

CITY OF SURREY

BY-LAW NO. 12283

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

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THE CITY COUNCIL of the City of Surrey, in open meeting
assembled, ENACTS AS FOLLOWS:

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

- (a) FROM "TOWNHOUSE RESIDENTIAL ZONE (RT-1)",
"RETAIL COMMERCIAL ZONE THREE (C-R(3))" AND
"COMPREHENSIVE DEVELOPMENT ZONE (C-D)" TO
"COMPREHENSIVE DEVELOPMENT ZONE (CD)"

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Province of British Columbia which may more particularly be described as follows:

Beginning at the north west corner of Lot 1 Except: Parcel "M" (By-law Plan 63673) of Lot 1, Section 10, Township 2, New Westminster District, Plan 1871;

Thence 180 degrees 17 minutes 3 seconds, following in the westerly limit of said Lot 1, Plan 1871, 45.727 metres more or less to the south west corner of said Lot 1, Plan 1871;

Thence 180 degrees 17 minutes 3 seconds, following the Southerly production of the westerly limit of the said Lot 1, Plan 1871, 33 feet perpendicularly distant from the southerly limit of Plan 1871;

Thence 270 degrees 40 minutes 8 seconds, parallel to the southerly limit of said Plan 1871, 264.980 metres to the point of commencement;

(15015 - 56 Avenue;
Portions of 14983 & 14921 - 56 Avenue;
Portions 15014 & 15036 - 57 Avenue; and
Portion of 15045 - 56 Avenue)

- (b) FROM "RETAIL COMMERCIAL ZONE THREE (C-R(3))" AND
"COMPREHENSIVE DEVELOPMENT ZONE (C-D)" TO
"COMPREHENSIVE DEVELOPMENT ZONE (CD)"

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Province of British Columbia which may more particularly be described as follows:

Beginning at the north west corner of Lot 1, Section 10, Township 2, New Westminster District, Plan 1871;

Thence 180 degrees 17 minutes 3 seconds, following in the westerly limit of said Lot 1, Plan 1871, 45.727 metres more or less to the south west corner of said Lot 1, Plan 1871;

Thence 180 degrees 17 minutes 3 seconds, following the southerly production of the westerly limit of the said Lot 1, Plan 1871, 33 feet perpendicularly distant from the southerly limit of Plan 1871;

Thence 270 degrees 40 minutes 8 seconds, parallel to the southerly limit of said Plan 1871, 264.980 metres to a point;

Thence 0 degrees 56 minutes 46 seconds, 87.424 metres to the beginning of a tangential circular curve to the right of radius 136.135 metres;

Thence northerly following in the arc of said curve, 50.207 metres to the point of commencement;

Thence northerly continuing in the said curve 45.493 metres to a point;

Thence 307 degrees 53 minutes 46 seconds, 89.586 metres to a point;

Thence 240 degrees 40 minutes 29 seconds, 78.859 metres to a point;

Thence 145 degrees 17 minutes 33 seconds, 47.497 metres to a point;

Thence 169 degrees 1 minute 25 seconds, 10.000 metres to a point;

Thence 79 degrees 1 minute 25 seconds, 9.532 metres to the beginning of a tangential circular curve to the right of radius 134.500 metres;

Thence easterly, following in the arc of said circular curve 78.911 metres more or less to the point of commencement and containing by admeasurement 0.76 hectares and as shown delineated as Area c on Schedule "A" to this By-law.

(Portions of 15014 and 15036 - 57 Avenue;
5709 - 152 Street; and
14921 - 56 Avenue)

(c) FROM "RETAIL COMMERCIAL ZONE THREE (C-R(3))" TO
"COMPREHENSIVE DEVELOPMENT ZONE (CD)"

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Province of British Columbia which may more particularly be described as follows:

Beginning at the north west corner of Lot 1, Section 10, Township 2, New Westminster District, Plan 1871;

Thence 180 degrees 17 minutes 3 seconds, following in the westerly limit of said Lot 1, Plan 1871, 45.727 metres more or less to the south west corner of said Lot 1, Plan 1871;

Thence 180 degrees 17 minutes 3 seconds, following the southerly production of the westerly limit of the said Lot 1, Plan 1871, 33 feet perpendicularly distant from the southerly limit of Plan 1871;

Thence 270 degrees 40 minutes 8 seconds, parallel to the southerly limit of said Plan 1871, 264.980 metres to a point;

Thence 0 degrees 56 minutes 46 seconds, 87.424 metres to the beginning of a tangential circular curve to the right of radius 136.135 metres;

Thence northerly following in the arc of said curve, 95.700 metres to the point of commencement;

Thence northerly, continuing in the said curve 12.951 metres to a point;

Thence 46 degrees 40 minutes 28 seconds, 51.473 metres to a point;

Thence 316 degrees 40 minutes 28 seconds, 71.323 metres to a point;

Thence 226 degrees 0 minutes 56 seconds, 11.001 metres to a point;

Thence 240 degrees 40 minutes 29 seconds, 69.130 metres to a point;

Thence 127 degrees 53 minutes 46 seconds, 89.586 metres more or less to the point of commencement and containing by admeasurement 0.55 hectares more or less, as shown delineated as Area d on Schedule "A" to this By-law.

(Portions of 15036 - 57 Avenue,
5709 - 152 Street; and
15056 - 57 Avenue)

- (d) FROM "RETAIL COMMERCIAL ZONE THREE (C-R(3))" AND "COMPREHENSIVE DEVELOPMENT ZONE (C-D)" TO "COMPREHENSIVE DEVELOPMENT ZONE (CD)"

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Province of British Columbia which may more particularly be described as follows:

Beginning at the north west corner of Lot 1, Section 10, Township 2, New Westminster District, Plan 1871;

Thence 180 degrees 17 minutes 3 seconds, following in the westerly limit of said Lot 1, Plan 1871, 45.727 metres more or less to the south west corner of said Lot 1, Plan 1871;

Thence 180 degrees 17 minutes 3 seconds, following the southerly production of the Westerly limit of the said Lot 1, Plan 1871, 33 feet perpendicularly distant from the southerly limit of Plan 1871;

Thence 270 degrees 40 minutes 8 seconds, parallel to the southerly limit of said Plan 1871, 264.980 metres to a point;

Thence 0 degrees 56 minutes 46 seconds, 87.424 metres to the beginning of a tangential circular curve to the right of radius 136.135 metres;

Thence northerly following in the arc of said curve, 108.651 metres to a point;

Thence 46 degrees 40 minutes 28 seconds, 51.473 metres to the point of commencement;

Thence 46 degrees 40 minutes 28 seconds, 8.773 metres to the beginning of a tangential circular curve to the left of radius 286.842 metres;

Thence north easterly, following in the arc of said curve, 121.938 metres to a point;

Thence 22 degrees 19 minutes 4 seconds, 5.844 metres to the beginning of a tangential curve to the right of radius 183.821 metres;

Thence north easterly, following in the arc of said curve, 218.092 metres to a point;

Thence 90 degrees 17 minutes 44 seconds, 25.732 metres more or less to intersection with the easterly limit of Lot 4 Except: Parcel "F" (By-law Plan 62480), Section 10, Township 2, New Westminster District, Plan 4258, said intersection being 57.024 metres southerly from the north east corner of said Lot 4, Plan 4258;

Thence 90 degrees 17 minutes 44 seconds following in the easterly production of the last described course, to a point 33 feet perpendicularly distant from the easterly limit of the said Lot 4, Plan 4258;

Thence 0 degrees 18 minutes 22 seconds, parallel to the easterly limit of said Plan 4258, 57.016 metres more or less to intersection with the easterly production of the northerly limit of said Lot 4, Plan 4258;

Thence 270 degrees 20 minutes 24 seconds, following in the northerly limit of said Lot 4, Plan 4258 and its easterly production, 206.131 metres to a point;

Thence 180 degrees 18 minutes 21 seconds, 11.890 metres to a point;

Thence 147 degrees 46 minutes 26 seconds, 41.365 metres to the beginning of a tangential circular curve to the right of radius 20.097 metres;

Thence following in the arc of said curve, 63.137 metres to a point;

Thence 327 degrees 46 minutes 26 seconds, 13.081 metres to a point;

Thence 211 degrees 1 minute 56 seconds, 194.263 metres to a point;

Thence 226 degrees 0 minutes 56 seconds, 11.001 metres to a point;

Thence 136 degrees 40 minutes 28 seconds, 71.323 metres more or less to the point of commencement and containing by admeasurement 2.99 hectares, more or less, as shown delineated as Area b on Schedule "A" to this By-law.

(Portions of 5709, 5767, 5781, and
5827 - 152 Street)

(hereinafter referred to as "the lands")

2. The following regulations shall apply to the lands herein:

A. INTENT

This Comprehensive Development Zone is intended to accommodate and regulate the development of medium density, medium-rise, multiple unit residential buildings, care facilities and related amenity spaces, which are to be developed in accordance with a comprehensive design.

B. PERMITTED USES

1. The land and any buildings or structures on the land shall be used for the following uses only, or for a combination of such uses in Areas a and c as shown in Schedule A:

(a) Multiple-unit residential buildings.

(b) Senior citizens' housing development.

(c) Care facilities.

(d) Child care centres, provided that such centres:

(i) do not constitute a singular use on the lot; and

(ii) do not exceed a total area of 3.0 square metres [32 square feet] per dwelling unit if located on a lot containing a multiple-unit residential building.

(e) Accessory uses associated with care facilities including the following:

(i) Personal service uses, limited to barbershops and hair salons;

(ii) Office uses limited to physical and mental health services on an out-patient basis, medical and dental offices, health clinics and counselling services;

(iii) Eating establishment limited to a seating area not to exceed two square metres [21.5 square feet] of floor area per bed, based upon the design capacity of the care facility; and

(iv) Convenience store.

2. The land and any buildings or structures on the land shall be used for the following uses only, or for a combination of such uses in Area b as shown in Schedule A:

A. Multiple-unit residential buildings.

B. Senior citizens' housing development.

C. Child care centres, provided that such centres:

(a) do not constitute a singular use on the lot; and

(b) do not exceed a total area of 3.0 square metres [32 square feet] per dwelling unit if located on a lot containing a multiple-unit residential building.

3. The land and any buildings or structures used on the land shall be used for the following uses only, or for a combination of such uses in Area d shown in Schedule A:

A. Public uses, including community centres.

B. Child care centres, provided that such centres do not constitute a singular use on the lot.

C. LOT AREA

Not applicable to this zone.

D. DENSITY

1. The total floor area allowable to be constructed on the land shall not exceed:

(a) 56,610 square metres [609,364 square feet] for Areas a and b together as shown in Schedule A.

- (b) 9,150 square metres [98,493 square feet] for Area c as shown in Schedule A.
 - (c) 1,500 square metres [16,146 square feet] for Area d as shown in Schedule A.
2. The space for indoor amenity space required in Subsection J.1(b) is excluded from the calculation of the total floor area.
3. For the purposes of this Section, "total floor area" means the figure obtained when all the floor areas of the buildings constructed or proposed to be constructed are added together, subject to the following:
- (a) the area of the floor of the building shall be measured to the outside edge of the exterior walls, including basements and crawl spaces over 1.5 metres [5 feet] clear height and shall exclude balconies, canopies, terraces and sun decks; and
 - (b) those areas used as an accessory use for parking within the building envelope or underground parking are excluded.

E. LOT COVERAGE

1. Where Areas a or b, as shown on Schedule A have a floor area ratio that is equal to or greater than 1.3, then the maximum lot coverage shall be:

$$45\% \times \frac{\text{floor area ratio}}{1.3}$$

provided that the maximum lot coverage shall not exceed 60%.

2. Where Areas c or d, as shown on Schedule A are not subdivided, the maximum lot coverage shall be 45%.
3. Where Areas a, b, c or d are subdivided to create smaller lots and the floor area ratio for the said smaller lots is equal to or less than 1.3, then the maximum lot coverage shall be 45%.
4. Where Areas a, b, c or d are subdivided to create smaller lots and the floor area ratio for the said smaller lots is equal to or greater than 1.3, then the maximum lot coverage shall be:

$$45\% \times \frac{\text{floor area ratio}}{1.3}$$

provided that the maximum lot coverage shall not exceed 60%.

F. YARD AND SETBACKS

Buildings and structures shall be sited not less than 7.5 metres [25 feet] from all lot lines.

G. HEIGHT OF STRUCTURES

1. Principal buildings:

The height shall not exceed 15 metres [50 feet].

2. Accessory buildings and structures:

The height shall not exceed 4.5 metres [15 feet].

H. OFF-STREET PARKING

1. Multiple Unit Residential Buildings

(a) Resident Parking:

- (i) One decimal five (1.5) off-street parking spaces for every dwelling unit with 1 or less bedroom;
- (ii) One decimal seventy-five (1.75) off-street parking spaces for every dwelling unit with 2 bedrooms;
- (iii) Two (2) off-street parking spaces for every dwelling unit with 3 or more bedrooms; and
- (iv) Fifty per cent (50%) of all required resident parking shall be located underground.

(b) Visitor Parking: Of the required parking spaces stated in Sub-section H.1(a), 0.2 off-street parking space per dwelling unit shall be provided and retained for visitor parking and shall be:

- (i) Prohibited within any required setbacks; and
- (ii) Permitted at finished grade.

2. Senior Citizens' Housing Development:

(a) Residential Parking: Zero decimal five (0.5) off-street parking space per dwelling unit, where 50% shall be provided underground; and

(b) Visitor Parking: In addition to the required parking spaces stated in Sub-section H.1(a), 0.2 off-street parking space per dwelling unit shall be provided and retained for visitor parking and shall be:

(i) Prohibited within any required setbacks; and

(ii) Permitted at finished grade.

3. Child Care Centres:

(a) No parking for the child care centres shall be permitted within any of the required setbacks; and

(b) Refer to Part 5 Off-Street Parking of "Surrey Zoning By-law, 1993, No. 12000", as amended.

I. LANDSCAPING

1. 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.

2. Along the developed sides of the lot which abut a highway, a continuous landscaping strip of not less than 1.5 metres [5 feet] in width shall be provided within the lot.
3. 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.
4. Garbage containers and passive recycling containers shall be screened to a height of at least 2.5 metres [8 feet] by buildings, a landscaping screen, a solid decorative fence, or a combination thereof.

J. SPECIAL REGULATIONS

1. Amenity space shall be provided on the lot as follows:
 - (a) Outdoor amenity space, in the amount of 3.0 square metres [32 square feet] per dwelling unit and shall not be located within the required setbacks; and
 - (b) Indoor amenity space, in the amount of 3.0 square metres [32 square feet] per dwelling unit, of which a maximum of 1.5 square metres [16 square feet] per dwelling unit may be devoted to a child care centre.

2. Child care centres shall be located on the lot such that these centres:
 - (a) Have access from a highway, independent from the access to the residential uses permitted in Section B of this Zone; and
 - (b) Have direct access to an open space and play area within the lot.
3. Balconies are required for all dwelling units which are not ground-oriented and shall be a minimum of 5% of the dwelling unit size or 4.6 square metres [50 square feet] per dwelling unit, whichever is greater.

K. SUBDIVISION

1. Lot size: The minimum shall be 0.5 hectares [1.2 acres], except for Public Uses.
2. Width & Depth: The minimum shall be 20 metres [65 feet].

L. OTHER REGULATIONS

In addition, land use regulations including the following are applicable:

1. The definitions set out in Part 1, Definitions, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
2. Prior to any use, 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 "Surrey Subdivision and Development By-law".

3. General provisions on use are as set out in Part 4, General Provisions, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
4. Additional off-street parking requirements are as set out in Part 5, Off-street Parking, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
5. Subdivisions shall be subject to the "Surrey Development Cost Charge By-law" and the "Tree Preservation By-law".
6. Building permits shall be subject to the "Surrey Building By-law".
7. Developments permits may be required in accordance with the Official Community Plan.
8. Sign regulations are as set out in Part 6, Signs, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
9. Building permits shall be subject to the "Surrey Building By-law" and the "Surrey Development Cost Charge By-law", and amendments thereto, and the development cost charges shall be based on RM-45 Zone, the RMS-2 Zone and "Government Buildings", as the case may be.
10. Special building setbacks are as set out in Part 7, Special Building Setbacks, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
11. Violations are as set out in Part 9, Violations, of "Surrey Zoning By-law, 1993, No. 12000", as amended.

12. Provincial licensing of child care centres is regulated by the Community Care Facility Act R.S.B.C., 1979, c. 57 and the Child care Regulations set out under B.C. Regulation 319/89.
13. Provincial licensing of care facilities is regulated by the Community Care Facility Act R.S.B.C.

M. SCHEDULES

The following schedules are attached to and form part of the by-law:

Schedule A - which divides the lands into Areas a, b, c and d to be used in conjunction with the permitted uses and density sub-sections of this By-law.


3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1994, No. 12283."

READ A FIRST AND SECOND TIME on the 25th day of April, 1994.

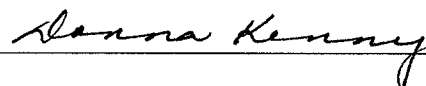
PUBLIC HEARING HELD thereon on the 30th day of May, 1994.

READ A THIRD TIME on the 13th day of June, 1994.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 31st day of July, 1995.



MAYOR

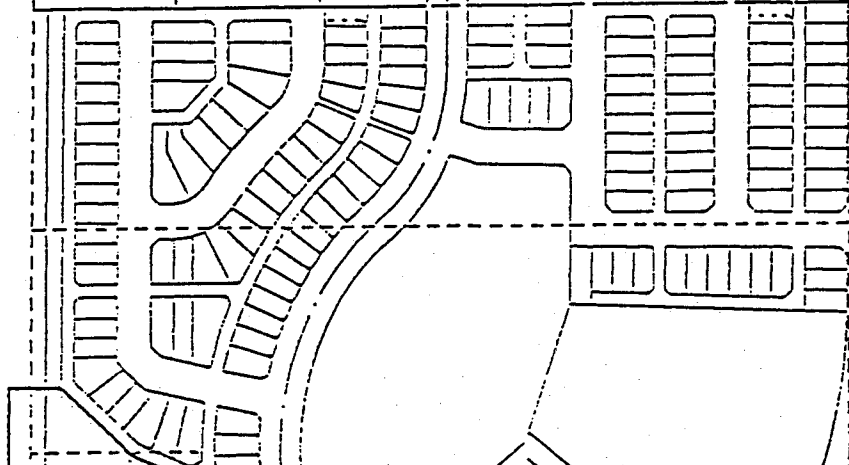


CLERK

CLKBLW 2607

148 Street

148 ST



Area a

Area c

Area d

Area b

Highway 10

19111 AVE

152 Street

152 ST