

CITY OF SURREY

BY-LAW NO. 16909

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: TOWN CENTRE COMMERCIAL ZONE (C-15)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 004-439-911
Lot 15 Block 14 Section 8 Township 8 New Westminster District Plan 2107

17759 - 56A Avenue

Parcel Identifier: 002-434-105
Lot 14 Block 14 Section 8 Township 8 New Westminster District Plan 2107

5671 - 177B 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 a medium *density*, medium-rise, *multiple unit residential building*, *ground-oriented multiple unit residential buildings* and related *amenity space*, which is 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. *Child care centres*, provided that such centres:
 - (a) Do not constitute a singular use on the *lot*; and
 - (b) Do not exceed a total area of 3.0 square metres [32 sq.ft.] per *dwelling unit*.

C. Lot Area

Not applicable to this Zone.

D. Density

1. The *floor area ratio* shall not exceed 1.50.
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 51%.

F. Yards and Setbacks

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

Use	Setback	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal and Accessory Buildings and Structures</i>		1.35 m. [4.ft.]	1.2 m. [4 ft.]	7.5 m. [25 ft.]	2.9 m.* [10 ft.]

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

*except that balconies may be sited a minimum of 1.8m. (6 ft.)

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. Notwithstanding Table C.6, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, resident parking shall be provided at the rate of 1.2 *parking spaces per dwelling unit*.
2. Visitor *parking spaces* shall be provided as stated in Table C.6, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
3. All required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.
4. No parking shall be permitted in the front of the main entrance of a *multiple unit residential building*, except for the purpose of short term drop-off or pick-up and parking for the disabled.
5. Notwithstanding Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law No. 12000, as amended, an *underground parking facility* is permitted to be located within 2.0 metres [6.6 ft.] of any *lot line*.

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* 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 be permitted 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.
4. Notwithstanding Section E.17 of Part 4 General Provisions of Surrey Zoning By-law No. 12000, as amended, stairs with more than 3 risers may encroach into the *building setback* area.

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>
1,460 sq. m. [.36 acre]	36 metres [118 ft]	40 metres [131 ft.]

Dimensions shall be measured in accordance with Section E.21, 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-45 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, 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, 2008, No. 16494, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-45 Zone.
9. 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.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2009, No. 16909."

READ A FIRST AND SECOND TIME on the 30th day of March, 2009.

PUBLIC HEARING HELD thereon on the 20th day of April, 2009.

READ A THIRD TIME AS AMENDED ON THE 20th day of February, 2012.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 20th day of February, 2012.

_____ MAYOR

_____ CLERK