

CITY OF SURREY

BY-LAW NO. 14919

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: 011-103-710

Lot 15 Except: Part subdivided by Plan LMP48426 Block 2 Section 18 Township 2 New Westminster District Plan 7147

6665 - 128 Street

(hereinafter referred to as the "*Lands*")

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

A. Intent

Not applicable to this By-law.

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* per lot.

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; and
 - (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. For the purpose of subdivision in all Neighbourhood Concept Plan and Infill Areas as described and outlined on the map attached as Schedule F of Surrey Zoning By-law, 1993, No. 12000, as amended, the maximum density shall be 1 *dwelling unit* per acre and the dimensions of the *lots* created in a subdivision shall be in accordance with Section K.1 of this Zone. The maximum *density* shall be increased to 6.7 *dwelling units* per acre and Section K.2 of this Zone shall apply if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. (a) For the purpose of this By-law, to delete sub-paragraph (c) in the definition of Density - Floor Area Ratio in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, and substitute the following:
 - "(c) those areas used as an *Accessory Use* for Parking within the Building Envelope or Underground Parking are included (the "FAR"); and"
- (b) For building construction within a *lot*:
 - i. The *Floor Area Ratio* shall not exceed 0.59 for all *lots*, however, the maximum allowable floor area shall not exceed 290 square metres [3,120 sq. ft];
 - ii. The maximum permitted floor area of a second storey for a *principal building* shall not exceed 42% of the total floor area of the *principal building* including attached garage; and
 - iii. notwithstanding sub-paragraph D2(b) i and ii, the maximum allowable floor area of the *principal building* is 260 square metres [2,799 sq. ft.].

E. Lot Coverage

The maximum *lot coverage* shall be 42%.

F. Yards 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 |
|------------------------------------|----------------|----------------------|-------------------------|---------------------|-------------------------------------|
| Principal Building | | 6.0 m. [19.7 ft.] | 10.0 m. [32.8 ft.] | 1.8 m.** [6 ft.] | 3.6 m. [12 ft.] |
| Accessory Buildings and Structures | | 18.0 m. [60 ft.] | 3.5 m.*** [11.5 ft.] | 1.0 m. [3 ft.] | 3.6 m. [12 ft.] |

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

* The *front yard setback* may be relaxed at a lower floor level only to 5.5 metres [18 ft.] for a maximum of 50% of the length of the front of the dwelling for all portions of the dwelling excluding the garage. If 50% of the building face is set back 9 metres [30 ft.] from the *front lot line*, the *setback* to an attached garage whose main access doors face a *side yard* may be relaxed to 4.5 metres [15 ft.].

With the exception of a garage whose main access doors face a *side yard*, an attached garage to the *principal building* shall not extend towards the *highway* for more than half the depth of the said garage, measured from the exterior front face of the *principal building*, excluding any front face of the exterior wall above the said garage.

** The *side yard* may be reduced to not less than 1.2 metres [4 ft.] provided that the opposite *side yard* on the *lot* is at least 2.4 metres [8 ft.].

*** The *rear yard setback* for *Accessory Buildings* may be reduced to 1.8 metres [6 ft.] if the *rear lot line* abuts a lane and if the *Accessory Building* is a detached garage.

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 building:
 - (a) The *building height* shall not exceed 8 metres [26.2 ft.].
 - (b) The *height* of a *principal building* with a roof slope of less than 1:4 shall not exceed 7.3 metres [24 ft.].
2. Accessory buildings and structures: The *building height* shall not exceed 6 metres [19.7 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 a residential use shall be limited as follows:
 - (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* 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

J. Special Regulations

Not applicable to this Zone.

K. Subdivision

1. For subdivision of the land in all Neighbourhood Concept Plan and Infill Areas as described and outlined on the map attached as Schedule F of Surrey Zoning By-law, 1993, No. 12000, as amended, where amenities are not provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended, the *lots* created shall conform to the minimum standards prescribed in Section K of Part 12 One-Acre Residential Zone RA of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. For subdivision of the land in all Neighbourhood Concept Plan and Infill Areas as described and outlined on the map attached as Schedule F of Surrey Zoning By-law, 1993, No. 12000, as amended, where amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended, the *lots* created shall conform to the minimum standards prescribed in sub-section K.3 of this Zone.
3. *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> |
|-------------|------------------------------|---------------------------|-----------------------|
| Subdivision | 400 sq. m. [4,306 sq.ft.] | 12.0 metres [39.4 ft.] | 28 metres [90 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 RF-G Zone as set forth in 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 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 By-law, 1987, No. 9011, as amended, and the Surrey Development Cost Charge By-law, 2002, No. 14650, as amended, and the development cost charges shall be based on the RF Zone.
8. Surrey Tree Preservation By-law, 1996, No. 12880, as amended.
9. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
10. Provincial licensing of *child care centres* is regulated by the Community Care Facility Act R.S.B.C. 1996. c. 60, 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, 2003, No. 14919".

READ A FIRST AND SECOND TIME on the 3rd day of February, 2003.

PUBLIC HEARING HELD thereon on the 17th day of February, 2003.

READ A THIRD TIME ON THE 17th day of February, 2003.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 9th day of June, 2003.

_____ MAYOR

_____ CLERK