

CITY OF SURREY

BYLAW NO. 19682

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:

FROM: SINGLE FAMILY RESIDENTIAL ZONE (RF)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 028-914-554
Lot B Section 27 Block 5 North Range 2 West New Westminster District Plan EPP20733
(10297 - 133A Street)

Parcel Identifier: 002-984-601
Lot 8 Section 27 Block 5 North Range 2 West New Westminster District Plan 8960
(10327 - 133A Street)

(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 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*.

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 and ground-oriented multiple unit residential buildings.*
2. The following *accessory uses*, provided that such uses form an integral part of the *multiple unit residential building* on the *Lands*:
 - (a) *Retail stores* excluding the following:
 - i. *Adult entertainment stores*;
 - ii. *Auction houses*; and
 - iii. *Second-hand stores and pawnshops*;
 - (b) *Personal service uses* excluding *body rub parlours*;
 - (c) *General service uses* excluding *funeral parlours* and *drive-through banks*;
 - (d) *Eating establishments* excluding *drive-through restaurants* and limited to less than 150 square metres (1,615 sq. ft.) in gross floor area per establishment;
 - (e) *Office uses* excluding *social escort services* and *methadone clinics*;
 - (f) *Community services*; and
 - (g) *Child care centres*.

C. Lot Area

Not applicable to this Zone.

D. Density

1. For the purpose of *building* construction, the *floor area ratio* shall not exceed 0.1.
2. 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 10.7.

3. 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 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*.

E. Lot Coverage

1. The *lot coverage* shall not exceed 60%.
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 E.1 of this Zone.

F. Yards and Setbacks

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

Use	Setback	Front Yard (Central Avenue)	Rear Yard (South)	Side Yard (West)	Side Yard on Flanking Street (133A Street)
<i>Principal Buildings</i> and <i>Accessory Buildings</i> and <i>Structures</i>		4.5 m. [15 ft.]	11.5 m. [37 ft.]	7.0 m. [23 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.

2. 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.].
3. Notwithstanding the definition of *setback* in Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000", as amended, *balconies* and canopies may encroach up to 2.0 metre [7 ft.] into the required *setbacks*.
4. 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 *setbacks*.

5. 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, an *underground parking facility* may be located up to 0 metre [0 ft.] from the *front 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. *Principal buildings*: The *building height* shall not exceed 136 metres (446 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 as follows:
 - (a) For *dwelling units* within *ground-oriented multiple unit residential buildings*: 1.6 *parking spaces* per *dwelling unit*; and
 - (b) For *dwelling units* within *non-ground-oriented multiple unit residential buildings*: 0.9 *parking space* for each *dwelling 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 spaces* shall be provided at the rate of 0.1 *parking space* per *dwelling unit*.
4. All required resident, visitor and commercial *parking spaces* shall be provided as *underground parking*.

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 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>
3,400 sq. m. [0.8 acre]	40 metres [131 ft.]	78 metres [256 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 *lots* 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 the 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, 2016, No. 18664", as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-135 Zone in the City Centre for the residential portion and the C-5 Zone in the 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* 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. 19682"

PASSED FIRST READING on the 17th day of September, 2018.

PASSED SECOND READING on the 17th day of September, 2018.

PUBLIC HEARING HELD thereon on the 1st day of October, 2018.

PASSED THIRD READING 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

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