

CITY OF SURREY

BY-LAW NO. 17672

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)

Parcel Identifier: 004-953-819
Lot 263 Except PCL L (Plan LMP3171) Section 32 Township 2 New Westminster District
Plan 51676

12859 – 88 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 medium *density* mixed use development consisting of *multiple unit residential buildings* or *ground-oriented multiple unit residential buildings* and related *amenity spaces* and commercial uses, which are to be 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* or *ground-oriented multiple unit residential buildings*

2. The following uses, provided that any of these uses, or combination thereof do not constitute a singular use on the *lot*:
 - (a) *Retail stores* excluding *adult entertainment stores*, auction houses, *secondhand stores* and *pawnshops*;
 - (b) *Personal service uses* excluding *body rub parlours* and *tattoo parlours*;
 - (c) *Eating establishments* excluding *drive-through restaurants*;
 - (d) *Neighbourhood pubs*;
 - (e) Office uses excluding *social escort services* and *methadone clinics*;
 - (f) *General service uses* excluding *funeral parlours*, *drive-through banks* and *vehicle rentals*;
 - (g) *Indoor recreational facilities*;
 - (h) *Community services*; and
 - (i) *Child care centres*.

C. Lot Area

Not applicable to this Zone.

D. Density

1. The *floor area ratio* shall not exceed 0.75.
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 45%.

F. Yards and Setbacks

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

Use	Setback	<i>Front</i>	<i>Rear</i>	<i>Side</i>	<i>Side Yard</i>
		<i>Yard</i>	<i>Yard</i>	<i>Yard</i>	<i>on Flanking</i>
		(West)	(East)	(North)	<i>Street (South)</i>
<i>Principal and Accessory</i>		7.5 m.	6.5 m.	7.5 m.	7.5 m.
<i>Buildings and Structures</i>		[25 ft.]	[21.3 ft.]	[25 ft.]	[25 ft.]

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. *Principal buildings*: The *building height* shall not exceed 13 metres [43 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.
2. Commercial *parking spaces* shall be provided as stated in Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
3. All required residential *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.

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 0.9 metre [3 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* 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
 - (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.1 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.
4. The uses listed under Section B.2 of this Zone shall be located on the ground floor and shall have access independent of the residential access.

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>
2,000 sq. m. [0.5 acre]	30 metres [100 ft.]	30 metres [100 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-30 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-30 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.
12. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act, R.S.B.C. 1996, Chapter 267, as amended.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17672"

PASSED FIRST READING on the 28th day of May, 2012.

PASSED SECOND READING on the 28th day of May, 2012.

PUBLIC HEARING HELD thereon on the 11th day of June, 2012.

PASSED THIRD READING on the 11th day of June, 2012.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 29th day of July, 2013.

_____ MAYOR

_____ CLERK

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