

CITY OF SURREY

BY-LAW NO. 17933

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

THE CITY COUNCIL of the City of Surrey, 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: ASSEMBLY HALL 1 ZONE (PA-1)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

---

Parcel Identifier: 010-324-879

Lot "G" Except: Part Subdivided by Plan 41901; Section 27 Block 5 North Range 2 West New Westminster District Plan 18061

13388 - 104 Avenue

2. The following regulations shall apply to the *Lands*:

**A. Intent**

This Comprehensive Development Zone is intended to accommodate and regulate the development of high *density*, high-rise *multiple unit residential buildings* and related *amenity spaces*, neighbourhood-scale *assembly halls* including *churches*, 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:

1. *Multiple unit residential buildings.*
2. *Office uses excluding social escort services and methadone clinics.*
3. *Retail stores excluding adult entertainment stores, secondhand stores and pawnshops.*

4. *Personal service uses* excluding *body rub parlours*.
5. *General service uses* excluding funeral parlours and *drive-through banks*.
6. *Eating establishments* excluding *drive-through restaurants*.
7. *Neighbourhood pubs*.
8. *Liquor stores*.
9. *Entertainment uses* excluding *arcades* and *adult entertainment stores*.
10. *Indoor recreational facilities*.
11. *Assembly halls*, including *churches*, which accommodate a maximum of 300 seats.
12. *Child care centres* provided that the enrollment at any one time is limited to 50 students.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. For the purpose of *building* construction, the *floor area ratio* shall not exceed 6.6.
2. Notwithstanding an air space subdivision, the air space parcels and the remainder *lot* of the air space subdivision shall be considered as one *lot* for the purpose of application of Section D of this Zone and further provided that the *floor area ratio* calculated from the cumulative floor areas of all the *buildings* within all of the air space parcels and the remainder *lot* of the air space subdivision shall not exceed the maximum specified in Section D.1.
3. Indoor Amenity Space: The *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 maximum *lot coverage* shall be 60%, excluding airspace parcels which shall have a maximum lot coverage of 100%

**F. Yards and Setbacks**

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

| <i>Setback</i>   | Northern<br><i>Yard</i> | Southern<br><i>Yard</i> | Western<br><i>Yard</i> | Eastern<br><i>Yard</i> |
|--|-------------------------|-------------------------|------------------------|------------------------|
| <i>Use</i>   |                         |                         |                        |                        |
| <i>Principal Buildings and Accessory Buildings and Structures if No Air Space Subdivision</i>                    | 2.4 m.<br>[7.5 ft.]     | 3.0 m.<br>[9.8 ft.]     | 12.0 m.<br>[39.4 ft.]  | 3.0 m.<br>[9.8 ft.]    |
| <i>Principal Buildings and Accessory Buildings and Structures Within Air Space Parcels and the Remainder Lot</i> | 0 m.<br>[0 ft.]         | 0 m.<br>[0 ft.]         | 0 m.<br>[0 ft.]        | 0 m.<br>[0 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, canopies may extend up to the *lot lines*.

**G. Height of Buildings**

Not applicable to this Zone.

**H. Off-Street Parking**

1. Refer to 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 spaces for multiple unit residential buildings* shall be provided at the rate of 0.84 *parking space per dwelling unit*.
3. Notwithstanding Section H.1, visitor *parking spaces for multiple unit residential buildings* shall be provided at the rate of 0.1 *parking space per dwelling unit*.
4. Notwithstanding Section H.1, *parking spaces* for uses listed in Table C.2, and C.5 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended shall be provided at the rate of 1.9 *parking spaces per 100 square metres [1,075 sq. ft.] of gross floor area*.

5. Notwithstanding Section H.1, *parking spaces* for uses listed in Table C.4 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended shall be provided at the rate of 3 *parking spaces* per 100 square metres [1,075 sq. ft.] of *gross floor area*.
6. All *parking spaces* shall be provided in an *underground parking facility*, or as *parking within building envelope*.
7. Notwithstanding Sub-section A.2.(c) of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, an *underground parking facility* may extend to all *lot lines*.
8. Notwithstanding Sub-section D.2.(a) of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, the number of required *bicycle spaces* in *multiple unit residential buildings* shall be at a rate of 1.0 *bicycle space* per *dwelling unit*.

## **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 hard surfaced on the side of the *highway* abutting the *lot*.
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*.

**K. Subdivision**

1. *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>       |
|-----------------------------|------------------------|------------------------|
| 3,000 sq. m.<br>[0.74 acre] | 30 metres<br>[100 ft.] | 80 metres<br>[262 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.

2. Air space parcels created through subdivision in this Zone are not subject to Section K.1 but shall comply with the provisions in the Land Title Act R.S.B.C., 1996 chapter 250, 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 RMC-150 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, 2012, No. 17850, as amended.

8. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2013, No. 17856, as may be amended or replaced from time to time, and the development cost charges shall be based on the RMC-150 (In City Centre) Zone for the residential portion, and the Commercial Zones for the commercial portion, and the PA-1 Zone for the *church* portion.
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, 2013, No. 17933"

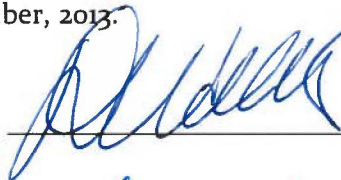
PASSED FIRST READING on the 6th day of May, 2013.

PASSED SECOND READING on the 6th day of May, 2013.

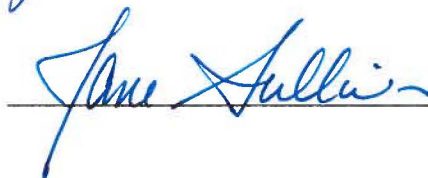
PUBLIC HEARING HELD thereon on the 27th day of May, 2013.

PASSED THIRD READING on the 27th day of May, 2013.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 23rd day of September, 2013.



MAYOR



CLERK

h:\clerks\by-laws\bylaw library\adopted\17000\17900\byl 17933.docx