

CITY OF SURREY

BY-LAW NO. 17626

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)

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Parcel Identifier: 010-765-972

North 125.4 Feet Lot 2 Block 2 Section 9, Township 2 New Westminster District Plan 2840

6138 -138 Street

Parcel Identifier: 010-765-956

Parcel "A" (N16573E) Lot 1 Block 2 Section 9, Township 2 New Westminster District Plan 2840

6156 -138 Street

(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 *family-oriented, low density, ground-oriented multiple unit residential buildings* and related *amenity spaces*, which are to be 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. *Ground-oriented multiple unit residential buildings.*
2. *Child care centres, provided that such centres:*
  - (a) Do not constitute a singular use on the *lot*; and
  - (b) Do not exceed a total area of 3.0 square metres [32 sq.ft.] per *dwelling unit*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. The maximum *density* shall not exceed a *floor area ratio* of 0.1 or a floor area of 300 square metres [3,230 sq.ft.] whichever is smaller, and the maximum *unit density* shall not exceed a 2.5 *dwelling units* per hectare [1 u.p.a.]. The maximum *density* may be increased to that prescribed in Section D.2 of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning Bylaw, 1993, No. 12000, as amended.
2. The *floor area ratio* shall not exceed 0.73 and the maximum *unit density* shall not exceed 55 *dwelling units* per hectare [22 u.p.a.].
3. The indoor *amenity space* required in Sub-section J.1 (b) of this Zone is excluded from the calculation of *floor area ratio*.

**E. Lot Coverage**

The *lot coverage* shall not exceed 36%.

**F. Yards and Setbacks**

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

Use	<i>Setback</i>	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard (South)</i>	<i>Side Yard (North)</i>
<i>Principal Buildings and Accessory Buildings and Structures</i>		6.0 m [20 ft.]	2.3 m [7 ft.]	5.8 m.* [19 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.

\*This may be reduced to 4.5 metres [15 ft.] measured to the side of *principal building*.

2. Notwithstanding Section F.1 of this Zone and Sub-section E.17 (b) of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended, stairs may encroach as follows:
  - (a) Within the *front yard setback*, a maximum of 1.5 metres [5 ft.];
  - (b) Within the north *side yard setback* a maximum of 1.5 metres [5 ft.]; and
  - (c) Within the south *side yard setback*, a maximum of 1 metre [3 ft.]
  
3. Notwithstanding Section F.1 of this Zone and the definition of Setback in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, the roof eaves may encroach as follows:
  - (a) Within the *front yard setback*, a maximum of 1.06 metres [3.5 ft.];
  - (b) Within the north *side yard setback*, a maximum of 1.06 metres [3.5 ft.];
  - (c) Within the south *side yard setback*, a maximum of 0.85 metre [2.8 ft.]; and
  - (d) Within the *rear yard setback*, a maximum of 1.01 metres [3.3 ft.].
  
4. Notwithstanding Section F.1 of this Zone and the definition of Setback in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, *Sun Decks* may encroach as follows:
  - (a) Within the *front yard setback*, a maximum of 1.06 metres [3.5 ft.];
  - (b) Within the north *side yard setback*, a maximum of 1.06 metres [3.5 ft.]; and
  - (c) Within the south *side yard setback*, a maximum of 1.06 metres [3.5 ft.].

## 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 12 metres [39 ft].
2. *Accessory buildings and structures:*
  - (a) *Indoor amenity space buildings:* The *building height* shall not exceed 11 metres [36 ft.]; and
  - (b) *Other accessory buildings and structures:* The *building height* shall not exceed 4.5 metres [15 ft.].

## 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.
2. All required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.

3. *Tandem parking* is permitted, subject to the following:
  - (a) *Dwelling units* with *parking spaces* provided as *tandem parking* are permitted only if there is an internal access to the parking area.

#### **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.

#### **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*.

## 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>
7,675 sq. m. [1.90 acres]	60 metres [195 ft.]	60 metres [195 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-15 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-15 Zone.
9. Tree regulations are set out in Surrey Tree Protection Bylaw, 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. 17626"

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 AS AMENDED on the 8th day of July, 2013.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 8th day of July, 2013.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

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