

CITY OF SURREY

BY-LAW NO. 17182

A by-law to amend the provisions of "Surrey Zoning By-law, 1979, No. 5942," as amended.
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NOW, THEREFORE, the Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. "Surrey Zoning By-law, 1979, No. 5942," as amended, is hereby further amended as follows:

(a) Part 1 Definitions is amended as follows:

1. 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."

- 2. Insert the following definition after the definition of "DWELLING – MULTI-FAMILY":

"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."

- 3. 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."

- 4. Delete the definition of "PERSONAL CARE FACILITY" in its entirety and replace it with the following

"PERSONAL CARE FACILITY

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."

(b) Wherever the reference to "Community Care Facility Act R.S.B.C." appears, replace it with "Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended".

2. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1979, No. 5942, Text Amendment By-law, 2010, No. 17182."

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

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