

CITY OF SURREY

BY-LAW NO. 14959

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 903 of the Local Government Act, R.S.B.C. 1996 c. 323, 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:

- (a) FROM: SINGLE FAMILY RESIDENTIAL ZONE (RF)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 010-317-724
Block "A" Except: Part Road on Plan 83850 Section 19 Township 2 New Westminster District Plan 17963

7664 - 120 Street

Parcel Identifier: 017-723-671
Lot 17 Section 19 Township 2 New Westminster District Plan LMP 3764

7685 - 120A Street

- (b) FROM: SURREY ZONING BY-LAW, 1993, NO. 12000,
AMENDMENT BY-LAW 1993, NO. 12037
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 018-532-489
Parcel One Section 19 Township 2 New Westminster District Reference Plan LMP13148

7727 - 120A 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 community commercial centres serving a community of several neighbourhoods and *ground-oriented multiple unit residential building* and related *amenity spaces* all of which are to be developed in accordance with a *comprehensive design*.

The *Lands* are divided into Blocks A, B and C as shown on Schedule A which is attached hereto and forms part of this By-law.

B. Permitted Uses

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

1. Blocks A and B

- (a) *Retail stores* excluding the following:
 - i. *adult entertainment stores*; and
 - ii. *secondhand stores* and *pawnshops*;
- (b) *Personal service uses* excluding *body rub parlours*;
- (c) *General service uses* excluding funeral parlours and *drive-through banks*;
- (d) *Beverage container return centres* provided that:
 - i. the use is confined to an enclosed *building*; and
 - ii. the *building* is a maximum of 279 square metres [3,003 sq.ft.]
- (e) *Eating establishments* excluding *drive-through restaurants*;
- (f) *Neighbourhood pubs*;
- (g) Office uses excluding the following:
 - i. *social escort services*; and
 - ii. *methadone clinics*;
- (h) *Parking facilities*;

- (i) *Automotive service uses of vehicles less than 5,000 kilograms [11,023 lbs] G.V.W., provided that such use is associated with a use permitted under Section B.1(a) of this Zone;*
- (j) *Indoor recreational facilities.*
- (k) *Entertainment uses excluding arcades and adult entertainment stores.*
- (l) *Assembly halls.*
- (m) *Community services.*
- (n) *Child care centres.*
- (o) *One dwelling unit per lot provided that the dwelling unit is:*
 - i. *Contained within the principal building; and*
 - ii. *Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the lot.*

2. **Block C**

- (a) *Ground-oriented multiple unit residential buildings; and*
- (b) *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 sq.ft.] per dwelling unit.*

C. Lot Area

Not applicable to this Zone.

D. Density

1. **Block A**

The *floor area ratio* shall not exceed 0.80.

2. **Block B**

The *floor area ratio* shall not exceed 0.80.

3. Block C

- (a) Multiple Unit Residential Buildings and Ground-Oriented Multiple Unit Residential Buildings: The maximum *density* shall be calculated in proportion to the *lot* area, as follows:

Lot Area		<i>FAR</i>	Maximum Density
Hectares	[Acres]		U.P.Ha.
≥ 1.00	[≥ 2.47]	0.90	75 [30 u.p.a.]
< 1.00	[< 2.47]	{0.35 + (<i>lot</i> area [Ha.] x 0.55)}	{25 + (<i>lot</i> area [Ha.] x 50)}

Where *FAR* is *floor area ratio* and U.P.Ha. is units per hectare.

E. Lot Coverage

1. Blocks A and B

The maximum *lot coverage* shall be 50%.

2. Block C

The maximum *lot coverage* shall be as follows:

Lot Area		Maximum Lot Coverage
Hectares	[Acres]	
≥ 1.00	[≥ 2.47]	45%
< 1.00	[< 2.47]	{33% + (<i>lot</i> area [Ha.] x 14)}

F. Yards and Setbacks

1. Block A

- (a) *Principal buildings* shall be sited in accordance with the following *setbacks*:

- i. *West Yard* - 2 metres, [6.5 feet];
- ii. *East Yard* - 0 metres [0 feet];
- iii. *North Yard* - 7.5 metres [25 feet]; and
- iv. *South Side Yard* - 0 metres [0 feet].

(b) *Accessory buildings and structures* shall be sited in accordance with the following minimum *setbacks*:

- i. *West Yard* - 7.5 metres [25 feet];
- ii. *East Yard* - 7.5 metres [25 feet];
- iii. *North Yard* - 7.5 metres [25 feet]; and
- iv. *South Side Yard on Flanking Street* - 7.5 metres [25 feet].

2. Block B

(a) *Principal buildings* shall be sited in accordance with the following minimum *setbacks*:

- i. *West Yard* - 2 metres, [6.5 feet];
- ii. *East Yard* - 0 metres [0 feet];
- iii. *North Yard* - 0 metres [0 feet]; and
- iv. *South Side Yard* - 3.0 metres [10 ft.].

(b) *Accessory buildings and structures* shall be sited in accordance with the following minimum *setbacks*:

- i. *West Yard* - 7.5 metres [25 feet];
- ii. *East Yard* - 7.5 metres [25 feet];
- iii. *North Yard* - 7.5 metres [25 feet]; and
- iv. *South Side Yard on Flanking Street* - 7.5 metres [25 feet].

3. Block C

(a) *Principal buildings* shall be sited in accordance with the following minimum *setbacks*:

- i. *West Yard* - 0 metre, [0 feet];
- ii. *East Yard* - 6 metres [20 feet];
- iii. *North Yard* - 7.5 metres [25 feet]; and
- iv. *South Side Yard on Flanking Street* - 4 metres [13 feet].

- (b) *Accessory buildings and structures* shall be sited in accordance with the following minimum *setbacks*:
 - i. *West Yard* - 7.5 metres [25 feet];
 - ii. *East Yard* - 7.5 metres [25 feet];
 - iii. *North Yard* - 7.5 metres [25 feet]; and
 - iv. *South Side Yard on Flanking Street* - 7.5 metres [25 feet].

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

G. Height of Buildings

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

- 1. *Principal buildings*: The *building height* shall not exceed 12 metres [40 feet].
- 2. *Accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

- 1. Blocks A and B
 - (a) Refer to Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
 - (b) *Tandem parking* may be permitted for company fleet vehicles.
- 2. Block C
 - (a) Resident, visitor and employee *parking spaces* shall be provided as stated in Table C. 6, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
 - (b) Fifty per cent (50%) of all required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.
 - (c) Parking within the required *setbacks* is not permitted.

- (d) *Tandem parking for ground-oriented multiple unit residential buildings* shall be permitted as follows:
- i. *Dwelling units with parking spaces provided as tandem parking* are permitted directly adjacent to an arterial roadway only if:
 - a. there is an internal access to the parking area; or
 - b. that roadway has been reconstructed to a 5-lane cross-section; or
 - c. "No Parking" restrictions are installed to preclude parking along the entire frontage of the *lot*.
 - ii. *Dwelling units with parking spaces provided as tandem parking* must be enclosed and attached to each *dwelling unit* if the dwelling units are ground-oriented.
 - iii. *Dwelling units with parking spaces provided as tandem parking* must have both *tandem parking* spaces must be held by the same owner.

I. Landscaping

1. Blocks A and B

- (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*.
- (d) Except in those portions where a *building* abuts the *lot line*, screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.] wide and a solid decorative fence at least 1.5 metres [5 ft.] high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *residential lot*.
- (e) Loading areas, garbage containers and *passive recycling containers* shall be screened from any adjacent *residential lot*, to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

- (f) Open display or storage shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fence and/or substantial *landscaping* strips of not less than 1.5 metres [5 ft.] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 ft.] within 5 metres [16 ft.] of the said screen and in no case shall these materials be piled up to the height of more than 3.5 metres [11.5 ft.].

2. Block C

- (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.
- (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.

J. Special Regulations

1. Blocks A and B

- (a) Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
- (b) The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone.
- (c) *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.
- (d) Land and *structures* shall be used for the uses permitted in this Zone only if such uses do not emit noise in excess of 60 dB(A).

2. Block C

- (a) *Amenity space* shall be provided on the *lot* as follows:
- i. Outdoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit* and shall not be located within the required *setbacks*; and
 - ii. Indoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit*, of which a maximum of 1.5 square metres [16 sq.ft.] per *dwelling unit* may be devoted to a *child care centre*.
- (b) *Child care centres* shall be located on the *lot* such that these centres:
- i. Are accessed from a *highway*, independent from the access to the residential uses permitted in Section B of this Zone; and
 - ii. Have direct access to an *open space* and play area within the *lot*.

K. Subdivision

Lots created through subdivision in this Zone shall comply with the plan of subdivision conceptually shown as Schedule B which is attached hereto and forms part of this By-law.

L. Other Regulations

In addition to all statutes, by-laws, 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. 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 C-8 Zone for "Blocks A and B" and the RM-30 Zone for "Block C" as set forth in Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
3. General provisions 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 Parking and Loading/Unloading, of Surrey Zoning By-law, 1993, No. 12000, as amended.
5. *Sign* regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
7. *Building* permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended, and the Surrey Development Cost Charge By-law, 2002, No. 14650, as amended, and the development cost charges shall be based on the C-8 Zone for "Blocks A and B", and the RM-30 Zone for "Block C".
8. Surrey Tree Preservation By-law, 1996, No. 12880, as amended.
9. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
10. Provincial licensing of *child care centres* is regulated by the Community Care Facility Act R.S.B.C. 1996. c. 60, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
11. Blocks A and B

Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 14959."

READ A FIRST AND SECOND TIME on the 3rd day of March, 2003.

PUBLIC HEARING HELD thereon on the 24th day of March, 2003.

READ A THIRD TIME ON THE 7th day of April, 2003.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 23rd day of July, 2007.

_____ MAYOR

_____ CLERK

SCHEDULE A

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY BYLAM NO. 14959
OVER PART OF SECTION 19 TOWNSHIP 2 NEW WESTMINSTER DISTRICT**

LANDS DEALT WITH:

- PARCEL ONE SECTION 19 TOWNSHIP 2 N.M.D. REFERENCE PLAN LMP13148
- LOT 17 SECTION 19 TOWNSHIP 2 N.M.D. PLAN LMP3764
- BLOCK "A" EXCEPT: PART ROAD ON PLAN B3850,
SECTION 19 TOWNSHIP 2 N.M.D. PLAN 17963

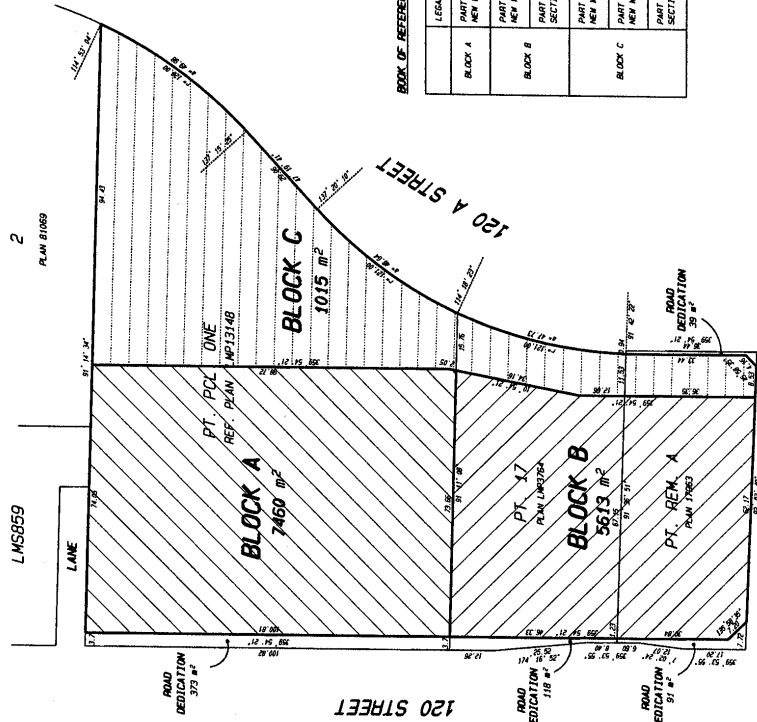
FOR THE PURPOSE OF REZONING

B.C.S 595.016
CITY OF SURREY

LEGEND

SCALE 1:750

All dimensions are in metres.



BOOK OF REFERENCE

LEGAL DESCRIPTION	AREAS	TOTAL AREA
BLOCK A PART PARCEL ONE SECTION 19 TOWNSHIP 2 NEW WESTMINSTER DISTRICT REF. PLAN LMP13148	7640M ²	7640M ²
BLOCK B PART LOT 17 SECTION 19 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN LMP3764	5613M ²	5613M ²
BLOCK C PART BLOCK "A" EXCEPT: PART ROAD ON PLAN B3850 SECTION 19 TOWNSHIP 2 N.M.D. PLAN 17963	2410M ²	2410M ²
BLOCK C PART LOT 17 SECTION 19 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN LMP3764	500M ²	500M ²
BLOCK C PART BLOCK "A" EXCEPT: PART ROAD ON PLAN B3850 SECTION 19 TOWNSHIP 2 N.M.D. PLAN 17963	115M ²	115M ²



THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED

This Plan lies within the Greater Vancouver Regional District.

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