

CITY OF SURREY

BY-LAW NO. 16098

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) SURREY ZONING  
BY-LAW, 1993, NO. 12000, AMENDMENT BY-LAW, 1998 NO. 13516  
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 025-560-361

Lot 2, Section 26, Township 1, New Westminster District Plan BCP3190

3355 Rosemary Heights Drive

(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 medium *density*, medium-rise, *multiple unit residential buildings* and related *amenity spaces*, which are to be developed in accordance with a *comprehensive design*.

**B. Permitted Uses**

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

1. *Multiple unit residential buildings.*
2. *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 sq.ft.] per *dwelling unit*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

For the purpose of *building* construction:

1. In Neighbourhood Concept Plan and Infill Areas as described and outlined on the maps attached as Schedule F attached to Surrey Zoning By-law No. 12000, as amended, the maximum *density* shall not exceed a *floor area ratio* of 0.1 or *building* area of 300 square metres [3,230 sq. ft.] whichever is smaller. The maximum *density* may be increased to that prescribed in Sub-sections D.3 and D.4 of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning By-law No. 12000, as amended.
2. In areas other than the ones in Sub-section D.1 of this Zone, the maximum *density* shall not exceed that prescribed in Sub-sections D.3 and D.4 of this Zone.
3. *Multiple Unit Residential Buildings*: The maximum *density* shall be as follows:
  - (a) The maximum *floor area ratio* shall be 1.15; and
  - (b) The maximum *unit density* shall be 97 units per hectare (39 upa).
4. *Indoor Amenity Space*: The space required in Sub-section J.1(b) of this Zone is excluded from the calculation of the *floor area ratio*.

**E. Lot Coverage**

The maximum *lot coverage* shall be 40%.

## **F. Yards and Setbacks**

1. *Principal buildings* shall be sited in accordance with the following minimum *setbacks*:
  - (a) Front *Yard* - 6.0 metres [20 feet];
  - (b) Rear *Yard* - 6.0 metres [20 feet];
  - (c) North Side *Yard* - 7.0 metres [23 feet]; and
  - (d) South West Side *Yard* - 5.0 metres [16.5 feet].

## **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 10 metres [33 feet].
2. *Accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [15 feet].

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

1. Resident, visitor and employee *parking spaces* as stated in Table C.6, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. One hundred percent (100%) of all required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.
3. Parking within the required *setbacks* is not permitted.
4. No parking shall be permitted in the front of the main entrance of a *multiple unit residential building*, except for the purpose of short-term drop-off or pick-up and parking for the disabled.
5. *Tandem parking* shall be permitted provided that both *parking spaces* in a *tandem parking* arrangement must be held by the same owner.

## **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*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] 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 ft.] 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 sq.ft.] 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 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*.
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*.
3. *Balconies* are required for all *dwelling units* which are not *ground-oriented* and shall be a minimum of 5% of the *dwelling unit* size or 4.6 square metres [50 sq.ft.] per *dwelling unit*, whichever is greater.

**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>
3,800 sq. m [0.9 acre]	60 metres [197 ft]	60 metres [197 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 RM-45 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 *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, 2006, No. 16098."

READ A FIRST AND SECOND TIME on the 11th day of September, 2006.

PUBLIC HEARING HELD thereon on the 25th day of September, 2006.

READ A THIRD TIME ON THE 25th day of September, 2006.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 2nd day of April, 2007.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

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