

CITY OF SURREY

BY-LAW NO. 17621

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: ONE-ACRE RESIDENTIAL ZONE (RA)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 005-998-603
Lot 36 Section 15 Township 8 New Westminster District Plan 41137

6455 - 196 Street

Parcel Identifier: 005-998-611
Lot 37 Section 15 Township 8 New Westminster District Plan 41137

19559 - 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 mixed-use development consisting of neighbourhood commercial uses and *multiple unit residential buildings* with related *amenity spaces* developed in accordance with a *comprehensive design*, where *density* bonus is provided.

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 residential buildings.*
2. The following uses are permitted at the base of a *multiple unit residential building* provided that the *gross floor area* of each individual business does not exceed 370 square metres [4,000 sq.ft.]:
 - (a) *Retail stores* excluding *adult entertainment stores*, auction houses and *secondhand stores* and *pawnshops*;
 - (b) *Personal service uses* limited to barbershops, beauty parlours, cleaning and repair of clothing and shoe repair shops;
 - (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) *Indoor recreational facilities*;
 - (g) *Community services*; and
 - (h) *Child care centres*.

C. Lot Area

Not applicable to this Zone.

D. Density

1. The maximum *density* shall not exceed a *floor area ratio* of 0.1. The maximum *density* may be increased to a *floor area ratio* of 1.5 if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. The indoor *amenity space* required in Sub-section J.1(b) is excluded from the calculation of *floor area ratio*.

E. Lot Coverage

The *lot coverage* shall not exceed 42 %.

F. Yards and Setbacks

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

Setback	<i>Front Yard (South)</i>	<i>Rear Yard (North)</i>	<i>Side Yard (East)</i>	<i>Side Yard on a Flanking Street (West)</i>
Use				
<i>Principal Buildings and Accessory Buildings and Structures</i>	1.5 m [5 ft.]	7.5 m [25 ft.]	2.2 m [7 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 Section F.1., canopies for commercial units and the roof may encroach into the required *setback* area.

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 16 metres [53 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 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended for uses listed in Section B.1.
2. Refer to Table C.2 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended for *parking spaces* for uses listed in Section B.2.
3. All required *resident parking spaces* shall be provided as *underground parking*.
4. No parking shall be permitted within the *front yard* or within any *side yard* which abuts a *flanking street*.
5. Notwithstanding Section H.4, a maximum of 7 *parking spaces* may be provided within the west *side yard*.

6. *Tandem parking* is permitted for the uses listed in Section B.1. provided that *parking spaces* provided as *tandem parking* must be held by the same owner.

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. 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*.
3. 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* 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; with the exception of *balconies* for a maximum of 3 *dwelling units* which may be a minimum of 1.75 square metres [19 sq. ft.] per *dwelling unit*.

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>
8,900 sq. m. [2.2 acre]	80 metres [263 ft.]	102 metres [335 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.

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-70 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 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.
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-70 Zone for the residential portion and the C-5 Zone for the commercial portion.

9. Tree regulations are set out in 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.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17621."

PASSED FIRST READING on the 2nd day of April, 2012.

PASSED SECOND READING on the 2nd day of April, 2012.

PUBLIC HEARING HELD thereon on the 23rd day of April, 2012.

PASSED THIRD READING ON THE 23rd day of April, 2012.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 12th day of May, 2014.

_____ MAYOR

_____ CLERK