

CITY OF SURREY

BY-LAW NO. 16933

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, 2007 NO. 16348)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 024-828-947
Lot 2 Section 19 Township 2 New Westminster District Plan LMP46981

12088 - 75A 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 accommodate and regulate the development of medium *density*, medium rise *multiple unit residential buildings* and related *amenity spaces*, and limited *commercial* uses, which are to be developed in accordance with a *comprehensive design*.

The *Lands* are divided into Blocks A and B 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 15th day of April, 2009.

B. Permitted Uses

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

1. Block A

- (a) *Multiple unit residential buildings.*
- (b) The following *accessory uses*, provided that the total number of individual businesses shall not exceed three (3), and are located on the ground floor and form an integral part of the *multiple unit residential building* on the *lot*:
 - i. *Personal service uses* limited to the following:
 - a. Barbershops;
 - b. Beauty parlours;
 - c. Cleaning and repair of *clothing*; and
 - d. Shoe repair shops.
 - ii. General service uses excluding funeral parlours, *drive-through banks* and vehicle rentals;
 - iii. Office uses excluding the following:
 - a. *Social escort services*; and
 - b. Methadone clinics.
 - iv. *Community services*;
 - v. *Retail stores* excluding the following:
 - a. *Adult entertainment stores*;
 - b. Auction houses;
 - c. *Secondhand stores* and *pawnshops*; and
 - d. Video rentals.

2. Block B

- (a) *Multiple unit residential buildings.*

C. Lot Area

Not applicable to this Zone

D. Density

1. For the purpose of *building* construction, the *floor area ratio* shall not exceed 1.06.
2. The total *gross floor area* of uses listed under Section B.1(b) of this Zone shall not exceed 758 square metres [8,160 sq.ft.].
3. Indoor *amenity space* required in Sub-section J.2 of this Zone is excluded from the calculation of *floor area ratio*.

E. Lot Coverage

The maximum *lot coverage* shall be 55%.

F. Yards and Setbacks

Buildings and *structures* shall be sited in accordance with the following minimum *setbacks*:

	Setback	North	South	West	Southeast
		<i>Yard</i>	<i>Yard</i>	<i>Yard</i>	<i>Yard</i>
Use					
<i>Principal and Accessory Buildings and Structures</i>		4.5 m. [15 ft.]	7.5 m. [25 ft.]	7.5 m. [25 ft.]	7.5 m. [25 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. *Principal buildings:* The *building height* shall not exceed 12 metres [39 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

1. *Parking spaces* shall be provided as stated in Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Fifty percent (50%) of all required resident *parking spaces* shall be provided as *underground parking* or as *parking with building envelope*.

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. 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*.
3. Loading areas, 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.
4. Except in those portions where a *building* abuts the *lot line*, screen planting at least 1.5 metres [5 ft.] high in a strip at least 3.5 metres [11 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*.

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* 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.
3. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
4. The outdoor storage or display of goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone.

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]	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 for uses listed under Section B.1(a) and B.2(a) of this Zone and the C-5 Zone for uses listed under Section B.1(b) of this 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, 2008, No. 16494, as amended, and the development cost charges shall be based on the RM-45 Zone for uses listed under Section B.1(a) and B.2(a) of this Zone and the C-5 Zone for uses listed under Section B.1(b) of this Zone.
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.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2009, No. 16933."

READ A FIRST AND SECOND TIME on the 20th day of April, 2009.

PUBLIC HEARING HELD thereon on the 4th day of May, 2009.

READ A THIRD TIME AS AMENDED on the 4th day of May, 2009.

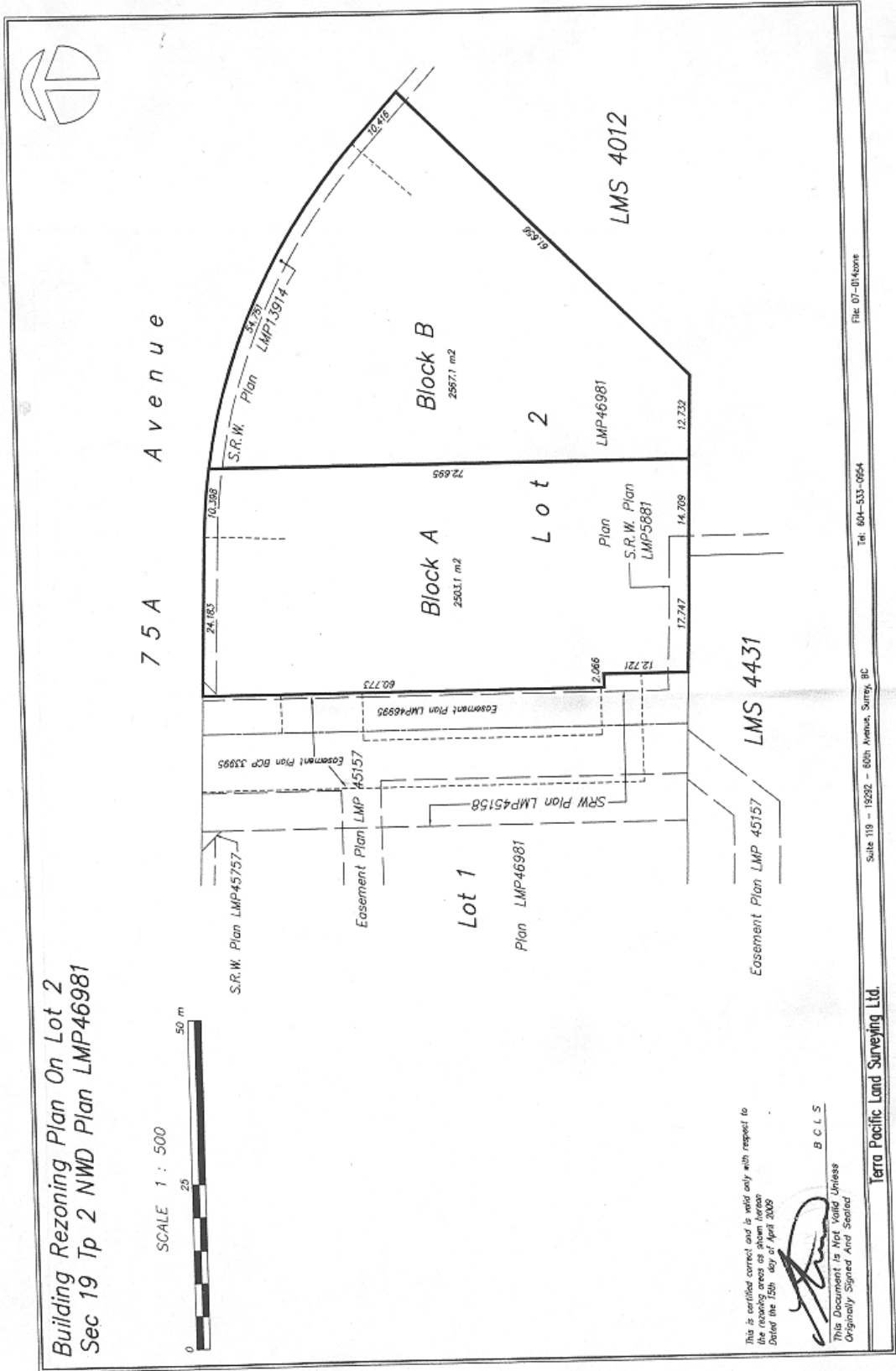
RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 25th day of January, 2010.

_____ MAYOR

_____ CLERK

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SCHEDULE A



This is certified correct and is valid only with respect to the rezoning areas as shown in this plan.
Dated the 15th day of April 2009

[Signature]
B C L S
Originally Signed And Sealed

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