

CITY OF SURREY

BY-LAW NO. 16998

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: GENERAL AGRICULTURE ZONE (A-1)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

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Portion of Parcel Identifier: 007-907-541  
North West Quarter Section 12 Township 2 New Westminster District Except Portions in Plans 1435 and LMP36235 and Parcel 2 (Bylaw Plan 68893) as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Matt Onderwater, B.C.L.S. on the 23<sup>rd</sup> day of December 2009, containing 3.042 hectares, called Block A and containing 0.330 hectares, called Block B.

Portion of 16390 - 64 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*, *ground-oriented multiple residential buildings* and related *amenity spaces*, where *density* bonus is provided, 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. Block A
  - (a) *Multiple unit residential buildings or ground- oriented multiple unit residential buildings; and*
  - (b) *Child care centres, provided that such centres:*
    - i. Do not constitute a singular use on the *lot*; and
    - ii. Do not exceed a total area of 3.0 square metres [32 sq.ft.] per *dwelling unit*.
2. Block B
  - (a) *Amenity space; and*
  - (b) *Landscaping.*

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. The *floor area ratio* shall not exceed 0.1 or *building area* of 300 square metres [3,230 sq.ft.] whichever is smaller and 1 *dwelling unit*. The maximum *density* may be increased to that prescribed in Section D.2 of this Zone, if amenities are provided in accordance within Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. If amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended, the maximum *floor area ratio* may be increased to 0.80 and the maximum number of *dwelling units* may be increased to 253.
3. For the purpose of this Section, notwithstanding the definition of *floor area ratio* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, the calculation of *floor area ratio* shall be based on the area of Block A.
4. The floor area of the indoor *amenity space* required in Sub-section J.1(b) of this Zone shall be excluded from the calculation of *floor area ratio*.

**E. Lot Coverage**

1. The *lot coverage* shall not exceed 30%.

2. For the purpose of this Section, notwithstanding the definition of *lot coverage* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, the calculation of *lot coverage* shall be based on the area of Block A.

**F. Yards and Setbacks**

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

<b>Use</b>	<b>Setback</b>	<b>Front Yard (64 Avenue)</b>	<b>Rear Yard (South)</b>	<b>Side Yard (West)</b>	<b>Side Yard (East)</b>
<i>Principal and Accessory Buildings and Structures</i>		7.5 m [25 ft.]	7.5 m. [25 ft.]	17.0 m. [56 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 16.7 metres [55 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 4.5 metres [15 feet].
3. Notwithstanding Section G.2, the *building height* of the indoor *amenity space buildings* shall not exceed 10.5 metres [34.6 ft.].

**H. Off-Street Parking**

1. Resident and visitor *parking spaces* shall be provided 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. All required resident *parking spaces* shall be provided as *underground parking* or as *parking within 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. 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. 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 located within the *underground parking* or within a *building*.

## 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. *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>
3.04 hectares [7.5 acres]	155 metres [509 ft]	180 metres [590 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of the 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 the 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 Off-Street Parking, 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.
8. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2008, No. 16494, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-45 Zone.
9. Surrey Tree Protection By-law, 2006, No. 16100, as amended.
10. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
11. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act R.S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
12. Activities and uses on lands located in the *Agricultural Land Reserve* shall be in accordance with the *Agricultural Land Commission Act/Regs/Orders*, where applicable.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2009, No. 16998."

PASSED FIRST READING on the 27th day of July, 2009.

PASSED SECOND READING, AS AMENDED on the 11th day of January, 2010.

PUBLIC HEARING HELD thereon the 25th day of January, 2010.

READ A THIRD TIME ON THE 25th day of January, 2010.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 11th day of March, 2013.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

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**SURVEY PLAN TO ACCOMPANY CITY OF SURREY REZONING BYLAW 16998 OF PART OF THE NORTHWEST QUARTER SECTION 12 TOWNSHIP 2 N.W.D. EXCEPT PORTIONS IN PLANS 1435 AND LMP36235 AND PARCEL 2 (BYLAW PLAN 68893)**

