

CITY OF SURREY

BY-LAW NO. 16982

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: ONE-ACRE RESIDENTIAL ZONE (RA)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 009-535-586
Lot 5 Section 33 Township 2 New Westminster District Plan 11488

13670 - 94A Avenue

(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 multi-use facility consisting of a *multiple unit residential building, care facility and accessory uses*.

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 building.*
2. *Care facility.*
3. *Accessory uses* including the following:
 - (a) Office uses excluding *social escort services*;
 - (b) *Methadone clinic*;
 - (c) *Community services*;
 - (d) *General service uses* excluding funeral parlours, *drive-through banks* and *vehicle rentals*;

- (e) *Personal service uses* excluding *body rub parlours*;
- (f) *Retail stores* excluding *adult entertainment stores* and *pawnshops*; and
- (g) Facility to assist people with the short-term recovery from the acute effects of drug and/or alcohol intoxication.

C. Lot Area

Not applicable to this Zone.

D. Density

The *floor area ratio* shall not exceed 1.9.

E. Lot Coverage

The *lot coverage* shall not exceed 55%.

F. Yards and Setbacks

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

Use	Setback	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Western Side Yard</i>	<i>Eastern Side Yard</i>
<i>Principal and Accessory Buildings and Structures</i>		6 m. [20 ft.]	31.5 m. [103 ft.]	3.5 m. [11.5 ft.]	3 m. [10 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 entry canopies may be *setback* a minimum of 1.2 metres [4 ft.] from the western *lot line*, 1.5 metres [5 ft.] from the eastern *lot line* and 4.8 metres [16 ft.] from the *front lot line*. A portion of the front of the *building*, adjacent to the front entrance may be *setback* a minimum of 5.4 metres [18 ft.] from the *front lot line* and a portion of the southeastern corner of the *building*, where the interior stair well is located, may be *setback* a minimum of 1.2 metres [4 ft.] from the eastern *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 15 metres [50 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

1. Notwithstanding Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, a minimum of 34 underground *parking spaces* are required.
2. All parking shall be provided as *underground parking*.
3. No parking shall be permitted within the *front yard*.

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 the *building*.

J. Special Regulations

Not applicable to this Zone.

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>
3,400 sq. m. [0.8 acre]	28 metres [90 ft]	110 metres [360 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of the 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 RMS-2 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, 2007, 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 in City Centre for the *dwelling units* and the RMS-2 Zone for the remainder of the site.
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.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2009, No. 16982."

READ A FIRST AND SECOND TIME on the 13th day of July, 2009.

PUBLIC HEARING HELD thereon on the 27th day of July, 2009.

READ A THIRD TIME ON THE 27th day of July, 2009.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 11th day of January, 2010.

_____ MAYOR

_____ CLERK

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