

CITY OF SURREY

BYLAW NO. 19628

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: DUPLEX RESIDENTIAL ZONE (RM-D)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)
-

Parcel Identifier: 009-467-891
Lot 29 Except: Parcel A (Bylaw Plan 87435) Section 22 Block 5 North Range 2 West New Westminster District Plan 11141

(13425 - 104 Avenue)

- (b) FROM: SINGLE FAMILY RESIDENTIAL ZONE (RF)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)
-

Parcel Identifier: 009-467-939
Lot 30 Except: Part of Bylaw Plan 55687; Section 22 Block 5 North Range 2 West New Westminster District Plan 11141

(13409 - 104 Avenue)

Parcel Identifier: 007-556-365
Lot 44 Section 22 Block 5 North Range 2 West New Westminster District Plan 15002

(13440 - 105 Avenue)

Parcel Identifier: 010-040-323
Lot 45 Section 22 Block 5 North Range 2 West New Westminster District Plan 15002

(13430 - 105 Avenue)

Parcel Identifier: 010-040-340
Lot 46 Section 22 Block 5 North Range 2 West New Westminster District Plan 15002
(13420 - 105 Avenue)

Parcel Identifier: 010-040-404
Lot 47 Except: 1715 Square Feet (Bylaw Plan 55687), Section 22 Block 5 North Range 2 West
New Westminster District Plan 15002
(13410 - 105 Avenue)

(c) FROM: DOWNTOWN COMMERCIAL ZONE(C-35)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 029-182-107
That Part of Section 22 Block 5 North Range 2 West New Westminster District Shown on
Plan BCP52120
(13444 - 105 Avenue)

(hereinafter 1.(a), (b) and (c) 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 high *density*, high-rise *multiple unit residential buildings*, *ground-oriented multiple unit residential buildings* and related *amenity spaces*, and commercial uses, which are to be developed in accordance with a *comprehensive design*.

The *Lands* are divided into Blocks A and B as shown as shown on the Survey Plan attached hereto and forming part of this Bylaw, as Schedule A, certified correct by Robert Adriannsen, B.C.L.S. on the 20th day of June, 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 buildings and ground-oriented multiple unit residential buildings.*

2. Block B

- (a) *Multiple unit residential buildings and ground-oriented multiple unit residential buildings.*
- (b) The following *accessory uses*, provided that such uses form an integral part of a *multiple unit residential building* on the *Lands*:
 - i. *Retail stores excluding adult entertainment stores, auction houses, and secondhand stores and pawnshops;*
 - ii. *Personal service uses excluding body rub parlours;*
 - iii. *General service uses excluding funeral parlours and drive-through banks;*
 - iv. *Eating establishments excluding drive-through restaurants;*
 - v. *Neighbourhood pubs;*
 - vi. *Liquor store;*
 - vii. *Office uses excluding social escort services and methadone clinics;*
 - viii. *Indoor recreational facilities;*
 - ix. *Entertainment uses excluding arcades;*
 - x. *Community services; and*
 - xi. *Child care centres.*

C. **Lot Area**

Not applicable to this Zone.

D. **Density**

1. Block A

- (a) For the purpose of *building* construction, the *floor area ratio* shall not exceed 0.1.

- (b) Where amenities are provided in accordance with Schedule G of "Surrey Zoning By-law, 1993, No. 12000", as amended, the *floor area ratio* shall not exceed 9.8.
- (c) 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(b) of this Zone.
- (d) The indoor *amenity space* required in Sub-section J.1(b) of this Zone is excluded from the calculation of *floor area ratio*.

2. Block B

- (a) For the purpose of *building* construction, the *floor area ratio* shall not exceed 0.1.
- (b) Where amenities are provided in accordance with Schedule G of "Surrey Zoning By-law, 1993, No. 12000", as amended, the *floor area ratio* shall not exceed 7.2.
- (c) 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.2(b) of this Zone.
- (d) 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**

- 1. The *lot coverage* shall not exceed 56%.
- 2. 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 of this Zone.

F. Yards and Setbacks

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

(a) Block A

<i>Use</i>	<i>Setback</i>	<i>North Yard</i>	<i>South Yard</i>	<i>West Yard</i>	<i>East Yard</i>
<i>Principal Buildings and Accessory Buildings and Structures</i>		4.5 m [14 ft.]	0.0 m [0.0 ft.]	3.9 m [13 ft.]	2.5 m [8 ft.]

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

(b) Block B

<i>Use</i>	<i>Setback</i>	<i>North Yard</i>	<i>South Yard</i>	<i>West Yard</i>	<i>East Yard</i>
<i>Principal Buildings and Accessory Buildings and Structures</i>		0.0 m [0.0 ft.]	5.0 m [16.5 ft.]	0.5 m [1.5 ft.]	1.3 m [4 ft.]

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

2. Notwithstanding Section F.1 of this Zone, the minimum *setbacks* of *principal buildings and accessory buildings and structures* for interior *lot lines* for lots created by an air space subdivision may be 0.0 metre [0 ft.].
3. Notwithstanding Sub-section A.3(d) of Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended, *underground parking* may be located up to 0 metre [0 ft.] from any *lot line*.

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 90 metres [295 ft.].

2. Block B

- (a) Principal buildings: The *building height* shall not exceed 114 metres [374 ft.].

H. **Off-Street Parking**

1. All commercial *parking spaces* shall be provided as stated in Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended.
2. Notwithstanding Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended, resident parking shall be provided at a rate of 0.75 *parking space* per unit.
3. Notwithstanding Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended, visitor parking shall be provided at a rate of 0.07 *parking space* per unit.
4. All required resident *parking spaces* shall be provided as *underground parking*.
5. A minimum of 645 *parking spaces* shall be provided.

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 seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*.
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*.
3. *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.

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>
2,000 sq.m. [0.5 acre]	20 metres [66 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.

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-135 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 Bylaw, 2012, No. 17850", as amended.
 8. *Building* permits shall be subject to "Surrey Development Cost Charge Bylaw, 2017, No. 19107", as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-135 Zone in City Centre for the residential portion and the C-8 Zone in City Centre 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* By-law, 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.
 12. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267, as amended.
3. This Bylaw shall be cited for all purposes as "Surrey Zoning Bylaw, 1993, No. 12000, Amendment Bylaw, 2018, No. 19628"

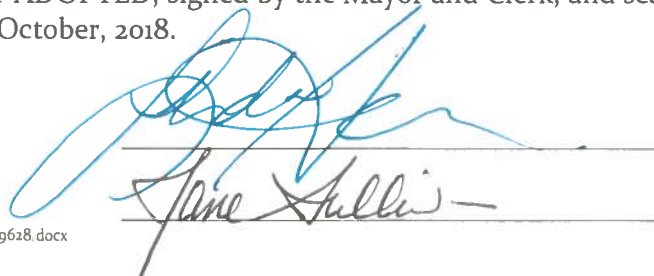
PASSED FIRST READING on the 25th day of June, 2018.

PASSED SECOND READING on the 25th day of June, 2018.

PUBLIC HEARING HELD thereon on the 9th day of July, 2018.

PASSED THIRD READING, as amended on the 1st day of October, 2018.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 1st day of October, 2018.



MAYOR

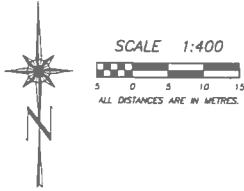
CLERK

SURVEY PLAN TO ACCOMPANY CITY OF SURREY

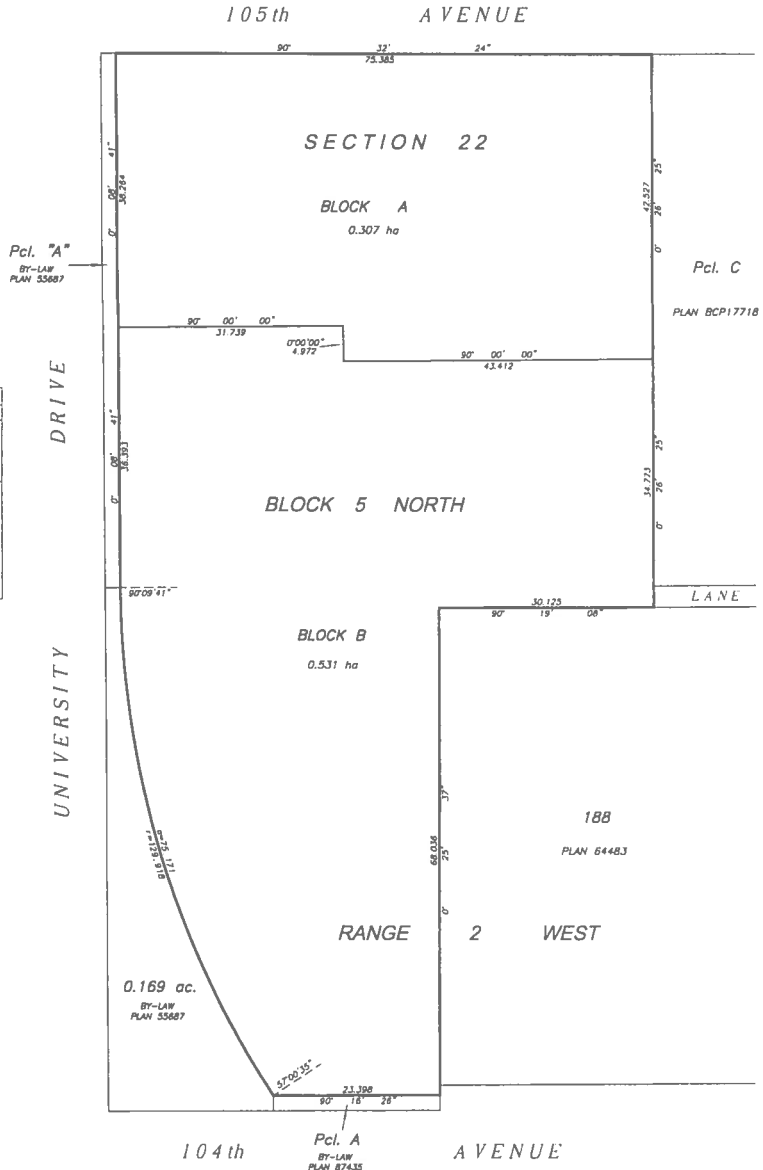
SCHEDULE A

- REZONING BYLAW No. 19628 OVER
 - LOT 29, EXCEPT: PARCEL A (BYLAW PLAN 87435), PLAN 11141;
 - LOT 30, EXCEPT: PART OF BYLAW PLAN 55687, PLAN 11141;
 - LOTS 44, 45 AND 46, PLAN 15002;
 - LOT 47, EXCEPT: 1715 SQUARE FEET (BYLAW PLAN 55687), PLAN 15002;
 - THAT PART OF SECTION 22, BLOCK 5 NORTH,
RANGE 2 WEST, N.W.D. SHOWN ON PLAN BCP52120;
ALL OF SECTION 22, BLOCK 5 NORTH, RANGE 2 WEST, N.W.D.

FOR THE PURPOSE OF REZONING
 B.C.G.S. 92G.016



BOOK OF REFERENCE		
ZONE	LEGAL DESCRIPTION	AREA
BLOCK A	PART OF - LOT 47, EXCEPT: 1715 SQUARE FEET (BYLAW PLAN 55687), PLAN 15002; - LOTS 44, 45, AND 46, PLAN 15002; ALL OF SECTION 22, BLOCK 5 NORTH, RANGE 2 WEST, N.W.D.	0.307 ha
BLOCK B	PART OF - LOT 29, EXCEPT: PARCEL A (BYLAW PLAN 87435), PLAN 11141; - LOT 30, EXCEPT: PART OF BYLAW PLAN 55687, PLAN 11141; - LOT 47, EXCEPT: 1715 SQUARE FEET (BYLAW PLAN 55687), PLAN 15002; - LOTS 44, 45, AND 46, PLAN 15002; - THAT PART OF SECTION 22, BLOCK 5 NORTH, RANGE 2 WEST, N.W.D. SHOWN ON PLAN BCP52120; ALL OF SECTION 22, BLOCK 5 NORTH, RANGE 2 WEST, N.W.D.	0.531 ha



CERTIFIED CORRECT
 THIS 20th DAY OF JUNE 2018

 ROBERT ADRADSEN, BCLS #972

BENNETT LAND SURVEYING LTD.
 B.C. & CANADA LAND SURVEYORS
 #201-8547, 150th STREET,
 SURREY, B.C. V3R 5Y5
 PHONE: 604-562-0717

DRAWING # 30870-11 Revision #2
 FILE # 30870-11_02
 DATE: JUNE 20, 2018

THIS PLAN LIES WITHIN THE METRO VANCOUVER REGIONAL DISTRICT