

CITY OF SURREY

BY-LAW NO. 12905

A by-law to amend "Surrey Zoning By-law, 1993, No. 12000."
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The 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 963 of the "Municipal Act," and the classification of the following parcels of land, presently shown upon the maps designated as the "Zoning Maps" and marked as Schedule "A" under Part 3 of the said By-law No. 12000, is hereby amended as follows:

- (a) FROM "LOCAL COMMERCIAL ZONE (C-L)"
TO "COMPREHENSIVE DEVELOPMENT ZONE (CD)"

A Portion of the land known as Lot 4 Except: Parcel "A" (H124477E), District Lot 165, Group 2, New Westminster District, Plan 6951, as shown outlined in heavy black line on a Survey Plan attached hereto as Schedule "A" to this by-law and containing 0.715 hectares;

(Portion of 3495 King George Highway)

(hereinafter referred to as "the Lands")

- (b) FROM "SUBURBAN RESIDENTIAL ZONE (RS)"
TO "COMPREHENSIVE DEVELOPMENT ZONE (CD)"

A Portion of the land known as Parcel "A" (H124477E), Lot 4, District Lot 165, Group 2, New Westminster District, Plan 6951, as shown outlined in heavy black line on a Survey Plan attached hereto as Schedule "A" to this by-law and containing 0.716 hectares;

(Portion of 3531 King George Highway)

South Half Lot 3, District Lot 165, Group 2, New Westminster District, Plan 6951;

(3555 King George Highway)

North Half Lot 3, District Lot 165, Group 2, New Westminster District, Plan 6951;

(3565 King George Highway)

Lot 13, Except Parcel A (Explanatory Plan 14587), District Lot 165, Group 2, New Westminster District Plan 6951; and

(3488 - 144 Street)

Lot 2 Except: Part on Bylaw Plan 53604; District Lot 165, Group 2, New Westminster District, Plan 6951.

(14462 Crescent Road)

(hereinafter referred to as "the Lands")

(c) FROM "ONE-ACRE RESIDENTIAL ZONE (RA)" TO "COMPREHENSIVE DEVELOPMENT ZONE (CD)"

Parcel "A" (Explanatory Plan 14587), Lot 13, Except: Part Subdivided by Plan 39244, District Lot 165, Group 2, New Westminster District, Plan 6951; and

(3422 - 144 Street)

Lot 31, District Lot 165, Group 2, New Westminster District, Plan 39244.

(3436 - 144 Street)

(hereinafter referred to as "the Lands")

2. The following regulations shall apply to the Lands herein:

A. INTENT

This Comprehensive Development Zone is intended to accommodate and regulate the development of single family housing, family oriented, low density housing, ground-oriented multiple unit residential buildings and related amenity and commercial spaces, in accordance with a comprehensive design.

B. PERMITTED USES

The land is divided into two areas, EV1 and EV2, as shown on Schedule I attached to and forming part of this By-law. The land, buildings, and structures on the Lands shall be used for the following uses only, or for a combination of such uses as hereinafter set forth.

1. EV1

1. Single family dwellings and duplexes provided that they form part of a comprehensive design.

2. Ground-oriented multiple unit residential buildings

3. Multiple unit residential buildings

4. Child care centres, community services and assembly halls, 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.

5. The following uses are permitted provided that the total floor area does not exceed 800 square metres (8,600 sq. ft.), each individual business does not exceed 370 square metres (4,000 sq. ft.) and, are restricted to the ground floors of buildings within the “Village Square” precinct, as shown on Schedule I, attached to and forming part of this By-law:

(a) Retail stores excluding the following

- i. adult entertainment stores; and
 - ii. auction houses
- (b) Personal service uses limited to the following:
 - i. Barbershops
 - ii. Beauty parlours
 - iii. Cleaning and repair of clothing; and
 - iv. Shoe repair shops
- (c) Eating establishments excluding drive-through restaurants
- (d) Office uses excluding social escort services.

2. EV2

- 1. One single family dwelling on each lot to be created under Section K.2 of this Zone.
- 2. Accessory uses including the following:
 - (a) Bed and breakfast use in accordance with Section B.2, Part 4 General Provisions, of “Surrey Zoning By-law, 1993, No. 12000,” as amended.
 - (b) The keeping of boarders or lodgers in accordance with section B.2, Part 4 General Provisions, of “Surrey Zoning By-law, 1993, No. 12000,” as amended.

C. LOT AREA

Not applicable to this Zone.

D. DENSITY

1. EV1

- 1. The maximum density shall not exceed 22.78 units per hectare (9.22 units per acre).

2. The maximum allowable commercial floor area shall not exceed 800 square metres (8,610 sq. ft.)
3. The maximum floor area ratio shall not exceed 0.43.
4. Indoor Amenity Space: The space required in Subsection J.1(b) of this Zone, is excluded from the calculation of the floor area ratio (FAR).

2. EV2

1. For purposes of this Section and notwithstanding the definition of floor area ratio (FAR) in Part 1 Definitions of “Surrey Zoning By-law, 1993, No. 12000,” as amended, all covered areas used for parking shall be included in the calculation of FAR; and
2. For building construction within a lot the floor area ratio (FAR) shall not exceed 0.25, provided that, of the resulting allowable floor area, 67 square metres (720 sq. ft.) shall be reserved for use only as a garage or carport, and 28 square metres (300 sq. ft.) shall be reserved for use only as accessory buildings and structures.

E. LOT COVERAGE

1. EVI

The maximum lot coverage shall not exceed 22%.

2. EV2

The maximum lot coverage shall not exceed 25%.

F. YARD AND SETBACKS

1. EV1

Buildings and structures shall be sited not less than 7.5 metres (25 ft.) from all lot lines other than created by a bare land strata subdivision except for minimum 0 metres from the Semiahmoo Trail dedicated corridor within the Village Square precinct as shown on Schedule I, attached to and forming part of this By-law, and 4.5 m from the Semiahmoo Trail dedicated corridor.

2. EV2

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

Use	Setback	Front Yard	Rear Yard	Side Yard	Side Yard on Flanking Street
Principal Building		7.5 m [25 ft.]	7.5 m [25 ft.]	4.5 m [15. ft.]	7.5 m [25 ft.]
Accessory Buildings & Structures		18.0 m [60 ft.]	1.8 m [6 ft.]	1.0 m [3 ft.]	7.5 m [25 ft.]

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

G. HEIGHT OF BUILDINGS

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

1. EVI

1. Principal Buildings: The height shall not exceed 11 metres [36 ft.]
2. Accessory Buildings & Structures: The height shall not exceed 4.5 metres [15 ft.]

2. EV2

1. Principal Buildings: The height shall not exceed 9 metres [36 ft.]
2. Accessory Buildings & Structures: The height shall not exceed 4 metres [13 ft.].

H. OFF-STREET PARKING

1. EVI

1. Parking within the required setbacks is not permitted.

2. Single Family Dwellings and Duplexes:
 - (a) Resident Parking: Two(2) off-street parking spaces per dwelling unit, where 50% shall be provided underground or within the building envelope; and.
 - (b) Visitor Parking: In addition to the required parking spaces stated in Sub-section H.1(a), 0.2 off-street parking space per dwelling unit shall be provided and retained for visitor parking and shall be permitted at finished grade.

3. Senior Citizens' Housing Development:
 - (a) Resident Parking: Zero decimal five (0.5) off-street parking space per dwelling unit, where 50% shall be provided underground or within the building envelope; and
 - (b) Visitor Parking: In addition to the required parking spaces stated in Sub-section H.2(a), 0.25 off-street parking space per dwelling unit shall be provided and retained for visitor parking and shall be permitted at finished grade.

4. Other Permitted Uses

Refer to Part 5 Off-Street Parking, of "Surrey Zoning By-law, 1993, No. 12000," as amended.

2. EV2

1. A minimum of 2 off-street parking spaces shall be provided.
2. Where boards or lodgers or bed and breakfast users are accommodated the following shall be provided:
 - (a) Where 3 patrons or less are accommodated, 1 parking space shall be provided; and
 - (b) Where more than 3 patrons are accommodated, 2 parking spaces shall be provided.

3. Outside parking or storage of campers, boats and vehicles including cars, trucks and house trailers ancillary to the residential use shall be limited to:
 - (a) A maximum of 2 cars or trucks:
 - (b) House trailer, camper or boat, provided that the combined total shall not exceed 1; and'
 - (c) The total amount permitted under (a) and (b) shall not exceed 3.

4. No outside parking or storage of a house trailer or boat is permitted within the front yard setback, or within the required side yards adjacent the dwelling, or within 1 metre [3 ft.] of the side lot line, except as follows:
 - (a) On lots which have no vehicular access to the rear yard or where access is not feasible through modification of landscaping or fencing or both, either 1 house trailer or 1 boat may be parked in the front driveway or to the side of the front driveway or in the side yard, but no closer than 1 metre [3 ft.] to a side lot line nor within 1 metre (3 ft.) of the front lot line subject to the residential parking requirements stated in Section B.1 of Part 5 Parking, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
 - (b) Notwithstanding Sub-section H.4(a), no outside parking or storage of a house trailer or boat is permitted on corner lots in an area bounded by the intersecting lot lines at a street corner and a straight line joining points 9 metres [30 ft] along the said lot lines form the point of intersection of the two lot lines; and
 - (c) Adequate screening, as described in Section I.2.2 of this Zone is provided.

I. LANDSCAPING

1. EV1

1. All developed portions of the lot not covered by buildings, structure 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 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.

2. EV2

1. All development 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 parking or storage of house trailers or boats shall be adequately screened by compact evergreen trees or shrubs at least 1.8 metres [6 ft.] in height and located between the said house trailer or boat and any point on the lot line within 7.5 metres [25

ft.] of the said house trailer or boat, in order to obscure the view from the abutting lot or street, except;

- (a) on a corner lot, this required landscape screening shall not be located in an area bounded by the intersecting lot lines at a street corner and a straight line joining points 9 metres [30 ft] along the said lot lines from the point of intersection of the 2 lot lines;
- (b) where the driveway or the parking area is used for parking or storage of a house trailer or boat, the landscape screen is not required within the said driveway; and
- (c) in the case of rear yards, this screening requirement may be provided by a 1.8 metres [6 ft.] high solid fence.

J. SPECIAL REGULATIONS

1. EV1

- 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*, of which a maximum of 1.5 square metres [16 sq. ft.] per *dwelling unit* may be devoted to a *child care centre*.
- 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. For commercial uses, the outdoor storage of any goods, materials, or supplies is specifically prohibited.
2. EV2
Not applicable to this Zone.

K. SUBDIVISION

1. EV1
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>
Fee Simple Lots	2,000 square metres [21,530 ft.]	30 metres [100 ft.]	30 metres [100 ft.]
Bare Land Strata Lots	325 square metres [3,500 sq. ft.]	9 metres [30 ft.]	27 metres [90 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.

2. EV2
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>
1,665 square metres	30 metres	30 metres

[0.41 acre]]

[100 ft.]

[100 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, land use regulations including the following are applicable:

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, 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-10 Zone as set forth in "Surrey Subdivision and Development By-law, 1986, No. 8830," as amended.
3. General provisions on use 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 Part 6 Signs, "Surrey Zoning By-law, 1993, No. 12000," 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. (a) Building permits shall be subject to the "Surrey Building By-law, 1987, No. 9011," as amended, and the "Surrey Development Cost

Charge By-law, 1993, No. 11951," as amended, and the development cost charges shall be based on the RM-10 Zone.

- (b) Subdivision within EV2 shall be subject to the "Surrey Subdivision & Development By-law 1986, No. 8830," as amended, and the "Surrey Development Cost Charge By-law, 1993, No. 11951," as amended based on RH-G Zone.

8. Development permits may be required in accordance with the Official Community Plan, as amended.

9. Provincial licensing of child care centres is regulated by the Community Care Facility Act R.S.B.C. 1979, c. 57 and the Child Care Regulations set out under B.C. Reg 319/89/213.

10. Provincial licensing and neighbourhood pubs is regulated by the Liquor Control and Licensing Act R.S.B.C.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1996, No. 12905."

PASSED FIRST AND SECOND READING on the 30th day of July, 1996.

PUBLIC HEARING HELD thereon on the 1st day of October, 1996.

PASSED THIRD READING on the 26th day of July, 1999.

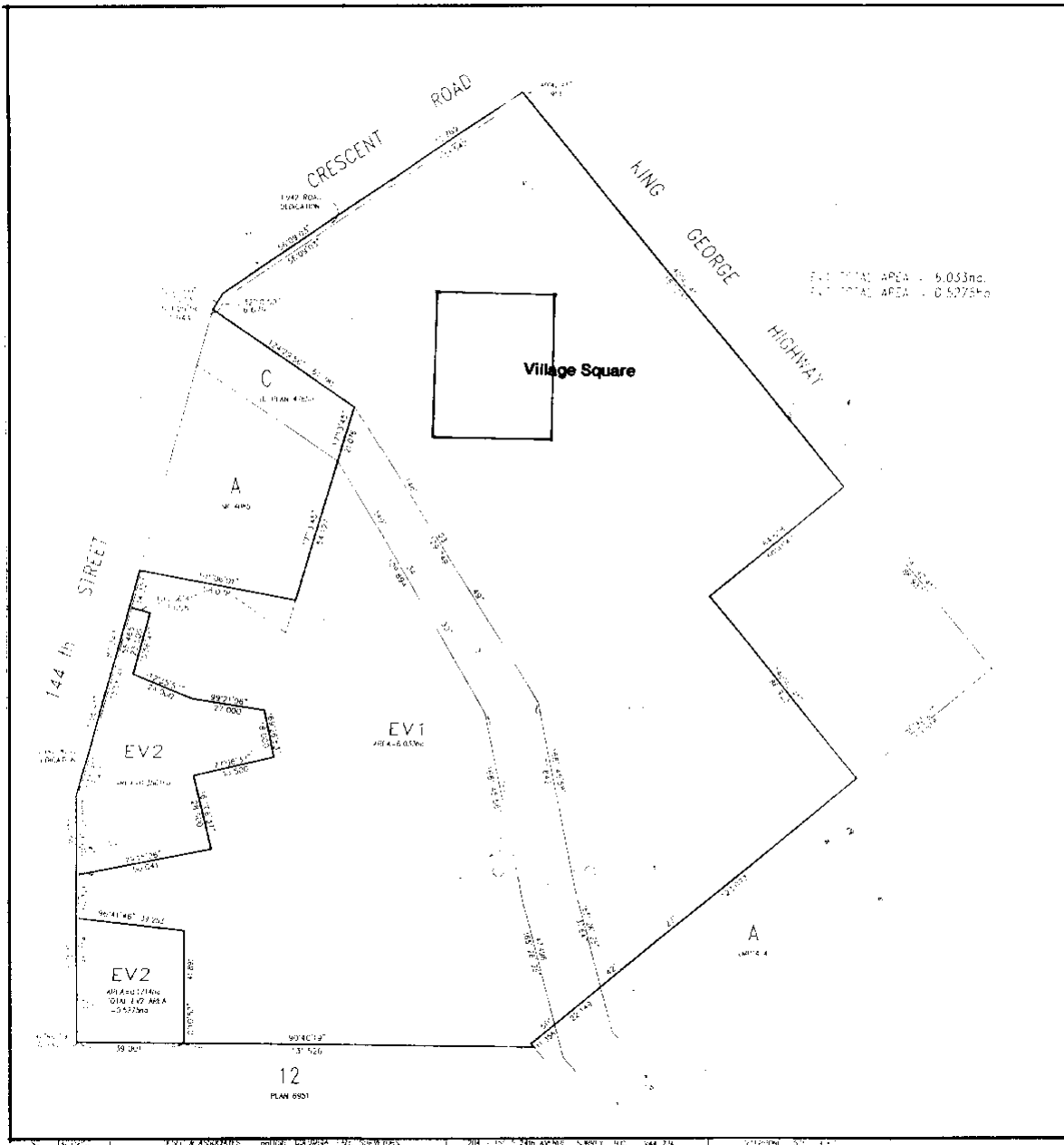
RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 26th day of July, 1999.

_____MAYOR

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Schedule I

TO BY-LAW 12905



SCHEDULE "A" TO BYLAW 12905

SURVEY PLAN TO ACCOMPANY CITY OF SURREY OCP AMEDEMMENT
 BYLAW NUMBER 12903, OCP TEXT AMEDEMMENT BYLAW NUMBER 12904,
 REZONING BY-LAW NUMBER 12905, ON PORTIONS OF LOT 4 EXCEPT PARCEL A (H124477E),
 PARCEL A (H124477E) OF LOT 4, LOT 13 EXCEPT PARCEL A (EX. PLAN 14587)
 PARCEL A (EX. PLAN 14587) OF LOT 13 EXCEPT PART SUBDIVIDED BY PLAN 39244 ALL OF
 PLAN 6951, AND LOT 31 PLAN 39244, DISTRICT LOT 165, GROUP 2, NEW WESTMINSTER DISTRICT

SCALE :
 0 10 20 40 80
 ALL DISTANCES IN METRES

