

CITY OF SURREY

BY-LAW NO. 13389

A by-law to amend Surrey Zoning By-law, 1993, No. 12000,
as amended.

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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 903 of the Municipal Act R.S.B.C. 1996 Chapter 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" under Part 3 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: 011-413-972, Lot 5, Section 25,
Township 2, New Westminster District, Plan 9613.

(8680 - 164 Street)

(hereinafter referred to as the "Lands")

2. The following regulations shall apply to the Lands:

A. Intent

This Zone is intended for single family housing on small suburban lots, with public open space set aside within the subdivision.

B. Permitted Uses

The Lands and *structures* shall be used for the following uses only, or for a combination of such uses:

1. *One single family dwelling.*

2. *Accessory uses* including the following:
 - (a) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions of the 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, as amended.

C. Lot Area

Not applicable to this Zone.

D. Density

1. For the purpose of subdivision, the maximum density shall not exceed 3.95 *dwelling units* per gross hectare [1.6 u.p.g.a.] calculated on the basis of the entire lot, provided however, that this *density* may be increased to 5 *dwelling units* per gross hectare [2.0 u.p.g.a.] in the event that:
 - (a) *Open space* in an amount of not less than 8% of the lot is preserved in its natural state or retained for park and recreational purposes as per Schedule "A" attached hereto and forming part of this Zone;
 - (b) The said *open space* shall contain natural features such as a stream, ravine, stands of mature trees, or other land forms worthy of preservation, and/or contain heritage buildings or features, and/or contribute to a park designated in the *Official Community Plan*; and
 - (c) The said *open space* shall be accessible by the public from a *highway*.

2. (a) For the purpose of this Section and notwithstanding the definition of *floor area ratio* (FAR) in Part 1 Definitions of the Surrey Zoning By-law, 1993, No. 12000, as amended, all covered areas used for parking shall be included in the calculation of FAR;
- (b) For *building* construction within a *lot* the *floor area ratio* (FAR) shall not exceed 0.32, provided that, of the resulting allowable floor area, 45 square metres [480 sq.ft.] shall be reserved for use only as a garage or carport, and 10 square metres [105 sq.ft.] shall be reserved for use only as *accessory buildings and structures*; and
- (c) Notwithstanding the above, the maximum allowable floor area permitted, including garages and *accessory buildings and structures*, shall be as follows:
 - (i) 416 m² (4,478 sq. ft.) for proposed *Lots* 1 to 5 and 8 to 10, as identified on Schedule "A" attached hereto and forming part of this Zone; and
 - (ii) 460 m² (4,952 sq. ft.) for proposed *Lots* 6 and 7, as identified on Schedule "A" attached hereto and forming part of this Zone.

E. Lot Coverage

The maximum *lot coverage* shall be 25%.

F. Yard And Setbacks

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
<i>Principal Building</i>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	3.0m [10 ft.]	7.5m [25 ft.]
<i>Accessory Buildings and Structures</i>		18.0 m. [60 ft.]	1.8 m. [6 ft.]	1.0 m. [3 ft.]	7.5 m. [25 ft.]
<i>Buildings and Structures for Uses Permitted Under Section B2 of this Zone</i>		7.5m [25 ft.]	30.0m [100 ft.]	15.0m. [50 ft.]	7.5m. [25 ft.]

Measurements to be determined as per Part 1 Definitions, of the 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. *Principal buildings:* The *height* shall not exceed 9 metres [30 feet].
2. *Accessory buildings and structures:* The *height* shall not exceed 4 metres [13 feet] except where the roof slope and construction materials of an *accessory building* are the same as that of the *principal building*, the *building height* of the *accessory building* may be increased to 5 metres [16.5 ft.].

H. Off-Street Parking

1. A minimum of 2 off-street parking spaces shall be provided.

2. Where *boarders* 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 to 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 the 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* from the point of intersection of the two *lot lines*; and
- (c) Adequate screening, as described in Section I.1 of this Zone is 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 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 metre [6 ft.] high solid fence.

3. The *open space* set aside pursuant to Section D.1 of this Zone, shall be improved with a basic level of *landscaping* work including brushing and seeding of the ground, limbing of low branches on trees and providing and constructing paths for public passage, wherever appropriate.

J. Special Regulations

Not applicable to this Zone.

K. Subdivision

1. *Lots* created through subdivision shall meet the dimensional requirements of the RH Zone, as noted in Part 14, Section K of the Surrey Zoning By-law, 1993, No. 12000, as amended.
2. *Lots* created through subdivision in accordance with Section D.1 of this Zone, shall conform to the following minimum standards:

	<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
Regular Standard <i>Lots</i>	1,300 sq. m [14,000 sq.ft.]	30 metres [100 ft.]	30 metres [100 ft.]
Permissible Reduction as set out below*	1,120 sq. m [12,000 sq.ft.]	24 metres [80 ft.]	30 metres [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.

- * Permissible reduction for up to 50% of the *lots* within a plan of subdivision where 8% or more of the lands subdivided are set aside as *open space* pursuant to Section D.1 of this Zone.

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, 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 RH-G 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 Provision, 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, of 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. *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 RH-G Zone.
 8. Surrey Tree Preservation By-law, 1996, No. 12880, as amended.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1998, No. 13389."

PASSED FIRST AND SECOND READING on the 7th day of April, 1998.

PUBLIC HEARING HELD thereon on the 11th day of May, 1998.

PASSED THIRD READING on the 11th day of May, 1998.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 28th day of April, 2003.

_____MAYOR

_____CLERK

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