

CITY OF SURREY

BY-LAW NO. 17377

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

As amended by Bylaw No: 18399, 04/13/15; 18514, 09/28/15

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THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.  
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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: ONE-ACRE RESIDENTIAL ZONE (RA)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

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Parcel Identifier: 004-459-652  
Parcel "A" (J146245E) Lot 3 Section 16 Township 8 New Westminster District Plan 4502

18808 – 72 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 neighbourhood scale shopping node and low impact retail, office or service uses as an optional use, within medium *density*, *ground-oriented multiple residential buildings* and related *amenity spaces* which are to be developed in accordance with a *comprehensive design*, where *density* bonus is provided.

The *Lands* are divided into Blocks A, B and C as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Gene Paul Nikula, B.C.L.S. on the 8<sup>th</sup> day of March 2011.

## 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) The following uses are permitted provided that the *gross floor area* of each individual business does not exceed 370 square metres [4,000 sq.ft.]:
  - i. *Retail stores* excluding *adult entertainment stores*, auction houses and *secondhand stores* and *pawnshops*.
  - ii. *Personal service uses* limited to the following:
    - a. Barbershops;
    - b. Beauty parlours;
    - c. Cleaning and repair of clothing; and
    - d. Shoe repair shops;
  - iii. *Eating establishments* excluding *drive-through restaurants*;
  - iv. Office uses excluding *social escort services* and *methadone clinics*
  - v. *General service uses* excluding funeral parlours, *drive-through banks* and *vehicle rentals*;
  - vi. *Indoor recreational facilities*;
  - vii. *Community services*; and
  - viii. *Liquor store*.

### 2. Block B

- (a) *Ground-oriented multiple unit residential buildings*;
- (b) The following uses may be permitted only in association with the uses permitted under Sub-section B.2 (a) for *dwelling units* adjacent 188 Street only, provided that the floor area occupied by non-residential uses does not exceed 30% of the floor area of the *dwelling unit* including *basement*, garage or carport and further

provided that such uses shall not be a singular use on the *lot* and shall be operated by the occupant of the said *dwelling unit*:

- i. *Personal service uses* limited to the following:
  - a. Barbershops;
  - b. Beauty parlours;
  - c. Cleaning and repair of clothing; and
  - d. Shoe repair shops;
- ii. Office uses excluding *social escort services* and *methadone clinics*;
- iii. *General service uses* excluding the following:
  - a. Funeral parlours;
  - b. Banks and *drive-through banks*;
  - c. Veterinary clinics; and
  - d. *Adult educational institutions*;
- iv. *Retail stores* excluding the following:
  - a. *Adult entertainment stores*;
  - b. *Secondhand stores* and *pawnshops*;
  - c. *Convenience stores*;
  - d. *Retail warehouses*; and
  - e. Flea markets.

3. Block C

- (a) *Ground-oriented multiple unit residential buildings.*

**C. Lot Area**

Not applicable to this Zone.

## D. Density

### 1. Block A

The *density* shall not exceed a *floor area ratio* of 0.1 or a *building area* of 300 square metres [3,230 sq.ft.] whichever is smaller. The *floor area ratio* may be increased to a maximum *floor area ratio* of 0.45 if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.

### 2. Block B

(a) The *unit density* shall not exceed 2.5 *dwelling units* per hectare [1 u.p.a.]. The maximum *density* may be increased to that prescribed in Sub-section D.2(b) of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.

- (b) i. The *floor area ratio* shall not exceed 0.90; and
- ii. The *unit density* shall not exceed 63 *dwelling units* per hectare [25 u.p.a.].

### 3. Block C

(a) The *unit density* shall not exceed 2.5 *dwelling units* per hectare [1 u.p.a.]. The maximum *density* may be increased to that prescribed in Sub-section D.3(b) of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.

- (b) i. The *floor area ratio* shall not exceed 0.86; and
- ii. The *unit density* shall not exceed 55 *dwelling units* per hectare [22 u.p.a.].

## E. Lot Coverage

Block A: The *lot coverage* shall not exceed 28%.

Block B: The *lot coverage* shall not exceed 47%.

Block C: The *lot coverage* shall not exceed 41%.

## F. Yards and Setbacks

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

1. Block A

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

- (a) *Front Yard* (North): 2.9 metres [10 ft.] to the *building* face except 0.30 metre [1 ft.] to the *building* face at the northwest corner of the *Lands* and 0.8 metres [3 ft.) to the roof;
- (b) *Rear Yard* (South): 7.5 metres [25 ft.];
- (c) *Side Yard* (East): 7.5 metres [25 ft.]; and
- (d) *Side Yard* on a *Flanking Street* (West): 1.9 metres [6 ft.]; and 0.0 metre [0 ft.] to the roof.

2. Block B

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

- (a) *Front Yard* (South): 3.4 metres [11 ft.] to the *building* face; and 2.5 metres [8 ft.] to the *balcony*;
- (b) *Rear Yard* (North): 3.6 metres [12 ft.];
- (c) *Side Yard* (East): 7.5 metres [25 ft.] to the *building* face; and 6.9 metres [23 ft.] to the *balcony*; and
- (d) *Side Yard* on a *Flanking Street* (West): 2.4 metres [8 ft.].

3. Block C

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

- i. *Front Yard* (North): 3.3 metres [11 ft.]; except 2.5 metres [8 ft.] to the *building* face and 0.9 metres [3 ft.] to the *balcony* at the northwest corner of the *lands*;
  - ii. *Rear Yard* (South): 2.9 metres [10 ft.];
  - iii. *Side Yard* (East): 7.5 metres [25 ft.] to the *building* face; and 6.8 metres [22 ft.] to the *balcony*; and
  - iv. *Side Yard* on a *Flanking Street* (West): 4.7 metres [15 ft.] to the *building* face; and 2.9 metres [10 ft.] to the *balcony*.
- (b) Notwithstanding Sub-section E.17(b) of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended, a maximum of 10 risers may encroach into the *building setback* area.

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. Block A

- (a) Principal buildings: The *building height* shall not exceed 9.3 metres [31 feet].
- (b) Accessory buildings and structures: The *building height* shall not exceed 4 metres [13 feet].

### 2. Blocks B and C

- (a) Principal buildings: The *building height* shall not exceed 13 metres [43 feet].
- (b) Accessory buildings and structures:
  - i. *Indoor amenity space buildings*: The *building height* shall not exceed 11 metres [36 ft.]; and
  - ii. *Other accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [15 feet].

## **H. Off-Street Parking**

### 1. Block A

- (a) Refer to Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
- (b) *Tandem parking* may be permitted for company fleet *vehicles*.

### 2. Blocks B and C

- (a) 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.
- (b) All required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.

- (c) *Tandem parking* is permitted, subject to the following:
  - i. *Dwelling units* with *parking spaces* provided as *tandem parking* are permitted directly adjacent to an arterial roadway only if there is an internal access to the parking area;
  - ii. *Parking spaces* provided as *tandem parking* must be enclosed and attached to each *dwelling unit*; and
  - ii. *Parking spaces* provided as *tandem parking* must be held by the same owner.
- (d) Notwithstanding Sub-sections 2.(b) and 2(c)ii., one unenclosed *parking space* in a *tandem parking* arrangement is permitted for a maximum of 50 % of the *dwelling units* in Block C.

## 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 screened to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.
- 5. Loading areas, garbage containers and *passive recycling containers* shall be screened from any adjacent *residential lot*, to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

## J. Special Regulations

- 1. Block A
  - (a) Garbage containers and *passive recycling containers* shall not be located within any required *setback*; and
  - (b) The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone; and

- (c) *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.

2. Blocks B and C

- (a) *Amenity space* shall be provided on the *lot* as follows:
  - i. 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
  - ii. Indoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit*.
- (b) *Child care centres* shall be located on the *lot* such that these centres:
  - i. Are accessed from a *highway*, independent from the access to the residential uses permitted in Section B of this Zone; and
  - ii. Have direct access to an *open space* and play area within the *lot*.

**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>
3,050 sq. m. [0.75 acre]	50 metres [164 ft]	69 metres [226 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 C-5 Zone for Block A and the RM-30 Zone for Blocks B and C 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, 2011, No. 17330, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-30 Zone for the residential portion and the C-5 Zone for the commercial portion.
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.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2011, No. 17377."

READ A FIRST AND SECOND TIME on the 14th day of March, 2011.

PUBLIC HEARING HELD thereon on the 4th day of April, 2011.

READ A THIRD TIME AS AMENDED ON THE 9th day of July, 2012.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 9th day of July, 2012.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY  
BYLAW NO. 17377 OVER PARTS OF PARCEL "A"  
(J146245E) LOT 3 SECTION 16 TOWNSHIP 8  
NEW WESTMINSTER DISTRICT PLAN 4502**

FOR THE PURPOSE OF REZONING  
B.C.G.S. 92G017  
CITY OF SURREY

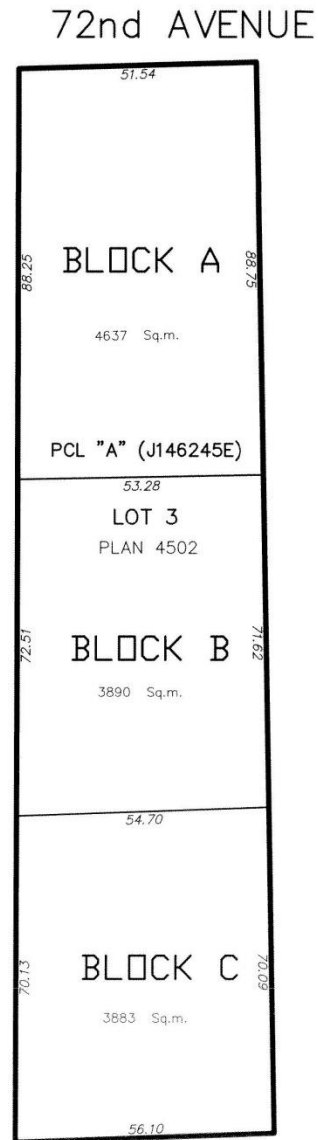
LEGEND

SCALE  
1:1250

*—property dimensions are derived  
from Land Title Office records*

BOOK OF REFERENCE

ZONE	LEGAL DESCRIPTION	TOTAL AREA
BLOCK A	PART PCL "A" (J146245E) LOT 3 SEC 16 TP 8 NWD PLAN 4502	4637m <sup>2</sup>
BLOCK B	PART PCL "A" (J146245E) LOT 3 SEC 16 TP 8 NWD PLAN 4502	3890m <sup>2</sup>
BLOCK C	PART PCL "A" (J146245E) LOT 3 SEC 16 TP 8 NWD PLAN 4502	3883m <sup>2</sup>



Certified correct according to LTD records  
This 08th day of March 2011

*Gene Mikula*  
GENE PAUL MIKULA B.C.L.S. 803  
BRITISH COLUMBIA  
COMMISSION NO. 183

**THIS DOCUMENT IS NOT VALID UNLESS  
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