

CITY OF SURREY

BY-LAW NO. 17138

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
 2006, NO. 16172)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 027-121-135
Lot D Section 23 Block 5 North Range 2 West New Westminster District Plan BCP31151

13728 – 108 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, multiple unit residential buildings, ground-oriented multiple unit residential buildings*, related *amenity spaces* and *commercial* uses which are 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. *Multiple unit residential buildings* and *ground-oriented multiple unit residential buildings*.

2. *Accessory uses* including the following provided that the *gross floor area* of each individual business does not exceed 68 square metres [730 sq.ft.] and the uses are restricted to the ground floor level of a *multiple unit residential building*:
 - (a) *Retail stores* excluding the following:
 - i. *Adult entertainment stores*; and
 - ii. *Secondhand stores and pawnshops*.
 - (b) *Personal service uses* excluding *body rub parlours*;
 - (c) *Eating establishments* excluding *drive-through restaurants*;
 - (d) *Office uses* excluding *social escort services* and *methadone clinics*;
 - (e) *General service uses* excluding *funeral parlours*, *drive-through banks* and *vehicle rentals*;
 - (f) *Community services*; and
 - (g) *Child care centres*.

C. Lot Area

Not applicable to this zone.

D. Density

1. The *floor area ratio* shall not exceed 2.5.
2. *Indoor Amenity Space*: The *amenity space* required in Section J.2 of this Zone is excluded from the calculation of *floor area ratio*.

E. Lot Coverage

The maximum *lot coverage* shall be 60%.

F. Yards and Setbacks

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

Northern <i>Yard</i>	Southern <i>Yard</i>	Western <i>Yard</i>	Eastern <i>Yard</i>
3.9 m [13 ft.]	5.0 m [16 ft.]	2.0 m [6 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.

2. Notwithstanding Sub-section E.17(b) of Part 4 General Provision of Surrey Zoning By-law, 1993, No. 12000, as amended, stairs of more than three risers and pedestrian ramps may encroach into the *setback*.

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 21 metres [69 feet].
2. *Accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

1. Notwithstanding in Table C.6, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, 151 resident *parking spaces* and 9 visitor *parking spaces* shall be provided.
2. Notwithstanding Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, no *commercial parking spaces* are required.
3. All resident and 5 visitor *parking spaces* shall be provided within a *underground parking facility*.
4. *Tandem parking* for required parking is not permitted.
5. Notwithstanding Sub-section A.2 (c) of Part 5 Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, the *underground parking facility* may extend up to the *front lot line*.

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* that 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 or hard surfaced on the side of the *highway* abutting the *lot*, except at *driveways*.
4. Garage 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
 - (b) Indoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit*.
2. Notwithstanding Sub-section J.1(a), outdoor *amenity space* may be provided on a *lot* within 50 metres (164 ft.) of the *lot* on which the outdoor *amenity space* is required.

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>
4,000 sq. m [1.0 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-135C Zone 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 shall be subject to the Surrey Development Cost Charge By-law, 2010, No. 17111, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-135 Zone in City Centre for *multiple unit residential buildings* and *ground-oriented multiple unit residential buildings* and on Commercial Zones for uses under Section B.2 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.
 10. Provincial licensing of *child care centres* is regulated by the Community Care Facility Act R.S.B.C. 1996. c. 60, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17138."

READ A FIRST TIME on the 1st day of March, 2010.

READ A SECOND TIME, AS AMENDED, on the 22nd day of March, 2010.

PUBLIC HEARING HELD thereon on the 22nd day of March, 2010.

READ A THIRD TIME, AS AMENDED ON THE 31st day of January, 2011.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 31st day of January, 2011.

_____ MAYOR

_____ CLERK

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