

CITY OF SURREY

BY-LAW NO. 16664

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: SINGLE FAMILY RESIDENTIAL ZONE (RF)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 003-985-954

Lot 11 Section 23 Township 1 New Westminster District Plan 17534

2567 King George Highway

(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 a medium *density*, medium-rise, *care facility* and *multiple unit residential building* for senior citizens, which is to be developed in accordance with a *comprehensive design* and is subject to a Housing Agreement entered into between the owner of the *Lands* and the *City*.

B. Permitted Uses

The *Lands* and *structures* shall be used for a *care facility* and assisted living facility in a *multiple unit residential building* provided that they shall be occupied exclusively by senior citizens and shall be subject to a 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*.

C. Lot Area

Not applicable to this Zone.

D. Density

1. The *floor area ratio* shall not exceed 1.20.
2. Indoor *amenity space*: The *amenity 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 45%.

F. Yards and Setbacks

Principal buildings, accessory buildings and structures shall be sited in accordance with the following minimum *setbacks*:

1. *Front Yard* - 7.5 metres [25 feet];
2. *Rear Yard* - 12 metres [40 feet];
3. *North Yard* - 9.5 metres [31 feet]; and
4. *South Yard* - 3.5 metres [12 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*:
 - (a) The *building height* shall not exceed 15 metres [50 feet]; and
 - (b) Notwithstanding Sub-section G.1(a) of this Zone, the *building height* may be increased to 18 metres [59 ft.] for a portion of the *building* containing the elevator and not exceeding a *gross floor area* of 96 square metres [1,023 sq.ft.]
2. *Accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

1. Notwithstanding Tables C.4 and C.6 of Surrey Zoning By-law, 1993, No. 12000, as amended, a minimum of 113 *parking spaces* shall be provided on the *Lands*.

2. 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.

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*.
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

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*.
2. *Balconies* are required for all *dwelling units* in *multiple unit residential buildings* 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>
2,000 sq. m [0.5 acre]	30 metres [100 ft]	30 metres [100 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, 2006, No. 15973, as amended, and the development cost charges shall be based on the RM-45 for the assisted living residences and RMS-2 Zones for the *care facility* component.
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 *care facilities* is regulated by the Community Care and Assisted Living Act, R.S.B.C., 2002, c.75.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16664."

READ A FIRST AND SECOND TIME on the 12th day of May, 2008.

PUBLIC HEARING HELD thereon on the 26th day of May, 2008.

READ A THIRD TIME ON THE 26th day of May, 2008.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 25th day of July, 2011.

_____ MAYOR

_____ CLERK

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