

CITY OF SURREY

BY-LAW NO. 12284

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 "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 a point in the westerly production of the northerly limit of the North Half of Block 5, Section 10, Township 2, New Westminster District, Plan 4258, said point being 33 feet perpendicularly distant westerly of the westerly limit of said North Half of Block 5, Plan 4258;

Thence 90 degrees 26 minutes 48 seconds, following in the northerly limit of said Block 5, Plan 4258 and its westerly production, 411.559 metres more or less to the north east corner of said North Half of Block 5, Plan 4258;

Thence 90 degrees 20 minutes 24 seconds, following in the northerly limit of Lot 4 Except: Parcel "F" (By-law Plan 62480), Section 10, Township 2, New Westminster District, Plan 4258, 205.925 metres more or less to a point, said point being 206.131 metres westerly from a point in the easterly production of the

northerly limit of said Lot 4, Plan 4258 being perpendicularly distant 33 feet easterly from the easterly limit of said Plan 4258;

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

Thence 147 degrees 46 minutes 26 seconds, 41.365 metres more or less 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, 22.002 metres to the point of commencement;

Thence 316 degrees 40 minutes 28 seconds, 88.027 metres more or less to the beginning of a tangential circular curve to the left of radius 250.116 metres;

Thence north westerly following in the arc of said curve, 35.534 metres to a point;

Thence 218 degrees 39 minutes 20 seconds, 137.778 metres to a point;

Thence 140 degrees 33 minutes 20 seconds, 68.577 metres to a point;

Thence 60 degrees 40 minutes 29 seconds, 147.989 metres more or less to the point of commencement and containing by admeasurement 1.36 hectares more or less; as shown delineated as Area a on Schedule "A" to this by-law.

(Portions of 5709 and 5767 - 152 Street;)
(Portion of 14921 - 56 Avenue)

- (b) FROM "MULTIPLE RESIDENTIAL ZONE TWO (RM-2)", "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:

Commencing at a point in the westerly production of the northerly limit of the North Half of Block 5, Section 10, Township 2, New Westminster District, Plan 4258, said point being 33 feet perpendicularly distant westerly of the westerly limit of said North Half of Block 5, Plan 4258;

Thence 90 degrees 26 minutes 48 seconds, following in the northerly limit of said Block 5, Plan 4258 and its westerly production, 411.559 metres more or less to the north east corner of said North Half of Block 5, Plan 4258;

Thence 90 degrees 20 minutes 24 seconds, following in the northerly limit of Lot 4 Except: Parcel "F" (By-law Plan 62480), Section 10, Township 2, New Westminster District, Plan 4258, 205.925 metres more or less to a point, said point being 206.131 metres westerly from a point in the easterly production of the northerly limit of said Lot 4, Plan 4258 being perpendicularly distant 33 feet easterly from the easterly limit of said Plan 4258;

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

Thence 147 degrees 46 minutes 26 seconds, 41.365 metres more or less 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, 22.002 metres to a point;

Thence 316 degrees 40 minutes 28 seconds, 88.027 metres more or less to the beginning of a tangential circular curve to the left of radius 250.116 metre;

Thence north westerly following in the arc of said curve, 35.534 metres to point;

Thence 218 degrees, 39 minutes 20 seconds, 137.778 metres to a point;

Thence 320 degrees 33 minutes 20 seconds, 5.110 metres to a point;

Thence 289 degrees 6 minutes 38 seconds, 68.494 metres to a point;

Thence 2 degrees 6 minutes 0 seconds, 157.690 metres, to a point, said point being an intersection with a non-tangential circular curve to the left of radius 272.116 metres, said intersection bearing 1 degree 35 minutes 39 seconds from the centre of said non-tangential curve;

Thence westerly, following in the arc of said curve, 4.758 metres to a point, said point being 21.000 metres perpendicularly distant northerly from the southerly limit of the South Half of Block 5 Except: Parcel "A" (Explanatory Plan 10973); Section 10, Township 2, New Westminster District, Plan 4258;

Thence 270 degrees 35 minutes 32 seconds, parallel to and perpendicularly distant 21.000 metres northerly of the southerly limit and its easterly production of the said South Half of Block 5, Plan 4258, 233.358 metres more or less to intersection with the westerly limit of the said South Half of Block 5, Plan 4258, said intersection being 76.409 metres more or less southerly from the north westerly corner of said Block 5, Plan 4258;

Thence 270 degrees 35 minutes 32 seconds, following in the westerly production of the last described course, 33 feet perpendicularly distant Westerly from the westerly limit of said Block 5, Plan 4258;

Thence 0 degrees 19 minutes 29 seconds, 76.383 metres more or less to the point of commencement and containing by admeasurement 8.96 hectares more or less, as shown delineated as Area b on Schedule "A" to this by-law.

(Portions 5709, 5767, 5781, and
5827 - 152 Street;)
(Portion of 14921 - 56 Avenue;)
(Portion of 5810 - 148 Street;)
(5818 and 5834 - 148 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 family oriented, low density, ground-oriented, and where applicable street oriented, multiple unit residential buildings and related amenity spaces, which are to be developed in accordance with a comprehensive design.

B. PERMITTED USES

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:

1. Ground-oriented residential buildings.
2. Senior citizens' housing development, provided that the said housing is in the form described and subject to the conditions stated in Section B.1 of this zone.
3. 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.

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) 8,210 square metres (88,374 square feet) for Area a as shown in Schedule A.
 - (b) 42,950 square metres (462,325 square feet) for Area b as shown in Schedule A.
2. The total number of dwelling units to be constructed on the land shall not exceed:
 - (a) 81 units for Area a as shown in Schedule A.
 - (b) 425 units for Area b as shown in Schedule A.
3. The space for indoor amenity space required in Sub-section I.1(b) is excluded from the calculation of the total floor area.
4. 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 ft.] 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

The maximum lot coverage shall be 45%.

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 11 metres [36 feet].

2. Accessory buildings and structures:

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

H. OFF-STREET PARKING

1. Ground-oriented Residential Buildings

(a) Resident Parking: Two (2) off-street parking spaces for every dwelling unit where 50% shall be provided underground or within the building envelope; 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.

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 or within the building envelope; and

(b) Visitor Parking: In addition to the required parking spaces stated in Sub-section H.1(a), .25 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) Are accessed 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.

K. SUBDIVISION

1. Lot size: The minimum shall be 1.0 hectare [2.47 acres]

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 the RM-15 Zone.
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.

M. SCHEDULES

The following schedules are attached to and form part of this By-law:

Schedule A - which divides the lands into Areas a and b to be used in conjunction with the density sub-section of this By-law.

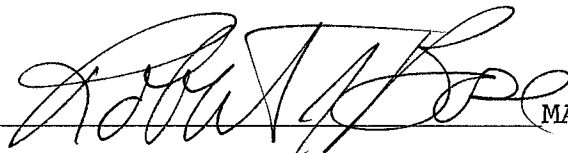
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1994, No. 12284."

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

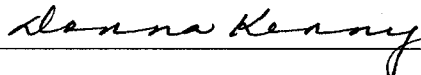
PUBLIC HEARING HELD thereon on the 30th day of May, 1994.

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 2608

FROM C:\R126\8126A\STR.DWG USING SUP-TRC1.SCR 03/21/1994 C/A

148 Street

148 ST.

HIGHWAY No. 10

Highway 10

Area a

Area b

150 ST.

39TH AVE.

152 Street

152 ST.

Schedule "A" to By-law No. 12284

