

CITY OF SURREY

BY-LAW NO. 16596

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, 2005,
 No. 15815)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 005-344-689
Lot 18 Section 33 Township 2 New Westminster District Plan 17255

13729 - 92 Avenue

(hereinafter referred to as the "*Lands*")

2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended to regulate the development of a combination of supportive housing subject to a Housing Agreement entered into between the owner of the *Lands* and the *City*, *care facility*, *child care centre*, limited office uses and *community services*.

B. Permitted Uses

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

1. Supportive housing for the purposes of this Zone means *buildings* which contain *sleeping units* with private or shared bathrooms and with or without shared cooking and/or living spaces and/or *dwelling units*, for persons receiving care or assistance, which is licensed or funded by provincial or federal agencies, and subject to a Housing Agreement pursuant to Section 904 of the Local Government Act, RSBC, 1996, c323 as amended, on terms acceptable to the *City*.
2. *Care facility*.
3. *Child care centre* accommodating a maximum of 59 children, subject to the Community Care and Assisted Living Act, RSBC, 2002, c.75, as amended.
4. Office uses limited to physical and mental health services on an outpatient basis, medical and dental offices, health clinics and counselling services, but excluding methadone clinics.
5. *Community services*.

C. Lot Area

Not applicable to this Zone.

D. Density

1. The maximum number of *dwelling units* shall not exceed 24 and the maximum number of *sleeping units* shall not exceed 12.
2. The *floor area ratio* shall not exceed 0.81.

E. Lot Coverage

The *lot coverage* shall not exceed 26%.

F. Yards and Setbacks

Buildings and *structures* shall be sited not less than 7.5 metres [25 ft.] from all *lot lines* (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:* The *building height* shall not exceed 10.4 metres [30 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

1. Notwithstanding Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, a minimum of 26 off-street *parking spaces* are required.
2. Parking within the required *setbacks* is not permitted.

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 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* that separate 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

Child care centres shall be located on the *lot* such that these centres have 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>
5,000 sq. m [1.2 acres]	50 metres [160 ft]	100 metres [325 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-1 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 RM-15 Zone for the 24 dwelling units and the RMS-1 Zone for the remainder of the site.
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 and Assisted Living Act S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16596."

READ A FIRST AND SECOND TIME on the 25th day of February, 2008.

PUBLIC HEARING HELD thereon on the 10th day of March, 2008.

READ A THIRD TIME ON THE 10th day of March, 2008.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 30th day of July, 2008.

_____ MAYOR

_____ CLERK