

CITY OF SURREY

BY-LAW NO. 15509

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended  
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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:

FROM: COMPREHENSIVE DEVELOPMENT ZONE (CD) (BY-LAW NO. 13088)  
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

All of Section 16 Township 1 New Westminster *District* Strata Plan LMS 3250, together with an interest in the common property in proportion to the unit entitlement of the Strata *Lot* as shown on Form 1.

1653 - 140 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 *care facilities* with *residential* component on the *Lands*.

**B. Permitted Uses**

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

1. *Care facilities*.
2. *Dwelling units* provided that the *dwelling units* are contained within the *principal building* and do not exceed 17 *dwelling units*.
3. *Accessory uses* including the:
  - (a) *Personal service uses*, limited to barbershops and hair salons;

- (b) *Child care centres*;
- (c) Office uses limited to physical and mental health services and an out-patient basis, medical and dental offices, health clinics and counselling services;
- (d) *Eating establishment* limited to 35 seats;
- (e) *Convenience store*; and
- (f) *Amenity spaces* including games room, sewing room and chapel.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

For the purpose of *building* construction:

1. A maximum floor area of 7,830 square metres shall be permitted within Strata Plan LMS 3250.
2. The *floor area ratio* shall not exceed 0.63.
3. *Personal Service Uses, Child Care Centres, Office Uses, Eating Establishment and Convenience Store*: The maximum floor area shall not exceed 20% of the floor area ratio of the *care facility*.

**E. Lot Coverage**

The maximum *lot coverage* for Strata Plan LMS3250 shall not exceed 24%.

**F. Yards and Setbacks**

*Buildings* and *structures* shall be sited as indicated on Schedule A attached to and forming part 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 11 metres [36 feet].

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

## **H. Off-Street Parking**

Refer to Part 5 (B.7 *Care Facility*) Off Street Parking of Surrey Zoning By-law, No. 1992, No. 12000, as amended.

## **I. Landscaping**

1. All development 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 development sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width will be provided within the *lot*.
3. 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 will be provided along all *lot lines* separating the developed portion of the *lot* from any *residential lot*.
4. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grassed on the side of the *highway* abutting the *lot*, except at *driveways*.
5. 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. *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.
  - (b) Have direct access to an *open space* and play area within the *lot*.

## **K. Subdivision**

*Lots* created through subdivision in this Zone shall conform to the following minimum standards:

| <i>Lot Size</i>           | <i>Lot Width</i>      | <i>Lot Depth</i>        |
|---------------------------|-----------------------|-------------------------|
| 9,265 sq. m<br>[2.3 acre] | 85 metres<br>[280 ft] | 109 metres<br>[360 ft.] |

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000 as amended.

## **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 RMS-2 Zone 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 RMS-2 Zone.
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.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15509."

READ A FIRST AND SECOND TIME on the 27th day of September 2004.

PUBLIC HEARING HELD thereon on the 18th day of October, 2004.

READ A THIRD TIME ON THE 18th day of October, 2004.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 1st day of November, 2004.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK