

CITY OF SURREY

BY-LAW NO. 15973

A By-law of the City to impose development cost charges.  
.....

As amended by By-law No. 16054, 07/24/06

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.

WHEREAS:

- A. Pursuant to Section 933 of the *Local Government Act* and the regulations passed pursuant thereto, the Council of the City of Surrey may, by by-law, impose development cost charges; and
- B. The development cost charges may be imposed for the purpose of providing funds to assist the City of Surrey in paying the capital cost of providing, constructing, altering, or expanding sewage, water, drainage and highway facilities, other than off-street parking facilities, and providing and improving park land or any of them, in order to service, directly or indirectly, the development for which the charge is being imposed.

NOW THEREFORE, the Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

- 1. This By-law may be cited for all purposes as "Surrey Development Cost Charge By-law, 2006, No. 15973".
- 2. For the purposes of this By-law, unless the context otherwise requires:

**Assisted Living Residence** means a multiple-unit residential building containing 45 dwelling units per acre or greater, which is subject to a housing agreement, pursuant to Section 905 of the *Local Government Act*, between the City of Surrey and the owner of the building. The housing agreement will specify that the multiple unit residential building will:

- a. be occupied only by persons who are “Qualified Occupants”;
- b. be registered as an “Assisted Living Residence” under the *Community Care and Assisted Living Act S.B.C. 2002, c. 75*; and
- c. not be strata-titled or further subdivided.

**Adoption date** means the date of adoption of this By-law.

**BA** means building area as defined by the total sum of all floor areas enclosed or partially enclosed by the exterior perimeter of a building, or structure including without limitation stairways, elevator shafts, storage rooms,

mechanical rooms and basements excluding areas for parking that are provided as an accessory use to the building, or structure.

**Campbell Heights** means the area of the City of Surrey shown as Area XVII in Schedule "F" of the Surrey Zoning By-law.

**City Centre** means the area of the City of Surrey shown in Schedule "D1" of the Surrey Zoning By-law.

**Community Charter** means the *Community Charter*, S.B.C. 2003, c.26, as amended.

**Completed** means:

- (a) in the case of a subdivision, an application for which the servicing agreement is completed and signed, zoning is in place, all applicable fees and levies are paid, all conditions of approval are fulfilled and the final plans of subdivision are ready for approval by the approving officer; and
- (b) in the case of a building permit, an application for which Engineer's certification letters are submitted; all architectural, structural, plumbing, electrical, site drainage drawings and sprinkler drawings, where applicable, are submitted; all applicable fees and development cost charges are paid; and all off-site legal encumbrances relating to engineering are registered at the land title office.

**Developed Area** means that area of a lot that may contain any buildings, accessory buildings, structures or improvements, including without limitation storage, paved parking and circulation area and landscaping.

**DU** means dwelling unit as defined in the Surrey Zoning By-law.

**Federal and Provincial Buildings** means buildings or land owned by the Provincial or Federal government for use by the Provincial or Federal Government or Crown corporations, excluding hospitals operating under Federal or Provincial legislation, located in any zone.

**Highway 99 Corridor** means the area of the City of Surrey shown as Area XX in Schedule "F" of the Surrey Zoning By-law.

**Hospitals** means hospitals as defined under the *Hospital Act*, R.S.B.C. 1996, c. 200, as amended, the *Hospital Insurance Act*, R.S.B.C. 1996, c. 204, as amended, private hospitals as defined under the *Hospital Act* and private mental hospitals as defined under the *Mental Health Act*, R.S.B.C. 1996, c. 288, as amended.

**In-stream** means, in the case of an application for subdivision, development permit or building permit, one for which the application form has been completed, the application fees have been paid and all required supporting documentation necessary to make the application complete have been submitted and accepted by the City as a legitimate application.

**Local Government Act** means *Local Government Act*, R.S.B.C. 1996, c. 323, as amended.

**Person with Disability** means a person who, in the written opinion of a medical doctor or registered psychologist, has a significant permanent disability that cannot be significantly permanently improved by medical treatment, and that produces a loss or impairment of physical or mental ability.

**Qualified Occupant** means:

- a. a person who is 70 years of age or older;
- b. a person with Disability;
- c. a person who is employed to manage the Assisted Living Residence, provided only one dwelling unit within the Assisted Living Residence is designated for this type of occupant; and
- d. a person who is a companion or spouse of a person in (a), (b) or (c) herein, and resides in the same dwelling unit.

**Seniors Apartments** means a multiple unit residential building containing 45 dwelling units per acre or greater and where there exists a housing agreement pursuant to Section 905 of the *Local Government Act* between the City of Surrey and the owner specifying that the multiple unit residential building will be restricted to seniors.

**Square footage of the DU** means the cumulative floor area measured from the outside edge of the exterior walls or sheathing of the dwelling unit and where applicable, the centre line of the common walls dividing the dwelling units and shall include all the internal walls within each dwelling unit excluding parking areas (to a maximum of 250 square feet per parking space) basements, crawl spaces less than or equal to 1.5 metres [5 ft.] clear height, balconies, canopies, terraces and sun decks.

**Surrey Zoning By-law** means Surrey Zoning By-law, 1993, No. 12000, as amended.

3. Words not specifically defined in this By-law shall have the same meaning as defined in Surrey Zoning By-law.

4. Every person who obtains:

- (a) approval of a subdivision; or
- (b) a building permit authorizing the construction, alteration or extension of a building or structure; including a building permit that authorizes the construction, alteration or extension of a building or part of a building that will, after the construction, alteration or extension, contain one or more self-contained dwelling units;

shall pay to the City of Surrey the development cost charge in the amounts set out in Schedule "A" of this By-law. The list of zones set out in Schedule "B" of this By-law include zones in both Surrey Zoning By-law and Surrey Zoning By-law, 1979, No. 5942, as amended ("By-law 5942"). The development cost charges payable for any zones where By-law 5942 is applicable, are determined by referring to its equivalent zone in the Surrey Zoning By-law column in Schedule "B". Development cost charges for comprehensive development zones are payable as specified

in the comprehensive development zones.

5. Development cost charges shall be payable at the time specified below:
  - (a) after application for a subdivision has been made, but before the final approval of the subdivision has been given, for agricultural, single family, or single family with a secondary suite land uses;
  - (b) for all cases other than those described in clause 5(a), after application for a building permit has been made, but before the building permit has been issued.
  
6. A development cost charge is not payable if any of the following applies in relation to a development authorized by a building permit:
  - (a) the permit authorizes the construction, alteration or extension of a building or part of a building that is, or will be, after the construction, alteration or extension, exempt from taxation under section 220(1)(h) or 224(2)(f) of the *Community Charter*;
  - (b) the value of the work authorized by the permit does not exceed \$100,000.
  
7. For mixed use developments, the development cost charge payable shall be calculated separately for each portion of the development in accordance with the zones and land uses identified in Schedule "A", which are contained in the building permit, or subdivision application. The total payable will be the sum of the development cost charges for each portion of the development.
  
8. Surrey Development Cost Charge By-law, 2002, No. 14650 and all amendments thereto, is hereby repealed except in the case of:
  - a. applications for subdivision of land that are in-stream on the adoption date and which are completed within one year of the adoption date; or
  - b. applications for building permit for which the associated development permit is in-stream on the adoption date if the building permit application is completed within one year of the adoption date; or
  - c. applications for building permit for which the associated development permit has been issued and has not lapsed on the adoption date if the building permit application is completed within one year of the adoption date; or
  - d. applications for building permit that are in-stream on the adoption date and which are completed within one year of the adoption date,

then Surrey Development Cost Charge By-law, 2002, No 14650, as amended, shall apply. Surrey Development Cost Charge By-law, 2002, No. 14650, as amended, shall be wholly repealed one year from the adoption date.

PASSED FIRST AND SECOND READING by the City of Surrey Council on the 6th day of March, 2006.

PASSED THIRD READING, AS AMENDED by the City of Surrey Council on the 29th day of May, 2006.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES on the 16th day of June, 2006.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 26th day of June, 2006.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

h:\by-laws\reg bylaws\15973.doc  
LN 7/28/06 12:23 PM







**SCHEDULE "B"**

**LIST OF ZONES**

**SURREY ZONING BY-LAWS 12000 AND 5942**

Name of Zone	By-law 12000	By-law 5942
--------------	--------------	----------------



	Zone	Zone
<b>Residential Zones</b>		
General Agriculture	A-1	A-1, A-3
Intensive Agriculture	A-2	A-2
One-Acre Residential	RA	RS
Acreage Residential Gross Density	RA-G	R-A(G)
Half-Acre Residential	RH	R-1
Half-Acre Residential Gross Density	RH-G	R-H(G)
Single Family Residential	RF	R-F, R-F(R), R-F(F)
Single Family Residential Secondary Suite	RF-SS	RF-SS, RFR-SS
Single Family Residential Gross Density	RF-G	R-F(C)
Duplex Residential	RM-D	R-F(D)
Manufactured Home Residential	RM-M	R-F(M), CT(2)
Multiple Residential 15	RM-15	RT-1
Multiple Residential 30	RM-30	RM-1
Multiple Residential 45	RM-45	RM-2
Multiple Residential 70	RM-70	RM-3
Multiple Residential Commercial 150	RMC-150	RM-4
Special Care Housing 1	RMS-1	P-P, P-P(2)
Special Care Housing 2	RMS-2	P-P, P-P(2)
<b>Institutional Zones</b>		
Cemetery	PC	P-C
Assembly Hall 1	PA-1	P-A
Assembly Hall 2	PA-2	P-A

**LIST OF ZONES  
continued**

**SURREY ZONING BY-LAWS 12000 AND 5942**

	Name of Zone	By-law 12000 Zone	By-law 5942 Zone
<b>Commercial Zones</b>			
	Local Commercial	C-4	C-L
	Community Commercial	C-8	C-S
	Town Centre Commercial	C-15	CR-1, CR-2, CR-3, CR-4
	Downtown Commercial	C-35	C-C
	Highway Commercial Industrial	CHI	C-H, I-S
	Self-Service Gasoline Station	CG-1	C-G(1)
	Combined Service Gasoline Station	CG-2	C-G(2), CG
	Tourist Accommodation	CTA	C-T(1), C-T(2)
	Child Care	CCR	P-P(1)
	Commercial Recreation	CPR	P-R, P-D
	Golf Course	CPG	P-R
	Marina	CPM	P-R

<b>Industrial Zones</b>	Business Park	IB	I-1, I-P(2), I-G, I-4
	Light Impact Industrial	IL	I-G, I-S, I-T, I-W
	High Impact Industrial	IH	I-H, I-W
	Salvage Industrial	IL	I-L(S)
	Agro-Industrial	IA	I-A
<b>Comprehensive Development Zone</b>	Comprehensive Development	CD	C-D