

THE CORPORATION OF THE DISTRICT OF SURREY

BY-LAW NO. 10911

A by-law to amend "Surrey Zoning By-law,
1979, No. 5942"

As amended by Bylaw No: 15500, 10/18/04

THIS IS A CONSOLIDATED BYLAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.

THE MUNICIPAL COUNCIL of The Corporation of the District of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. "Surrey Zoning By-law, 1979, No. 5942," as amended, is hereby further amended, pursuant to the provisions of Section 963 of the "Municipal Act," and the classification of the following parcels of land, presently shown upon the maps designated as the "Zoning Maps" and marked as Schedule "A" under PART III of the said By-law No. 5942, is hereby amended as follows:

FROM: "SHOPPING CENTRE ZONE (C-S)"
TO: "COMPREHENSIVE DEVELOPMENT ZONE (C-D)"

All that portion of Lot 130, EXCEPT: Firstly: Part subdivided by Plan 60096; Secondly: Part Subdivided by Plan 78781; Sections 27 and 34, Block 5 North, Range 2 West New Westminster District, Plan 38826 and

All those portions of Old Yale Road to be closed lying in Section Thirty-four (34) Block five (5) North Range Two (2) West New Westminister District dedicated by Plan Eight Hundred Eighty (880) and Thirty-Eight Thousand One Hundred Four (38104) described as follows;

Commencing at the southeasterly corner of Lot Two (2) Section Thirty-Four (34) Block Five (5) North Range Two (2) West Plan Eight Hundred Eighty (880) New Westminister District.

Thence easterly on a bearing of 89° 33' 05" for a distance of 1.866 metres.

Thence northerly on a bearing of 359° 52' 24" for a distance of 116.865 metres.

Thence northwesterly on a bearing of 316° 33' 48" for a distance of 5.0722 metres.

Thence westerly on a bearing of 280° 56' 11" for a distance of 77.237 metres to a point of curvature.

Thence northwesterly on a circular curve to the right having a radius of 138.150 metres for an arc distance of 62.744 metres more or less to a point on the westerly boundary of the said Lot Two (2) Plan Eight Hundred Eighty (880) said point being 197.424 metres northwesterly from the southeasterly corner of the said Lot Two (2).

Thence southeasterly and following along the said easterly boundary of said Lot Two (2) for a distance of 197.424 metres to the southeasterly corner of said Lot Two (2) which is the point of commencement.

Said described portion containing Eight Thousand Ninety-three and One-tenth (8093.01) square metres more or less.

As shown in Schedule "B" attached hereto and forming part of this by-law.

(Portion of 10035 King George Highway and a Portion of Old Yale Road West of King George Highway)

2. Notwithstanding the permitted uses and regulations described under Part LIV, C-D Comprehensive Development Zone, the uses permitted within the aforementioned land and the regulations governing those uses shall be restricted to those listed as follows:

A. INTENT

This zone is intended for a comprehensive commercial and residential development.

B. PERMITTED USES

Land and structures shall be used for the following uses only, or for a combination of such uses, provided such combined uses are part of a comprehensive design:

COMMERCIAL USES from C-C Zone

1. Office structures.
2. Retail commercial uses including:
 - Book stores and stationery stores
 - Clothing stores and footwear stores
 - Drug stores
 - Florist's shops
 - Furniture and appliance stores
 - Grocery stores, food stores, meat market, fruit and vegetable stores, and retail bakeries
 - Hardware stores and equipment stores, excluding the sales of lumber and building materials
 - Hobby brewing stores, providing that the brewing room does not exceed fifty (50) square metres [540 sq. ft.] and that the storage/warehouse facilities do not exceed one hundred (100) square metres [1,080 sq. ft.]

- Jewellery stores and gift shops
- Pet shops
- Sporting good stores
- Variety stores
- Other similar retail stores compatible with the uses permitted in this zone.

3. Service commercial uses including:

- Banks and other finance offices
- Barber and beauty parlours
- Business schools, dancing schools
- Dance halls
- Day care centre
- Doctors' offices, dentists' offices and other medical or related offices
- Dry cleaners and laundromats
- Health spas
- Hotels
- Law offices, accountants' offices and other professional and business offices
- Licensed premises
- Neighbourhood pubs
- Real estate agencies and insurance agencies
- Restaurants and coffee shops
- Shoe repair shops and jewellery repair shops
- Social escort service
- Theatres and cinemas
- Travel agencies and travellers' clubs
- Other similar services and repair shops not requiring the operation of heavy machinery and compatible with the uses permitted in this zone.

4. Recreational and cultural uses, provided that such uses do not constitute a singular use on a site and are integrated into mixed use buildings.

RESIDENTIAL USES from RM-4 Zone

5. Apartment buildings.

6. Senior citizens' housing as hereinafter provided:

- (a) A minimum of forty-six (46) square metres [500 sq. ft.] of floor area per one (1) bedroom dwelling unit, provided that this figure may be reduced to not less than forty-two (42) square metres [450 sq. ft.] if there is common recreation space provided elsewhere within a building on the same site, containing not less than two decimal eight (2.8) square metres [30 sq. ft.] of space per dwelling unit for the first fifty (50) dwelling units in the development and an additional one decimal four (1.4) square metres [15 sq. ft.] per dwelling for each dwelling unit in excess of fifty (50).

- (b) A minimum of thirty-four decimal five (34.5) square metres [370 sq. ft.] of floor area per bachelor dwelling unit, provided that this figure may be reduced to not less than thirty (30) square metres [220 sq. ft.] if there is common recreation space provided elsewhere within a building on the same site, containing not less than two decimal eight (2.8) square metres [30 sq. ft.] of floor space per dwelling unit for the first fifty (50) dwelling units in the development, and an additional one decimal four (1.4) square metres [15 sq. ft.] per dwelling for each dwelling unit in excess of fifty (50).
- 7. Day care centres within apartment buildings provided that such centres are located with access to an open space and recreation area of the development and the enclosed portion of such centre shall not exceed twenty percent (20%) of the total open area provided.

PARKING

- 8. Parking, as a sole use, shall only be permitted as an interim use prior to the comprehensive development of the site, provided that if there shall be any surface parking, such surface shall be treated with asphalt, concrete, or similar pavement to provide a dust-free, weed-free surface suitable for parking, and further provided that the surface shall be so graded and drained as to properly dispose of all water.
- 9. In the event that a comprehensive commercial and residential development is constructed upon the land, the parking spaces shall be contained within a building or structure, and all parking surfaces shall be paved and such parking structure shall be located at the rear of a principal building, or underground.

OTHER

- 10. Buildings and structures accessory to the above listed uses, except parking as a sole use.

C. LAND DEVELOPMENT

Notwithstanding any other provision of this zone, the uses permitted by Section 2, Sub-Section B of this By-law shall be conditional upon the immediate availability and adequacy of those Municipal facilities and services hereinafter set forth to serve each parcel of land and each unit of every building, structure and use to be erected, placed or carried on thereon. No use of land and no use of any building or structure thereon shall be deemed to be authorized by Section 2, Sub-Section B of this zone, and all uses otherwise permitted by this By-law are hereby prohibited unless and until all of the following services and facilities have been provided and are immediately available and are adequate therefor to the standards set out as follows:

1. Sanitary sewer, waterworks and drainage works shall be provided and constructed to the standards set out for the C-C zone in "Surrey Subdivision By-law, 1986, No. 8830" and amendments thereto.
2. All highways abutting and serving the land including boulevards, street lighting, underground wiring, sidewalks, transit service facilities shall be provided and constructed to the standards set out for the C-C zone in "Surrey Subdivision By-law, 1986, No. 8830" and amendments thereto.
3. Vehicular access shall be obtained from a side or rear lane constructed to the standards set out in "Surrey Subdivision By-law, 1986, No. 8830" and amendments thereto.

D. DENSITY

The density shall not be more than a floor area ratio of three decimal five (3.5); provided however that the floor area ratio shall not exceed:

1. 2.5 for residential use; and
2. 1.5 for commercial use.

E. SITE COVERAGE

The maximum area of the site covered by buildings, structures, surface parking, including areas for circulation and servicing shall not exceed thirty (30) per cent of the lot area, provided however that this site coverage may be increased as hereinafter set forth:

1. Where all of the required off-street parking is provided underground or within the building envelope, the site coverage may be increased by sixty (60) per cent amounting to a total site coverage of ninety (90) per cent.
2. Where a portion of the required off-street parking is provided underground or within the building envelope, the site coverage may be increased by the proportion of the required parking so provided multiplied by zero decimal six (0.6).

F. SUBDIVISION

1. Lot size: The minimum lot size shall be two thousand (2,000) square metres [21,500 sq. ft.].
2. Frontage: The minimum frontage shall be thirty-six (36) metres [118 ft.].

G. SITE AREA

The minimum site area shall be one thousand (1,000) square metres [10,800 sq. ft.].

H. HEIGHT OF STRUCTURES

1. Low rise buildings;

The height of any low rise building facing onto the front property line or being located adjacent to a pedestrian walkway shall not be less than two (2) storeys and shall not exceed three (3) storeys or twelve (12) metres.

2. High rise buildings:

The height of any high rise building shall not exceed twenty (20) storeys or seventy (70) metres, provided that the cross-section of the high rise does not exceed an angle drawn at sixty (60) degrees from any point located on the centre line of the fronting street, and further provided that this angle height restriction shall not apply at a distance greater than fifteen (15) metres [50 ft.] measured from the front property line.

3. Accessory buildings:

The height of accessory buildings shall not exceed four decimal five (4.5) metres [15 ft.].

I. SETBACKS

1. For the high rise portion of a building or structure, the setback requirements shall apply as hereinafter set forth:

(a) Front setback: The minimum front setback shall be seven decimal five (7.5) metres [25 ft.].

(b) Side setback: The minimum side setback shall be three decimal six (3.6) metres [12 ft.], provided however that the minimum side setback shall be increased to seven decimal five (7.5) metres [25 ft.] on the side property line fronting onto a flanking street.

(c) Rear setback: The minimum rear setback shall be seven decimal five (7.5) metres [25 ft.].

2. For the low level portion of a building or structure the setback requirements shall apply as hereinafter set forth.

(a) Front setback: Uniform setback along the front property line shall be two (2) metres, provided however that an additional setback may be created anywhere along the front property line not exceeding five (5)

metres from the front property line and further provided that the width of such additional setback shall not exceed fifty (50) per cent of the lot frontage.

- (b) Rear setback: The minimum rear setback shall be seven decimal five (7.5) metres [25 ft.] extending over not less than sixty (60) per cent of the rear property line.
- (c) Side setback: No side setback shall be required on an interior side lot line, provided however that the same setback requirements set forth in Clause I.2(a) above shall apply on the side property line fronting onto a flanking street.

J. BUILDING SITING

- 1. Those parts of all buildings which front onto the front property line shall be constructed to extend to the interior side property lines. The side walls of buildings along the said side property lines shall be provided with decorative finishes.
- 2. The highrise portions of each building shall be sited so that walls of two adjacent structures shall not be closer than twenty (20) metres to each other. If the overlap of such adjacent structures is less than twenty (20) per cent, that distance may be decreased to twelve (12) metres.

K. BUILDING CONSTRUCTION

Ground floor elevations fronting onto the front property line or onto a mall shall have openings or windows along not less than sixty (60) per cent of the length of such ground floor elevation.

L. LANDSCAPING

Any building or structure being erected, enlarged or increased in capacity shall make provision for landscaping as hereinafter set forth:

- 1. All portions of the site not covered by buildings, structures and circulation spaces shall be landscaped; provided however that landscaping shall cover not less than five (5) per cent of the developed site area.
- 2. Loading areas or trucking yards shall be screened from adjacent residentially zoned property to a height of not less than two decimal five (2.5) metres by buildings, a landscaping screen, a solid decorative fence, or a combination thereof.
- 3. Landscaping shall be reasonably maintained.

M. AREAS FOR PLAY AND RECREATION

1. In the event that residential structures are included on the site, areas for play and recreation shall be provided as hereinafter set forth:
 - (a) Open air recreation areas such as playgrounds, tennis courts, physical fitness courses, in the amount of three (3) square metres per dwelling unit [32 sq. ft.].
 - (b) Indoor recreation areas such as recreation rooms, club houses, pools, saunas, in the amount of one decimal four (1.4) square metres per dwelling unit [15 sq. ft.].
2. Areas for play and recreation shall be used for play and recreation only, and shall be exclusive of any areas for maintenance, storage, or office for property management.
3. Areas for play and recreation and all recreational facilities shall be continuously maintained and operated as play and recreational areas, and kept open to the residents at all reasonable times.

N. OFF-STREET PARKING

1. The regulations in Part V – Off-street Parking of "Surrey Zoning By-law, 1979, No. 5942", and as amended, shall apply.
2. No off-street parking shall be permitted in any front setback.
3. Except for visitor spaces for residential uses or handicapped spaces, all required off-street parking shall be provided underground or within a structure.
4. Loading docks and loading areas shall be restricted to rear yards or underground.

O. OTHER REGULATIONS

The provisions of Part I (Definitions), Part II (Uses Limited), Part III (Zones), Part IV (General Provisions), Part VI (Signs), Part VII (Special Building Setbacks) and Part IX (Violations) as contained in Surrey Zoning By-law No. 5942 and as amended, shall apply to this Zone and this By-law.

P. DEVELOPMENT COST CHARGES

Development cost charges are payable in relation to Surrey Development Cost Charge By-law No. 7796 and shall be calculated and paid with reference to the Comprehensive Development Zone (C-D) therein.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1991, No. 10911."

READ A FIRST AND SECOND TIME on the 29th day of April, 1991.

PUBLIC HEARING HELD thereon on the 27th day of May, 1991.

READ A THIRD TIME ON THE 3rd day of June, 1991.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 17th day of June, 1991.

_____MAYOR

_____CLERK

