

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0296-00

Planning Report Date: September 14, 2009

PROPOSAL:

- **Rezoning** by CD By-law Amendment from A-1 and RC to CD (By-law No. 16497A, as amended by By-law No. 16975)

in order to provide consistent zoning on recently approved cluster residential Lots 36 and 62.

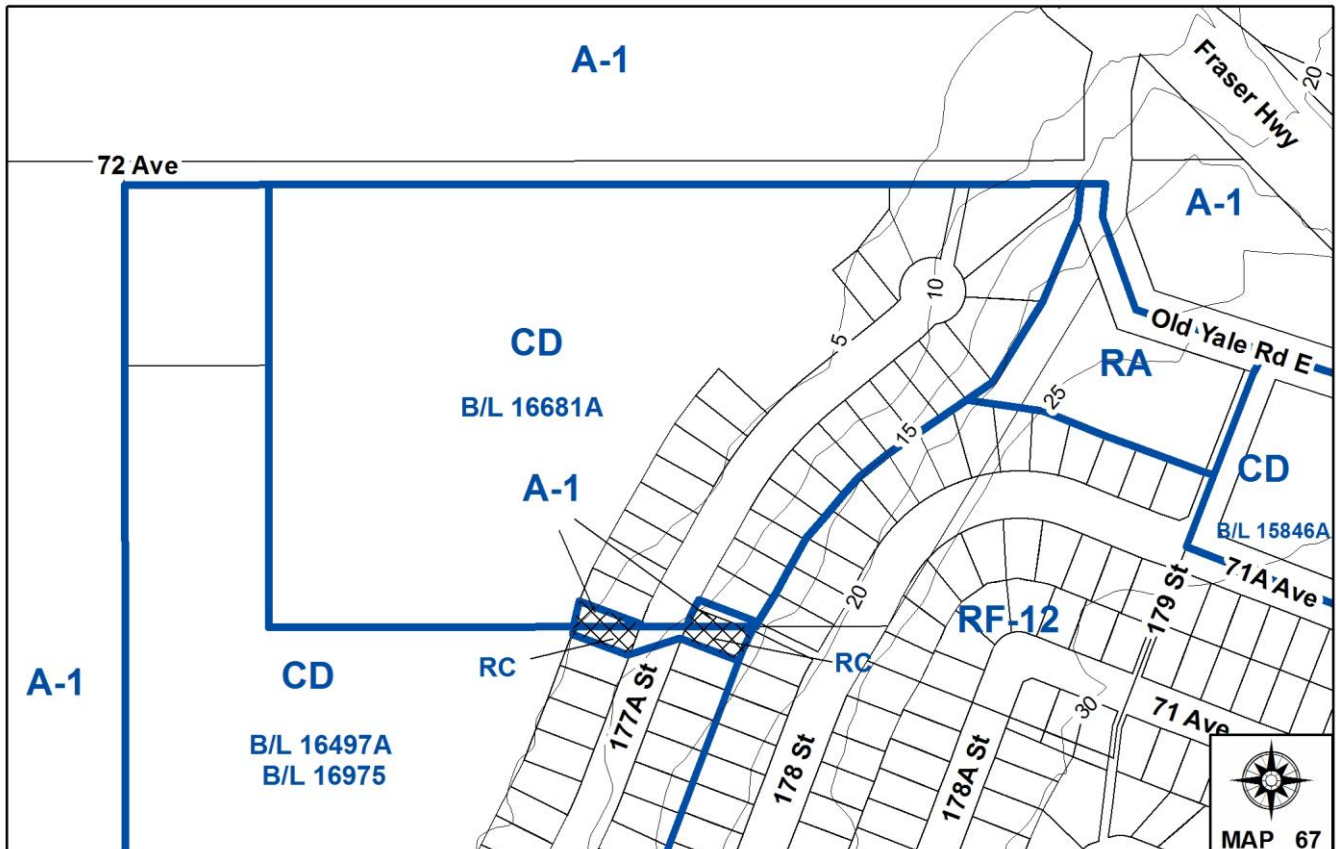
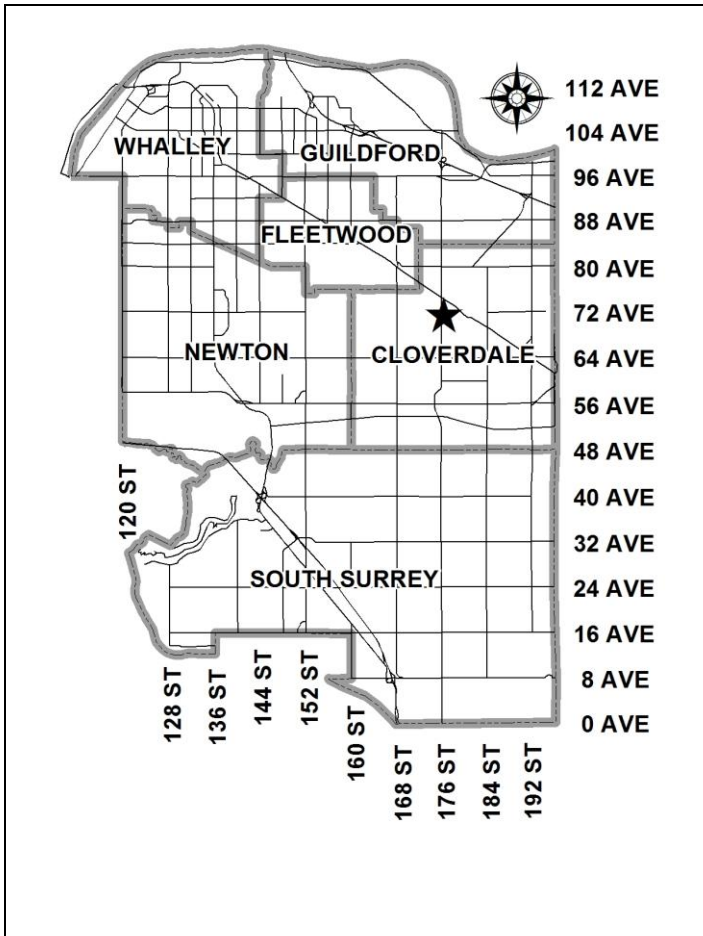
LOCATION: 7094 - 177A Street and
 7193 - 177A Street

OWNER: Morningstar Homes Ltd.

ZONING: A-1 and RC

OCP DESIGNATION: Suburban

NCP DESIGNATION: Half-Acre Cluster (2 upa)



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning (amendment to CD By-law No. 16497A, as amended by By-law No. 16975).

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation.
- Provides consistent zoning on two split-zoned lots.

DEVELOPMENT CONSIDERATIONS

Background

- The two subject properties, Lots 36 and 62 are located on 177A Street north of 70 Avenue in the North Cloverdale West Neighbourhood Concept Plan (NCP) area.
- The subject properties were created through rezoning and subdivision Application No. 7907-0159-00 as part of a 64-lot subdivision. The subdivision plans were signed on August 5, 2009.
- A Section 219 Restrictive Covenant for “no-build” was registered on the subject lots to ensure further rezoning.
- The lots are currently split-zoned General Agriculture Zone (A-1) and Cluster Residential Zone (RC).
- The northern portion of each lot is zoned General Agriculture Zone (A-1), the original zone of the parent property located at 17918 Old Yale Road East.
- The southern portion of each lot is zoned Cluster Residential Zone (RC). The southern portion of the lots were rezoned to RC (Lot 99) as a “temporary holding zone” through rezoning and subdivision Application No. 7907-0090-00 with the expectation that they would be consolidated with the lands to the north under Application No. 7907-0159-00 (Appendix II).
- The applicant is proposing to rezone the properties by CD By-law Amendment in order to provide consistent zoning on both lots, in accordance with the earlier commitment.

Current Proposal

- The applicant is proposing to rezone the subject properties from General Agriculture Zone (A-1) and Cluster Residential Zone (RC) to Comprehensive Development Zone (CD) By-law No. 16497A, as amended by By-law No. 16975 by amending the existing CD By-law to include the two lots.
- This proposed rezoning by CD By-law Amendment will provide consistent zoning with the lots to the south and eliminate the current split-zoning situation.
- The existing CD By-law No. 16497A, as amended by By-law No. 16975, requires an amendment to rezone 7094 and 7193 - 177A Street by including the legal description and adding Schedules B and C which illustrate the new boundaries of Block A.
- Through the proposed rezoning by CD By-law Amendment, the two subject lots will have the same zoning as the other lots created to the south under Application No. 7907-0090-00, developed and being marketed by Morningstar Homes Ltd.
- The proposed amendment to CD By-law No. 16497A, as amended by By-law No. 16975 is attached as Appendix IV.

PRE-NOTIFICATION

Pre-notification letters were sent out on August 28, 2009 and staff did not receive any comments.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Portion of Approved Subdivision Layouts for File No. 7907-0159-00 and File No. 7907-0090-00
- Appendix III. Engineering Summary
- Appendix IV. Proposed Amendments to CD By-law No. 16497A, as amended by By-law No. 16975

Jean Lamontagne
General Manager
Planning and Development

JLM/kms

v:\wp-docs\planning\plncom09\08261422jlm.doc
KMS 8/26/09 2:42 PM

Information for City Clerk

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

1. (a) Agent: Name: Clarence Arychuk, Hunter Laird Engineering Ltd.
 Address: #300 - 65 Richmond Street
 New Westminster, BC
 V3L 5P5
 Tel: 604-525-4651

2. Properties involved in the Application
 - (a) Civic Addresses: 7094 - 177A Street and 7193 - 177A Street

 - (b) Civic Address: 7094 - 177A Street
 Owner: Morningstar Homes Ltd., Inc. No. 652312
 Lot 36 Section 17 Township 8 New Westminster District Plan BCP42064

 - (c) Civic Address: 7193 - 177A Street
 Owner: Morningstar Homes Ltd., Inc. No. 652312
 Lot 62 Section 17 Township 8 New Westminster District Plan BCP42064

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to amend CD By-law No. 16497A, as amended by By-law No. 16975 to rezone the properties.