside Setback Area**" in its entirety and replace with the following:

**"Streamside Setback Area**

means the horizontal area within a *lot* where land disturbance of any kind is prohibited, as calculated by a *Qualified Environmental Professional* following the assessment methodology prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended and contained in an Assessment Report deemed to be acceptable by the City of Surrey."

b. Part 7A Streamside Protection is further amended as follows:

i. Section A.1 is deleted in its entirety and replace with the following:

"All lands within a streamside protection area, which includes the *Streamside Setback Area*, are subject to the regulations set out in this Part, except for those lands and uses permitted in the *Agricultural Land Reserve* that are exempt from the Riparian Area Protection Regulation, B.C. Reg.178/2019, as amended."

ii. Section A.2, A.3 and A.5 are deleted in its entirety.

iii. After sub-section A.1 renumber the subsequent section to A.2 to A.3.

iv. Section B.1 "**Streamside Setback Areas**" is deleted in its entirety and replace with the following:

**"B. Streamside Setback Areas**

*A streamside setback area* is calculated by a *Qualified Environmental Professional* following either the simple assessment or the detailed assessment methodology as prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended, and as contained in an Assessment Report deemed to be acceptable by the City of Surrey".



2. This Bylaw shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment Bylaw, 2024, No. 21186".

PASSED FIRST READING on the 22nd day of July, 2024.

PASSED SECOND READING on the 22nd day of July, 2024.

PUBLIC HEARING HELD thereon on the      day of    2024.

PASSED THIRD READING, as amended on the      day of    2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the    th day of    , 20    .

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

CITY OF SURREY

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BYLAWS



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TO: **Mayor and Council**

FROM: **City Clerk and Director of Legislative Services**

DATE: **August 8, 2024**

FILE: **3900-20-21185 – 21341 - 21186**

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RE: **Streamside Protection Bylaws**

### **Bylaw Actions**

On March 11, 2024 Council considered Corporate Report R053 regarding Sensitive Ecosystems Development Permit Requirements and introduced "Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21185" ("Bylaw 21185"). Bylaw 21185 received first and second readings.

On July 22, 2024 Council considered Corporate Report R155 regarding Proposed Amendments to Streamside Protection Bylaws and Policy and introduced new bylaws; "Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21341" ("Bylaw 21341") and "Surrey Zoning By-law, 1993, No. 12000, Amendment Bylaw, 2024, No. 21186 ("Bylaw 21186").

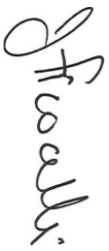
It is in order to for Council to file Bylaw 21185, which was introduced on March 11, 2024 and has been replaced by a new bylaw, Bylaw 21341. Bylaw 21341 and Bylaw 21186 are the current bylaws associated with the proposed changes to streamside protection as directed by Council.

Upon review of Bylaw 21186 a minor error was discovered. Appendix "I" is a redline version of Bylaw 21186 with the changes noted. It is requested that Council rescind second reading, amend Bylaw 21186 to reflect these changes and give Bylaw 21186 second reading, as amended.

### **Public Hearing**

At the July 22, 2024 Regular Council – Public Hearing meeting, Council scheduled a public hearing for Bylaw 21341 and Bylaw 21186. To comply with the notification requirements of Section 94 of the *Community Charter*, staff provided the required notices to the newspaper for inclusion in the August 1 and August 8 community newspapers. The notice was published in the August 1 community newspapers but not in the August 8 community newspapers.

As the public hearing notification was not provided as required by Section 94 of the *Community Charter*, the public hearing is out of order. It is requested that Council schedule a new public hearing date for Bylaw 21341 and Bylaw 2186.

A handwritten signature in cursive script, appearing to read "J. Ficocelli".

Jennifer Ficocelli  
City Clerk and Director of Legislative Services

Appendix "I": Bylaw 21186 with changes noted.

CITY OF SURREY

BYLAW NO. 21186

A bylaw to amend the provisions of Surrey  
Zoning By-law, 1993, No. 12000, as amended.

.....

The Council of the City of Surrey, ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended as follows:

a. Part 1 Definitions is amended by deleting "**Streamside Setback Area**" in its entirety and replace with the following:

**"Streamside Setback Area**

means the horizontal area within a *lot* where land disturbance of any kind is prohibited, as calculated by a *Qualified Environmental Professional* following ~~an~~the assessment methodology prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended and contained in an Assessment Report deemed to be acceptable by the City of Surrey."

b. Part 7A Streamside Protection is further amended as follows:

i. Section A.1 is deleted in its entirety and replace with the following:

"All lands within a streamside protection area, which includes the *Streamside Setback Area*, are subject to the regulations set out in this Part, except for those lands and uses permitted in the *Agricultural Land Reserve* that are exempt from the Riparian Area Protection Regulation, B.C. Reg.178/2019, as amended."

ii. Section A.2, A.3 and A.5 are deleted in its entirety.

iii. After sub-section A.1 renumber the subsequent section to A.2 to A.3.

iv. Section B.1 "**Streamside Setback Areas**" is deleted in its entirety and replace with the following:

**"B. Streamside Setback Areas**

*A streamside setback area* is calculated by a *Qualified Environmental Professional* following either the simple assessment or the detailed assessment methodology as prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended, and as contained in an Assessment Report deemed to be acceptable by the City of Surrey".

CITY OF SURREY

BYLAW NO. 21185

A bylaw to amend the provisions of Surrey Official  
Community Plan Bylaw, 2013, No. 18020, as amended.  
.....

The Council of the City of Surrey ENACTS AS FOLLOWS:

- I. Surrey Official Community Plan Bylaw, 2013, No. 18020, as amended, is hereby further amended as follows:
  - a. Section IMPLEMENTATION DP3: Sensitive Ecosystems EXEMPTIONS, is hereby further amended as follows:
    - i. Sub-section viii. is amended by replacing in its entirety with the following:

"viii. Where a parcel of property within a Development Permit Area #3:
      - Does not include a Class A watercourse setback; AND
      - Does not involve a subdivision, rezoning, or Development Permit (DP1 Form and Character or DP2 Hazard Lands); AND
      - No structures, vegetation removal, or regrading of land are proposed within the streamside setbacks defined in Part 7A of the Zoning By-law, as confirmed by a site survey conducted by a registered BC Land Surveyor."
    - ii. After section "viii", renumber the subsequent sub-section to "ix".
2. This Bylaw shall be cited for all purposes as "Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21185".

PASSED FIRST READING on the 11th day of March, 2024.

PASSED SECOND READING on the 11th day of March, 2024.

PUBLIC HEARING HELD thereon on the th day of , 2024.

PASSED THIRD READING on the th day of , 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of , 20\_\_.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

CITY OF SURREY

BYLAW NO. 21341

A bylaw to amend the provisions of Surrey Official  
Community Plan Bylaw, 2013, No. 18020, as amended.

.....

The Council of the City of Surrey ENACTS AS FOLLOWS:

- I. Surrey Official Community Plan Bylaw, 2013, No. 18020, as amended, is hereby further amended as follows:
  - a. IMPLEMENTATION DP3: Sensitive Ecosystems is hereby further amended as follows:
    - i. Section AREA sub-section a) is amended by deleting "50 m" and replace it with "30 m".
    - ii. Section AREA sub-section b) is amended by deleting "50 m" and replace it with "30 m".
    - iii. Section JUSTIFICATION sub-section b), the seventh bullet point is amended by deleting "Riparian Areas Regulation, B.C. Reg. 376/2004" and replace it with "Riparian Areas Protection Regulation B.C. Reg. 178/2019".
    - iv. Section JUSTIFICATION sub-section b), the eighth bullet point is amended by deleting "Natural Drainage Policy" and replace it with "Storm Drainage Management Policy".
    - v. Section EXEMPTIONS sub-section "iv." insert the words "and road" between the words "utility" and "works".
    - vi. Section EXEMPTIONS insert a new sub-section "viii" immediately after "vii. as follows:
      - "viii. Where a parcel of property within a Development Permit Area #3:
        - Does not include a Class A watercourse setback; AND
        - Does not involve a subdivision, rezoning, or Development Permit (DP1 Form and Character or DP2 Hazard Lands); AND
        - No environmental protection measures are required in respect of Provincial or Federal regulations; AND
        - No structures, vegetation removal, or regrading of land are proposed within the *streamside setbacks areas* defined in Part 7A of the Zoning By-law or within a Green Infrastructure Area, as determined by a Qualified

Environmental Professional and confirmed by a site survey conducted by a registered BC Land Surveyor".

v. After sub-section "viii." renumber the subsequent section to "ix."

2. This Bylaw shall be cited for all purposes as "Surrey Official Community Plan Bylaw, 2013, No. 18020, Bylaw, 2024, No. 21341".

PASSED FIRST READING on the 22nd day of July, 2024.

PASSED SECOND READING on the 22nd day of July, 2024.

PUBLIC HEARING HELD thereon on the th day of , 2024.

PASSED THIRD READING on the th day of , 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of , 20\_\_.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK



CITY OF SURREY

BYLAW NO. 21186

A bylaw to amend the provisions of Surrey  
Zoning By-law, 1993, No. 12000, as amended.

.....

The Council of the City of Surrey, ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended as follows:

a. Part 1 Definitions is amended by deleting "**Streamside Setback Area**" in its entirety and replace with the following:

**"Streamside Setback Area**

means the horizontal area within a *lot* where land disturbance of any kind is prohibited, as calculated by a *Qualified Environmental Professional* following the assessment methodology prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended and contained in an Assessment Report deemed to be acceptable by the City of Surrey."

b. Part 7A Streamside Protection is further amended as follows:

i. Section A.1 is deleted in its entirety and replace with the following:

"All lands within a streamside protection area, which includes the *Streamside Setback Area*, are subject to the regulations set out in this Part, except for those lands and uses permitted in the *Agricultural Land Reserve* that are exempt from the Riparian Area Protection Regulation, B.C. Reg.178/2019, as amended."

ii. Section A.2, A.3 and A.5 are deleted in its entirety.

iii. After sub-section A.1 renumber the subsequent section to A.2 to A.3.

iv. Section B.1 "**Streamside Setback Areas**" is deleted in its entirety and replace with the following:

**"B. Streamside Setback Areas**

*A streamside setback area* is calculated by a *Qualified Environmental Professional* following either the simple assessment or the detailed assessment methodology as prescribed in the Riparian Areas Protection Regulation B.C. Reg 178/2019 and associated Technical Manual(s) as amended, and as contained in an Assessment Report deemed to be acceptable by the City of Surrey".

2. This Bylaw shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment Bylaw, 2024, No. 21186".

PASSED FIRST READING on the 22nd day of July, 2024.

PASSED SECOND READING on the 22nd day of July, 2024.

RESCIND SECOND READING on the th day of , 2024.

PASSED SECOND READING, as amended, on the th day of , 2024.

PUBLIC HEARING HELD thereon on the day of 2024.

PASSED THIRD READING, as amended on the day of 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of , 20 .

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

**Special Council**  
**C.2 Bylaw 21327**  
**Monday, August 12, 2024**

---

TO: **Mayor and Council**

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

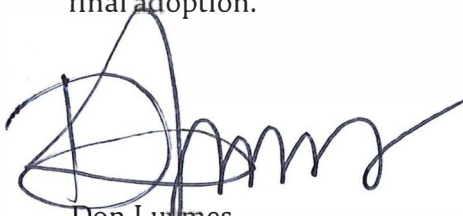
DATE: **July 29, 2024** FILE: **6520-20 (Scott Road Corridor)**

---

RE: **Correction to Proposed Community Amenity Contribution Rates for  
Townhouse or Single Family Dwelling in the  
Scott Road – 72 Avenue Corridor and Amendments to Bylaw 21327**

The purpose of this memorandum is to inform Council of an error in the proposed Tier 2 Capital Project Community Amenity Contribution rates for the Whalley and Newton Community Areas, as indicated in Appendix "II" ("Proposed Amendments to Surrey Zoning By-law, 1993, No. 12000") to Corporate Report No. R129. To address this error, staff request that Schedule A of the proposed Zoning Bylaw No. 21327, be corrected for "Townhouse or Single Family Dwelling" Amenity Contribution rates for the Scott Road – 72 Avenue Corridor, from \$16,078.86 to \$16,708.86 per dwelling unit.

Council is requested to rescind third reading of Bylaw 21327, amend the Bylaw as provided in "redline" version of Appendix "I", and instruct City Clerk to set a new Public Hearing for September 9, 2024. After public hearing, Council may consider the bylaw for third reading and final adoption.



Don Luyms  
General Manager, Planning & Development

Appendix "I" - "Red-Lined" Version of Amending Bylaw 21327.

BD/

CITY OF SURREY

BYLAW NO. 21327

A bylaw to amend the provisions of Surrey Zoning By-law, 1993, No. 12000 as amended.

The Council of the City of Surrey ENACTS AS FOLLOWS:

1. Schedule G – Community Amenity Contributions of Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended as follows:

- a. Sub-section C.9(a), "**Whalley Community Area**" is amended by deleting the Map in its entirety and replacing with a new Map, attached to this bylaw as Schedule A.
- b. Sub-section C.9(b), "**Whalley Community Area**" is amended by deleting the table in its entirety and replacing with and new table as follows:

Use	Amenity Contributions <sup>1</sup>
Apartment (Area A)	\$479.62 per sq. m (\$44.56 per sq. ft.)
Apartment (Area B)	\$239.82 per sq. m (\$22.28 per sq. ft.)
Townhouse or Single Family Dwelling (Area A and Area B)	<del>\$16,078.86</del> <b>\$16,708.86</b> per dwelling unit

<sup>1</sup> Amenity Contributions listed in this Section only apply to that portion of increased density that is above the maximum density indicated in an approved Secondary Plan or the OCP."

- c. Sub-section C.12(a), "**Newton Community Area**" is amended by deleting the Map in its entirety and replacing with a new Map, attached to this bylaw as Schedule B.
- d. Sub-section C.12(b), "**Newton Community Area**" is amended by deleting the table in its entirety and replacing with and new table as follows:

Use	Amenity Contributions <sup>1</sup>
Apartment (Area A)	\$119.90 per sq. m (\$11.14 per sq. ft.)
Apartment (Area B)	\$239.82 per sq. m (\$22.28 per sq. ft.)
Townhouse or Single Family Dwelling (Area A and Area B)	<del>\$16,078.86</del> <b>\$16,708.86</b> per dwelling unit

<sup>1</sup> Amenity Contributions listed in this Section only apply to that portion of increased density that is above the maximum density indicated in an approved Secondary Plan or the OCP."

CITY OF SURREY

BYLAW NO. 21327

A bylaw to amend the provisions of Surrey Zoning By-law,  
1993, No. 12000 as amended.

.....

The Council of the City of Surrey ENACTS AS FOLLOWS:

1. Schedule G – Community Amenity Contributions of Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended as follows:

- a. Sub-section C.9(a), "**Whalley Community Area**" is amended by deleting the Map in its entirety and replacing with a new Map, attached to this bylaw as Schedule A.
- b. Sub-section C.9(b), "**Whalley Community Area**" is amended by deleting the table in its entirety and replacing with and new table as follows:  
"

Use	Amenity Contributions <sup>1</sup>
Apartment (Area A)	\$479.62 per sq. m (\$44.56 per sq. ft.)
Apartment (Area B)	\$239.82 per sq. m (\$22.28 per sq. ft.)
Townhouse or <i>Single Family Dwelling</i> (Area A and Area B)	\$16,708.86 per <i>dwelling unit</i>

<sup>1</sup> Amenity Contributions listed in this Section only apply to that portion of increased *density* that is above the maximum *density* indicated in an approved Secondary Plan or the OCP. "

- c. Sub-section C.12(a), "**Newton Community Area**" is amended by deleting the Map in its entirety and replacing with a new Map, attached to this bylaw as Schedule B.
- d. Sub-section C.12(b), "**Newton Community Area**" is amended by deleting the table in its entirety and replacing with and new table as follows:  
"

Use	Amenity Contributions <sup>1</sup>
Apartment (Area A)	\$119.90 per sq. m (\$11.14 per sq. ft.)
Apartment (Area B)	\$239.82 per sq. m (\$22.28 per sq. ft.)
Townhouse or <i>Single Family Dwelling</i> (Area A and Area B)	\$16,708.86 per <i>dwelling unit</i>

<sup>1</sup> Amenity Contributions listed in this Section only apply to that portion of increased *density* that is above the maximum *density* indicated in an approved Secondary Plan or the OCP. "

2. This Bylaw shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment Bylaw, 2024, No. 21327".

PASSED FIRST READING on the 8th day of July, 2024.

PASSED SECOND READING on the 8th day of July, 2024.

PUBLIC HEARING HELD thereon the 22nd day of July, 2024.

PASSED THIRD READING on the 22nd day of July, 2024.

RESCIND THIRD READING on the th day of , 2024.

RESCIND SECOND READING on the th day of , 2024.

PASSED SECOND READING, as amended, on the th day of , 2024.

SECOND PUBLIC HEARING HELD thereon the th day of , 2024.

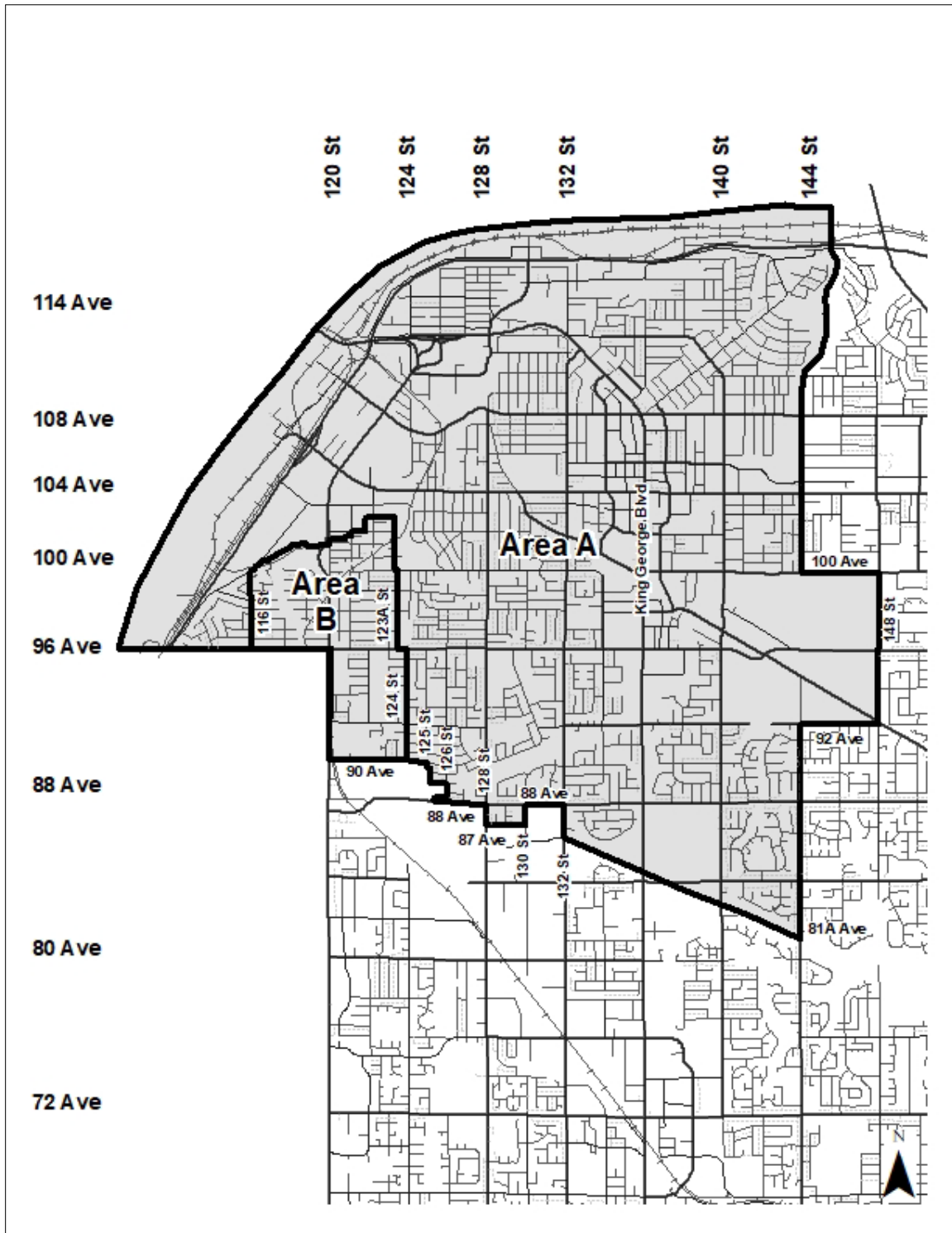
PASSED THIRD READING on the th day of , 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of , 2024.

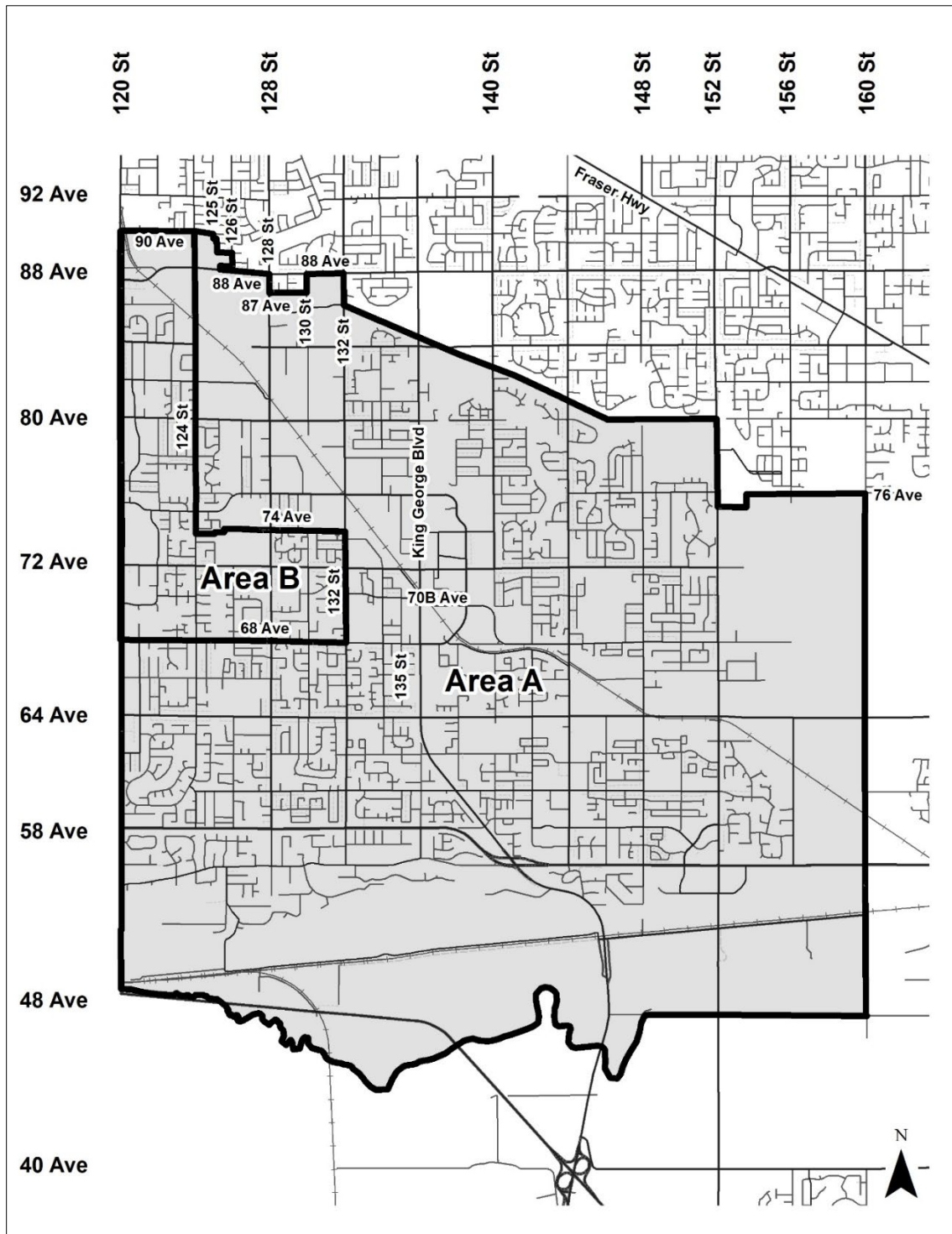
\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

Schedule A



Schedule B





# INTER-OFFICE MEMO

**Special Council**  
**C.3 Bylaw 21307 / PLR 7917-0492-00**  
**Monday, August 12, 2024**

---

TO: Mayor and Council

FROM: Acting General Manager, Planning & Development Department

DATE: August 7, 2024 FILE: 7917-0492-00

---

RE: Development Application No. 7917-0492-00; OCP Amendment Bylaw No. 21307

Development Application No. 7917-0492-00 was considered by Council at the July 22, 2024 Regular Council – Land Use meeting and the associated bylaw "Surrey Official Community Plan Amendment Bylaw No. 21307" ("Bylaw 21307") received endorsement to proceed for Public Hearing. As notification notices were being prepared it was noted that there was an error in the OCP map as it did not include the portion of lane being purchased and consolidated into the site.

As such, staff are requesting that Council consider the attached Appendix I update to Bylaw 21307 at the August 12 Special Council meeting and endorse Bylaw 21307 to proceed to Public Hearing.

Bylaw 21307 with changes noted is attached to this memo.



Ron Gill  
Acting General Manager  
Planning & Development Department

Appendix I - Bylaw 21307 with changes noted

CITY OF SURREY

BYLAW NO. 21307

A bylaw to amend the provisions of Surrey Official  
Community Plan Bylaw, 2013, No. 18020, as amended.

.....

The Council of the City of Surrey ENACTS AS FOLLOWS:

1. Surrey Official Community Plan Bylaw, 2013, No. 18020, as amended, is amended as follows:

a. "Figure 3, General Land Use Designations" of the Land Uses and Densities Section by changing the land use designation for the area shown shaded on the plan labeled Schedule A, attached hereto as follows:

FROM: URBAN (URB)

TO: MULTIPLE RESIDENTIAL (MR)

Parcel Identifier: 010-454-705

Lot 5 Section 23 Township 1 New Westminster District Plan 19124

(2459 – 156 Street)

Parcel Identifier: 002-190-281

Lot 6 Section 23 Township 1 New Westminster District Plan 19124

(2469 – 156 Street)

Parcel Identifier: 005-207-291

Lot 7 Section 23 Township 1 New Westminster District Plan 19124

(2479 – 156 Street)

(Portion of Lane)

**Shown outlined in bold, labelled as Block A on the Survey Plan attached hereto as  
Schedule B, certified correct by Felix Chu, B.C.L.S.  
on the 4th day of July, 2024, containing 167.2 square metres**

- b. "Table 7A: Land Use Designation Exceptions" by adding the following site specific notation:

Bylaw No.	Land Use Designation	Site Specific Property	Site Specific Permission
"Bylaw # 21307"	Multiple Residential	<p>2459 – 156 Street PID: 010-454-705 Lot 5 Section 23 Township 1 NWD Plan 19124</p> <p>2469 – 156 Street PID: 002-190-281 Lot 6 Section 23 Township 1 NWD Plan 19124</p> <p>2479 – 156 Street PID: 005-207-291 Lot 7 Section 23 Township 1 NWD Plan 19124</p> <p>Portion of the lane as shown outlined in bold, labelled as Block A on the Survey Plan attached hereto as Schedule B, certified correct by Felix Chu, B.C.L.S. on the 4th day of July, 2024, containing 167.2 square metres</p>	Density permitted up to 2.12 FAR (net calculation)"

2. This Bylaw shall be cited for all purposes as "Surrey Official Community Plan Bylaw, 2013, No. 18020, Text Amendment Bylaw, 2024, No. 21307".

PASSED FIRST READING on the 22nd day of July, 2024.

PASSED SECOND READING on the 22nd day of July, 2024.

PUBLIC HEARING HELD thereon on the th day of, 20 .

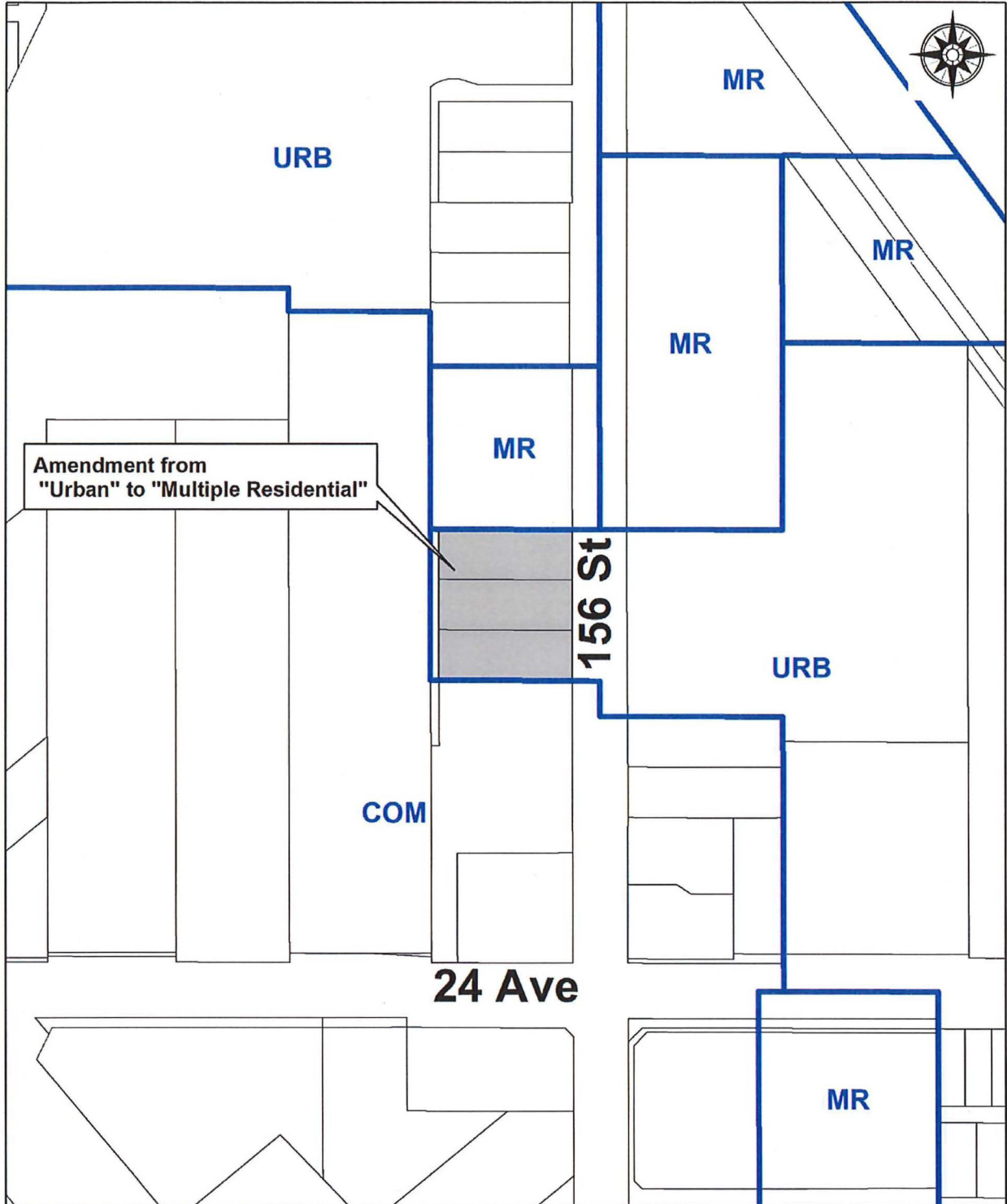
PASSED THIRD READING on the th day of, 20 .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of, 20 .

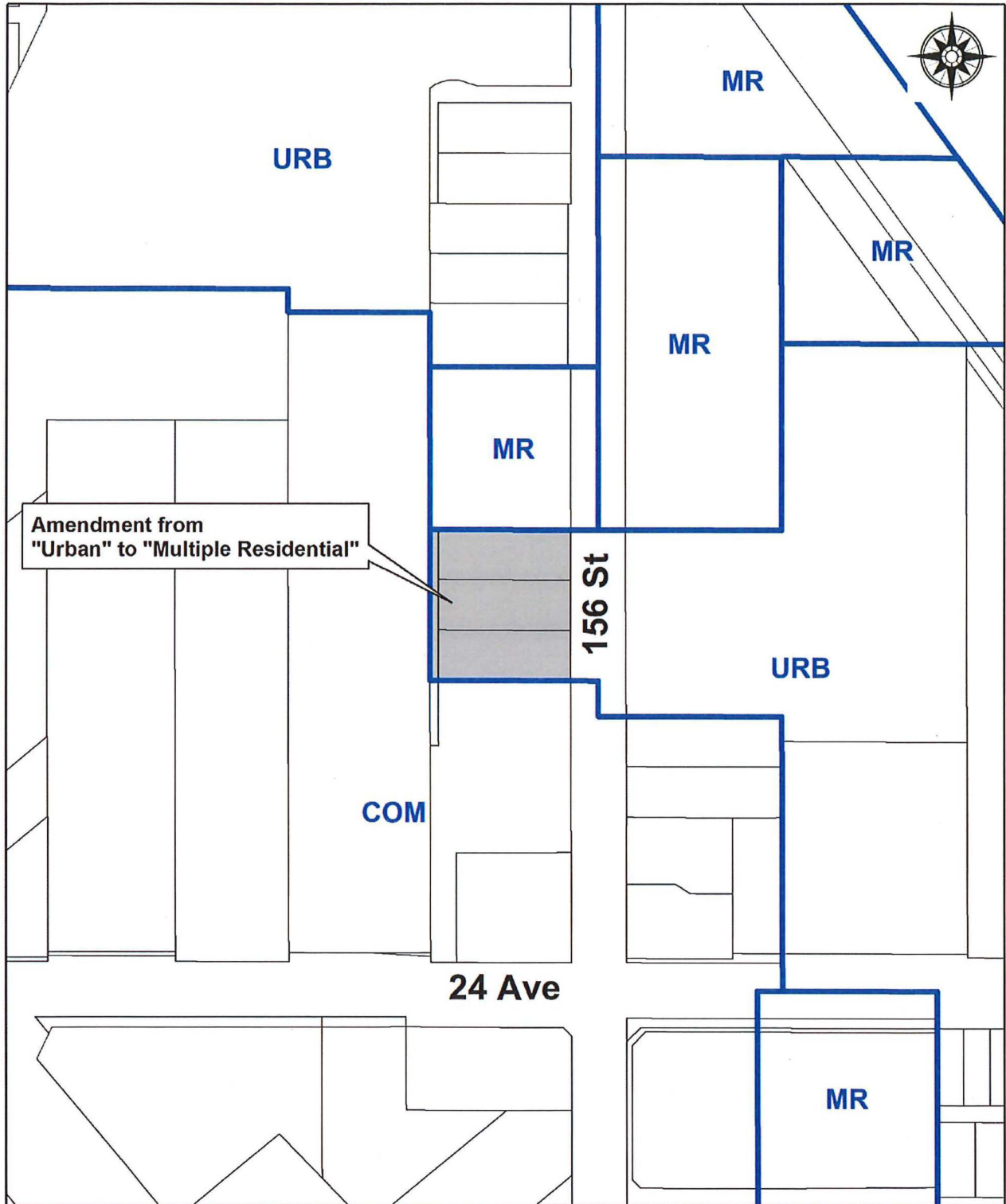
\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

**SCHEDULE A**



**SCHEDULE A**



**OCP Amendment 17-0492-00**

Amendment from "URB" to "MR" and to allow an FAR of 2.12 for the site within the Multiple Residential land use designation.



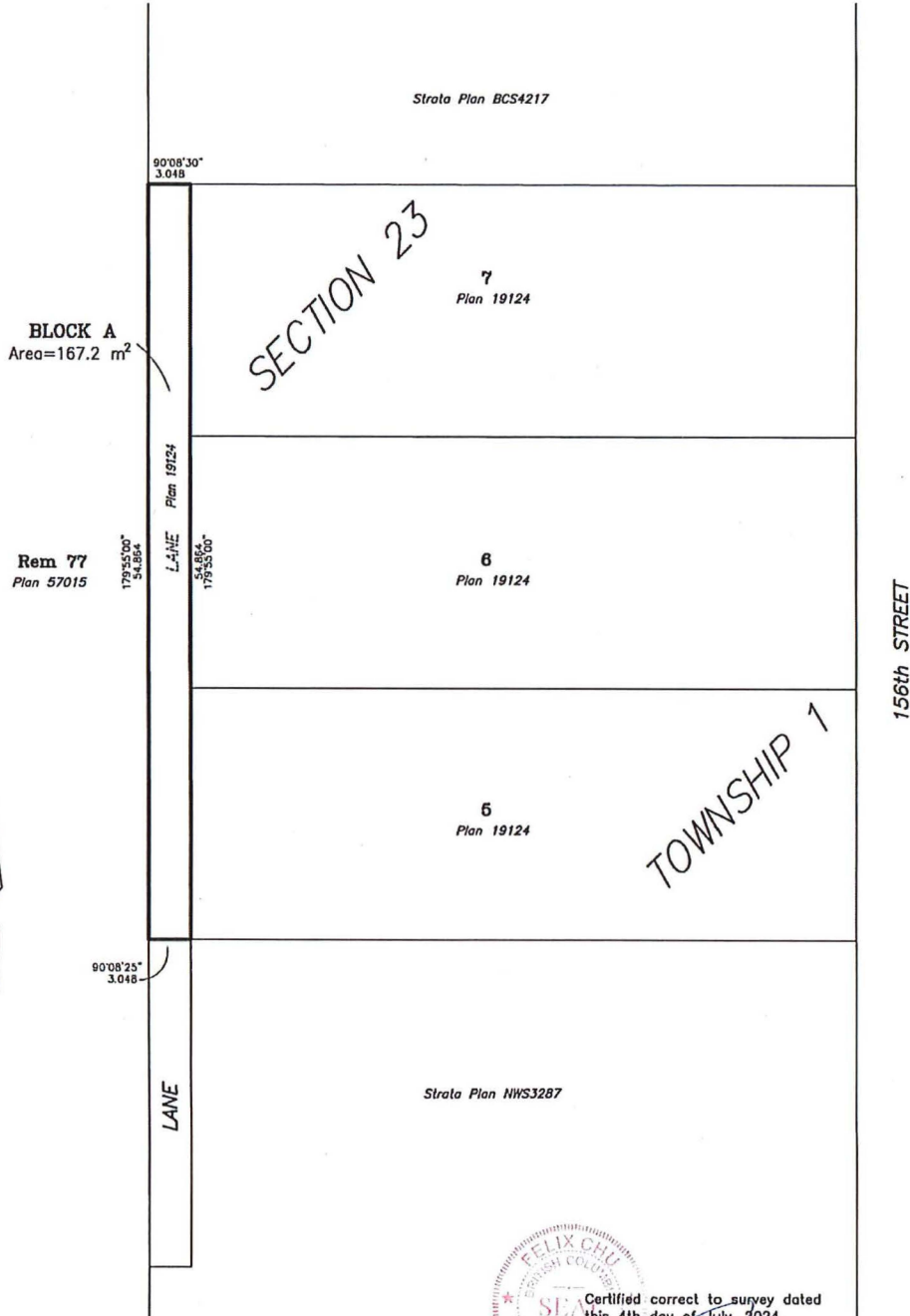
**SCHEDULE B**

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY REZONING  
BYLAW NO. 21397 OF PART OF LANE DEDICATED ON  
PLAN 19124 SECTION 23 TOWNSHIP 1 NEW WESTMINSTER DISTRICT**

City of Surrey B.C.G.S. 926.007



SCALE 1 : 300  
All distances are in metres



Cameron Land Surveying Ltd.  
B.C. Land Surveyors  
Unit 234-18525 53 Avenue  
Surrey, B.C. V3S 7A4  
Phone: 604-597-3777

**FELIX CHU**  
B.C. LAND SURVEYORS  
Certified correct to survey dated  
this 4th day of July, 2024.  
**Felix Chu, B.C.L.S.**

This plan lies within the Metro Vancouver Regional District

File: 8724-Zoning .

CITY OF SURREY

BYLAW NO. 21307

A bylaw to amend the provisions of Surrey Official  
Community Plan Bylaw, 2013, No. 18020, as amended.

.....

The Council of the City of Surrey ENACTS AS FOLLOWS:

1. Surrey Official Community Plan Bylaw, 2013, No. 18020, as amended, is amended as follows:
  - a. "Figure 3, General Land Use Designations" of the Land Uses and Densities Section by changing the land use designation for the area shown shaded on the plan labeled Schedule A, attached hereto as follows:

FROM: URBAN (URB)

TO: MULTIPLE RESIDENTIAL (MR)

Parcel Identifier: 010-454-705

Lot 5 Section 23 Township 1 New Westminster District Plan 19124

(2459 – 156 Street)

Parcel Identifier: 002-190-281

Lot 6 Section 23 Township 1 New Westminster District Plan 19124

(2469 – 156 Street)

Parcel Identifier: 005-207-291

Lot 7 Section 23 Township 1 New Westminster District Plan 19124

(2479 – 156 Street)

(Portion of Lane)

Shown outlined in bold, labelled as Block A on the Survey Plan attached hereto as  
Schedule B, certified correct by Felix Chu, B.C.L.S.  
on the 4th day of July, 2024, containing 167.2 square metres

- b. "Table 7A: Land Use Designation Exceptions" by adding the following site specific notation:

Bylaw No.	Land Use Designation	Site Specific Property	Site Specific Permission
"Bylaw # 21307"	Multiple Residential	<p>2459 – 156 Street PID: 010-454-705 Lot 5 Section 23 Township 1 NWD Plan 19124</p> <p>2469 – 156 Street PID: 002-190-281 Lot 6 Section 23 Township 1 NWD Plan 19124</p> <p>2479 – 156 Street PID: 005-207-291 Lot 7 Section 23 Township 1 NWD Plan 19124</p> <p>Portion of the lane as shown outlined in bold, labelled as Block A on the Survey Plan attached hereto as Schedule B, certified correct by Felix Chu, B.C.L.S. on the 4th day of July, 2024, containing 167.2 square metres</p>	Density permitted up to 2.12 FAR (net calculation)"

2. This Bylaw shall be cited for all purposes as "Surrey Official Community Plan Bylaw, 2013, No. 18020, Text Amendment Bylaw, 2024, No. 21307".

PASSED FIRST READING on the 22nd day of July, 2024.

PASSED SECOND READING on the 22nd day of July, 2024.

RESCIND SECOND READING on the th day of , 2024.

PASSED SECOND READING, as amended, on the th day of , 2024.

PUBLIC HEARING HELD thereon on the th day of , 20 .

PASSED THIRD READING on the th day of , 20 .

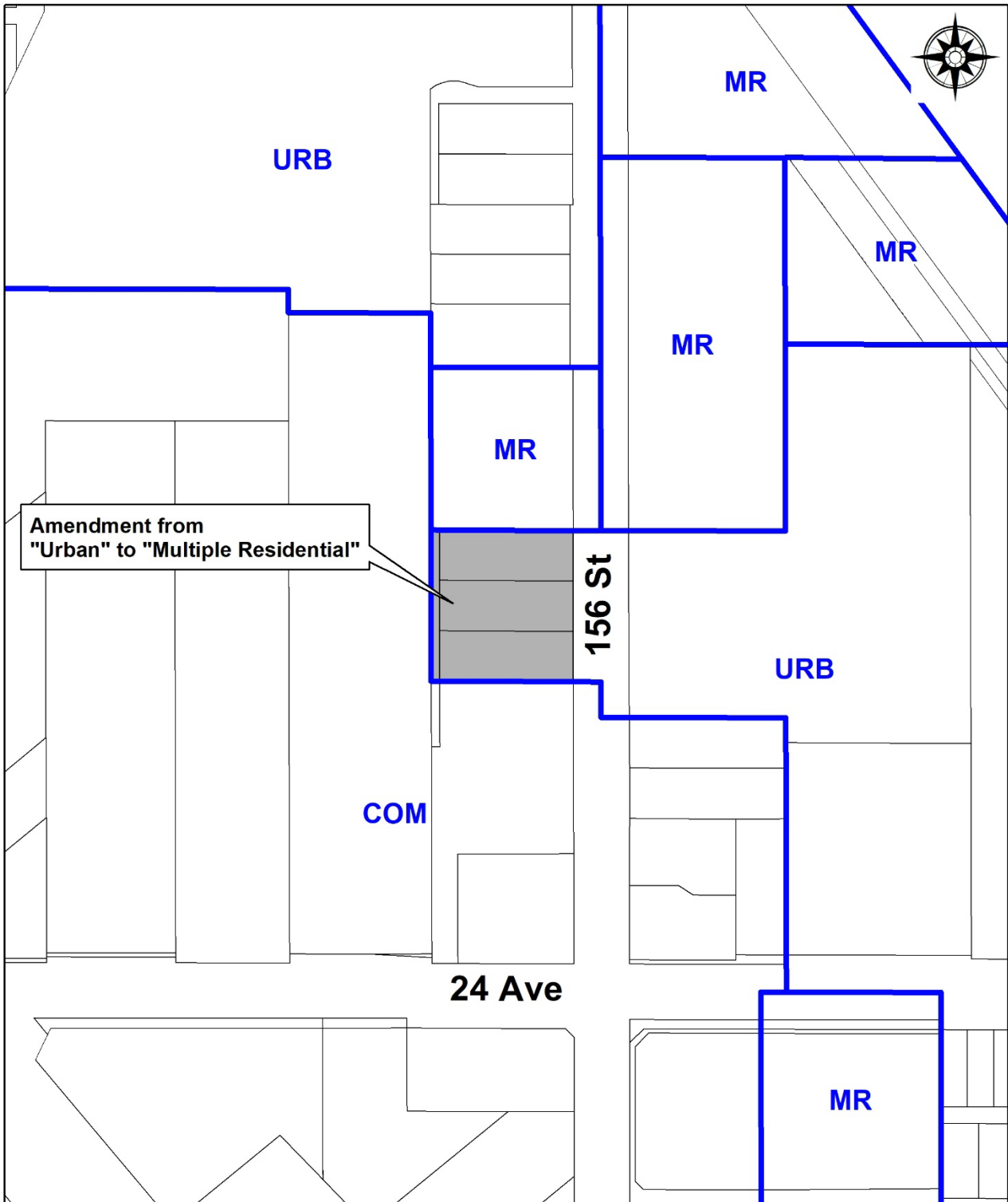
RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of , 20 .

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK



SCHEDULE A



**OCP Amendment 17-0492-00**

Amendment from "URB" to "MR" and to allow an FAR of 2.12 for the site within the Multiple Residential land use designation.



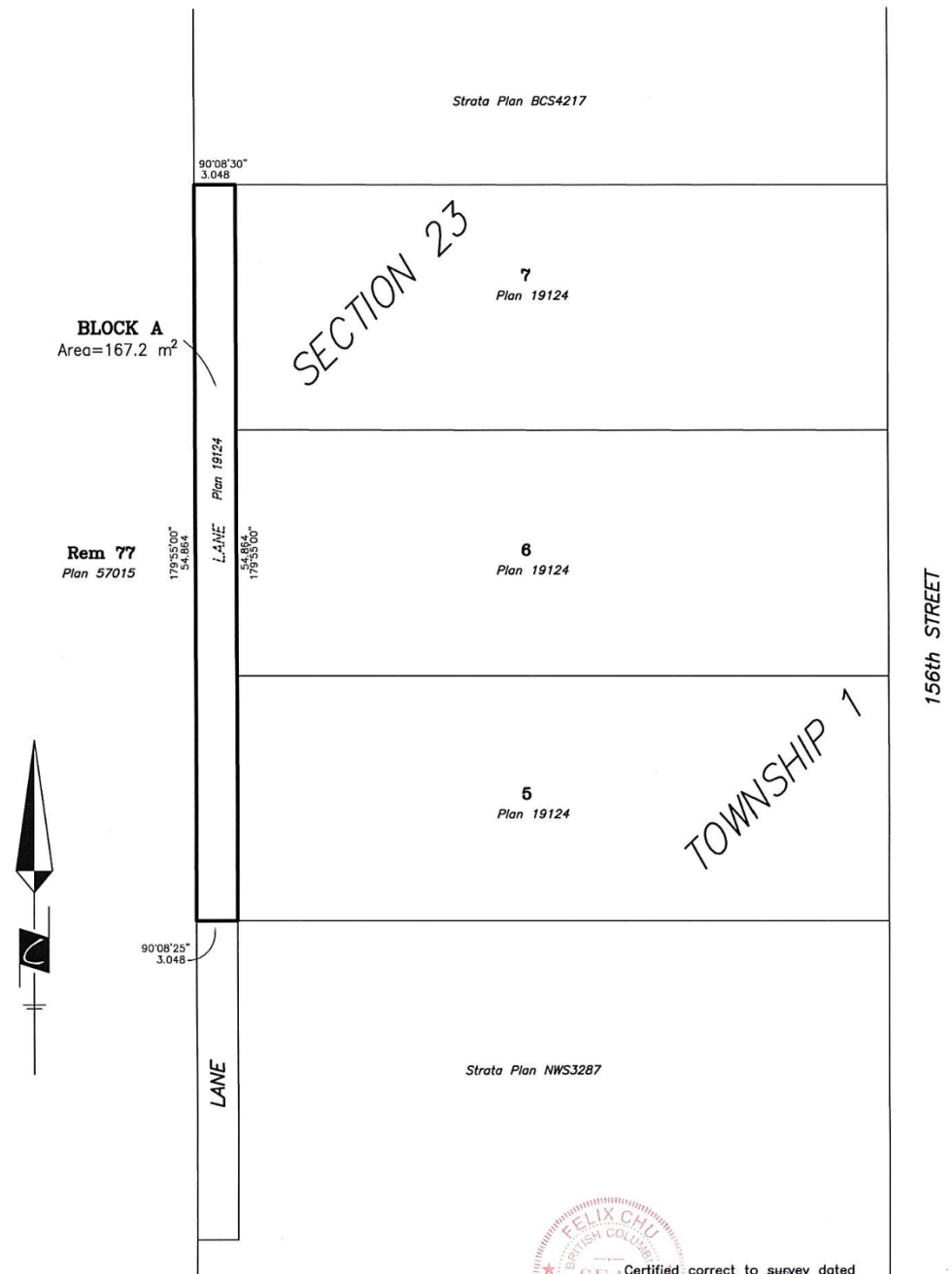
# SCHEDULE B

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY REZONING  
BYLAW NO. 21307 OF PART OF LANE DEDICATED ON  
PLAN 19124 SECTION 23 TOWNSHIP 1 NEW WESTMINSTER DISTRICT**

City of Surrey B.C.G.S. 92G.007



SCALE 1 : 300  
All distances are in metres



Cameron Land Surveying Ltd.  
B.C. Land Surveyors  
Unit 234-18525 53 Avenue  
Surrey, B.C. V3S 7A4  
Phone: 604-597-3777

**FELIX CHU**  
BRITISH COLUMBIA  
LAND SURVEYOR  
COMMISSION NO. 13131  
SEA  
Certified correct to survey dated  
this 4th day of July, 2024.  
Felix Chu, B.C.L.S.

This plan lies within the Metro Vancouver Regional District File: 8724-Zoning .

# INTER-OFFICE MEMO

**Special Council**  
**C.4 Bylaw 21343 / PLR 7917-0078-00**  
**Monday, August 12, 2024**

---

TO: **Mayor and Council**

FROM: **Acting General Manager, Planning & Development Department**

DATE: **August 7, 2024** FILE: **7917-0078-00**

---

RE: **Development Application No. 7917-0078-00; Rezoning Bylaw No. 21343**

Development Application No. 7917-0078-00 was considered by Council at the July 22, 2024 Regular Council – Land Use meeting and the associated bylaw "Surrey Comprehensive Development Zone 237 (CD 237), Bylaw, 2024, No. 21343" ("Bylaw 21343") received endorsement to proceed for Public Notification. As notification notices were being prepared it was noted that one block plan was included in Bylaw 21343 when two block plans should have been included.

As such, staff are requesting that Council consider the attached Appendix I update to Bylaw 21343 at the August 12 Special Council meeting and endorse Bylaw 21343 to proceed to Public Notification.

Bylaw 21343 with changes noted is attached to this memo.



Ron Gill  
Acting General Manager  
Planning & Development Department

Appendix I - Bylaw 21343 with changes noted

CITY OF SURREY

BYLAW NO. 21343

A Comprehensive Development bylaw to amend Surrey Zoning By-law, 1993, No. 12000, as amended

.....

THE COUNCIL of the City of Surrey ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 479 of the *Local Government Act*, R.S.B.C. 2015 c. 1, as amended, for the following lands:

**Address:** As described in Appendix "A".  
**Legal:** As described in Appendix "A".  
**PID:** As described in Appendix "A".

as follows:

- (a) by creating a new Comprehensive Development Zone 237 (CD 237), attached as Appendix "A" and forming part of this bylaw;
- (b) by changing the zoning classification shown in Schedule A, Zoning Maps, as follows:  
 FROM: URBAN RESIDENTIAL ZONE (R<sub>3</sub>)  
 and COMMUNITY COMMERCIAL ZONE (C-8)  
 TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)
- (c) by amending Part 52, Comprehensive Development Zone, Section C. Comprehensive Development Zones, by adding a new CD Zone "CD 237" as follows:

CD Zone ID	Civic Address	Legal Description	CD Bylaw No.	Replaces Bylaw No.
"CD 237"	(a) <b>Portion of</b> 6690 King George Boulevard (b) <b>Portion of</b> 6706 King George Boulevard	(a) Lot 1, Plan 10110 (b) Lot 2, Plan 10110	21343	N/A"

2. This By-law shall be cited for all purposes as "Surrey Comprehensive Development Zone 237 (CD 237), Bylaw, 2024, No. 21343".

PASSED FIRST READING on the th day of , 20 .

PASSED SECOND READING on the th day of , 20 .

PASSED THIRD READING on the th day of , 20 .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of , 20 .

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

APPENDIX "A"

**COMPREHENSIVE DEVELOPMENT ZONE 237 (CD 237)**

This Comprehensive Development Zone 237 (CD 237) as well as all other applicable regulations of Surrey Zoning By-law, 1993, No. 12000, as amended, (the "Zoning By-law") apply to the following lands:

The lands are divided into Block A and Block B, as shown outlined in bold on the Survey Plan, attached hereto and forming part of this Bylaw as Schedule **A B**, certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024.

<b>Block A</b>		
<b>Address</b>	<b>Legal Descriptions</b>	<b>PID</b>
6690 King George Boulevard (portion of)	That portion Lot 1 Except: Firstly: Part Subdivided by Plan 18810 and Secondly: Part Within Heavy Outline Taken by Highway Statutory Right of Way Plan 63551; Section 16 Township 2 NWD Plan 10110 outlined in bold, labelled as Block A on the Survey Plan, attached hereto as Schedule <b>A B</b> , certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024, containing a total of 2,063 square metres	009-243-780 (portion of)
6706 King George Boulevard (portion of)	That portion Lot 2 Except: Part Subdivided by Plan 18810: Section 16 Township 2 NWD Plan 10110 outlined in bold, labelled as Block A on the Survey Plan, attached hereto as Schedule <b>A B</b> , certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024, containing a total of 2,063 square metres	009-243-895 (portion of)

<b>Block B</b>		
<b>Address</b>	<b>Legal Descriptions</b>	<b>PID</b>
6690 King George Boulevard (portion of)	That portion Lot 1 Except: Firstly: Part Subdivided by Plan 18810 and Secondly: Part Within Heavy Outline Taken by Highway Statutory Right of Way Plan 63551; Section 16 Township 2 NWD Plan 10110 outlined in bold, labelled as Block B on the Survey Plan, attached hereto as Schedule <b>A B</b> , certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024, containing a total of 2,476 square metres	009-243-780 (portion of)
6706 King George Boulevard (portion of)	That portion Lot 2 Except: Part Subdivided by Plan 18810: Section 16 Township 2 NWD Plan 10110 outlined in bold, labelled as Block B on the Survey Plan, attached hereto as Schedule <b>A B</b> , certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024, containing a total of 2,476 square metres	009-243-895 (portion of)

(collectively the "Lands")

**A. Intent**

This Comprehensive Development Zone is intended to accommodate and regulate the development of *multiple unit residential buildings* and related *amenity spaces*, and community commercial uses, which are to be developed in accordance with a *comprehensive design* where *density* bonus is provided.

**B. Permitted Uses**

*Lands, buildings and structures* shall only be used for the following uses, or a combination thereof:

Block A:

1. *Retail stores* excluding the following:
  - (a) *Adult entertainment stores*; and
  - (b) *Secondhand stores and pawnshops*;
2. *Personal service uses, excluding body rub parlours*;
3. *General service uses* excluding *drive through banks and funeral parlours*;
4. *Eating establishments* excluding *drive-through restaurants*;
5. *Neighbourhood pubs* regulated under the Liquor Control and Licensing Act, as amended;
6. *Liquor store*;
7. Office uses excluding *social escort services, methadone clinics* and marijuana dispensaries;
8. *Indoor recreational facilities*;
9. *Community services*;
10. *Child care centres* regulated under the Community Care and Assisted Living Act, as amended, and the Child Care Licensing Regulation, as amended;
11. *Cultural uses*; and
12. *Entertainment uses* excluding *arcades and adult entertainment stores*.

Block B:

1. *Multiple unit residential buildings and ground-oriented multiple unit residential buildings*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. Maximum Density:

Maximum *density* shall be as follows:

- (a) 1 *dwelling unit*; and
- (b) The lesser of *floor area ratio* of 0.1 or *building area* of 300 sq. m.

2. Permitted Density Increases:

If amenity contributions are provided in accordance with Schedule G, *density* may be increased as follows:

- (a) Maximum *floor area ratio* of 2.0, provided that a maximum of 0.79 *floor area ratio* is provided for commercial uses, excluding:
  - i. The indoor *amenity space* requirement (pursuant to Section J.2. of this Zone); and
  - ii. Up to a maximum of 170 sq. m of the *secure bicycle parking area* requirement (pursuant to Section H.4. of this Zone).

3. Notwithstanding the definition of *floor area ratio*, for an air space subdivision, the air space parcels and the remainder *lot* of the air space subdivision shall be considered as one *lot* for the purpose of application of Section D. of this Zone, and further provided that the *floor area ratio* calculated from the cumulative floor areas of the *buildings* within all of the air space parcels and the remainder *lot* of the air space subdivision shall not exceed the maximum specified in Sub-section D.2. of this Zone.

**E. Lot Coverage**

1. The maximum *lot coverage* for all *buildings* and *structures* shall be 50%.
2. Notwithstanding the definition of *lot coverage*, for an air space subdivision, the air space parcels and the remainder *lot* of the air space subdivision shall be considered as one *lot* for the purpose of application of Section E. of this Zone, and further provided that the *lot coverage* within all of the air space parcels and the remainder *lot* of the air space subdivision shall not exceed the maximum specified in Section E.1. of this Zone.

**F. Yards and Setbacks**

*Buildings* and *structures* shall be sited in accordance with the following minimum *setbacks*:

USES:	SETBACKS:			
	North Yard	South Yard	East Yard	West Yard
<i>Principal and Accessory Buildings and Structures</i> <sup>1,2,3,4</sup>	3.3 m	0.0 m	4.8 m	4.0 m

- 1 Notwithstanding Section A.3.(d) of Part 5, Off-Street Parking and Loading/Unloading, *parking – underground* may be located up to 0.5 m of the north, east and west *lot line* and up to 0.0 m of the south *lot line*.
- 2 Notwithstanding Section F. of this Zone, canopies may encroach into the *setbacks*, if not a 0.0 m lot line.
- 3 Notwithstanding Section B.26.(b) of Part 4, General Provisions, stairs with more than three risers may encroach into the *setbacks*.
- 4 Notwithstanding Section F. of this Zone, the minimum *setbacks* of *principal buildings* and *accessory buildings* and *structures* for interior *lot lines* for *lots* created by an air space subdivision may be 0.0 m.

**G. Height of Buildings**

1. Principal Buildings:  
*Principal building height* shall not exceed 23.5 m.
2. Accessory Buildings:  
Excluding indoor *amenity space buildings*, *accessory building height* shall not exceed 4.5 m.

**H. Off-Street Parking and Loading/Unloading**

1. Parking Calculations:  
Refer to Table D.1. of Part 5 Off-Street Parking and Loading/Unloading.
2. Tandem Parking:  
*Tandem parking* is not permitted.
3. Underground Parking:  
All required resident *parking spaces* shall be provided as *parking - underground* or as *parking within building envelope*.
4. Parking Areas:
  - (a) Parking within the required *setbacks* is not permitted;
  - (b) Parking is not permitted in front of the main entrance of a non-ground-oriented *multiple unit residential building*, except for the purpose of short-term drop-off or pick-up and for accessible parking; and
  - (c) No parking shall be permitted within the *front yard* or within any *side yard* which abuts a *flanking street*.
5. Bicycle Parking:  
A *secure bicycle parking area* shall be provided in a separate bicycle room located within a *building*, whether located at or above *finished grade*, with convenient access to the outside of the *building*.

**I. Landscaping and Screening**

1. General Landscaping:

- (a) All developed portions of the *lot* not covered by *buildings, structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained;
- (b) Along the developed portions of the *lot* which abut a *highway*, a continuous *landscaping strip* a minimum of 1.5 m wide shall be provided within the *lot*; and
- (c) *Highway* boulevards abutting a *lot* shall be seeded or sodded with grass, except at *driveways*.

2. Refuse:

Garbage containers and *passive recycling containers* shall be located within the *parking - underground* or within a *building*.

**J. Special Regulations**

1. Outdoor Storage and Display:

The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone.

2. Amenity Spaces:

*Amenity space* for the *multiple unit residential buildings*, subject to Section B.6. of Part 4, General Provisions, shall be provided on the *lot* as follows:

- (a) Outdoor *amenity space* in the amount of:
  - i. 3.0 sq. m per *dwelling unit*; and
  - ii. 1.0 sq. m per *lock-off suite*; and
  - iii. 4.0 sq. m per *micro unit*; and
- (b) Outdoor *amenity space* shall not be located within the required *setbacks*;
- (c) Indoor *amenity space* in the amount of:
  - i. 3.0 sq. m per *dwelling unit* up to 557 sq. m of *amenity space* (equivalent to 186 *dwelling units*); and
  - ii. 1.0 sq. m per *dwelling unit* for that portion greater than 557 sq. m of *amenity space*; and
  - iii. 1.0 sq. m per *lock-off suite*; and
  - iv. 4.0 sq. m per *micro unit*; and
- (d) Indoor *amenity space* devoted to a *child care centre* shall be a maximum of 1.5 sq. m per *dwelling unit*.

3. Child Care Centres:

*Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.

4. Balconies:

*Balconies* are required for all *dwelling units* which are not *ground-oriented* and shall be a minimum of 5% of the *dwelling unit* size or 4.6 sq. m per *dwelling unit*, whichever is greater.

**K. Subdivision**

1. Minimum Lot Sizes:

*Lots* created through subdivision, except *strata lots*, shall conform to the following minimum standards:

- (a) *Lot Area*: Minimum 2,000 sq. m;
- (b) *Lot Width*: Minimum 30 m; and
- (c) *Lot Depth*: Minimum 30 m.

2. Air space parcels and the remainder *lot* created through an air space subdivision in this Zone are not subject to Section K.1.



**L. Other Regulations**

Additional land use regulations may apply as follows:

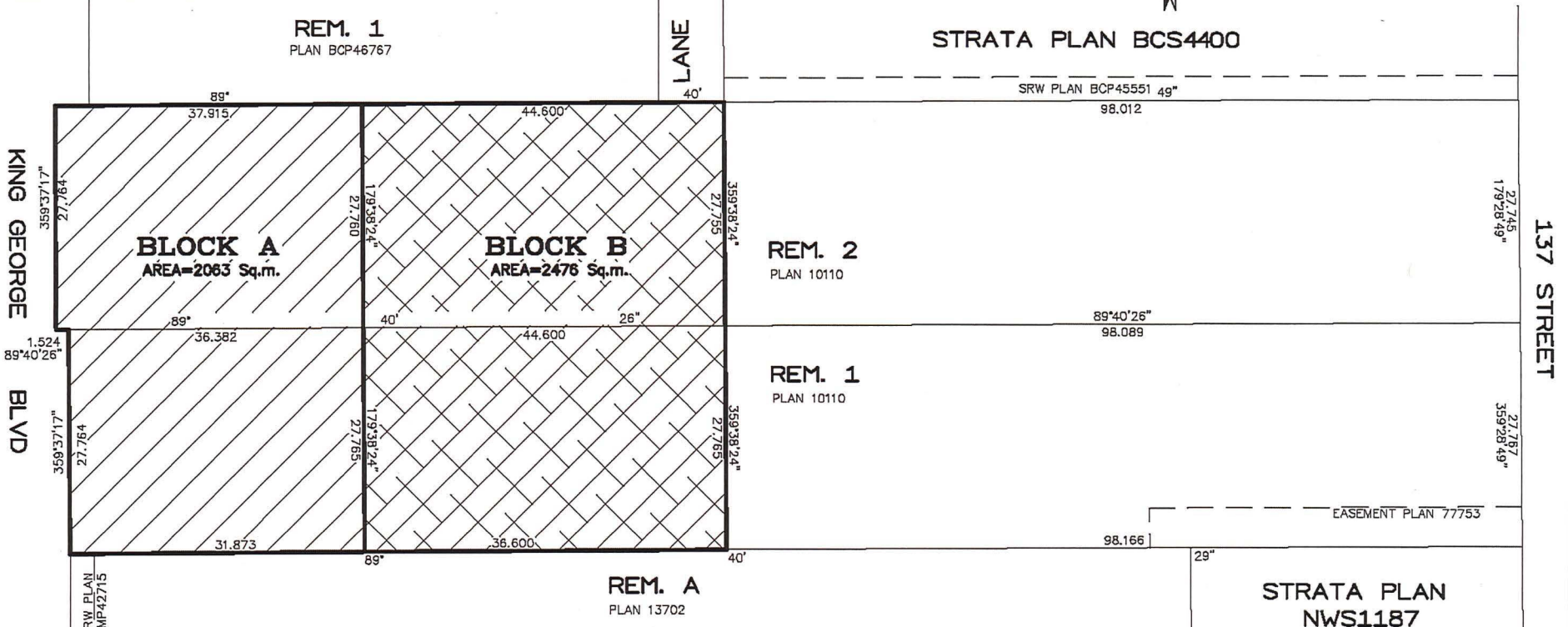
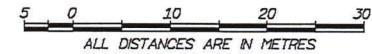
1. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of the Zoning Bylaw and in accordance with the servicing requirements for the RM-70 Zone as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
2. *Building* permits shall be subject to Surrey Development Cost Charge Bylaw, 2021, No. 20291, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-70 Zone for the residential portion and the C-8 Zone for the commercial portion.
3. Development permits, pursuant to the *OCP*.
4. Trees and vegetation, pursuant to Surrey Tree Protection Bylaw, as amended.
5. Sign regulations, pursuant to Surrey Sign By-law, as amended.

**SCHEDULE A**

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY REZONING BYLAW NO: 21343  
 OF A PORTION OF LOT 1: EXCEPT: FIRSTLY: PART SUBDIVIDED BY PLAN  
 18810 AND SECONDLY: PART WITHIN HEAVY OUTLINE TAKEN BY  
 HIGHWAY STATUTORY RIGHT OF WAY PLAN 63551; AND PORTION OF  
 LOT 2 EXCEPT: PART SUBDIVIDED BY PLAN 18810  
 ALL OF SECTION 16 TP 2 NWD PLAN 10110**

**DRAFT DATE: JULY 15, 2024**

**SCALE 1 : 500**



CERTIFIED CORRECT  
 DATED THIS 15th DAY OF July, 2024.

*[Signature]*

M. Adam Fulkerson B.C.L.S.

Lot dimensions are derived from FIELD SURVEY.

This Plan was prepared for city application purposes, and is for the exclusive use of our client. The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of reproduction, transmission or alteration to this document without consent of the signatory.

**CIVIC ADDRESSES:**

6690 & 6706 King George Highway., Surrey, B.C.  
 P.I.D.'S 009-243-780  
 009-243-895

**TARGET**  
 LAND SURVEYING  
 C120 - 20178 96th Ave  
 Langley, BC V1M 0B2  
 604-583-6161

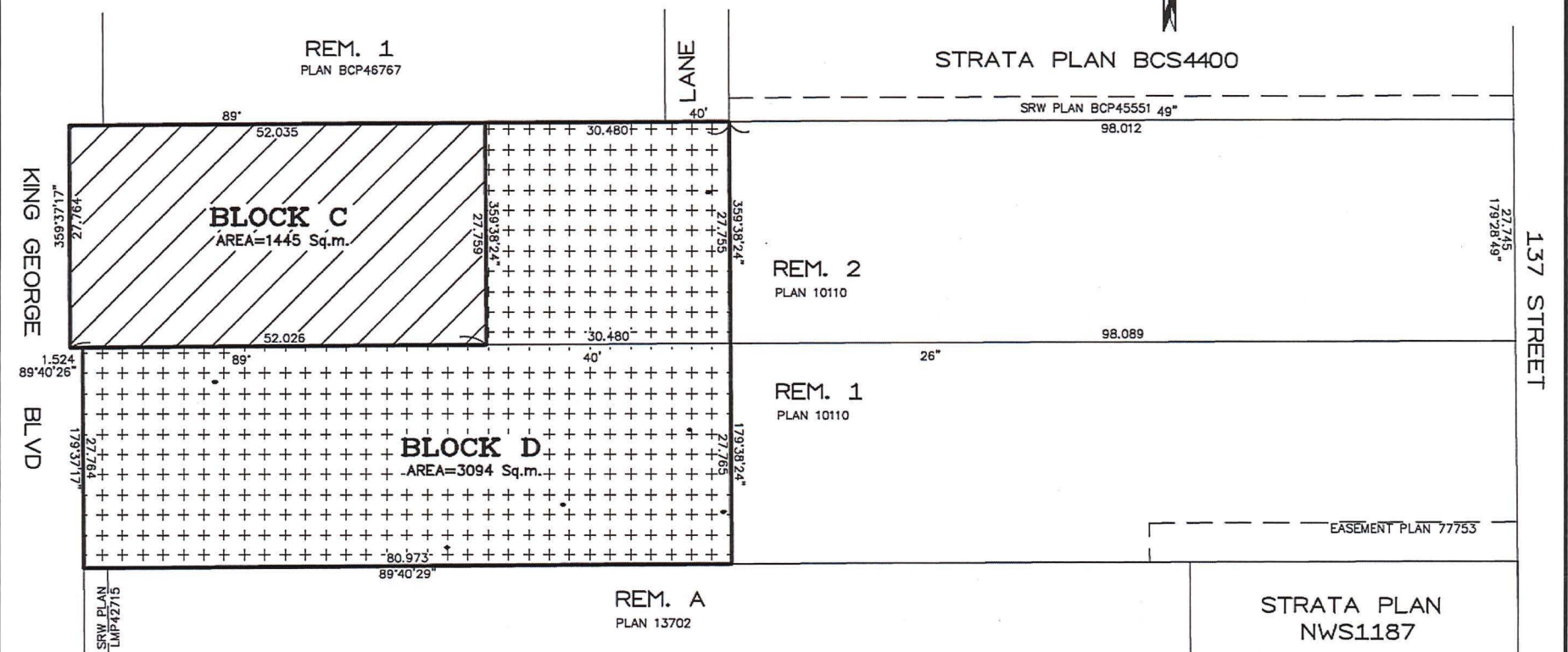
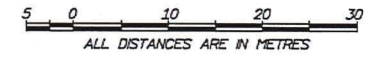
FILE: 7997-BLOCKZONE-R2

**SCHEDULE A**

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY REZONING BYLAW NO: 21343  
OF A PORTION OF LOT 2 EXCEPT: PART SUBDIVIDED BY PLAN 18810  
SECTION 16 TP 2 NWD PLAN 10110**

DRAFT DATE: JULY 16, 2024

SCALE 1 : 500



CERTIFIED CORRECT  
DATED THIS 16th DAY OF July, 2024.

  
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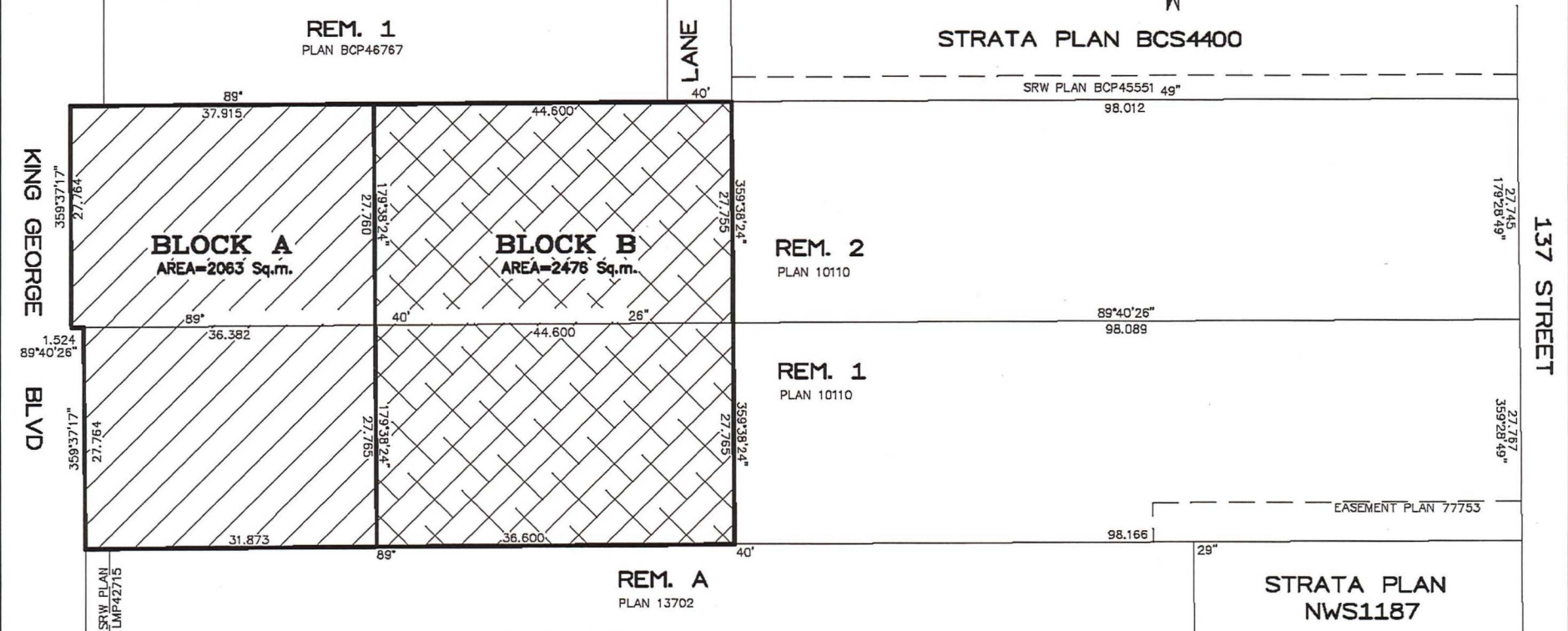
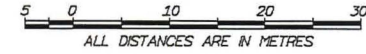
FILE: 7997-BLOCKZONE-R2B

**SCHEDULE B**

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY REZONING BYLAW NO: 21343  
 OF A PORTION OF LOT 1: EXCEPT: FIRSTLY: PART SUBDIVIDED BY PLAN  
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 HIGHWAY STATUTORY RIGHT OF WAY PLAN 63551; AND PORTION OF  
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 ALL OF SECTION 16 TP 2 NWD PLAN 10110**

DRAFT DATE: JULY 15, 2024

SCALE 1 : 500



CERTIFIED CORRECT  
 DATED THIS 15th DAY OF July, 2024.



B.C.L.S.

M. Adam Fulkerson

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FILE: 7997-BLOCKZONE-R2

CITY OF SURREY

BYLAW NO. 21343

A Comprehensive Development bylaw to amend Surrey Zoning By-law, 1993, No. 12000, as amended  
.....

THE COUNCIL of the City of Surrey ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 479 of the *Local Government Act*, R.S.B.C. 2015 c. 1, as amended, for the following lands:

**Address:** As described in Appendix "A".  
**Legal:** As described in Appendix "A".  
**PID:** As described in Appendix "A".

as follows:

- (a) by creating a new Comprehensive Development Zone 237 (CD 237), attached as Appendix "A" and forming part of this bylaw;
- (b) by changing the zoning classification shown in Schedule A, Zoning Maps, as follows:  
FROM: URBAN RESIDENTIAL ZONE (R<sub>3</sub>)  
and COMMUNITY COMMERCIAL ZONE (C-8)  
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)
- (c) by amending Part 52, Comprehensive Development Zone, Section C. Comprehensive Development Zones, by adding a new CD Zone "CD 237" as follows:

CD Zone ID	Civic Address	Legal Description	CD Bylaw No.	Replaces Bylaw No.
"CD 237"	(a) Portion of 6690 King George Boulevard (b) Portion of 6706 King George Boulevard	(a) Lot 1, Plan 10110 (b) Lot 2, Plan 10110	21343	N/A"

2. This By-law shall be cited for all purposes as "Surrey Comprehensive Development Zone 237 (CD 237), Bylaw, 2024, No. 21343".

PASSED FIRST READING on the    th day of , 20 .

PASSED SECOND READING on the    th day of , 20 .

PASSED THIRD READING on the    th day of , 20 .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the    th day of , 20 .

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

APPENDIX "A"

**COMPREHENSIVE DEVELOPMENT ZONE 237 (CD 237)**

This Comprehensive Development Zone 237 (CD 237) as well as all other applicable regulations of Surrey Zoning By-law, 1993, No. 12000, as amended, (the "Zoning By-law") apply to the following lands:

The lands are divided into Block A and Block B, as shown outlined in bold on the Survey Plan, attached hereto and forming part of this Bylaw as Schedule B, certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024.

<b>Block A</b>		
<b>Address</b>	<b>Legal Descriptions</b>	<b>PID</b>
6690 King George Boulevard (portion of)	That portion Lot 1 Except: Firstly: Part Subdivided by Plan 18810 and Secondly: Part Within Heavy Outline Taken by Highway Statutory Right of Way Plan 63551; Section 16 Township 2 NWD Plan 10110 outlined in bold, labelled as Block A on the Survey Plan, attached hereto as Schedule B, certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024, containing a total of 2,063 square metres	009-243-780 (portion of)
6706 King George Boulevard (portion of)	That portion Lot 2 Except: Part Subdivided by Plan 18810: Section 16 Township 2 NWD Plan 10110 outlined in bold, labelled as Block A on the Survey Plan, attached hereto as Schedule B, certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024, containing a total of 2,063 square metres	009-243-895 (portion of)

<b>Block B</b>		
<b>Address</b>	<b>Legal Descriptions</b>	<b>PID</b>
6690 King George Boulevard (portion of)	That portion Lot 1 Except: Firstly: Part Subdivided by Plan 18810 and Secondly: Part Within Heavy Outline Taken by Highway Statutory Right of Way Plan 63551; Section 16 Township 2 NWD Plan 10110 outlined in bold, labelled as Block B on the Survey Plan, attached hereto as Schedule B, certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024, containing a total of 2,476 square metres	009-243-780 (portion of)
6706 King George Boulevard (portion of)	That portion Lot 2 Except: Part Subdivided by Plan 18810: Section 16 Township 2 NWD Plan 10110 outlined in bold, labelled as Block B on the Survey Plan, attached hereto as Schedule B, certified correct by M. Adam Fulkerson, B.C.L.S. on the 15th day of July, 2024, containing a total of 2,476 square metres	009-243-895 (portion of)

(collectively the "Lands")

**A. Intent**

This Comprehensive Development Zone is intended to accommodate and regulate the development of *multiple unit residential buildings* and related *amenity spaces*, and community commercial uses, which are to be developed in accordance with a *comprehensive design* where *density* bonus is provided.

**B. Permitted Uses**

*Lands, buildings and structures* shall only be used for the following uses, or a combination thereof:

Block A:

1. *Retail stores* excluding the following:
  - (a) *Adult entertainment stores*; and
  - (b) *Secondhand stores and pawnshops*;
2. *Personal service uses, excluding body rub parlours*;
3. *General service uses* excluding *drive through banks and funeral parlours*;
4. *Eating establishments* excluding *drive-through restaurants*;
5. *Neighbourhood pubs* regulated under the Liquor Control and Licensing Act, as amended;
6. *Liquor store*;
7. Office uses excluding *social escort services, methadone clinics* and marijuana dispensaries;
8. *Indoor recreational facilities*;
9. *Community services*;
10. *Child care centres* regulated under the Community Care and Assisted Living Act, as amended, and the Child Care Licensing Regulation, as amended;
11. *Cultural uses*; and
12. *Entertainment uses* excluding *arcades and adult entertainment stores*.

Block B:

1. *Multiple unit residential buildings and ground-oriented multiple unit residential buildings*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. Maximum Density:

Maximum *density* shall be as follows:

  - (a) 1 *dwelling unit*; and
  - (b) The lesser of *floor area ratio* of 0.1 or *building area* of 300 sq. m.
2. Permitted Density Increases:

If amenity contributions are provided in accordance with Schedule G, *density* may be increased as follows:

  - (a) Maximum *floor area ratio* of 2.0, provided that a maximum of 0.79 *floor area ratio* is provided for commercial uses, excluding:
    - i. The indoor *amenity space* requirement (pursuant to Section J.2. of this Zone); and
    - ii. Up to a maximum of 170 sq. m of the *secure bicycle parking area* requirement (pursuant to Section H.4. of this Zone).
3. Notwithstanding the definition of *floor area ratio*, for an air space subdivision, the air space parcels and the remainder *lot* of the air space subdivision shall be considered as one *lot* for the purpose of application of Section D. of this Zone, and further provided that the *floor area ratio* calculated from the cumulative floor areas of the *buildings* within all of the air space parcels and the remainder *lot* of the air space subdivision shall not exceed the maximum specified in Sub-section D.2. of this Zone.

**E. Lot Coverage**

1. The maximum *lot coverage* for all *buildings* and *structures* shall be 50%.
2. Notwithstanding the definition of *lot coverage*, for an air space subdivision, the air space parcels and the remainder *lot* of the air space subdivision shall be considered as one *lot* for the purpose of application of Section E. of this Zone, and further provided that the *lot coverage* within all of the air space parcels and the remainder *lot* of the air space subdivision shall not exceed the maximum specified in Section E.1. of this Zone.

**F. Yards and Setbacks**

*Buildings* and *structures* shall be sited in accordance with the following minimum *setbacks*:

USES:	SETBACKS:			
	North Yard	South Yard	East Yard	West Yard
<i>Principal and Accessory Buildings and Structures</i> <sup>1,2,3,4</sup>	3.3 m	0.0 m	4.8 m	4.0 m

- 1 Notwithstanding Section A.3.(d) of Part 5, Off-Street Parking and Loading/Unloading, *parking – underground* may be located up to 0.5 m of the north, east and west *lot line* and up to 0.0 m of the south *lot line*.
- 2 Notwithstanding Section F. of this Zone, canopies may encroach into the *setbacks*, if not a 0.0 m lot line.
- 3 Notwithstanding Section B.26.(b) of Part 4, General Provisions, stairs with more than three risers may encroach into the *setbacks*.
- 4 Notwithstanding Section F. of this Zone, the minimum *setbacks* of *principal buildings* and *accessory buildings* and *structures* for interior *lot lines* for *lots* created by an air space subdivision may be 0.0 m.

**G. Height of Buildings**

1. Principal Buildings:  
*Principal building height* shall not exceed 23.5 m.
2. Accessory Buildings:  
Excluding indoor *amenity space buildings*, *accessory building height* shall not exceed 4.5 m.

**H. Off-Street Parking and Loading/Unloading**

1. Parking Calculations:  
Refer to Table D.1. of Part 5 Off-Street Parking and Loading/Unloading.
2. Tandem Parking:  
*Tandem parking* is not permitted.
3. Underground Parking:  
All required resident *parking spaces* shall be provided as *parking - underground* or as *parking within building envelope*.
4. Parking Areas:
  - (a) Parking within the required *setbacks* is not permitted;
  - (b) Parking is not permitted in front of the main entrance of a *non-ground-oriented multiple unit residential building*, except for the purpose of short-term drop-off or pick-up and for accessible parking; and
  - (c) No parking shall be permitted within the *front yard* or within any *side yard* which abuts a *flanking street*.
5. Bicycle Parking:  
A *secure bicycle parking area* shall be provided in a separate bicycle room located within a *building*, whether located at or above *finished grade*, with convenient access to the outside of the *building*.



## I. Landscaping and Screening

### 1. General Landscaping:

- (a) All developed portions of the *lot* not covered by *buildings, structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained;
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Garbage containers and *passive recycling containers* shall be located within the *parking - underground* or within a *building*.

## J. Special Regulations

### 1. Outdoor Storage and Display:

The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone.

### 2. Amenity Spaces:

*Amenity space* for the *multiple unit residential buildings*, subject to Section B.6. of Part 4, General Provisions, shall be provided on the *lot* as follows:

- (a) Outdoor *amenity space* in the amount of:
  - i. 3.0 sq. m per *dwelling unit*; and
  - ii. 1.0 sq. m per *lock-off suite*; and
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  - i. 3.0 sq. m per *dwelling unit* up to 557 sq. m of *amenity space* (equivalent to 186 *dwelling units*); and
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- (d) Indoor *amenity space* devoted to a *child care centre* shall be a maximum of 1.5 sq. m per *dwelling unit*.

### 3. Child Care Centres:

*Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.

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*Balconies* are required for all *dwelling units* which are not *ground-oriented* and shall be a minimum of 5% of the *dwelling unit* size or 4.6 sq. m per *dwelling unit*, whichever is greater.

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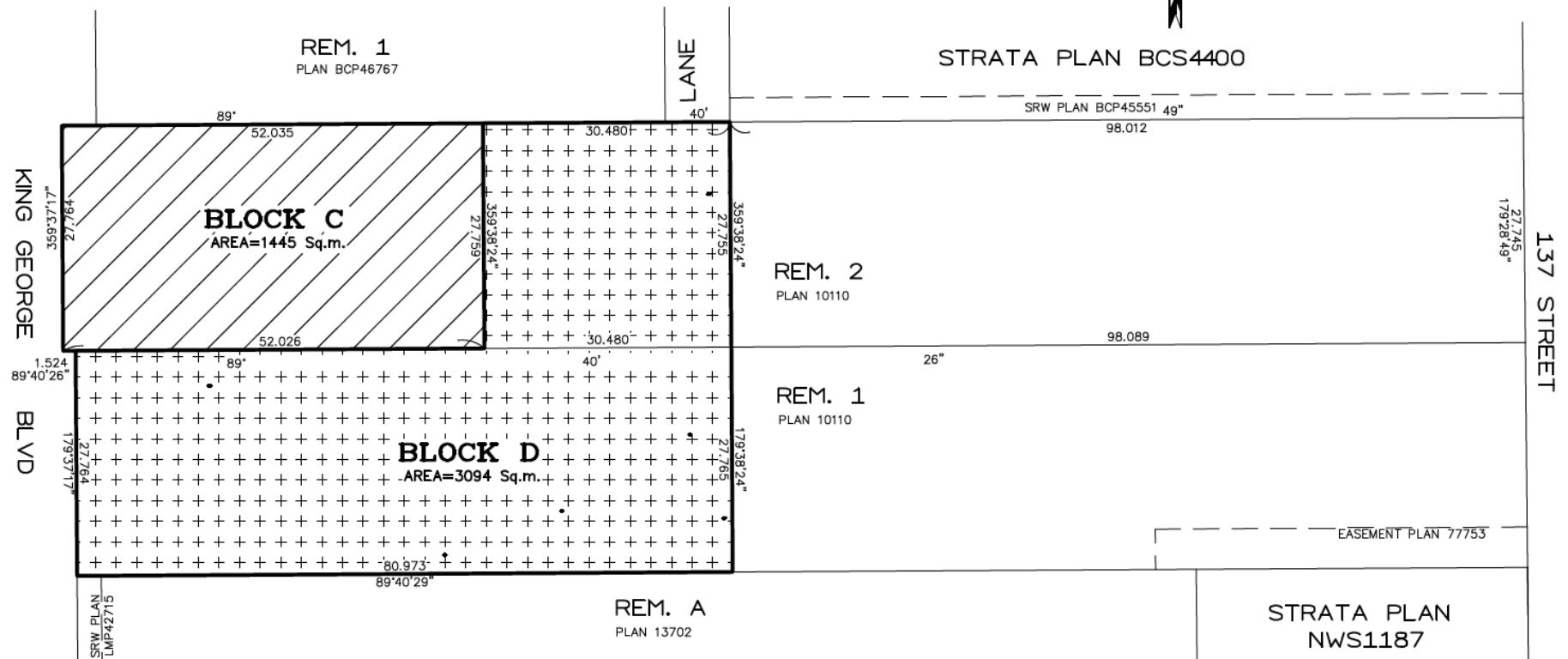
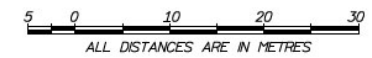
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**SCHEDULE A**

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY REZONING BYLAW NO: 21343  
OF A PORTION OF LOT 2 EXCEPT: PART SUBDIVIDED BY PLAN 18810  
SECTION 16 TP 2 NWD PLAN 10110**

DRAFT DATE: JULY 16, 2024

SCALE 1 : 500



CERTIFIED CORRECT  
DATED THIS 16th DAY OF July, 2024

*[Signature]*

M. Adam Fulkerson B.C.L.S.

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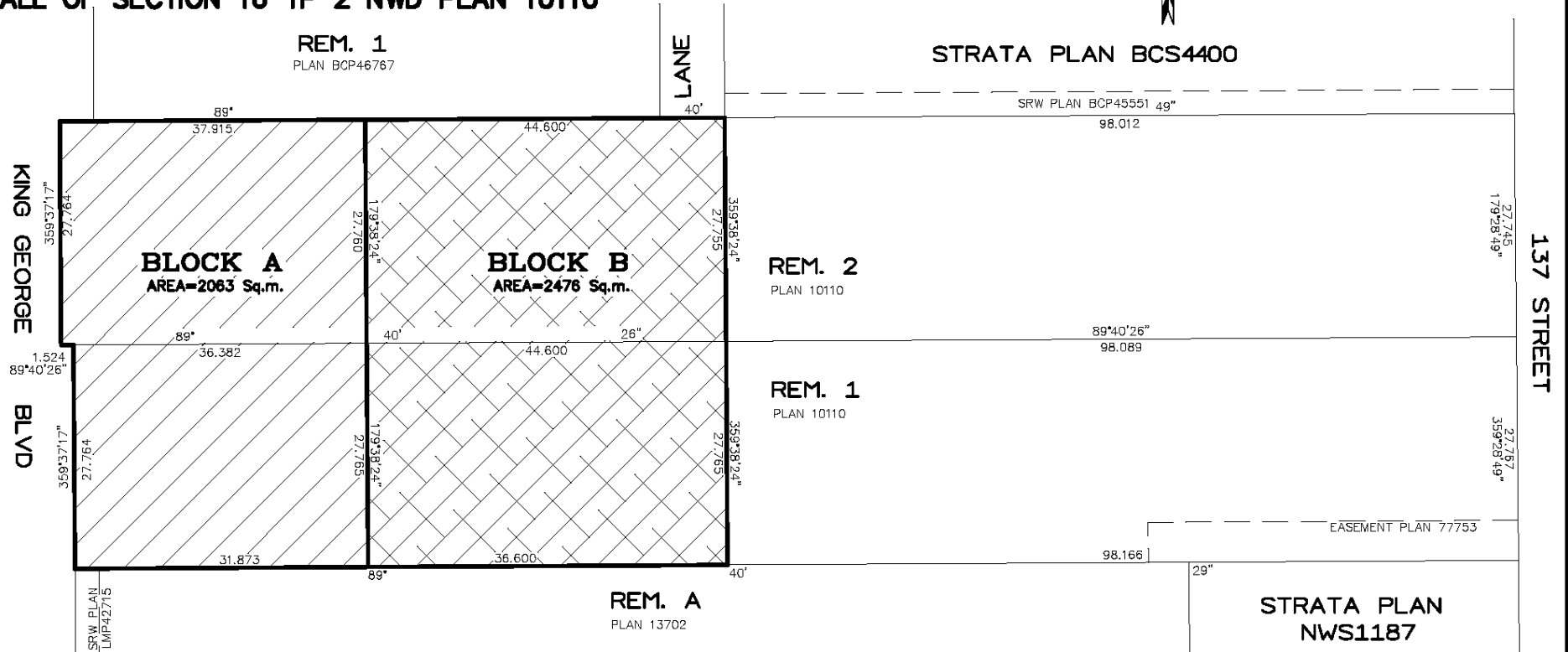
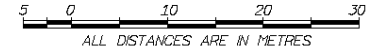
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**DRAFT DATE: JULY 15, 2024**

**SCALE 1 : 500**



CERTIFIED CORRECT  
 DATED THIS 15th DAY OF July, 2024.

*(Signature)*

M. Adam Fulkerson B.C.L.S.

Lot dimensions are derived from FIELD SURVEY.

This Plan was prepared for city application purposes, and is for the exclusive use of our client. The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of reproduction, transmission or alteration to this document without consent of the signatory.

CIVIC ADDRESSES:

6690 & 6706 King George Highway., Surrey, B.C.  
 P.I.D.'S 009-243-780  
 009-243-895

**TARGET**  
 LAND SURVEYING  
 C120 - 20178 96th Ave  
 Langley, BC V1M 0B2  
 604-583-6161

FILE: 7997-BLOCKZONE-R2

CITY OF SURREY

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# CORPORATE REPORTS



NO: R157

COUNCIL DATE: August 12, 2024

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**REGULAR COUNCIL**

TO: **Mayor & Council** DATE: **August 8, 2024**  
FROM: **General Manager, Engineering** FILE: **4824-027/11**  
SUBJECT: **Award of Contract No. 4824-027-11**  
**Fry's Corner Drainage Pump Station and Dyke Repair**

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**RECOMMENDATION**

The Engineering Department recommends that Council:

1. Award Contract No. 4824-027-11 to Drake Excavating (2016) Ltd. in the amount of \$3,029,250.00 (including GST) for the Fry's Corner Drainage Pump Station and Dyke Repair;
2. Set the expenditure authorization limit for Contract No. 4824-027-11 at \$3,330,000.00 (including contingencies and GST); and
3. Authorize the General Manager, Engineering to execute Contract No. 4824-027-11.

**INTENT**

The intent of this report is to seek Council's approval to award a contract for the Fry's Corner Drainage Pump Station and Dyke Repair.

**BACKGROUND**

The Fry's Corner Pump station and dyke provide critical infrastructure protecting 450 hectares of agricultural land, including regionally critical infrastructure such as Highway 15 and Fraser Highway. The dyke underneath the Fry's Corner Pump Station and pump station fish ladder structure is experiencing ongoing seepage from the Serpentine River, resulting in the formation of a large void beneath the pump station. Based on the recommendation from a Geotechnical Engineer (Thurber Engineering Ltd.), urgent repairs are required before the next winter wet weather when river levels are generally higher.

The City intended to undertake the repair work earlier this Spring/Summer, immediately following the advice received from the Geotechnical Engineer; however, the Province instructed that the City required a *Water Sustainability Act Section 11* approval to undertake the urgent repair work. As a result, the City had to delay the tender and construction for this repair work until the Provincial environmental approval was received on July 26, 2024.

As a result of the delayed tender, it was anticipated that the award of this contract would be required during the summer Council recess. At the Regular Council Meeting on July 22, 2024, as part of Corporate Report No. R153; 2024 attached as Appendix “I”, Council approved delegating authority to the City Manager to approve this contract award, provided the project is awarded to the lowest bidder and the bid price is within the 2024 Drainage Utility Budget and the Engineer’s estimate of \$2.0 million. However, as discussed below, the tender prices received exceed the Engineer’s estimate, and therefore this contract award requires Council approval.

## DISCUSSION

### Scope of Work

This contract consists of repairs to the Fry’s Corner Pump Station located at 7627 - 176 Street through the establishment of a sheet pile drainage ‘cut-off’ wall to prevent ongoing seepage issues and erosion within the dyke and the underside of the Fry’s Corner Pump Station that requires urgent repair. The location of the project is illustrated on the map attached to this report as Appendix “II”.

The contract permits construction from 7:00 a.m. to 10:00 p.m., Monday through Friday, in compliance with the *Surrey Noise Control Bylaw, 1982, No. 7044*. As the needed sheet pile wall installation work will be completed within the Serpentine River, the contractor will endeavour to complete the in-stream components of the work during the summer months when water levels in the Serpentine River are generally lower and to comply with the Provincial in-stream work window.

### Invitation to Tender Results

An Invitation to Tender followed the City’s Purchasing Bylaw and was publicly posted on the BC Bid and City of Surrey websites. Tenders for the subject contract were opened on August 2, 2024 with the following results:

<i>Contractor</i>	<i>Tendered Amount with GST</i>	<i>Corrected Amount</i>
1. Drake Excavating (2016) Ltd.	\$3,029,250.00	No Change
2. GCL Contracting Inc.	\$3,465,000.00	No Change

The Engineer’s (Aplin & Martin Consultants Ltd) pre-tender estimate was \$2.0 million, including GST. The number of tender submissions was expected given the specialized nature of the work and the late timing of the tender for work to occur immediately this summer. The difference in the Engineer’s pre-tender estimate and tendered amounts are a result of the late timing of this tender, and the complexity of this project. Specifically, the work requires the installation of temporary cofferdam within the Serpentine River and dewatering of the river within the cofferdam through a drainage bypass system. As well, the approximately 10m deep sheet pile cut off wall within the Serpentine River located directly adjacent to the Fry’s Corner Pump Station building foundation necessitates specialized construction techniques.

### Evaluation

The submissions were reviewed for accuracy and completeness. No errors were found. All submissions included the required 10% bid bond and were signed on the Tender Form.

The low bidder, Drake Excavating (2016) Ltd., has provided a Consent of Surety for a Performance Bond and a Labour & Materials Bond. Given the complexity of the work, Drake Excavating (2016) Ltd.'s schedule demonstrates that it will be challenging to complete the work within the specified Provincial in-stream work window and the work will likely extend into the Fall. Drake Excavating (2016) Ltd.'s past performance on similar work has been satisfactory. They have no outstanding legal claims against the City.

Notwithstanding the significant difference in value between the Engineer's estimate and the low bidder, as there is an immediate need to complete the contract work to prevent the ongoing seepage and erosion from the Serpentine River, it is recommended that Drake Excavating (2016) Ltd. be awarded Contract No. 4824-027-11.

### **Project Schedule**

The contract work is expected to start this month and be completed by the end of October 2024.

### **FUNDING**

Funding for this contract is available in the approved 2024 Drainage Utility budget.

Scott Neuman, P.Eng.  
General Manager, Engineering

VJ/cc

Appendix "I" – Corporate Report No. R153; 2024  
Appendix "II" - Map of Locations – Contract No. 4824-027-11



NO: R153

COUNCIL DATE: July 22, 2024

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**REGULAR COUNCIL**

TO: **Mayor & Council** DATE: **July 17, 2024**

FROM: **General Manager, Social Infrastructure & Community Investments** FILE: **0760-20 (Cloverdale Sport & Ice Complex)**  
**General Manager, Engineering**

SUBJECT: **Delegation of Authority for an Increase in Expenditure Authorization Limit and for the Award of a Construction Contract**

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**RECOMMENDATION**

The Social Infrastructure & Community Investments Department and the Engineering Department recommends that Council:

1. Receive this report for information;
2. Delegate authority to the City Manager, until August 30, 2024, to increase the expenditure authorization limit for Contract No. 1220-030-2021-046 with Graham Construction and Engineering LP for site preparations for the third sheet at the new Cloverdale Sport & Ice Complex, subject to the following conditions being satisfied:
  - a. Graham Construction and Engineering LP receives at least three quotations for the work;
  - b. The increased expenditure authorization limit is based on the lowest quotation that fully satisfies the specifications for the site preparation works; and
  - c. Council is informed in a timely manner of the quotations received, the results of the evaluation of the quotations, and the proponent which has been selected to carry out the site preparation works; and
3. Delegate authority to the City Manager, until August 30, 2024, to award Contract No. 4824-027-11 for the Fry's Corner Drainage Pump Station Improvements, subject to the following criteria being satisfied:
  - a. The contract is awarded to the contractor submitting the lowest bid, which fully meets the contract specifications;
  - b. The contract award is within the funding available in the 2024 Engineering Drainage Utilities Budget and within the engineer's estimate; and

- c. Council is informed in a timely manner of the submissions received, the results of the evaluation of the submissions, and the contractor which has been selected to carry out the improvements.

## **INTENT**

The purpose of this report is to obtain Council approval to delegate authority to the City Manager to increase the expenditure authorization limit for Graham Construction and Engineering LP (“Graham”) Contract No. 1220-030-2021-046 related to site preparation works for the Cloverdale Sport & Ice Complex and award Contract No. 4824-027-11 for the Fry’s Corner Drainage Pump Station Improvements.

## **BACKGROUND**

### ***Cloverdale Sport & Ice Complex***

To date, Council has awarded six contracts to Graham for the construction the Cloverdale Sport & Ice Complex comprising of early works, the pre-engineered metal building structure, the supply and installation of foundation piles, civil, formwork, reinforcement steel, concrete supply, electrical, mechanical, ice plant refrigeration, elevator, building envelope and interior finishes, retroplate flooring, landscaping, roof anchors and miscellaneous steel.

On June 5, 2023, as part of Corporate Report No. R092; 2023, Council approved the design and construction administration services for the addition of a third ice sheet on a portion of the lands that are currently leased to Warner Bros. until September 30, 2025, for filming purposes.

Warner Bros. has recently advised the City that they are concluding filming on the site and will be vacating the site in September 2024, approximately one-year earlier than originally scheduled. As a result, the City is able to commence construction of the third sheet earlier than expected.

In order to provide a level site for construction of the third ice sheet, existing fill material needs to be removed from the site. Staff are currently working with the architect and consultants’ team to establish the volume of material that needs to be removed, and Graham will then obtain quotations for the work.

### ***Fry’s Corner Pump Station Improvements***

Improvements to the Fry’s Corner Pump Station located at 7627-176 Street are required through the establishment of a sheet pile drainage ‘cut-off’ wall to prevent ongoing seepage issues within the dyke and the underside of the Fry’s Corner Pump Station.

## DISCUSSION

### *Cloverdale Sport & Ice Complex*

It is beneficial to complete removal of the existing fill material in the summer months when the material is dry. It is also beneficial to complete the removal ahead of the first two sheets being operational next year. As a result, it is recommended that Council delegate authority to the City Manager until August 30, 2024 to increase the expenditure authorization limit for Contract No. 1220-030-2021-046 with Graham for site preparation works for the third sheet at the new Cloverdale Sport & Ice Complex.

The site preparation works is anticipated to commence in August 2024 and be completed by October 2024. Following completion of the site preparation works for the third ice sheet, geotechnical investigations will take place that will inform the design of the third ice sheet. Staff expect that the third ice sheet will be completed in Summer 2027.

The estimated cost for this work, including GST and contingencies is \$3.3 million.

Construction of the first two sheets continue to advance as illustrated in the recent aerial images provided as Appendix "I".

Council will be advised by staff through inter office memorandum of the quotations received, the results of the evaluation of the quotations, and the proponent which has been selected to carry out the site preparation works.

### *Fry's Corner Pump Station Improvements*

As the needed sheet pile wall installation work will be completed within the Serpentine River, the work must be completed during the summer months when water levels in the Serpentine River are generally lower and during the Provincial in-stream work window. As a result, it is recommended that Council delegate authority to the City Manager until August 30, 2024 to award Contract No. 4824-027-11 for the Fry's Corner Drainage Pump Station Improvements. The location of the project is shown in Appendix "II".

The Fry's Corner Pump Station Improvements is anticipated to commence in August 2024 and be completed by September 2024.

The estimated cost for this work, including GST and contingencies is \$2.0 million.

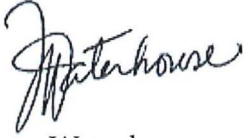
Council will be advised by staff through inter office memorandum of the submissions received, the results of the evaluation of the submissions, and the contractor which has been selected to carry out the improvements.

### **Legal Services Review**

This report has been reviewed by Legal Services.

## FUNDING

Funding for this increase in expenditure authority for the Cloverdale Sport & Ice Complex is available within the approved budget in the 2024 Five Year Financial Plan (2024-2028) - Capital Program. Funding for the award of contract for Fry's Corner Drainage Pump Station Improvements is available in the approved 2024 Engineering Utilities Budget.



Terry Waterhouse  
General Manager, Social Infrastructure  
& Community Investments

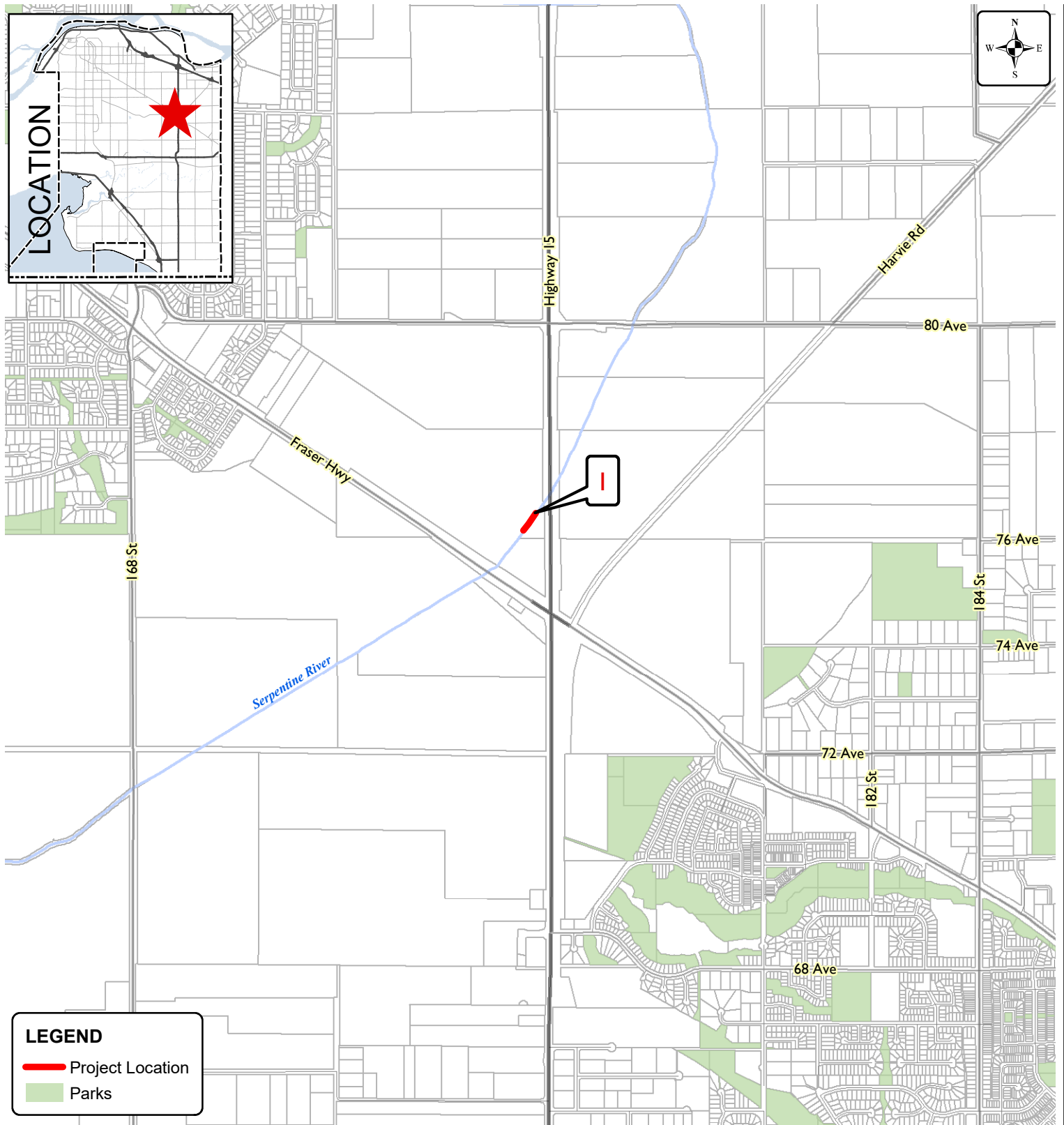
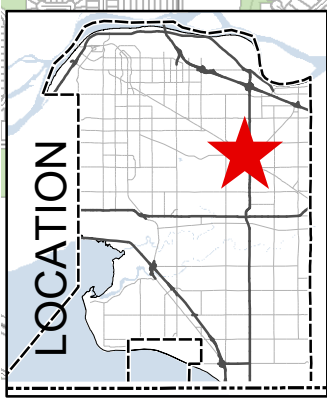


Scott Neuman, P.Eng.  
General Manager, Engineering

Appendix "I" - Cloverdale Sport & Ice Complex – Aerial Image  
Appendix "II" – Fry's Corner Drainage Pump Station Improvement

<https://surreybc.sharepoint.com/sites/sicihub/gm-admin/corporate-reports/2024/final/10-july-22/delegation-of-authority.docx>

**Note: Appendices available upon request**



**LEGEND**

- Project Location
- Parks

Produced by GIS Section: 25-Jun-2021, JJR

Scale: 1:20,000



# Fry's Corner Drainage Pump Station Improvements

## 7627 - 176 Street

### ENGINEERING DEPARTMENT

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

CITY OF SURREY

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# MAYOR'S REPORT



## E.1 – MAYOR'S REPORT

There is no backup  
material for this item

CITY OF SURREY

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OTHER BUSINESS





CITY OF SURREY

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# ADJOURNMENT

