

CITY OF SURREY

BY-LAW NO. 17181

A by-law to amend the provisions of "Surrey Zoning By-law, 1993, No. 12000," as amended.
.....

NOW, THEREFORE, the 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 as follows:

(a) Part 1 Definitions is amended as follows:

1. Amend the definition of "Alcohol and Drug Recovery House" as follows:

(a) Italicize the words "building" and "sleeping units"; and

(b) Replace "Community Care Facility Act, R.S.B.C. 1996, c.60" with "Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended".

2. Delete the definition of "**Building Height**" in its entirety and replace it with the following definitions:

"Building Height for Buildings located on Single Family and Duplex Lots

means the vertical distance measured from the average *finished grade* level, determined by averaging the *finished grades* at all *building faces* surrounding the perimeter of a *building*, to:

(a) the highest point on a flat roof; or

(b) the average level between the eaves and ridge of a gable, hip or gambrel roofed *building*; or

(c) the greater of the two measurements referred to in (a) and (b) above in the case of a *building* with more than one type of roof.

Dormers and other similar roof elements shall not be included in the measurement of *building height* provided that the dormers and other similar roof elements, in aggregate, do not exceed 25% of the plan view area of the roof on which they are located.";

and

"Building Height for Buildings not located on Single Family and Duplex Lots

means the vertical distance measured from the average *existing grade* level, determined by averaging the *existing grades* at all *building faces* surrounding the perimeter of a *building*, to:

- (a) the highest point on a flat roof; or
- (b) the average level between the eaves and ridge of a gable, hip or gambrel roofed *building*; or
- (c) the greater of the two measurements referred to in (a) and (b) above in the case of a *building* with more than one type of roof.

Elevator service rooms, air conditioners and similar equipment, and dormers and other similar roof elements shall not be included in the measurement of *building height* provided that the dormers and other similar roof elements, in aggregate, do not exceed 25% of the plan view area of the roof on which they are located."

- 3. Delete the definition of "Care Facility" in its entirety and replace it with the following:

"means a *building* which contains *sleeping units* for persons receiving care or assistance where the *building* and/or operator are regulated or funded by provincial or federal agencies, including care and assisted living as defined and regulated under the Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended."

- 4. Delete the definition of "Child Care Centre" in its entirety and replace it with the following:

"means a facility for children which includes group child care, preschool, family child care, occasional child care and multi-age child care all as defined, licensed and regulated under the Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended and the Child Care Licensing Regulation set out under B.C. Reg. 95/2009, as amended."

- 5. Insert the following definition after the definition of "Entertainment Uses":

"Existing Grade

means the lowest ground elevation existing prior to construction, as established on a legal survey plan by a registered British Columbia Land Surveyor, such ground elevation to include fill materials placed on the *lot* to raise the ground elevation up to, but not above, the average elevation of adjacent *lots* at the adjoining *lot lines*."

6. Delete the definition of "Finished Grade" in its entirety and replace it with the following:

"Finished Grade

means:

- (a) the rough grading elevation as identified on a *lot* grading plan, where such a plan has been approved by the *City* at the time of subdivision when the *lot* was created; or
 - (b) where there is no *lot* grading plan that was approved by the *City* at the time of subdivision when the *lot* was created, the lowest ground elevation existing prior to construction, as established on a legal survey by a registered British Columbia Land Surveyor, such ground elevation to include fill materials placed on the *lot* to raise the ground elevation up to, but not above, the average elevation of adjacent *lots* at the adjoining *lot lines*".
- (b) Wherever the reference to "Community Care Facility Act, R.S.B.C.", "Community Care Facility Act, R.S.B.C. 1979, c. 57" or "Community Care Facility Act, R.S.B.C. 1996, c.60" appears, replace it with "Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended"; and
- (c) Wherever the reference to "Child Care Regulations set out under B.C. Reg. 319/89" appears, replace it with "Child Care Licensing Regulation set out under B.C. Reg. 95/2009, as amended".
2. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2010, No. 17181."

PASSED FIRST AND SECOND READING on the 17th day of May, 2010.

PUBLIC HEARING HELD thereon on the 7th day of June, 2010.

PASSED THIRD READING on the 7th day of June, 2010.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 7th day of June, 2010.

_____MAYOR

_____CLERK