

#### City of Surrey PLANNING & DEVELOPMENT REPORT File: 7916-0328-00

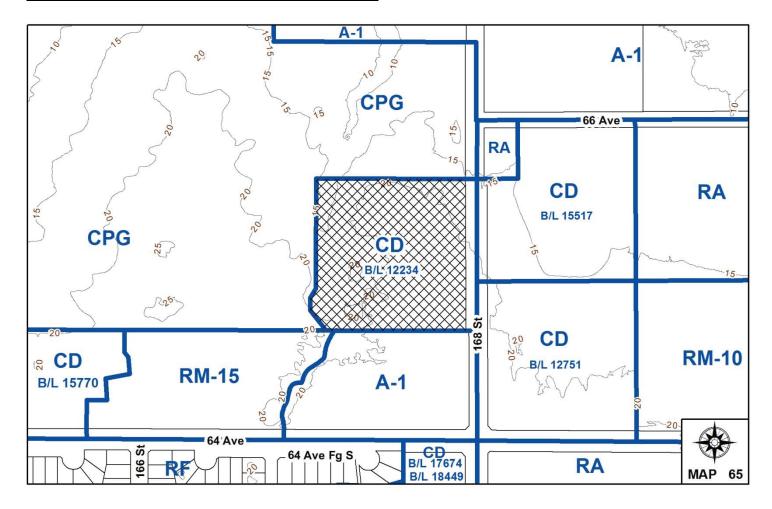
Planning Report Date: March 6, 2017

#### **PROPOSAL:**

- **Rezoning** from CD (By-law No. 12234) to CD (based on A-1 and RMS-1)
- Development Permit
- Development Variance Permit
- Non-Farm Use under Section 20(3) of the <u>ALC Act</u> and **Subdivision within ALR** under Section 21(2) of the <u>ALC Act</u>

to allow subdivision into two (2) lots and to permit the development of a care facility (hospice) on one lot.

| LOCATION:        | 6483 - 168 Street      |
|------------------|------------------------|
| OWNERS:          | Donald G Stewart et al |
| ZONING:          | CD (By-law No. 12234)  |
| OCP DESIGNATION: | Agricultural           |



#### **RECOMMENDATION SUMMARY**

- Refer the non-farm use and subdivision application to the Agricultural Land Commission (ALC).
- By-law Introduction for Rezoning (without scheduling a Public Hearing).
- Development Variance Permit to proceed to Public Notification with the Rezoning.
- Approval to draft Development Permit.

#### **DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- A non-farm use application is proposed for a care facility (hospice) on agricultural land.
- Seeking a variance to reduce the minimum distance (setback) from top-of-bank for a "Natural Class A Stream" in Part 7A of the Zoning By-law, from 30 metres (98 ft.) to 24 metres (79 ft.) and 9 metres (30 ft.) for portions of the rear lot line of proposed Lot 1.
- An existing tennis court currently encroaches into the riparian setback area on the proposed southerly lot and the existing silo currently encroaches into the riparian setback area on the proposed northerly (hospice) lot.

### **RATIONALE OF RECOMMENDATION**

- The applicant has proposed to construct a 20-bed hospice on a 1.03-hectare (2.5-acre) lot and to donate the proposed hospice and proposed Lot 1 to the Surrey Hospital and Outpatient Centre Foundation. Fraser Health intends to operate this proposed care facility.
- There is high demand for palliative care services as local palliative care facilities are reportedly at 100% occupancy with a daily waitlist.
- Despite the subject land being within the Agricultural Land Reserve (ALR), the proposal provides a significant benefit to the community.
- The proposed care facility is an allowable use within the Agricultural designation in the OCP, provided the applicant receives approval from the ALC for a non-farm use.
- The clay soils and uneven topography of the site are understood to be marginal for farming.
- The proposed subdivision will allow the applicant to retain ownership of the existing dwellings on proposed Lot 2, while donating proposed Lot 1 with the proposed hospice to the Surrey Hospital and Outpatient Centre Foundation.
- Although concerned about the proposed non-farm use and subdivision within the ALR, the Agricultural and Food Security Advisory Committee (AFSAC) did not oppose the application.

Staff Report to Council

- The subject site is located just within the Agricultural Land Reserve (ALR) bordered along the north and west lot lines by the Northview Golf and Country Club with the ALR boundary along the south lot line. Immediately to the east, across 168 Street, is the 72-bed Czorney Alzheimer Centre. The same owners as the subject site generously donated the land and capital costs to develop the Czorney care facility, which was zoned CD By-law No. 15517 on June 20, 2005.
- The requested streamside setback variance will allow the retention of an existing silo that is significant to the applicant's family, as well as a patio space for the proposed hospice. The relaxations are supported by a peer reviewed environmental report and impact mitigation plan.
- The riparian area, which will be incorporated in proposed Lot 2, is ultimately intended to be conveyed to the City. A Restrictive Covenant will be required to ensure this conveyance, should a future development application be submitted.

#### **RECOMMENDATION**

The Planning & Development Department recommends that:

- 1. Council refer the non-farm use and subdivision application to the Agricultural Land Commission (ALC).
- 2. a By-law be introduced to rezone the subject site from "Comprehensive Development Zone (CD)" (By-law No. 12234) to "Comprehensive Development Zone (CD)". The applicant is required to obtain approval from the ALC for the proposed non-farm use, before it is in order for a Public Hearing to be scheduled.
- 3. Council approve Development Variance Permit No. 7916-0328-00 (Appendix X), to vary the Zoning By-law to reduce the minimum streamside setback for a Class A watercourse from 30 metres (98 ft.) to 24 metres (79 ft.) and 9 metres (30 ft.) for portions of proposed Lot 1, to proceed to Public Notification after the applicant receives approval from the ALC for the proposed non-farm use.
- 4. Council authorize staff to draft a Form and Character, Sensitive Ecosystem and Hazard Land (steep slope) Development Permit generally in accordance with the attached drawings (Appendix IV).
- 5. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) approval from the ALC for the non-farm use and the proposed subdivision;
  - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (e) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
  - (f) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
  - (g) registration of a Restrictive Covenant on proposed Lot 2 to convey the riparian area to the City should a future development application be submitted on proposed Lot 2; and
  - (h) registration of a Restrictive Covenant and statutory right-of-way on proposed Lot 2 for the protection, maintenance and access to the riparian area.

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| <u>REFERRALS</u>  |  |
| Engineering:  | The Engineering Department has no objection to the project<br>subject to the completion of Engineering servicing requirements as<br>outlined in Appendix V.                      |
| Parks, Recreation & Culture:                                    | Parks will accept conveyance of the riparian area in the future.   |
| Fraser Health Authority:  | The Fraser Health Authority agrees to operate the proposed hospice.  |
| Agriculture and Food<br>Security Advisory<br>Committee (AFSAC): | The project was reviewed at the November 3, 2016 AFSAC meeting.<br>AFSAC expressed concern about the proposed non-farm use, but<br>did not oppose the application (Appendix VI). |

#### SITE CHARACTERISTICS

| Existing Land Use: | 9-acre parcel within the ALR, with two single family dwellings and |  |
|--------------------|--|--|
|                    | accessory structures to be retained on the southern portion.       |  |

#### Adjacent Area:

| Direction              | Existing Use  | OCP Designation   | Existing Zone  |
|------------------------|---|---|--|
| North:                 | Northview Golf and Country<br>Club                  | Agricultural  | CPG  |
| East (Across 168 St.): | Alzheimer's care facility and townhouse development | Agricultural and<br>Urban   | CD (By-law No.<br>15517) and CD<br>(By-law No.<br>12751) |
| South:                 | Vacant acreage parcel and<br>townhouse complex      | Urban<br>(NCP: Single family<br>duplex 10 upa, and<br>townhouses 8-15 upa.) | A-1 and RM-15  |
| West:                  | Northview Golf and Country<br>Club                  | Agricultural  | CPG  |

### **DEVELOPMENT CONSIDERATIONS**

#### <u>Context</u>

• The 3.6 -hectare (9 ac.) subject site is located at 6483 – 168 Street in Cloverdale. The site is located within the Agriculture Land Reserve (ALR), is designated "Agricultural" in the Official Community Plan (OCP), and is zoned "Comprehensive Development Zone (CD)" (By-law No. 12234). CD By-law No. 12234 was approved by Council on May 16, 1994 and is intended to accommodate agricultural and residential uses on one 9-acre lot.

- The site borders the Northview Golf and Country Club along the north and west property lines. The lot to the immediate south (6435 168 St.) is designated Urban in the OCP and Single Family Duplex (10 u.p.a.) in the West Cloverdale North Neighbourhood Concept Plan (NCP). The lands to the south are not within the ALR.
- The subject site does not abut any residential development; however, there are townhouse developments nearby to the southeast and southwest along 64 Avenue.
- There is an existing 72-bed care facility known as the Czorny Alzheimer Centre, located at 16850 66 Avenue, on the east side of 168 Street, across from the subject site that is within the ALR. The same owners as the subject site donated the land and capital costs to develop the Czorny Alzheimer Centre, which was rezoned to CD By-law No. 15517 on June 20, 2005.
- A Class A watercourse traverses the rear of the site in a north/south direction.

### <u>Proposal</u>

- The applicant is seeking a non-farm use and subdivision within the ALR, rezoning and development permit, in order to construct a hospice on the northern portion of the site (proposed Lot 1) and to retain the two existing single family dwellings and accessory structures on the southern portion of the site (proposed Lot 2).
- Proposed Lot 1 is 1.08 hectares (2.67 ac.) in size and proposed Lot 2 is 2.54 hectares (6.3 ac.) in size.
- Proposed Lot 1 will contain the proposed hospice and an existing silo to be retained (see By-law Variance section). Proposed Lot 1 with the proposed hospice will be donated by the current land owners to the Surrey Hospital and Outpatient Centre Foundation. The proposed hospice will be operated by Fraser Health.
- Proposed Lot 2 will contain two existing single family dwellings and accessory structures, which will all be retained. The owner will continue to reside in the larger home on proposed Lot 2. Proposed Lot 2 will also include the watercourse and associated protected areas.
- A care facility is not a permitted use in the current CD Zone (By-law No. 12234) for the site. The applicant proposes to rezone the site to a new CD Zone, which will permit several of the uses in the A-1 Zone, and, for proposed Lot 1 only, a care facility. A Block Plan will be attached to the proposed CD By-law, to identify Block A (proposed Lot 1 for the care facility) and Block B (proposed Lot 2 for the existing residences and watercourse).
- A care facility is not a permitted use in the ALR. Therefore, the applicant will be required to obtain approval for a non-farm use from the Agricultural Land Commission (ALC). Should Council support this application in principle, the Public Hearing for the proposed rezoning will be deferred until the applicant obtains such approval from the ALC.
- The two existing houses on proposed Lot 2 will remain under private ownership. As part of the referral to the ALC, the applicant will seek approval for the existing second dwelling to be retained, which is now considered a non-farm use.

## Program Offering at the Proposed Hospice

- The proposed 20-bed hospice is 2,335 square metres (25,000 sq. ft.) in size, and will serve those with a terminal illness during the last weeks to months of their life.
- The patients will receive care in private rooms with a private bathroom and shower. Overhead ceiling lifts will be installed in each room and bathroom. Each bedroom suite has a private patio which enables the bed to be pushed outside, or opened for fresh air if desired.
- The patients and families will also share several common areas, including multiple 'quiet' or counselling rooms, a media room, open living room, dining room, a family kitchen with outdoor patio, and children's play area.
- The hospice will include access to a generous outdoor space, including a walking path around the property.
- There is a meeting room suitable for large family/care team conferences.
- There will be a centralized care station as well as administrative offices and a physician office, as well as a room for alternative therapies (e.g. massage, reiki, and aromatherapy).
- There will also be volunteer space for the Surrey Hospice Society volunteers who assist with companioning the patients and their families as well as providing comfort care.
- Staffing at the hospice residence is proposed to be 12 people from 8:00 am to 4:00 pm, 6-7 people from 4:00 pm to 9:00 pm and 3 to 4 people overnight.
- All dietary services will be provided on site.
- The hospice residence will provide 24/7 psychosocial, spiritual and symptom management support for people living with a terminal illness in the last weeks to months of life.

### Proposed CD Zone

- The applicant is proposing a new Comprehensive Development Zone (CD) to accommodate the proposed hospice (care facility) on proposed Lot 1 and existing single family dwellings and accessory structures on proposed Lot 2.
- The proposed CD Zone (Appendix IX) will be based on the General Agriculture Zone (A-1), with the following modifications:
  - Proposed Lot 1 (Block A) will only permit a care facility, and agriculture and horticulture uses. The allowable density, building height and front and side yard setbacks for a care facility will match the provisions of the Special Care Housing 1 (RMS-1) Zone;
  - The rear yard setback to the building face of the proposed hospice is 6.0 metres (20 ft.). This reduced setback is considered acceptable given the rear of the care facility interfaces with a riparian area;

- The lot coverage for the care facility (Block A) will be increased from 25% in the RMS-1 Zone, to 30% to accommodate the care facility on proposed Lot 1;
- Proposed Lot 2 (Block B) will permit a second (smaller) dwelling (contingent upon approval from the Agricultural Land Commission (ALC) for a non-farm use), to account for the existing second dwelling on the lot. The maximum permitted size for a second dwelling will be limited to 232 square metres (2,500 sq. ft.), which is the approximate size of the existing second dwelling on the lot and is the maximum size permitted for a second dwelling in the current CD Zone (By-law No. 12234);
- The farm residential footprint requirements of the A-1 Zone have not been incorporated in the proposed CD Zone as they do not exist in the current CD Zone (By-law No. 12234) on the site, and to accommodate the location of the existing dwellings and structures; and

## Justification for Proposed Rezoning and Non-Farm Use

- The applicant will donate the proposed hospice and proposed Lot 1 to the Surrey Hospital and Outpatient Centre Foundation. Fraser Health will operate the facility.
- Fraser Health has expressed strong support for the proposed hospice and has been involved throughout the design process of the hospice.
- The applicant provided the following justification in support of the proposed hospice:
  - Surrey currently has 20 hospice beds which is a shortfall of 17 beds based on the population needs;
  - There is a continued annual increase in referrals to the Surrey Palliative Care Program consultation team. As an example, from the 2014-2015 year end to the 2015-2016 year-end, there was a 6% increase in referral numbers. 2016-2017 total referral numbers are not yet available; however, to date, the trend is continuing to increase;
  - The Palliative Complex Care Unit at Surrey Memorial Hospital runs at 100% occupancy;
  - The optimal hospice bed ratio is 7 beds per 100,000 people;
  - The serene environment of the proposed hospice will offer comfort and healing to the patient and families who are working through their grief and bereavement. The healing environment will offer patients and families the opportunity to complete their unfinished psychosocial, familial relationships, and spiritual work of life in an environment that supports them;

- From the Palliative Care Program perspective, there is a larger percentage of the endof-life population in Surrey that are extremely complex and challenging due to a younger age range and marginal social circumstances. This population would benefit from admission into a hospice environment, intermittently, on the basis to stabilize their symptoms with the goal of potential discharge back home. Currently, there is very limited ability to do this due to bed pressure; and
- Fraser Health anticipates the hospice will share services with the nearby Czorny Centre located at 16850 66 Avenue, which will help reduce operating costs.
- Surrey's Official Community Plan (OCP) recognizes the need to accommodate affordable, rental and special needs housing in all parts of the City. To facilitate such housing, the City acknowledges the need to work with various government and private non-profit agencies and the community. Local palliative care facilities are at 100% occupancy and have a waitlist. A facility of this nature is therefore considered to be necessary by the proponents.
- The proposed care facility is an allowable use within the Agricultural designation in the OCP, provided the applicant receives approval from the ALC for a non-farm use.
- Although concerned about the proposed non-farm use and subdivision within the ALR, the AFSAC did not oppose the rezoning.
- A non-farm use on this site would not preclude a future farming operation from being reestablished on the site and would also maintain the integrity of the OCP.
- The subject site will not be excluded from the ALR, and agricultural uses will be permitted as part of the proposed CD Zone.
- From a locational perspective, nearby land uses support a care facility on the subject site:
  - The site is located on the edge of, but within the ALR. It does not border active agricultural operations;
  - The proposed land use (care facility), complements the nearby Alzheimer's care facility (Czorny Centre) to the east, across 168 Street;
  - The vacant lot to the immediate south, located at 6435 168 Street, is designated Single Family/Duplex, with a maximum density of 10 units per acre;
  - A multi-family townhouse complex is located to the southeast, across 168 Street;
  - o Northview Golf Course is located to the immediate west; and
  - The proposed facility would be located near bus routes along 168 Street and 64 Avenue.
- Meeting the housing and care needs of an important and growing segment of the population is not only desirable, but also necessary given the City's goal to be a well-balanced, healthy community.

• The project is being funded through a public-private-non-profit partnership, which should be recognized given the current constraints on government funding for health care. These potential community benefits are considerable yet must be weighed against the loss of agricultural land.

## Existing Care Facility (Czorny Centre)

- The nearby Czorny Centre located at 16850 66 Avenue, was developed by the same applicant of the subject application.
- The Czorny Centre and land is still owned by Czorny Alzheimer Centre Society, a registered charity. Plans are in progress to donate the Czorny Center and title to the land to Surrey Hospital and Outpatient Centre Foundation, also a registered charity, which will then agree to have Fraser Health Authority operate the Czorny Centre.
- In May, 2004, the ALC granted approval for a non-farm use to permit the Czorny Centre.
- The Czorny Centre was approved under Development Application No. 7902-0040-00. Council granted final adoption to Rezoning By-law No. 15517 on June 20, 2005, rezoning the site to CD By-law No. 15517, to permit a care facility. The first phase was constructed in 2007 and the second phase was constructed in 2011.

### Agricultural Considerations

- The City of Surrey recognizes the importance of agriculture to the local economy and is committed to protecting and enhancing agriculture on farmland within the agriculturally designated areas.
- The OCP expresses a commitment to strengthening the farm community and maintaining agricultural boundaries.
- The subject site was previously part of a narrow 40-hecatre (100 ac.) strip of land extending from 168 Street west to 160 Street. The site has not been farmed for more than 20 years. There was a farmhouse on the northern portion of the site which was removed in 2014. There is a silo on the site which has also not been used for more than 20 years, and there had historically been a wooden barn near the northwest portion of the site. To the best of the applicant's knowledge, the prior occupants kept up to 25 dairy cows. The cows grazed mostly on the acreage to the west of the riparian area (on lands now forming a golf course). No other activity such as vegetable or fruit growing is known to have taken place on the lot. The lot is presently not used for any agricultural purpose, but it is being maintained as a grassed area.
- The applicant reports that the clay soils and uneven topography are understood to be marginal for farming. The site is isolated by Northview Golf Course to the north and west, Urban-designated vacant land to the south and a care facility and townhouses to the east.
- Should proposed Lot 2 redevelop in the future, a Restrictive Covenant will be required to ensure conveyance of the riparian area to the City. Together with any proposed non-farm use on proposed Lot 2, the conveyance (i.e. subdivision) will require ALC approval.

#### Agriculture and Food Security Advisory Committee (AFSAC)

• The project was reviewed at the November 3, 2016 AFSAC meeting. Members of AFSAC expressed concern about the proposed non-farm use, but did not oppose the application (Appendix VI).

#### Streamside Protection and Hazard Land Development Permit

- On September 12, 2016, Council approved changes to the Official Community Plan (OCP) and the Zoning By-law to implement a Sensitive Ecosystem Development Permit Area (DPA) and Streamside Protection Measures, collectively known as Surrey's Ecosystem Protection Measures, for the protection of the natural environment, including riparian areas. These changes were detailed in Corporate Report No. R188, which was approved by Council on July 25, 2016.
- An unnamed Class A watercourse and pond traverses the rear portion of the subject site in a north/south direction. Therefore, the site is subject to the recently approved Ecosystem Protection Measures. Part 7A Streamside Protection of the Zoning By-law states that the minimum required setback from the top-of-bank of a red-coded (Class A) stream is 30 metres (98 ft.).
- The applicant is seeking a reduction to the minimum 30-metre (98 ft.) setback down to 24 metres (79 ft.) in one location to accommodate an outdoor patio space for the proposed hospice and down to 9 metres (30 ft.) in another location to retain an existing silo. These requested variances are discussed in detail later in this report but were supported by a peer-reviewed environmental report and impact mitigation plan.
- Under the OCP, the applicant is given the following two options for safeguarding the riparian area:
  - Minimum safeguarding option several requirements apply, including but not limited to a five-year monitoring, maintenance, and rehabilitation plan within the riparian area, with registration of a restrictive covenant and right-of-way; and
  - Maximum safeguarding option the riparian area is conveyed to the City, and the applicant is not responsible for the requirements under the minimum safeguarding option.
- The applicant has agreed to convey the riparian area to the City at a later date as follows:
  - The riparian area will be contained entirely within proposed Lot 2. Should proposed Lot 2 redevelop in the future, the riparian area will be conveyed to the City. A restrictive covenant will be registered on the title of the land in this regard; and
  - An existing tennis court on proposed Lot 2 currently encroaches into the riparian area. The tennis court will be removed after conveyance of the riparian area to the City.
  - A restrictive covenant and statutory right-of-way will protect the riparian area and provide the City with access until such time as the land is conveyed.

Staff Report to Council

- The area around the watercourse has steep topography and is subject to a Hazard Land Development Permit for steep slopes. The applicant retained Alireza Afkhami of Horizon Engineering Inc. to prepare a comprehensive geotechnical report dated December 16, 2016. The geotechnical report indicated that the subject site is considered to be suitable for the proposed development, provided that the recommendations in the report are incorporated into the design and construction of the hospice.
- The Sensitive Ecosystem Development Permit (DP) and Hazard Land DP will be incorporated into the Form and Character DP as a comprehensive document.

### DESIGN PROPOSAL AND REVIEW

- The proposed hospice is 2,335 square metres (25,000 sq. ft.) in floor area.
- The proposed hospice will have a low profile, with a height of only 6.8 metres (22 ft.) to help preserve views from the surrounding area.
- The "V" shaped building is orientated on the site to provide all of the 20 patient rooms a view of the Fleetwood slopes and the mountains to the north, or the riparian area and proposed gardens to the south.
- All rooms face outward for maximum daylight and have access to the outdoors through a set of double doors.
- The covered entry directs visitors to the middle of the building, where the central nurse's station is located. Off the central core is access to the patient rooms, dining and support services.
- Considering the rural farming history and context of the site, the theme for the exterior is "Surrey Rural", with an emphasis on durability and low maintenance. Cladding materials for the exterior include a mixture of standing seam metal roofing and siding, horizontal cementitious cladding and composite wood panels.
- The building will be designed to LEED Gold standards. Sustainability aspects include high energy performance, increased envelope insulation and tightness, low VOC materials and finishes, low flow fixtures and low energy lighting.
- Further design details including proposed colours will be refined following the ALC review process for the proposed non-farm uses.
- The proposed hospice will be set back approximately 10 metres (33 ft.) from the north and south property lines, exceeding the minimum 7.5-metre (25 ft.) setback in the proposed CD Zone.
- The building is generously set back from 168 Street, far exceeding the minimum 7.5-metre (25 ft.) front yard setback of typical care facility zoning.

• The rear building face will be set back 6 metres (20 ft.) from the rear lot line. The rear setback is appropriate as the rear of the building interfaces with a riparian area, which the applicant will ultimately convey to the City.

## Parking and Circulation

- A total of 46 parking spaces are proposed, which includes four disabled spaces, 12 small car spaces and 30 standard sized spaces. Under a care facility use, a minimum of eight parking spaces are required for the proposed hospice (0.4 parking space per sleeping unit).
- Vehicular access will be from 168 Street. A vehicle turn-around to accommodate "Handy DART" shared ride service has also been provided at the entrance to the centre.
- The future Coast Meridian Greenway is proposed along the west side of 168 Street. In addition to 1.4 metres (4.6 ft.) of road dedication, the applicant will provide a 2.7-metre (9 ft.) wide statutory right-of-way, for the future greenway.

### **Landscaping**

- Farmed-themed row plantings consisting of various shrubs and grasses are proposed in the southwest corner of the site, and will be accessible to patients.
- A dry creek bed is proposed on the north side of the building, surrounded with shrubs, sod and trees.
- A pathway will connect the proposed north and south gardens.
- The site slopes upward from 168 Street. To address to the slope, terraced plantings are proposed within the front yard area of the site.

# <u>TREES</u>

• Austin Peterson, ISA Certified Arborist of van der Zalm and Associates, prepared an Arborist Assessment for proposed Lot 1. No trees will be removed from proposed Lot 2, and no development is proposed for proposed Lot 2. Therefore, an arborist assessment was not submitted for proposed Lot 2. The following table provides a summary of the tree retention and removal by tree species for proposed Lot 1:

| Tree Species  | Existing | Remove | Retain |
|---|----------|--------|--------|
| Alder and Cottonwood Trees                          |          |        |        |
| Alder   | 1        | 1      | 0      |
| Cottonwood  | 1        | 1      | 0      |
| <b>Total</b> (excluding Alder and Cottonwood Trees) | 0        | 0      | 0      |

| <b>Total Replacement Trees Proposed</b><br>(excluding Boulevard Street Trees) | 2  |
|---|----|
| Total Retained and Replacement<br>Trees                                       | 2  |
| Contribution to the Green City Fund   | NA |

- The Arborist Assessment states that there are two (2) existing trees on proposed Lot 1, one (1) is an Alder tree and one (1) is a Cottonwood tree. Both trees are in poor condition and cannot be retained as part of this development proposal.
- The trees within the riparian area will be retained, except where removal is required due to hazardous conditions. This will be determined at a later time, in consultation with the Parks, Recreation and Culture Department.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 1 to 1 replacement ratio for Alder and Cottonwood trees. This will require a total of two (2) replacement trees on the site. The applicant is proposing a number of replacement trees as part of the landscape plan for the hospice far exceeding the City's replacement requirements.

#### **PRE-NOTIFICATION**

Pre-notification letters were mailed on September 13, 2016 and staff received three responses as summarized below (staff comments in italics).

• One respondent inquired who will operate the hospice and what type of services will be provided.

(Fraser Health will operate the hospice. The facility will provide end of life care for 20 patients.)

• One respondent strongly opposed the proposed hospice, and did not provide any additional details or information.

(Staff have noted the respondent's comment.)

• The Cloverdale Community Association (CCA) supports the proposal, contingent upon the hospice being donated (CCA response attached as Appendix VIII).

(The proposed hospice will be donated to the Surrey Hospital and Outpatient Centre Foundation and operated by Fraser Health.)

#### **BY-LAW VARIANCE AND JUSTIFICATION**

- (a) Requested Variance:
  - To vary the Zoning By-law to reduce the minimum streamside setback for a Class A watercourse from 30 metres (98 ft.) to 24 metres (79 ft.) and 9 metres (30 ft.) for portions of proposed Lot 1.

Applicant's Reasons:

- The requested variances will allow for the retention of an historic silo, and for an outdoor patio space at the rear of the proposed hospice, adjacent the riparian area.
- The silo was likely built in 1968. It is metal with a steel frame anchored in a concrete footing pad. A recent informal inspection showed that it is in good condition and can be expected to last many more years, since it is idle and not subject to wear and tear.
- The silo is a record of the farming history on the site, and is the only visible evidence of farming on the site. The applicant wishes to retain it as a feature in the landscape of the proposed hospice to highlight the farming and rural history of the site. The proposed hospice will incorporate an agricultural theme in the landscaping plan, and will include a large photo mural inside the proposed hospice showing the silo as it was in its earlier days.
- The applicant has a personal attachment to the silo because it was always part of their back yard.
- The proposed patio at the rear of the building will benefit from being adjacent the riparian area.

Staff Comments:

- The applicant submitted a Riparian Area Regulation (RAR) Report by Phoenix Environmental Services Ltd. that confirmed the proposed encroachments into the riparian area are acceptable, and comply with RAR. The RAR report was peer reviewed by Envirowest Consultants Inc. and accepted by a qualified environmental professional.
- The ecosystem impact mitigation plan submitted by Phoenix Environmental Services Ltd. confirmed the presence of a barn owl in the silo. Barn owls are identified as a species of concern under the federal <u>Species at Risk Act</u>.
- No new development is proposed within the riparian area, except for the proposed patio space.
- The location of the proposed rear patio is an acceptable interface with the adjacent riparian area and is located within a disturbed portion of the riparian area, and is not detrimental to the riparian habitat.

- The applicant ultimately intends to convey the riparian area to the City upon redevelopment of proposed Lot 2. Although such redevelopment would require rezoning and ALC approval.
- Staff support the requested variance.

#### SUSTAINABLE DEVELOPMENT CHECKLIST

The applicant prepared and submitted a sustainable development checklist for the subject site. The table below summarizes the applicable development features of the proposal based on the seven (7) criteria listed in the Surrey Sustainable Development Checklist.

| Sustainability                                       | Sustainable Development Features Summary  |
|--|---|
| Criteria   |   |
| 1. Site Context &                                    | • The site is in close proximity to the Czorny Alzheimer Centre (care   |
| Location<br>(A1-A2)                                  | facility).  |
| 2. Density & Diversity<br>(B1-B7)                    | • The proposed development will provide outdoor garden and walking spaces.  |
| 3. Ecology &<br>Stewardship<br>(C1-C4)               | • Low impact development standards will be applied. A portion of the riparian area will be conveyed to the City.  |
| 4. Sustainable<br>Transport &<br>Mobility<br>(D1-D2) | • The development will provide road dedication and a statutory right-<br>of-way to facilitate the future construction of a multi-use pathway<br>along 168 Street. |
| 5. Accessibility &<br>Safety<br>(E1-E3)              | • 100% of the units are handicap accessible.  |
| 6. Green Certification<br>(F1)                       | • The building will be constructed to LEED Gold standards.  |
| 7. Education &                                       | • Pre-notification letters were mailed to area residents, a development   |
| Awareness  | proposal sign was installed on site, and a Public Hearing will be held  |
| (G1-G4)  | for the proposed rezoning.  |

#### **ADVISORY DESIGN PANEL**

The design of the proposed hospice was reviewed by staff and found to be generally acceptable. Final design details will be refined if the applicant receives approval for a non-farm use by the Agricultural Land Commission (ALC). This may include presenting the project to the Advisory Design Panel (ADP) prior to consideration of final adoption of the rezoning by-law and Development Permit issuance.

#### **INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

| Appendix I.    | Lot Owners, Action Summary and Project Data Sheets          |
|----------------|---|
| Appendix II.   | Survey Plan   |
| Appendix III.  | Proposed Subdivision Layout                                 |
| Appendix IV.   | Proposed Site Plan, Building Elevations, and Landscape Plan |
| Appendix V.    | Engineering Summary   |
| Appendix VI.   | Agriculture and Food Security Advisory Committee Minutes    |
| Appendix VII.  | Summary of Tree Survey and Tree Preservation                |
| Appendix VIII. | Cloverdale Community Association Comments                   |
| Appendix IX.   | Proposed CD By-law  |
| Appendix X.    | Development Variance Permit No. 7916-0328-00                |

original signed by Judith Robertson

Jean Lamontagne General Manager Planning and Development

JD/da

### Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

| 1. | (a) Agent: | Name:    | Malek Tawashy                                       |
|----|------------|----------|---|
|    |            |          | Lark Group  |
|    |            | Address: | 13737 - 96 Avenue, Suite 1500<br>Surrey, BC V3V 0C6 |
|    |            |          |   |

# 2. Properties involved in the Application

| (a) Civic Address: 6483 | - 168 Street |
|-------------------------|--------------|
|-------------------------|--------------|

| (b) | <b>Civic Address:</b> | 6483 - 168 Street                               |
|-----|-----------------------|---|
|     | Owners:               | Donald G. Stewart                               |
|     |                       | Wendelyn D. Chanasyk                            |
|     |                       | Suzanne J. Dahl                                 |
|     |                       | Nancy C. Pollon                                 |
|     | PID:                  | 018-363-181                                     |
|     | Lot 2 Section 13 To   | wnship 2 New Westminster District Plan LMP11399 |

#### 3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to rezone the site (withhold setting Public Hearing).
- (b) Should the applicant receive approval from the ALC for the proposed non-farm use, proceed with Public Notification for Development Variance Permit No. 7916-0328-00 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk in conjunction with the final adoption of the associated Rezoning By-law (should ALC approval be given).

# SUBDIVISION DATA SHEET

# Proposed Zoning: CD (based on A-1 and RMS-1)

| Requires Project Data                    | Proposed                              |
|--|---------------------------------------|
| GROSS SITE AREA                          | *                                     |
| Acres                                    | 9 aC.                                 |
| Hectares                                 | 3.6 ha                                |
|  |                                       |
| NUMBER OF LOTS                           |                                       |
| Existing                                 | 1                                     |
| Proposed                                 | 2                                     |
| SIZE OF LOTS                             |                                       |
| Range of lot widths (metres)             | 79 m. – 113 m.                        |
| Range of lot areas (hectare)             | 1 ha - 2.5 ha.                        |
|  |                                       |
| DENSITY                                  |                                       |
| Lots/Hectare & Lots/Acre (Gross)         | 0.55/ha and 0.22/ac.                  |
| Lots/Hectare & Lots/Acre (Net)           |                                       |
| SITE COVERAGE (in % of gross site area)  |                                       |
| Maximum Coverage of Principal &          |                                       |
| Accessory Building                       |                                       |
| Estimated Road, Lane & Driveway Coverage |                                       |
| Total Site Coverage                      |                                       |
|  |                                       |
| PARKLAND                                 |                                       |
| Area (square metres)                     | N/A                                   |
| % of Gross Site                          | · · · · · · · · · · · · · · · · · · · |
|  |                                       |
|  | Required                              |
| PARKLAND                                 |                                       |
| 5% money in lieu                         | NO                                    |
|  |                                       |
| TREE SURVEY/ASSESSMENT                   | YES                                   |
| MODEL BUILDING SCHEME                    | NO                                    |
| MODEL BOILDING SCHEME                    | NO                                    |
| HERITAGE SITE Retention                  | NO                                    |
|  |                                       |
| FRASER HEALTH Approval                   | NO                                    |
|  |                                       |
| DEV. VARIANCE PERMIT required            |                                       |
| Road Length/Standards                    | NO                                    |
| Works and Services                       | NO                                    |
| Building Retention                       | NO                                    |
| Streamside Setback                       | YES                                   |

# DEVELOPMENT DATA SHEET (Proposed Lot 1 Only)

# Proposed Zoning: CD (based on A-1 and RMS-1)

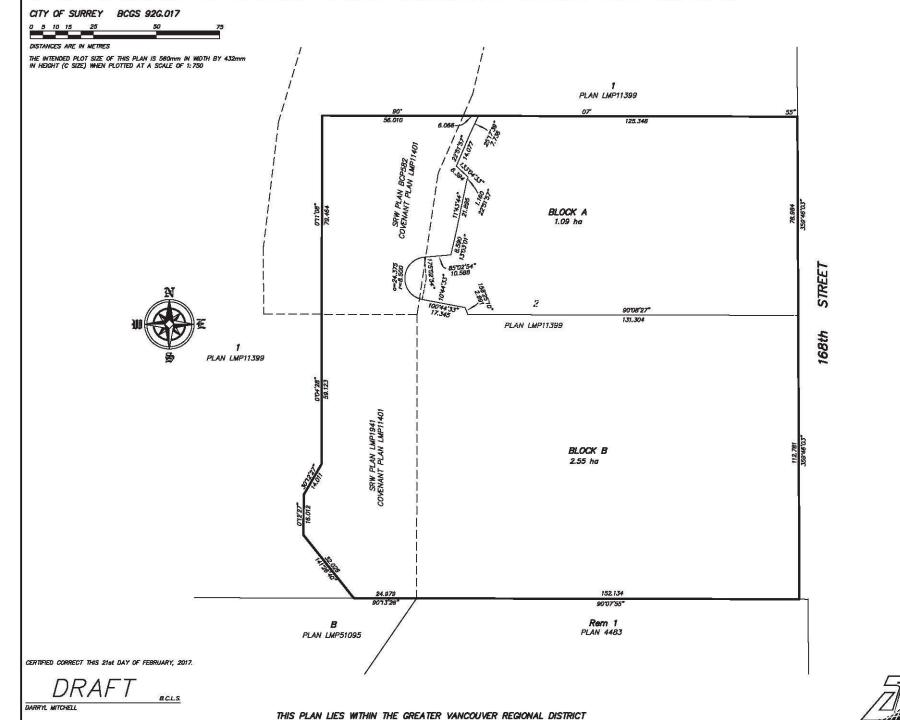
| Required Development Data           | Minimum Required /<br>Maximum Allowed | Proposed     |
|-------------------------------------|---------------------------------------|--------------|
| LOT AREA* (in square metres)        |                                       |              |
| Gross Total                         |                                       | 1.09 ha      |
| Road Widening area                  |                                       | .01 ha       |
|                                     |                                       |              |
| Net Total                           |                                       | 1.08 ha      |
| LOT COVERAGE (in % of net lot area) |                                       |              |
| Buildings & Structures              | 30%                                   | 26%          |
| Paved & Hard Surfaced Areas         |                                       | 32%          |
| Total Site Coverage                 |                                       | 53%          |
| SETBACKS ( in metres)               |                                       |              |
| Front                               | 7.5 m.                                | >7.5 m.      |
| Rear                                | 3.5 m.                                | 6.o m.       |
| Side (North)                        | 7.5 m.                                | >7.5 m.      |
| Side (South)                        | 7.5 m.                                | >7.5 m.      |
| BUILDING HEIGHT (in metres/storeys) |                                       |              |
| Principal                           | 9.5 m.                                | 6.2 m.       |
| Accessory                           | 4.5 m.                                | N/A          |
| NUMBER OF UNITS                     |                                       | N/A          |
| FLOOR AREA: Residential             |                                       | N/A          |
| FLOOR AREA: Commercial              |                                       | N/A          |
| Retail                              |                                       |              |
| Office                              |                                       |              |
| Total                               |                                       |              |
| FLOOR AREA: Industrial              |                                       | N/A          |
| FLOOR AREA: Institutional           | 5,150 sq. m.                          | 2,335 sq. m. |
| TOTAL BUILDING FLOOR AREA           | 5,150 sq. m.                          | 2,335 sq. m. |

| Required Development Data                                     | Minimum Required /<br>Maximum Allowed | Proposed |
|---|---------------------------------------|----------|
| DENSITY   |                                       |          |
| # of units/ha /# units/acre (gross)                           |                                       | N/A      |
| # of units/ha /# units/acre (net)                             |                                       | N/A      |
| FAR (gross)   | N/A                                   | 0.16     |
| FAR (net)   | 0.5                                   | 0.27     |
| AMENITY SPACE (area in square metres)                         | N/A                                   | N/A      |
| Indoor  |                                       |          |
| Outdoor   |                                       |          |
| PARKING (number of stalls)                                    |                                       |          |
| Commercial  |                                       | N/A      |
| Industrial  |                                       |          |
| Residential Bachelor + 1 Bedroom                              |                                       | N/A      |
| 2-Bed   |                                       |          |
| 3-Bed   |                                       |          |
| Residential Visitors  |                                       | N/A      |
| Institutional   | 8                                     | 46       |
| Total Number of Parking Spaces                                | 8                                     | 46       |
| Number of disabled stalls                                     | 0                                     | 4        |
| Number of small cars  | 2                                     | 12       |
| Tandem Parking Spaces: Number / % of<br>Total Number of Units | N/A                                   | N/A      |
| Size of Tandem Parking Spaces<br>width/length                 | NA                                    | NA       |

| Heritage SiteNOTree Survey/Assessment ProvidedYES |
|---|
|---|



APPENDIX II

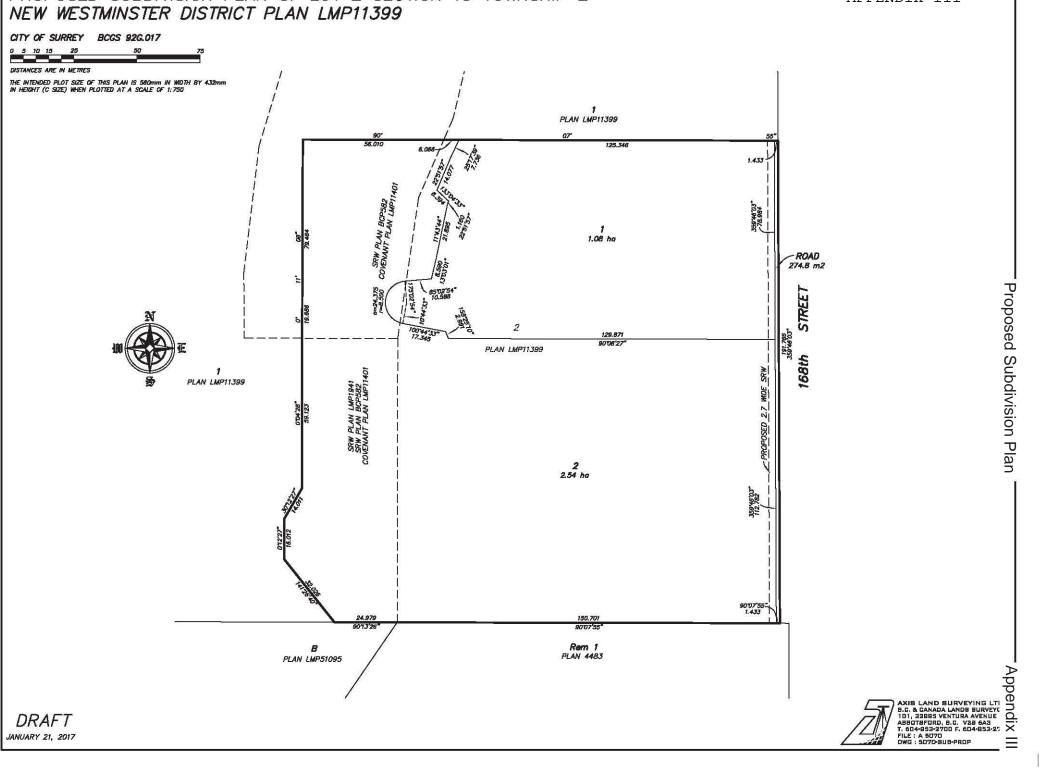


**Block Plan** 

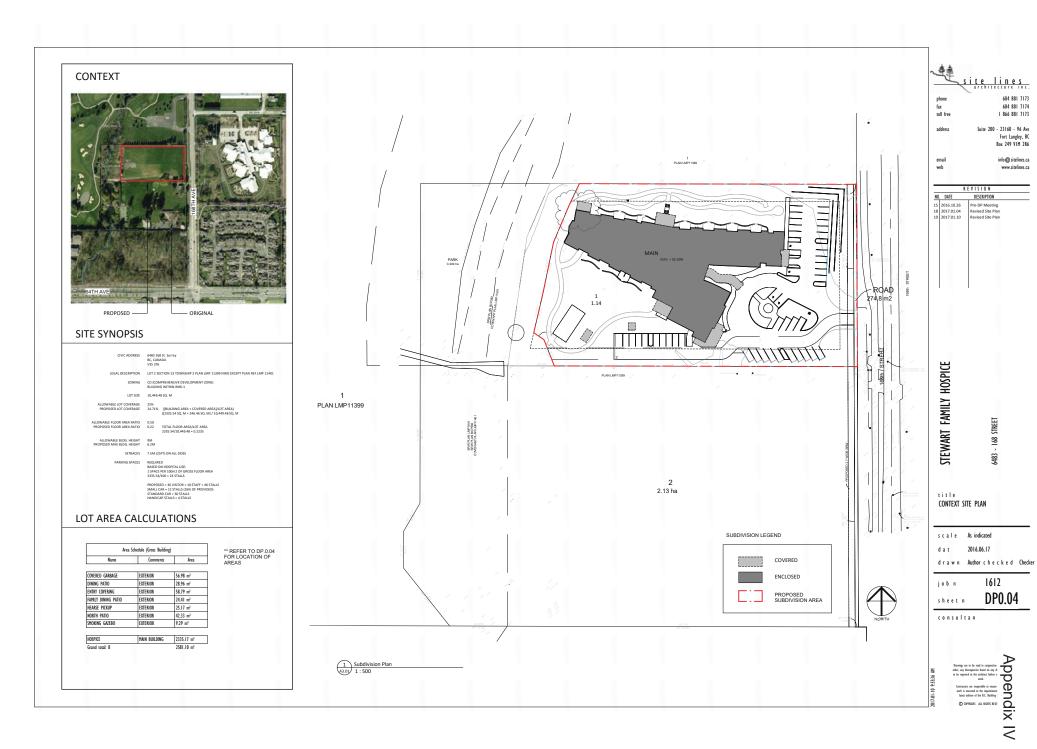
AXIS LAND SURVEYING LT BC, & CANADA LANDS SURVEY IDI, 32885 YENTURA AVENUE ABBOTFROD, BL, YAS 6A3 T, 604-853-9700 F, 604-853-97

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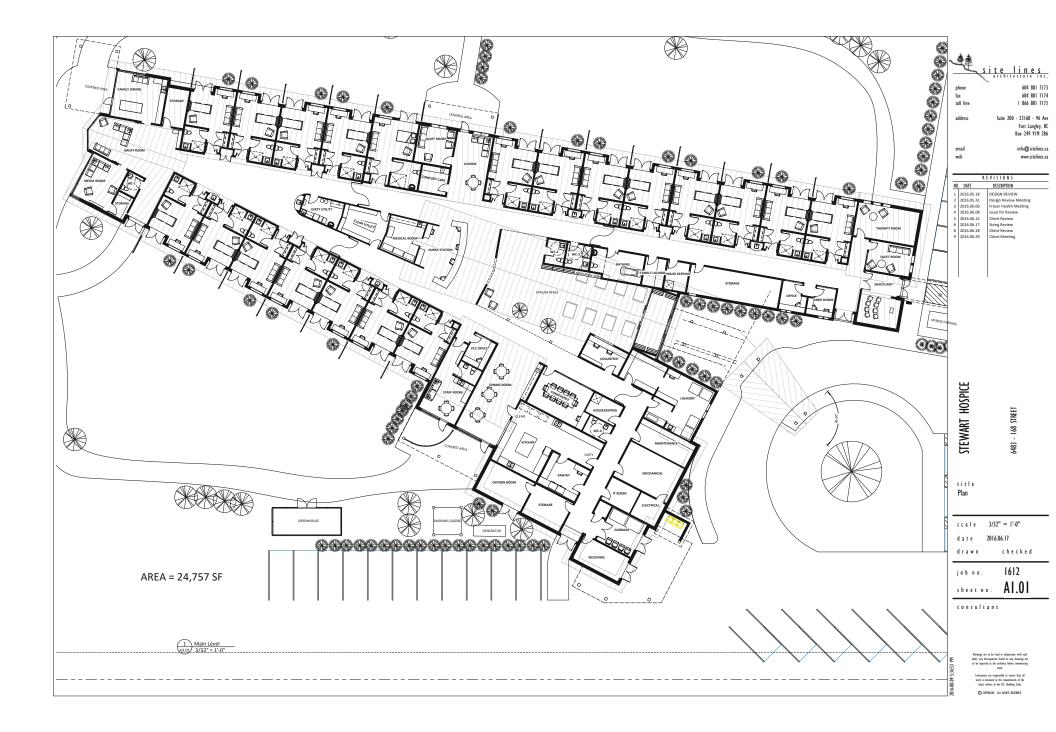
FILE : A 5070 DWG : 5070-BLOCK

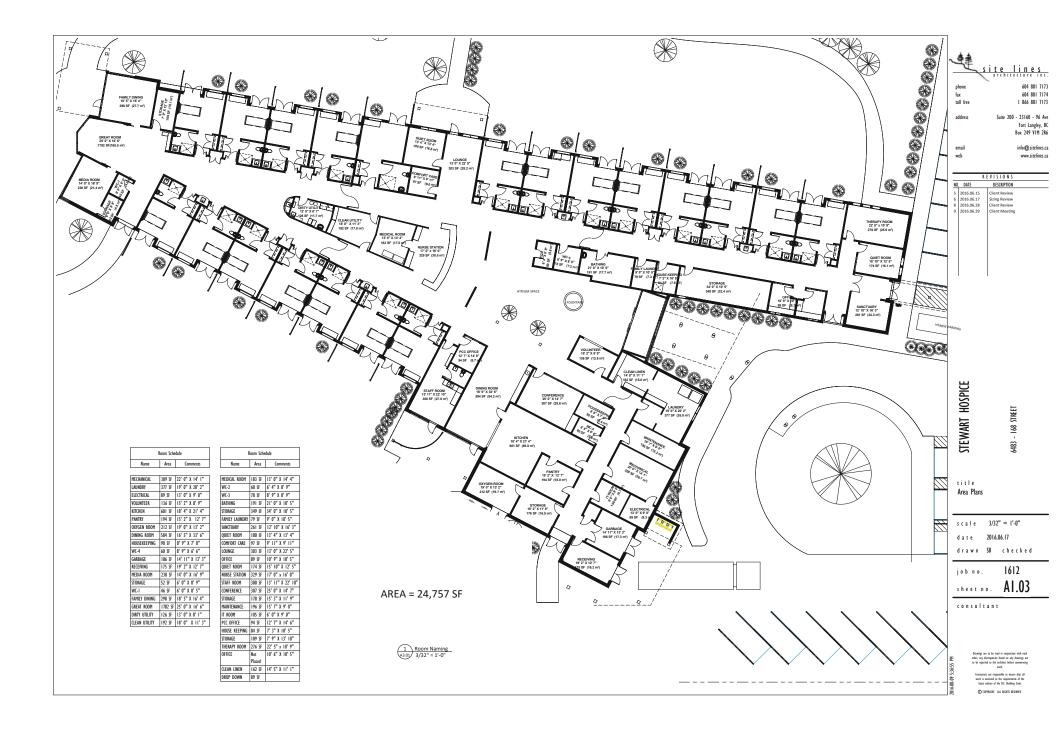


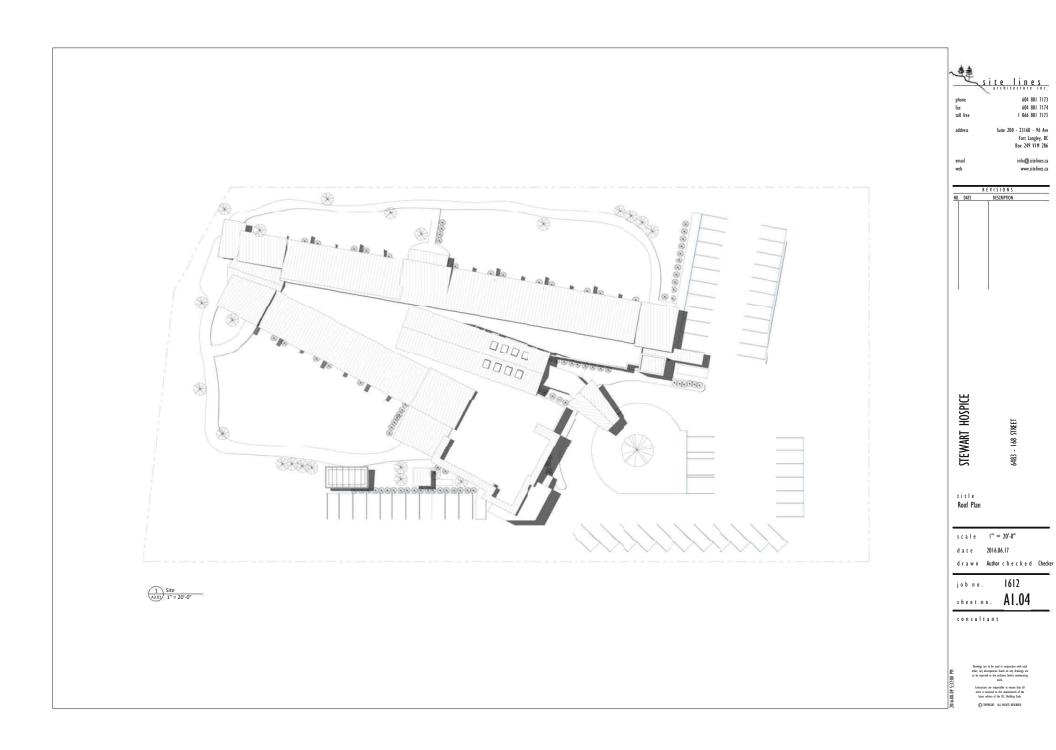
# PROPOSED SUBDIVISION PLAN OF LOT 2 SECTION 13 TOWNSHIP 2

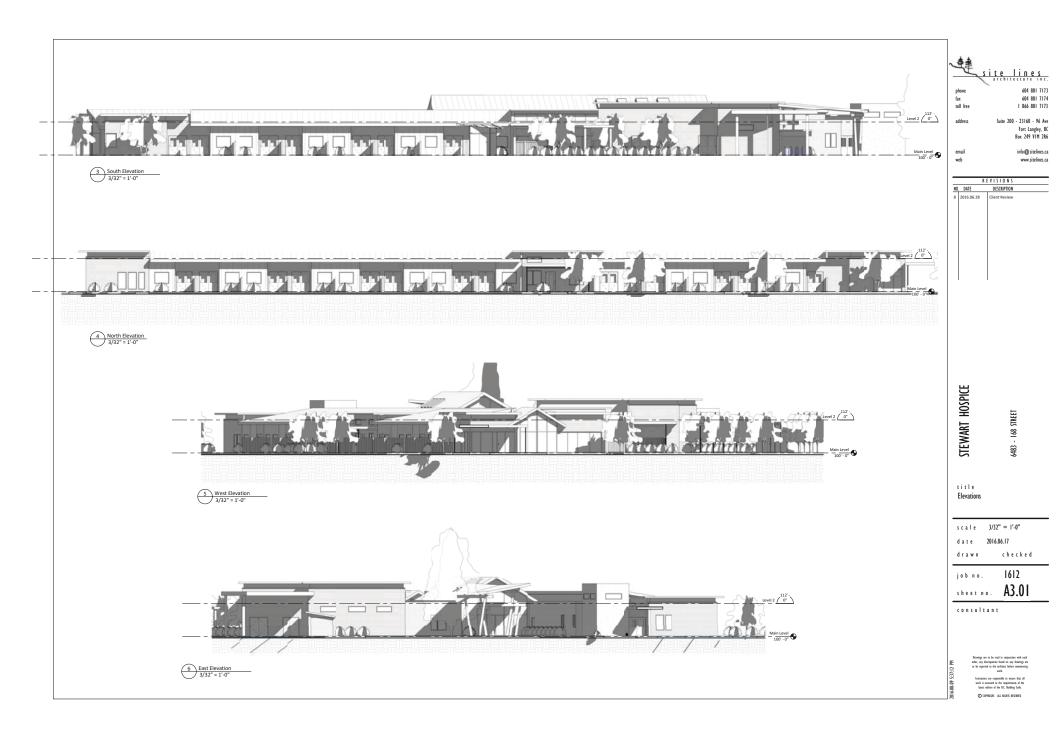


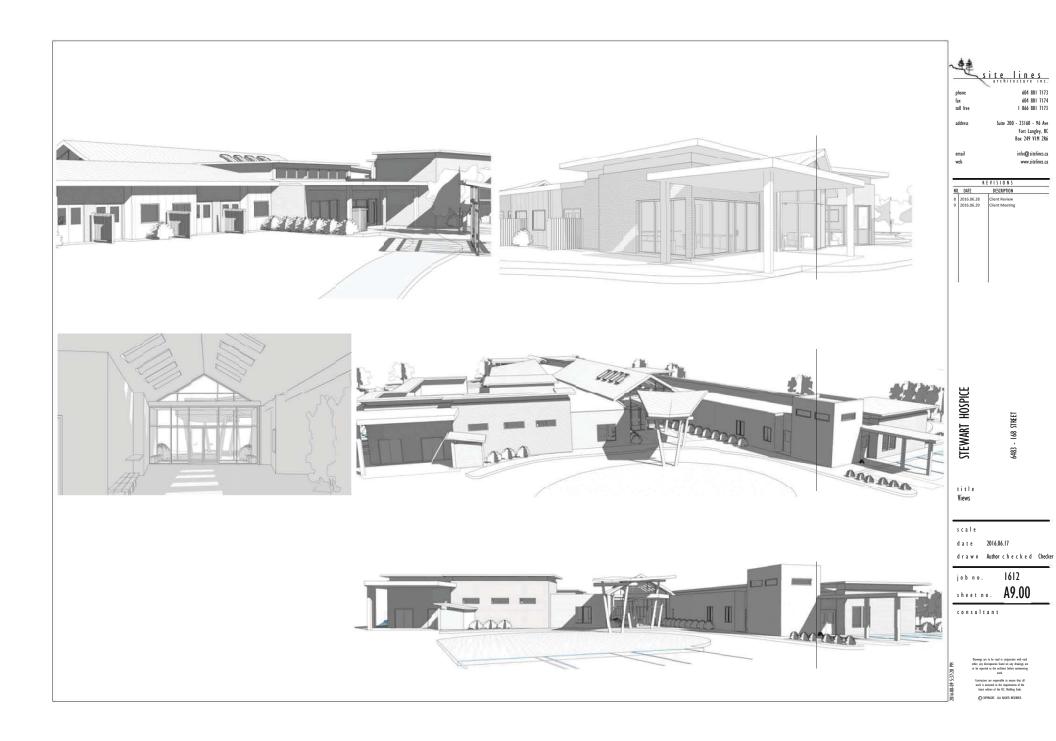


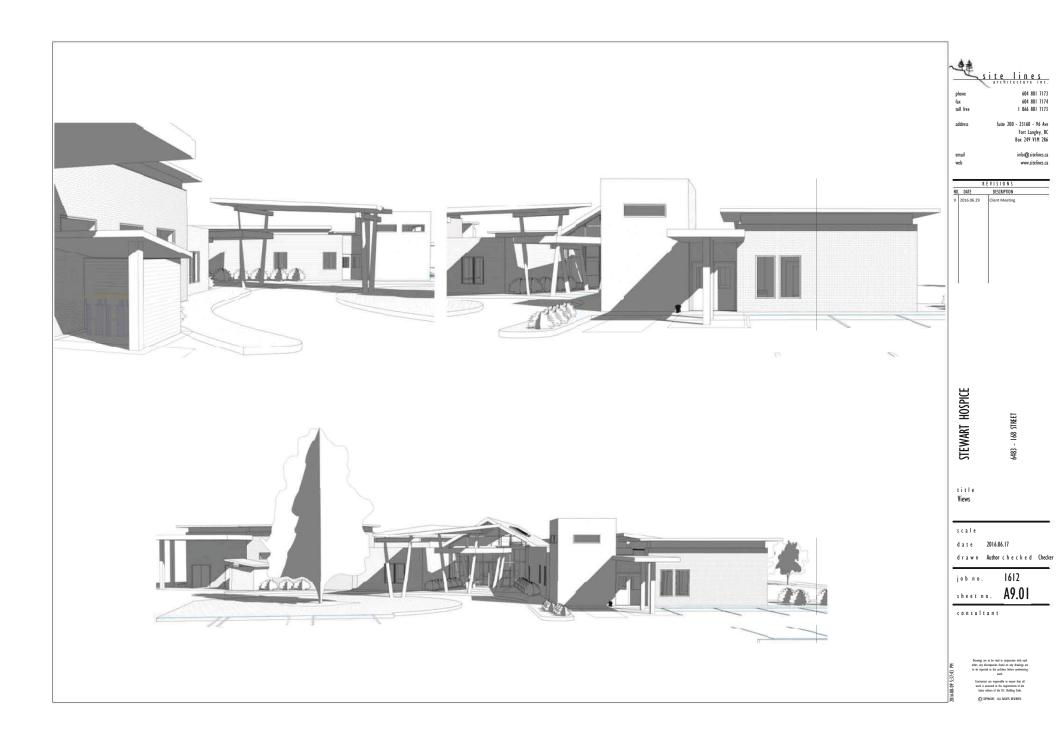


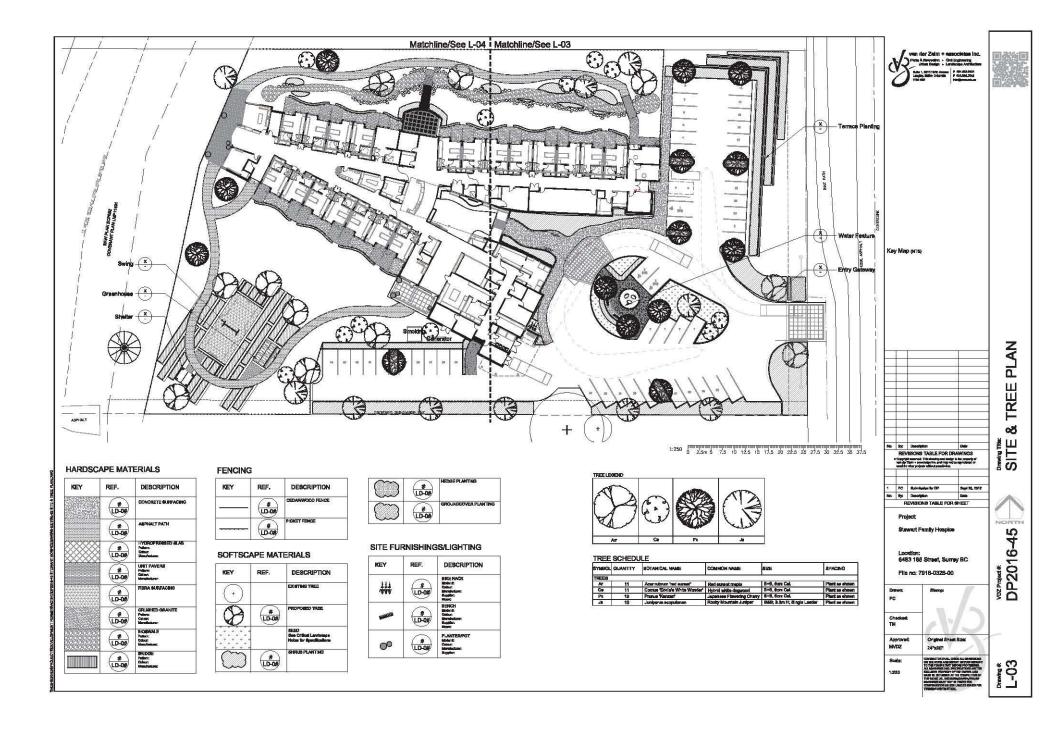












Appendix V



INTER-OFFICE MEMO

| TO:   | Manager, Area Planning &<br>- North Surrey Division<br>Planning and Developmen |                         |              |  |
|-------|--|-------------------------|--------------|--|
| FROM: | Development Services Manager, Engineering Department                           |                         |              |  |
| DATE: | February 28, 2017  | PROJECT FILE:           | 7816-0328-00 |  |
| RE:   | Engineering Requirements<br>Location: 6483 168 Street                          | s (Commercial/Industria | d)           |  |

#### ALR NON-FARM USE APPLICATION

There are no engineering requirements relative to the ALR Non-Farm Use Application.

#### **REZONE/SUBDIVISION**

#### Property and Right-of-Way Requirements

- Dedicate varying widths from 1.39 metres at the north end of the development to 1.43 metres at the south end of the development along 168 Street for the ultimate 30.0 metre Arterial Road Standard.
- Provide a 2.7 metre Statutory Right-of-Way along the development frontage for a multi-use pathway.

#### Works and Services

- Construct a 4.0 multi-use pathway along the development frontage.
- Construct a 7.3 metre concrete driveway letdown to service proposed Lot 1.
- Construct on-site stormwater mitigation features per the Cloverdale-McLellan Creek ISMP.
- A Restrictive Covenant Statutory Right-of-Way combo document must be registered over the riparian area, which will be part of Lot 2. The existing tennis court will remain in the riparian area under the current application with the terms of the RC/SRW modified for the owner to maintain. As part of any future development application on Lot 2, the riparian area must be dedicated to the City.
- Construct sanitary mains and a service connection to each lot to service the development, subject to Metro Vancouver approval for inclusion in the Metro Fraser Containment Area and the Metro Fraser Sewer Area
- Provide water and storm service connections to each lot.

A Servicing Agreement is required prior to Rezone/Subdivision.

#### DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT

The above engineering requirements are to be addressed prior to issuance of the Development Permit and Development Variance Permit.

and

Rémi Dubé, P.Eng. Development Services Manager CE4

NOTE: Detailed Land Development Engineering Review available on file

## 2. Development Application 7916-0328-00 Jeff Denny, Planner File: 7916-0328-00; 6880-75

The following comments were made:

- The subject property is 3.6 hectares (9 acres) in size and is located within the Agricultural Land Reserve (ALR), is designated Agricultural in the Official Community Plan (OCP), and is zoned Comprehensive Development Zone (CD).
- The applicant is proposing to subdivide the site into two lots, construct a 20-bed hospice (care facility) on the north lot, and keep the existing house on the south lot. The proposed hospice will be 2,280 square metres (24,550 square feet) in area and will be donated to Fraser Health. There are no plans to extend the hospice facility. The site is not currently used for agricultural purposes.
- Staff clarified the Government will fund the facility and a third party organization will operate it.

The Committee noted they were not generally supportive of projects that reduce Agricultural lands within the City of Surrey and requested that staff implement a clause that if the parcel ceases to act as a hospice facility the zone will revert to A-1.



# Tree Preservation Summary

Surrey Project No: 7916-0328-00

Address: 6483 – 168 St.

Registered Arborist: Austin Peterson PN 1570A

| On-Site Trees   | Number of Trees |
|---|-----------------|
| Protected Trees Identified  | 2               |
| (on-site and shared trees, including trees within boulevards and proposed streets<br>and lanes, but excluding trees in proposed open space or riparian areas) |                 |
| Protected Trees to be Removed   | 2               |
| Protected Trees to be Retained  | 0               |
| (excluding trees within proposed open space or riparian areas)  |                 |
| Total Replacement Trees Required:   | 2               |
| Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio   |                 |
| <u>2</u> X one $(1) = 2$  |                 |
| All other Trees Requiring 2 to 1 Replacement Ratio  |                 |
| X two (2) =   |                 |
| Replacement Trees Proposed  | 2               |
| Replacement Trees in Deficit  | 0               |
| Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]  | -               |
| Off-Site Trees  | Number of Trees |
| Protected Off-Site Trees to be Removed  | 0               |
| Total Replacement Trees Required:   |                 |
| Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio<br>X one (1) = 0  |                 |
| All other Trees Requiring 2 to 1 Replacement Ratio  |                 |
| X  one  (2) = 0   |                 |
| Replacement Trees Proposed  |                 |
| Replacement Trees in Deficit  |                 |
| Summary, report and plan propared and submitted by: Austin Deterson DN 15704  |                 |

Summary, report and plan prepared and submitted by: Austin Peterson PN 1570A

(Signature of Arborist)

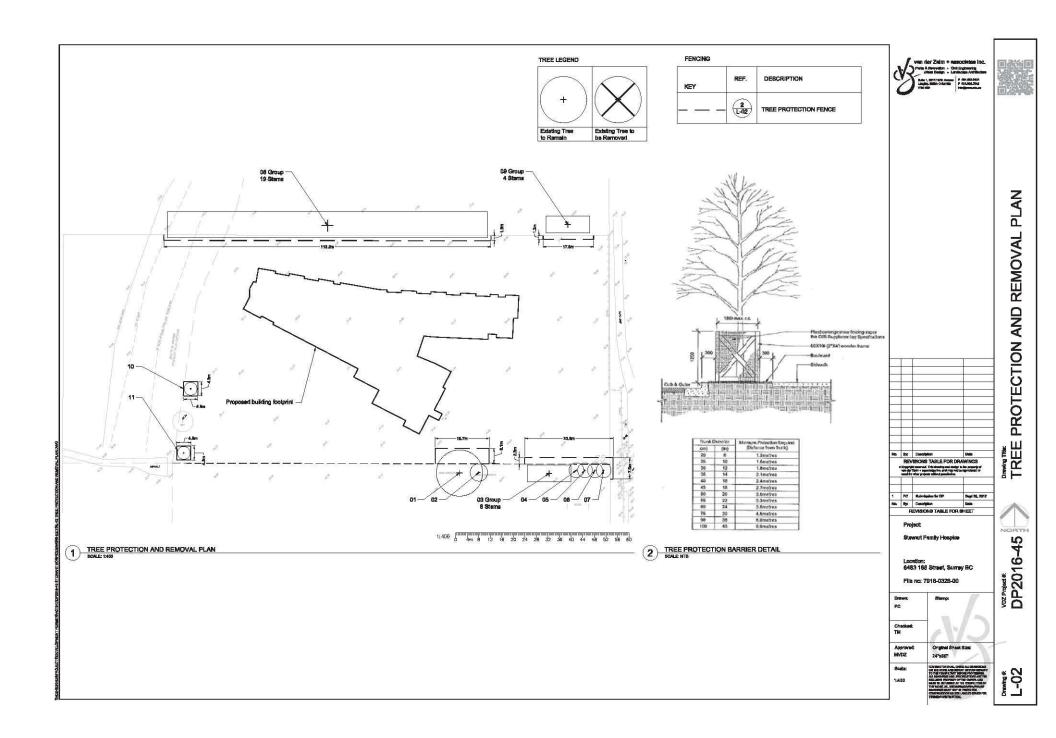
Date: October 21, 2016

# LANDSCAPE ARCHITECTURE

URBAN DESIGN

PARKS &

RECREATION





# Cloverdale Community Association

Website: www.cloverdalecommunity.org

October 18, 2016

Jeff Denney City of Surrey Planning and Development Department 13450-104 Avenue Surrey BC V3T 1V8

#### Re: 7916-0106-00 / 17555 and 17568 57A Avenue

Dear Mr. Denney;

The Cloverdale Community Association (CCA) has received the preliminary notice for the above noted development file.

As per our email communication, you advised that the applicant is proposing to donate the entire site including the land to the Fraser Health. Assuming that this proposal does not change, we support this proposal as long as the land is not used for any other purpose.

Please keep us updated with any changes which may occur after this letter has been received by you.

We trust the above information is satisfactory and as always, we expect our comments to be added in the planning report and project file for council to review.

Thank you.

Sincerely,

Mike Bola President Cloverdale Community Association 604-318-0381

Cc: Board of Directors

#### CITY OF SURREY

# BYLAW NO.

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended

# THE CITY COUNCIL of the City of Surrey ENACTS AS FOLLOWS:

- 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 by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:
  - FROM: COMPREHENSIVE DEVELOPMENT ZONE (CD) (BY-LAW NO. 12234) (SURREY ZONING BY-LAW, 1993, NO. 12000, AMENDMENT BY-LAW, 1993, NO. 12234)
  - TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 018-363-181 Lot 2 Section 13 Township 2 New Westminster District Plan LMP11399

6483 - 168 Street

(hereinafter referred to as the "Lands")

2. The following regulations shall apply to the *Lands*:

#### A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of a *care facility* within a rural context, which may be subject to the <u>Community Care and Assisted Living Act</u>, S.B.C., 2002, c.75, as amended, and to accommodate *agricultural* and *horticultural* uses, and activities designated as farm use in accordance with the <u>Agricultural Land Commission Act</u>/ Regulations/ Orders.

The *Lands* are divided into Blocks A and B as shown on the Survey Plan attached hereto and forming part of this Bylaw as Schedule A, certified correct by Darryl Mitchell B.C.L.S. on the 21st day of February 2017.

#### B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

- 1. <u>Block A</u>
  - (a) *Care facility;* and
  - (b) *Agriculture, horticulture,* and all activities designated as farm use in accordance with the <u>Agricultural Land Commission Act</u>/ Regulations/ Orders.
- 2. <u>Block B</u>
  - (a) Agriculture, horticulture, and all activities designated as farm use in accordance with the <u>Agricultural Land Commission Act</u>/ Regulations/ Orders;
  - (b) One *single family dwelling* provided that the maximum floor area of this dwelling shall not exceed 700 square metres [7,500 sq.ft.] and which may contain 1 *secondary suite*;
  - (c) One additional *single family dwelling* provided that the maximum floor area of this additional *single family dwelling* shall not exceed 232 square metres [2,500 sq. ft.] and shall not contain a *secondary suite*; and
  - (d) *Accessory uses* limited to the following:
    - i. *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended; and
    - The keeping of *boarders* or *lodgers* in accordance with Section
      B.2, Part 4 General Provisions of Surrey Zoning By-law, 1993,
      No. 12000, as amended.

# C. Lot Area

Not applicable to this Zone.

# D. Density

- 1. <u>Block A:</u> The *floor area ratio* shall not exceed 0.50.
- 2. <u>Block B:</u> Not applicable to this Block.

#### E. Lot Coverage

- 1. <u>Block A</u>: The *lot coverage* shall not exceed 30%.
- 2. <u>Block B</u>: Not applicable to this Block.

#### F. Yards and Setbacks

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

| Setback   | Front<br>Yard       | Rear<br>Yard         | Side<br>Yard        |
|---|---------------------|----------------------|---------------------|
| Use   |                     |                      |                     |
| Care Facility   | 7.5 m<br>[25 ft.]   | 6.0 m<br>[20 ft.]    | 7.5 m<br>[25 ft.]   |
| Single Family Dwellings,<br>and Accessory Buildings and<br>Structures                         | 7.5 m<br>[25 ft.]   | 12.0 m.<br>[40 ft.]  | 6.0 m<br>[20 ft.]   |
| <i>Buildings</i> for Uses Permitted Under<br>Sub-sections B.1(b) and B.2(a)** of<br>this Zone | 30.0 m<br>[100 ft.] | 15.0 m *<br>[50 ft.] | 15.0 m*<br>[50 ft.] |

Measurements to be determined as per Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

- \* If the *side yard* or *rear yard* abut a *Residential lot*, any exhaust fans or machinery used in the said *building* shall be located at least 24 metres [80 ft.] from any *lot line* and shall emit a noise level no greater than 60 dB at the perimeter of any *lot line*.
- \*\* The minimum *rear* and *side yard setbacks* for a silo located within Block A is 5.0 metres [16.4 ft.].

# G. Height of Buildings

Measurements to be determined as per Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended:

- 1. <u>Block A</u>
  - (a) *Care facility*: The *building height* shall not exceed 9 metres [30 ft.];
  - (b) <u>Accessory buildings and structures</u>: The building height shall not exceed 4.5 metres [15 ft.]; and
  - (c) <u>Buildings and structures for uses permitted in Sub-section B.1(b) of this</u> <u>Zone</u>: The building height shall not exceed 12 metres [40 ft.].

- 2. <u>Block B</u>
  - (a) <u>Single family dwellings</u>: The building height shall not exceed 9 metres [30 ft.];
  - (b) <u>Accessory buildings and structures</u>: The building height shall not exceed 4.5 metres [15 ft.]; and
  - (c) <u>Buildings and structures for uses permitted in Sub-section B.2(a) of this</u> <u>Zone</u>: The building height shall not exceed 12 metres [40 ft.].

#### H. Off-Street Parking

- 1. For uses permitted in Sub-sections B.1(b) and B.2 of this Zone:
  - (a) Refer to Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended;
  - (b) Where *boarders* or *lodgers* or *bed and breakfast* users are accommodated, the following shall be provided:
    - i. Where 3 patrons or less are accommodated, 1 *parking space* shall be provided; and
    - ii. Where more than 3 patrons are accommodated, 2 *parking spaces* shall be provided.
  - (c) Vehicles over 5,000 kilograms [11,023 lbs.] *G.V.W.* and associated trailers, ancillary to the permitted non-residential uses on the *lot* may be parked on the *lot* provided that:
    - i. The *vehicles* and associated trailers are owned or operated by the owner or occupant of the *lot*; and
    - ii. The *vehicles* and associated trailers shall not be parked within the required *building setbacks*.
  - (d) *Vehicles* over 5,000 kilograms [11,023 lbs.] *G.V.W.* and associated trailers, except those referred to in Sub-section H.1(c), may be parked on a *lot* provided that:
    - i. There is a *farm operation* on the *lot*;
    - ii. The *vehicles* and associated trailers are owned or operated by the owner or occupant of the *lot*;
    - iii. The *vehicles* and associated trailers shall not be parked within the required *building setbacks*; and

- iv. There is a maximum of 2 *vehicles* and 2 associated trailers.
- 2. For the use permitted in Sub-section B.1(a) of this Zone, refer to Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.

# I. Landscaping

- 1. For the use permitted in Sub-section B.1(a) of this Zone:
  - (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 sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width shall be provided within the *lot*;
  - (c) The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*; and
  - (d) Garbage containers and *passive recycling containers* shall be screened to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.
- 2. Not applicable for uses permitted in Sub-sections B.1(b) and B.2 of this Zone.

# J. Special Regulations

- 1. A secondary suite shall:
  - (a) Not exceed 90 square metres [968 sq.ft.] in floor area; and
  - (b) Occupy less than 40% of the habitable floor area of the *building*.

# K. Subdivision

*Lots* created through subdivision in this Zone shall conform to the following minimum standards:

| Lot Size     | Lot Width | Lot Width Lot Depth |  |  |
|--------------|-----------|---------------------|--|--|
| 9,500 sq. m. | 75 metres | 100 metres          |  |  |
| [2.3 acres]  | [246 ft.] | [328 ft.]           |  |  |

Dimensions shall be measured in accordance with Section E.21 of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.

#### L. Other Regulations

In addition to all statutes, bylaws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in Surrey Zoning By-law, 1993, No. 12000, as amended, the provisions in this Comprehensive Development Zone shall take precedence:

- 1. Definitions are as set out in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 2. General provisions are as set out in Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 3. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 4. Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
- 5. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 6. *Building* permits shall be subject to the Surrey Building Bylaw, 2012, No. 17850, as amended.
- 7. Tree regulations are set out in Surrey Tree Protection Bylaw, 2006, No. 16100, as amended.
- 8. Unless prohibited or further regulated in this Zone, By-law, or other By-laws, activities and *uses* on lands located in the *Agricultural Land Reserve* shall be in accordance with the <u>Agricultural Land Commission Act</u>/ Regulations/ Orders, where applicable.
- 9. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the RMS-1 Zone for Block A and the A-1 Zone for Block B as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.

- Building permits shall be subject to Surrey Development Cost Charge
  Bylaw, 2016, No. 18664, as may be amended or replaced from time to time, and the development cost charges shall be based on the RMS-1 Zone for
  Block A and the A-1 Zone for Block B.
- 11. *Kennels-Commercial* and *Kennels-Hobby* shall be subject to the "Surrey Kennel Regulation By-law".
- 12. Noise is regulated by the "Surrey Noise Control By-law".
- 13. Land used for an *agricultural* use are classified as farms under the <u>B.C.</u> <u>Assessment Act</u>, R.S.B.C. 1996.
- 14. Development permits may be required in accordance with the Surrey *Official Community Plan* By-law, 2013, No. 18020, as amended.
- 15. Provincial licensing of *care facilities* is regulated by the <u>Community Care</u> <u>and Assisted Living Act</u>, S.B.C., 2002, c.75, as amended.
- 3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, , No. ."

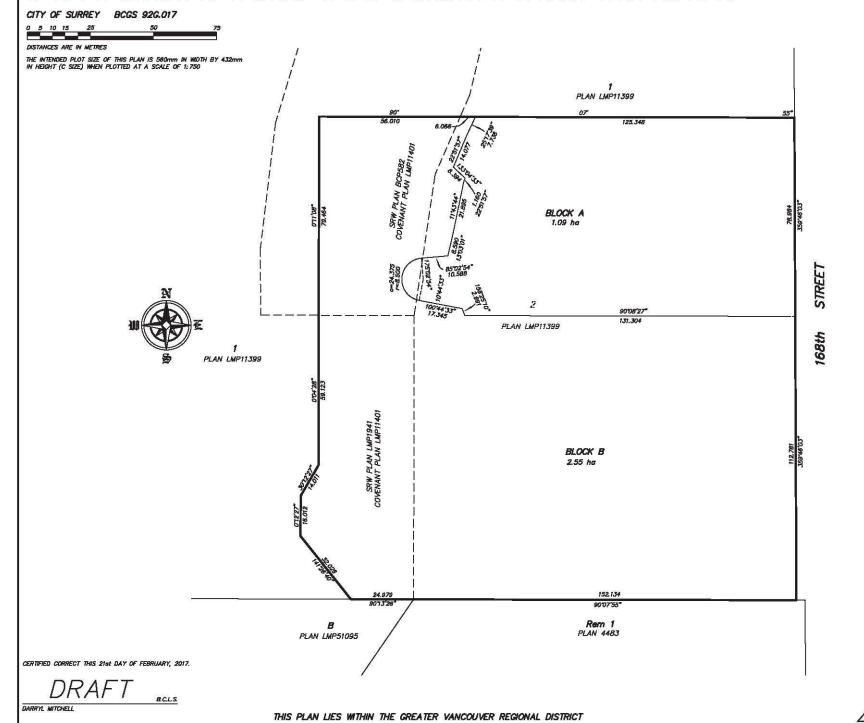
| PASSED FIRST READING on the        | th day of             | ,20.          |                      |
|------------------------------------|-----------------------|---------------|----------------------|
| PASSED SECOND READING on the       | th day of             | ,20.          |                      |
| PUBLIC HEARING HELD thereon on the | e th day of           |               | ,20.                 |
| PASSED THIRD READING on the        | th day of             | ,20.          |                      |
| RECONSIDERED AND FINALLY ADOP'     | TED, signed by the Ma | yor and Clerl | k, and sealed with t |

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

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

# SURVEY PLAN TO ACCOMPANY CITY OF SURREY REZONING BYLAW NO. \_\_\_\_\_ OF LOT 2 SECTION 13 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN LMP11399



AXIS LAND SURVEYING LTD. 8.C. & GANADA LANDS SURVEYORS 101, 3285 VENTRA AVENUE ABBOTSFORD, B.C. V25 6A3 T. 604-853-2700 FILE: A 5070 DWG: 5070-BLOCK

#### CITY OF SURREY

# (the "City")

# **DEVELOPMENT VARIANCE PERMIT**

NO.: 7916-0328-00

| Issued To:        | NANCY C POLLON                                       |
|-------------------|--|
| Address of Owner: | 7516 - 192 Street<br>Surrey, BC V4N 6B2              |
| Issued To:        | SUZANNE J DAHL                                       |
| Address of Owner: | 20681 - 67 Avenue<br>Langley, BC V2Y 1X7             |
| Issued To:        | WENDELYN D CHANASYK                                  |
| Address of Owner: | Silver Birch Lane<br>GD 245<br>Pritchard, BC VoE 2Po |
| Issued To:        | DONALD G STEWART                                     |
| Address of Owner: | PO Box 34042 RPO Cloversquare<br>Surrey, BC V3S 8C4  |
|                   | (collectively referred to as the "Owner")            |

- 1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
- 2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 018-363-181 Lot 2 Section 13 Township 2 New Westminster District Plan LMP11399

6483 - 168 Street

(the "Land")

Parcel Identifier:

- (b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:
- 4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In the table in Section B.1 of Part 7A "Streamside Protection", the minimum distance from top of bank for a "Natural Class A Stream" is reduced from 30 metres (98 ft.) to 24 metres (79 ft.) and 9 metres (30 ft.) for portions of the rear lot line of proposed Lot 1.
- 5. This development variance permit applies to only the <u>portion of the Land</u> shown on Schedule A which is attached hereto and forms part of this development variance permit.
- 6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
- 7. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
- 8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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

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

Mayor – Linda Hepner

City Clerk – Jane Sullivan

