

CITY OF SURREY

BYLAW NO. 19498

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

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THE 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 479 of the Local Government Act, R.S.B.C. 2015 c. 1, 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:

- (a) FROM: COMPREHENSIVE DEVELOPMENT ZONE (CD) (BY-LAW NO. 11891) (SURREY ZONING BY-LAW, 1979, NO. 5942, AMENDMENT BY-LAW, 1993, NO. 11891) and GOLF COURSE ZONE (CPG)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Portion of Parcel Identifier: 013-207-687
Parcel "One", Except Part In Plan LMP29951 Section 23 Township 2 New Westminster District Plan 80667

(Portion of 7778 – 152 Street)

- (b) FROM: COMPREHENSIVE DEVELOPMENT ZONE (CD) (BY-LAW NO. 11891) (SURREY ZONING BY-LAW, 1979, NO. 5942, AMENDMENT BY-LAW, 1993, NO. 11891)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 018-577-938
Lot 3 Except: Part On Plan BCP5386; Section 23 Township 2 New Westminster District Plan LMP14133

(7902 – 152 Street)

Both as shown on the Survey Plan attached hereto and forming part of this Bylaw as Schedule A, certified correct by John Franco, B.C.L.S. on the 19th day of January, 2018, containing 9.84 hectares, called Block 1.

(hereinafter both 1.(a) and (b) shall be 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, multiple unit residential buildings, ground-oriented multiple unit residential buildings*, and related *amenity spaces*, along with ancillary *commercial* uses, which are to be developed in accordance with a *comprehensive design*, as well as public *open space*.

The *Lands* are divided into Blocks A, B, C, D, E, F, G and H as shown on the Survey Plan attached hereto and forming part of this Bylaw as Schedule B, certified correct by John Franco, B.C.L.S. on the 19th day of January, 2018.

B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

1. Block A

(a) *Multiple unit residential building and ground-oriented multiple unit residential buildings.*

(b) The following uses are permitted, provided that they are restricted to the ground floor and form part of a *multiple unit residential building*:

i. *Retail stores* excluding *adult entertainment stores*, auction houses, *secondhand stores* and *pawnshops*;

ii. *Personal service uses* excluding *body rub parlours*;

iii. *General service uses* excluding funeral parlours and *drive-through banks* and *rental vehicles*;

iv. *Eating establishments* excluding *drive-through restaurants*;

v. Office uses excluding *social escort services* and *methadone clinics*;

vi. *Indoor recreational facilities*;

vii. *Child care centres*; and

viii. *Community services.*

2. Blocks B and C
 - (a) *Ground-oriented multiple unit residential buildings.*
3. Blocks D, E, F, G and H
 - (a) *Public open space.*

C. Lot Area

Not applicable to this Zone.

D. Density

1. Block A: The *floor area ratio* shall not exceed 1.00.
2. Block B:
 - (a) The *floor area ratio* shall not exceed 0.60; and
 - (b) The *unit density* shall not exceed 47 *dwelling units* per hectare [19 u.p.a].
3. Block C:
 - (a) The *floor area ratio* shall not exceed 0.60; and
 - (b) The *unit density* shall not exceed 42 *dwelling units* per hectare [17 u.p.a].
4. Notwithstanding the definition of *floor area ratio*, for 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 the *buildings* within all of the air space parcels and the remainder *lot* of the airspace subdivision shall not exceed the maximum specified in Section D.1 of this Zone.
4. The indoor *amenity space* required in Sub-section J.1(b) of this Zone is excluded from the calculation of *floor area ratio*.
5. Blocks D, E, F, G and H: not applicable to these Blocks.

E. Lot Coverage

1. Block A
 - (a) The *lot coverage* shall not exceed 35%; and

(b) Notwithstanding the definition of *lot coverage*, for 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 E of this Zone, and further provided that the *lot coverage* within all of the air space parcels and the remainder *lot* of the air space subdivision shall not exceed the maximum specified in Section E.1(a) of this Zone.

2. Blocks B and C: The *lot coverage* shall not exceed 40%.
3. Blocks D, E, F, G and H: not applicable to these Blocks.

F. Yards and Setbacks

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

1. Block A

<i>Setback</i>	<i>Front Yard (south)</i>	<i>Rear Yard (north)</i>	<i>Side Yard (west)</i>	<i>Side Yard (east)</i>
Use				
<i>Principal Buildings and Accessory Buildings and Structures</i>	4.0 m. [13 ft.]	7.5 m. [25 ft.]	0.5 m. [1.6 ft.]	1.5 m. [5 ft.]

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

2. Block B

<i>Setback</i>	<i>Front Yard (south)</i>	<i>Rear Yard (north)</i>	<i>Side Yard (west)</i>	<i>Side Yard (east)</i>
Use				
<i>Principal Buildings and Accessory Buildings and Structures</i>	2.0 m. [6.6 ft.]	2.0 m. [6.6 ft.]	4.5 m. [15 ft.]	4.5 m. [15 ft.]

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

3. Block C

Use	Setback	<i>Front Yard (west)</i>	<i>Rear Yard (east)</i>	<i>Side Yard (north)</i>	<i>Side Yard (south)</i>
<i>Principal Buildings and Accessory Buildings and Structures</i>		4.0 m. [13 ft.]	4.0 m. [13 ft.]	4.0 m. [13 ft.]	4.0 m. [13 ft.]

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

4. The minimum setbacks of *principal buildings* and *accessory buildings* and *structures* from interior *lot lines* for lots created by an air space subdivision may be 0.0 metre [0 ft.].
5. Notwithstanding the definition of *setback* in Part 1 Definitions of "Surrey Zoning By-law, 1993, No.12000", as amended, decks and roof overhangs may encroach up to 2.0 metres [6.6 ft.] into the required *setbacks*.
6. Notwithstanding Sub-section E.17(b) of Part 4 General Provisions of "Surrey Zoning By-law, 1993, No. 12000", as amended, stairs with more than three risers may encroach into the required *setbacks*.
7. Blocks D, E, F, G and H: not applicable to these Blocks.

G. Height of Buildings

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

1. Block A

- (a) *Principal buildings*: The *building height* shall not exceed 15 metres [50 ft.];
- (b) *Indoor amenity space buildings*: The *building height* shall not exceed 11 metres [36 ft.]; and
- (c) *Accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [15 ft.].

2. Blocks B and C

- (a) *Principal buildings*: The *building height* shall not exceed 11 metres [36 ft.];

- (b) Indoor amenity space buildings: The *building height* shall not exceed 11 metres [36 ft.]; and
 - (c) Other accessory buildings and structures: The *building height* shall not exceed 4.5 metres [15 ft.].
3. Blocks D, E, F, G and H: not applicable to these Blocks.

H. Off-Street Parking

1. Block A

- (a) *Parking spaces* for residents, visitors, tenants, employees and customers shall be provided in accordance with Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended;
- (b) All required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*; and
- (c) Tandem parking is not permitted.

2. Blocks B and C

- (a) Resident and visitor *parking spaces* shall be provided in accordance with Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended;
- (b) Fifty percent (50%) of all required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*;
- (c) *Tandem parking* for *ground-oriented multiple unit residential buildings* shall be permitted as follows:
 - i. A maximum of fifty percent (50%) of all required resident *parking spaces* may be provided as *tandem parking spaces*, excluding *parking spaces* provided as *underground parking*;
 - ii. *Dwelling units* with *tandem parking spaces* shall not be permitted direct vehicular access to an adjacent *highway*;
 - iii. Access to *parking spaces* provided as *tandem parking* is not permitted within 6 metres [20 ft.] from *lot* entrances/exits;
 - iv. *Tandem parking spaces* must be attached to each *dwelling unit*; and
 - v. Both *tandem parking spaces* must be held by the same owner.

3. Blocks D, E, F, G and H: not applicable to these Blocks.

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*, within a *building* or 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. Blocks A, B and C
 - (a) *Amenity space* shall be provided on the *lot* as follows:
 - i. 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
 - ii. Indoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit*.
 - (b) *Child care centres*, permitted only in Block A, shall be located on the *lot* such that these centre have direct access to an *open space* and play area within the *lot*; and
 - (c) *Balconies* are required for all *dwelling units* which are not *ground-oriented* 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.
2. Blocks D, E, F, G and H: not applicable to these Blocks.

K. Subdivision

1. *Lots* created through subdivision in this Zone shall conform to the following minimum standards:

	<i>Lot Size</i>
Block A	5,500 sq.m. [1.3 acres]
Block B	24,000 sq.m. [6 acres]
Block C	24,000 sq.m. [6 acres]
Block D	1,300 sq.m. [0.35 acre]
Block E	3,500 sq.m. [0.86 acre]
Block F	1,800 sq.m. [0.44 acre]
Block G	500 sq.m. [0.12 acre]
Block H	11,500 sq.m. [2.9 acre]

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 and the remainder *lot* created through an air space subdivision in this Zone are not subject to Section K.1.

L. Other Regulations

In addition to all statutes, bylaws, 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-45 Zone, as set forth in "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 Bylaw, 2012, No. 17850", as amended.
8. *Building* permits shall be subject to "Surrey Development Cost Charge Bylaw, 2016, No. 18664", as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-45 Zone for

the residential apartment portion, the RM-15 Zone for the residential townhouse portion, and the C-5 Zone for the commercial 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 Bylaw, 2013, No. 18020", as amended.
 11. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act S.B.C. 2002, c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
3. This Bylaw shall be cited for all purposes as "Surrey Zoning Bylaw, 1993, No. 12000, Amendment Bylaw, 2018, No. 19498"


PASSED FIRST READING on the 22nd day of January, 2018.

PASSED SECOND READING on the 22nd day of January, 2018.

PUBLIC HEARING HELD thereon on the 6th day of February, 2018.

PASSED THIRD READING on the 6th day of February, 2018.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 17th day of September, 2018.

MAYOR

CLERK

