

CITY OF SURREY

BY-LAW NO. 16435

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:

- (a) FROM: SINGLE FAMILY RESIDENTIAL (9) ZONE (RF-9)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 026-707-217
Lot 2 Section 21 Township 8 New Westminster District Plan BCP24339

18879 – 72 Avenue

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

Parcel Identifier: 003-390-632
Parcel One (Explanatory Plan 15680) Lot "B" Section 21 Township 8 New Westminster District Plan 11265

18891 – 72 Avenue

Parcel Identifier: 007-445-776
Lot 38 Section 21 Township 8 New Westminster District Plan 36912

18927 – 72 Avenue

Parcel Identifier: 007-445-822
Lot 39 Section 21 Township 8 New Westminster District Plan 36912

18959 – 72 Avenue

18969 – 72 Avenue

(both (a) and (b) hereinafter collectively 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 a combination of *ground-oriented multiple unit residential buildings*, limited commercial uses and related *amenity spaces* in accordance with a *comprehensive design*.

The *Lands* are divided into Blocks A and B as shown in the Survey Plan that was prepared by G. A. Rowbotham, B.C.L.S. and dated May 15, 2007, which is attached hereto as Schedule A and forms part of this By-law.

B. Permitted Uses

1. The *Lands* and *structures* in Blocks A and B shall be used for the following uses only, or for a combination of such uses, provided such combined uses are part of a *comprehensive design*:

(a) *Ground-oriented multiple unit residential buildings*; and

(b) *Child care centres*, provided that such centres:

i. Do not constitute a single use on the *lot*; and

ii. Do not exceed a total area of 3.0 square metres [32 sq. ft.] per *dwelling unit*.

2. *Lands* and *structures* in Block A shall be used for uses permitted in Section B.1 of this Zone and any of the following *accessory uses* in each *dwelling unit* provided that the floor area occupied by such *accessory uses* does not exceed 30% of the floor area of the *dwelling unit* and shall be operated by the occupant of the said *dwelling unit*:

(a) *Personal service uses* excluding body rub parlours.

(b) Office uses excluding the following:

i. *Social escort services*; and

ii. *Methadone clinics*;

- (c) *General service* uses excluding the following:
 - i. Funeral parlours;
 - ii. Banks and *drive-through banks*;
 - iii. Veterinary clinics; and
 - iv. *Adult education institutions*;
- (d) Retail stores excluding the following:
 - i. *Adult entertainment stores*;
 - ii. *Secondhand stores* and *pawnshops*;
 - iii. *Convenience stores*;
 - iv. *Retail warehouses*; and
 - v. Flea markets;
- (e) *Eating establishments* excluding the following:
 - i. *Drive-through restaurants*; and
 - ii. *Eating establishment* licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended.

C. Lot Area

Not applicable to this Zone.

D. Density

The maximum *unit density* shall not exceed 2.5 *dwelling units* per hectare [1 u.p.a.] and the maximum *floor area ratio* shall not exceed 0.1. Where amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended:

1. The *unit density* shall not exceed 67 *dwelling units* per hectare [27 units per acre].
2. The *floor area ratio* shall not exceed 0.83, excluding all covered areas used for parking and the *amenity space* required in Sub-section J.1(b) of this Zone.

E. Lot Coverage

The maximum *lot coverage* shall be 33%.

F. Yards and Setbacks

Notwithstanding the definition of *setbacks* in Surrey Zoning By-law, 1993, No. 12000, as amended, *principal buildings* and *structures* may be sited in accordance with the following minimum *setbacks*:

	<i>Setback</i>
Along 72 Avenue (South)	2.9 metres [9.5 ft.] to the <i>building</i> face and 2.3 metres [7.5 ft.] to the roof overhang.
Along 72A Avenue (North)	2.9 metres [9.5 ft.] to the <i>building</i> face and 2.3 metres [7.5 ft.] to the roof overhang.
<i>Side Yard</i> (West)	6.0 metres [20 ft.] to the <i>building</i> face.
<i>Side Yard</i> (East)	3.9 metres [13 ft.] to the <i>building</i> face and 3.0 metres [10 ft.] to the deck.
Along 189 Street (West)	3.0 metres [10 ft.] to the <i>building</i> face.
Along 189 Street (East)	2.9 metres [9.5 ft.] to the <i>building</i> face.

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 and Structures*: The *building height* shall not exceed 10.0 metres [32 ft.]
2. *Amenity space buildings*: The *building height* shall not exceed 4.5 metres [15 ft.].

H. Off-Street Parking and Loading/Unloading

1. Resident *parking spaces* shall be provided as stated in Table C. 6, of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Notwithstanding Table C.6, of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, the minimum number of *parking spaces* for visitors may be reduced to 14 *parking spaces*.
3. Parking within the required *setbacks* may be permitted.

4. *Tandem parking* is permitted, subject to the following:
 - (a) *Parking spaces* provided as *tandem parking* must be attached to each *dwelling unit*;
 - (b) *Parking spaces* provided as *tandem parking* must be held by the same owner;
 - (c) Notwithstanding Footnote 3 in Section B.1 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000 as amended, the length of *parking spaces* provided as *tandem parking* on the *driveway* may be a minimum of 4.9 metres [16 ft.] in length and shall be limited to a maximum of 18 *parking spaces*; and
 - (d) *Tandem parking* may be permitted for a maximum of three (3) *dwelling units* located within 6 metres [20 ft.] from *lot* entrances/exits.

I. Landscaping

1. All portions of the *lot* not covered by the *principal buildings* and *accessory buildings* and *structures*, non-porous or paved surfaces 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.] on width shall be provided on 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 the *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 *setback* area; 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 *Lands* 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*.

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>
1.0 hectare [2.5 acres]	75 metres [246 ft.]	100 metres [330 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-30 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, 2006, No. 15973, as amended, and the development cost charges shall be based on RM-30.
 8. Surrey Tree Protection By-law, 2006, No. 16100, 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.
4. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16435."

READ A FIRST TIME on the 23rd day of July, 2007.

READ A SECOND TIME, AS AMENDED on the 10th day of September, 2007

PUBLIC HEARING HELD thereon on the 10th day of September, 2007.

READ A THIRD TIME ON THE 17th day of September, 2007.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 25th day of February, 2008.

_____ MAYOR

_____ CLERK

