

CITY OF SURREY

BY-LAW NO. 16076

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: ONE-ACRE RESIDENTIAL ZONE (RA)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Portion of Parcel Identifier: 011-364-432
Lot 1 Section 23 Township 1 New Westminster District Plan 8592 as shown on the Surrey Plan attached hereto and forming part of this By-law as Schedule A certified correct by Larry Achtemichuk B.C.L.S. on the 7th day of June 2006

Portion of 2713 - 160 Street

Portion of Parcel Identifier: 004-843-240
Portion of Lot 2 Section 23 Township 1 New Westminster District Plan 8592 as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Larry Achtemichuk B.C.L.S. on the 7th day of June 2006

Portion of 2741 - 160 Street

Parcel Identifier: 011-364-483
South 153 Feet (Reference Plan 22119) Lot 3 Section 23 Township 1 New Westminster District Plan 8592 as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Larry Achtemichuk B.C.L.S. on the 7th day of June 2006

2765 - 160 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, where *density* bonus is provided, the development of a community *care facility* and a *multiple unit residential building* for residents of an assisted living residence which shall be subject to the Community Care and Assisted Living Act, S.B.C., 2002, c.75 and Housing Agreement entered into between the owner of the *Lands* and the City.

B. Permitted Uses

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

1. *Care facility.*
2. *Multiple unit residential buildings* provided that all *dwelling units* shall be used for an assisted living residence subject to the Community Care and Assisted Living Act, S.B.C., 2002, c.75. and the Housing Agreement pursuant to Section 904 of the Local Government Act, R.S.B.C. 1996, c.323, as amended, on terms acceptable to the City. The number of *dwelling units* shall not exceed 40.
3. *Accessory uses* including the following:
 - (a) *Personal service uses*, limited to barbershops, florists and hair salons;
 - (b) *convenience stores*;
 - (c) *Child care centres*;
 - (d) Office uses limited to physical and mental health services on an out-patient basis, medical and dental offices, health clinics and counselling services, but excluding *methadone clinics*; and
 - (e) *Eating establishment*, excluding drive-through restaurants, provided that the seating capacity does not exceed 20 patrons.

C. Lot Area

Not applicable to this Zone.

D. Density

The maximum *density* shall not exceed a *floor area ratio* of 0.1 or a floor area of 300 square metres [3,230 sq.ft.] whichever is smaller. Where amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended, the *floor area ratio* shall not exceed 1.0.

E. Lot Coverage

The maximum *lot coverage* shall be 40%.

F. Yards and Setbacks

1. *Buildings and structures* shall be sited in accordance with the following minimum *setbacks*. *Setbacks* are shown on Schedule B which is attached hereto and forming part of this Zone.

	<i>Setback</i>	North <i>Lot Line</i>	South <i>Lot Line</i>	East <i>Lot Line</i>	West <i>Lot Line</i>
Use					
<i>Principal Building</i>		5.88 m. [19.3 ft.]	8.5 m. [27.9 ft.]	7.5 m. [25 ft.]	5.7 m. [18.7 ft.]

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. Care Facility

(a) Principal buildings: The *building height* shall not exceed 15.6 metres [51.14 feet].

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

2. Multiple Residential/Assisted Living Residence

(a) Principal buildings: The *building height* shall not exceed 18.43 metres [60.47 feet].

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

H. Off-Street Parking

A minimum of 70 parking *spaces* shall be provided for the *Lands*. Fifty (50) of these parking stalls are allocated for the *care facility* and twenty (20) are allocated to the *multiple unit residential building*.

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 ft.] in width shall 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 shall 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 grass 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

Not applicable to this Zone.

K. Subdivision

No subdivision of the *Lands* is permitted.

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 for the care facility and RM-45 Zone for the multiple residential.
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, 2006, No. 16076."

READ A FIRST AND SECOND TIME on the 24th day of July, 2006.

PUBLIC HEARING HELD thereon on the 11th day of September, 2006.

READ A THIRD TIME ON THE 11th day of September, 2006.

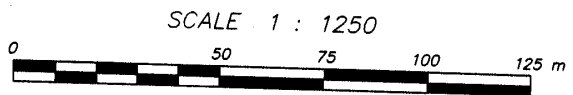
RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 25th day of June, 2007.

_____ MAYOR

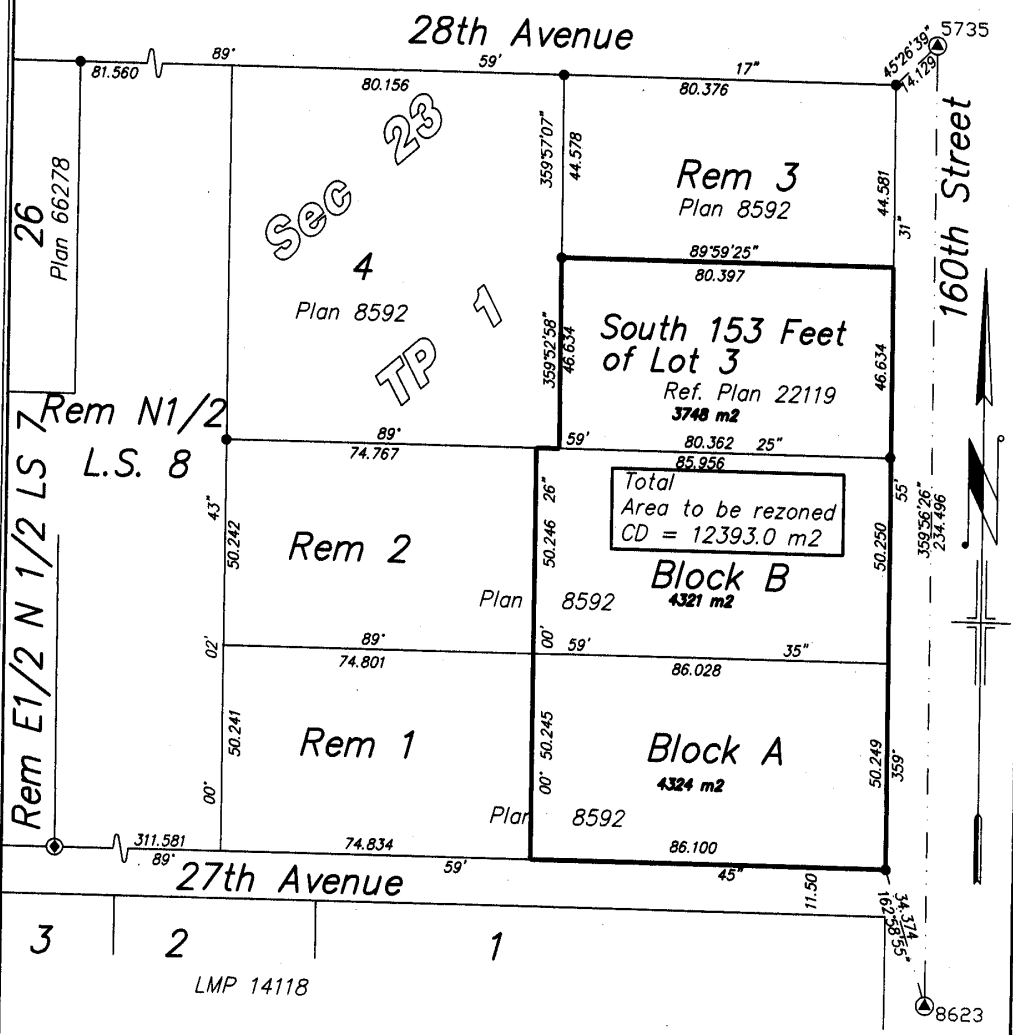
_____ CLERK

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Survey Plan to Accompany City of Surrey Rezoning
 Bylaw No 16076 over South 153 Feet (Reference
 Plan 22119) of Lot 3 Plan 8592 And Part of Lots
 1 & 2 Plan 8592 All of Section 23 TP 1 NWD
 B.C.G.S. 92G.007



Integrated Survey Area No. 1, Surrey, NAD83 (CSRS)



LEGEND:
 Grid Bearings Are Derived From Observations Between
 Control Monuments 8623 & 5735
 All Distances Are in Metres And Decimals Thereof

- ⊙ Control Monument Found
- Standard Iron Post Found
- ⊙ Non-standard Post Found

Certified Correct
 This 7 Day Of June 2006

 Larry Achtemichuk BCLS