

OF SURREY

BY-LAW NO. 17113

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: LOCAL COMMERCIAL ZONE (C-4)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

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Parcel Identifier: 027-233-413

Lot 1 Sections 10 and 15 Township 8 New Westminster District Plan BCP32553

19209 Fraser Highway

Parcel Identifier: 011-391-464

Lot 2 Except: Part Dedicated Road on Plan 67872; Section 10 Township 8 New  
Westminster District Plan 9440

19240 - 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 a medium *density* mixed use development consisting of *multiple unit residential building* and related *amenity spaces* and *commercial uses*, 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, provided such combined uses are part of a *comprehensive design*:

1. *Multiple unit residential buildings.*
2. *Child care centres, provided that such centres:*
  - (a) Do not constitute a singular use on a *lot*; and
  - (b) Do not exceed a total of 3.0 square metres [32 sq.ft.] per *dwelling unit*.
3. The following uses, provided that any one of these uses, or a combination thereof do not constitute a singular use on the *lot*:
  - (a) *Retail stores* excluding *adult entertainment stores* and *secondhand stores* and *pawnshops*;
  - (b) *Personal service uses* excluding *body rub parlours*;
  - (c) General service uses excluding funeral parlours and *drive-through banks*
  - (d) *Eating establishments* excluding *drive-through restaurants*;
  - (e) *Neighbourhood pubs*;
  - (f) Liquor store, permitted only in conjunction with a "liquor-primary" licensed establishment, with a valid license issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, s. 84, as amended;
  - (g) Office uses excluding *social escort services* and methadone clinics;
  - (h) Indoor *recreational facilities*;
  - (i) *Entertainment uses* excluding *arcades* and *adult entertainment stores*; and
  - (j) *Community services*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. The *floor area ratio* shall not exceed 0.90.
2. Notwithstanding an air space subdivision, the air space parcels and the remainder *lot* of the air space subdivision shall be considered as one *lot* for the purpose of application of Section D of this Zone and further provided that the *floor area ratio* calculated from the cumulative floor areas of all the *buildings* within all of the air space parcels and the remainder *lot* of the air space subdivision shall not exceed the maximum specified in Section D.1.
3. The indoor *amenity space* required in Sub-section J.1(b) of this Zone is excluded from the calculation of *floor area ratio*.

**E. Lot Coverage**

The *lot coverage* shall not exceed 50%, excluding air space parcels which shall have a maximum *lot coverage* of 100%.

**F. Yards and Setbacks**

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

<b>Use</b>	<b>Setback</b>	North <i>Yard</i>	South <i>Yard</i>	East <i>Yard</i>
<i>Principal Buildings and Accessory Buildings and Structures</i>		0.0 m [0 ft.]	0.0 m [0 ft.]	13 m [43 ft.]
<i>Principal Buildings and Accessory Buildings and Structures Within Air Space Parcels</i>		0 m. [0 ft.]	0 m. [0 ft.]	0 m. [0 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 18 metres [59 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 4.5 metres [15 feet].

## 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. Commercial *parking spaces* shall be provided as stated in Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
3. One hundred percent (100%) of 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.

4. The uses listed under Section B.3 of this Zone shall be located on the ground floor and second storey and shall have access independent of the residential access.

**K. Subdivision**

1. 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 of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000 as amended.

2. Air space parcels created through subdivision in this Zone, are not subject to Section K.1., but shall comply with the provisions in the Land Title Act R.S.B.C., 1996 Chapter 250, 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. Development cost charges for the residential uses shall be based on the rate for the RM-45 Zone, and development cost charges for the commercial uses shall be based on the rate for the C-8 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. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act R.S.B.C. 1996, Chapter 267, as amended.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17113."

READ A FIRST TIME on the 11th day of January, 2010.

READ A SECOND TIME AS AMENDED ON THE 11th day of June 2012.

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

PUBLIC HEARING AS AMENDED HELD thereon on the 25th day of June, 2012.

READ A THIRD TIME AS AMENDED ON THE 25th day of June, 2012.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 26th day of July, 2012.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK