

CITY OF SURREY

BY-LAW NO. 17665

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: SINGLE FAMILY RESIDENTIAL ZONE (RF)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

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Portion of Parcel Identifier: 010-995-030

Parcel B (Explanatory Plan 6255) Lot 3 Except: Firstly: West 6 Feet Secondly: Part Subdivided by Plan 13971; Section 35 Block 5 North Range 2 West New Westminster District Plan 3352, as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Ray Janzen, B.C.L.S. on the 26th day of April, 2012, containing 1.13 hectares, called Block A.

Portion of 13913 Fraser Highway

(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 medium *density*, medium-rise *multiple unit residential buildings and ground-oriented multiple unit residential buildings* and related *amenity spaces*, which are developed in accordance with a *comprehensive design*.

**B. Permitted Uses**

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses, provided such combined uses are part of a *comprehensive design*:

1. *Multiple unit residential buildings and 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 *floor area ratio* shall not exceed 1.8.
2. 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 50%.

**F. Yards and Setbacks**

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

<b>Use</b>	<b>Setback</b>	<i>Front Yard</i> (Fraser Hwy)	<i>Rear Yard</i> (North)	<i>Side Yards</i> (West and East)
<i>Principal Buildings and Accessory Buildings and Structures</i>		4.5 metres [15 ft.]	7.5 metres [25 ft.]	7.5 metres [25 ft.]

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

2. Notwithstanding the definition of *Setback* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, the roof canopy may encroach up to 1.2 metres (4 ft.) into the required *side yard setback*.
3. Notwithstanding Sub-section F.17(b) of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended, stairs of more than 3 risers may encroach into the required *setback*.

## **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 50 metres [164 ft.].
2. 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. Notwithstanding Section H.1, resident parking shall be provided at a rate of 1 *parking space* per *dwelling unit* and visitor parking shall be provided at the rate of 0.16 *parking space* per *dwelling unit*.
3. All required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.
4. Notwithstanding Section H.3, up to 15 resident *parking spaces* may be provided at grade.
5. *Tandem parking* is permitted, but the second *parking space* is not included in the required parking calculation.

## **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 located within the *underground parking*.

## **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 at least 90% of all *dwelling units* which are not *ground-oriented*.

**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>
1 hectare [2.5 acres]	32 metres [105 ft.]	164 metres [538 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 in City Centre 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, 2012, No. 17539, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-70 Zone in City Centre.
  10. Tree regulations are set out in Surrey Tree Protection By-law, 2006, No. 16100, as amended.
  11. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
  12. 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. 17665."

READ A FIRST AND SECOND TIME on the 7th day of May, 2012.

PUBLIC HEARING HELD thereon on the 28th day of May, 2012.

READ A THIRD TIME on the 28th day of May , 2012.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 10<sup>th</sup> day of September, 2012.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

