

CITY OF SURREY

BY-LAW NO. 15357

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: GENERAL AGRICULTURE ZONE (A-1)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Portion of land shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by D. Dyck, B.C.L.S. on the 2nd day of March, 2004, containing 17,780 square metres (1.778 hectares), called Block A and more particularly described as follows:

Portion of Parcel Identifier: 003-462-731
Parcel "H" (Explanatory Plan 11335) of that Portion Marked "Reserve" On Plan 1752 South East Quarter Section 12 Township 2 New Westminster District

Portion of 16541 Old McLellan Road

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

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

A. Intent

This Comprehensive Development Zone is intended for *single family dwellings* on large *suburban lots*, with substantial public *open space* set aside within the subdivision and where *density* bonus is provided.

B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses:

1. One *single family dwelling* on each *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. The maximum *unit density* shall not exceed 2.5 *dwelling units* per hectare (1 u.p.a.).
2. The maximum *unit density* shall be increased to 5 *dwelling units* per gross hectare [2 u.p.g.a.] provided that:
 - (a) Amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended;
 - (b) *Open space*, in an amount of not less than 35% of the entire area of the *Lands*, is preserved in its natural state or retained for park and recreational purposes; and
 - (c) The said *open space* shall be accessible by the public from a *highway*.
3. *Undevelopable areas* may be included in the *open space* set aside in Sub-section D.2(b).
4.
 - (a) For the purpose of this Section and notwithstanding the definition of *floor area ratio* 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 *floor area ratio* unless the covered parking is located within the *basement*; and
 - (b) For *building* construction within a *lot* the maximum *floor area ratio* shall not exceed 0.45, provided that, of the resulting allowable floor area, 35 square metres [380 sq. ft.] shall be reserved for use only as a garage or carport and further provided that where any *accessory building* is greater than 10 square metres [105 sq. ft.] in size that the area in excess of 10 square metres [105 sq. ft.] shall be included as part of the floor area for the purpose of calculating *floor area ratio*.

E. Lot Coverage

The maximum *lot coverage* shall be 40%.

F. Yards and Setbacks

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

<i>Use</i>	<i>Setback</i>	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Building</i>		4.5 m.* [15 ft.]	7.5m.** [25 ft.]	1.8 m. [6 ft.]	3.6 m. [12 ft.]
<i>Accessory Buildings and Structures</i>		7.5 m. [25 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.

* The minimum *front yard setback* of a garage which forms part of a *principal building* must be 6.0 metres [20 ft.]. The attached garage must be set back a minimum of 1.5 metres [5 ft.] from the least *setback* of the *principal building* excluding the attached garage. If the garage contains more than two (2) parallel *parking spaces*, the additional *parking space* and the garage entrance leading to the additional *parking space* must be set back a minimum of 1.5 metres [5 ft.] from the double garage.

** The minimum *rear yard setback* for Lot 7, as shown on Schedule B, which is attached hereto and forming part of this By-law, shall be 6.0 metres (20 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 9 metres [30 feet].

2. *Accessory buildings and structures:* The *building height* shall not exceed 4 metres [13 feet] except that 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. Resident and visitor *parking spaces* shall be provided as stated in Table C.6 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Outside parking or storage of *campers*, boats and *vehicles* including cars, trucks and *house trailers* ancillary to each *dwelling unit* 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 2.
3. *Vehicle* parking may be permitted in either the *front yard* or *side yard* subject to the following:
 - (a) No off-street *parking space* shall be permitted within the required *front yard* or *side yard setback* except on a *driveway*. *Driveways* may be constructed off the frontage street only;
 - (b) *Parking spaces* shall be located only on a *driveway* leading to a garage or in a garage;
 - (c) The total area surfaced or paved for a *driveway* shall be as follows:
 - i. Every *lot* may have one *driveway* with a width of 6 metres [20 ft.] extending from the *lot line* to the garage;
 - ii. Notwithstanding Sub-section H.3(c)i. additional *driveway* width may also be allowed to provide access to an additional enclosed *parking space* in a *garage* provided that such additional width is no more than 3 metres [10 ft.] and is uniformly tapered to a width of 6 metres [20 ft.] at the *front lot line*; and
 - (d) The number of *vehicles* parked in a *driveway* within the *front yard* or *side yard* shall not exceed two.

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 unit*, 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 Table C.6 of Part 5 Off-Street Parking and Loading/Unloading 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 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 By-law is provided.

I. Landscaping

1. 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.
2. The *open space* set aside pursuant to Sub-section D.2(b) of this By-law, 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 By-law.

K. Subdivision

1. For subdivision of *Lands*, 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 *Lands*, 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 following minimum standards:

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
900 sq. m [9,700 sq. ft.]	18 metres [60 ft.]	24 metres [78 ft.]

Measurements to be determined as per Part 1 Definitions, 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 RC 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 RC 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, 2004, No. 15357."

READ A FIRST AND SECOND TIME on the 19th day of April, 2004.

PUBLIC HEARING HELD thereon on the 3rd day of May, 2004.

READ A THIRD TIME ON THE 3rd day of May, 2004.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 25th day of July, 2005.

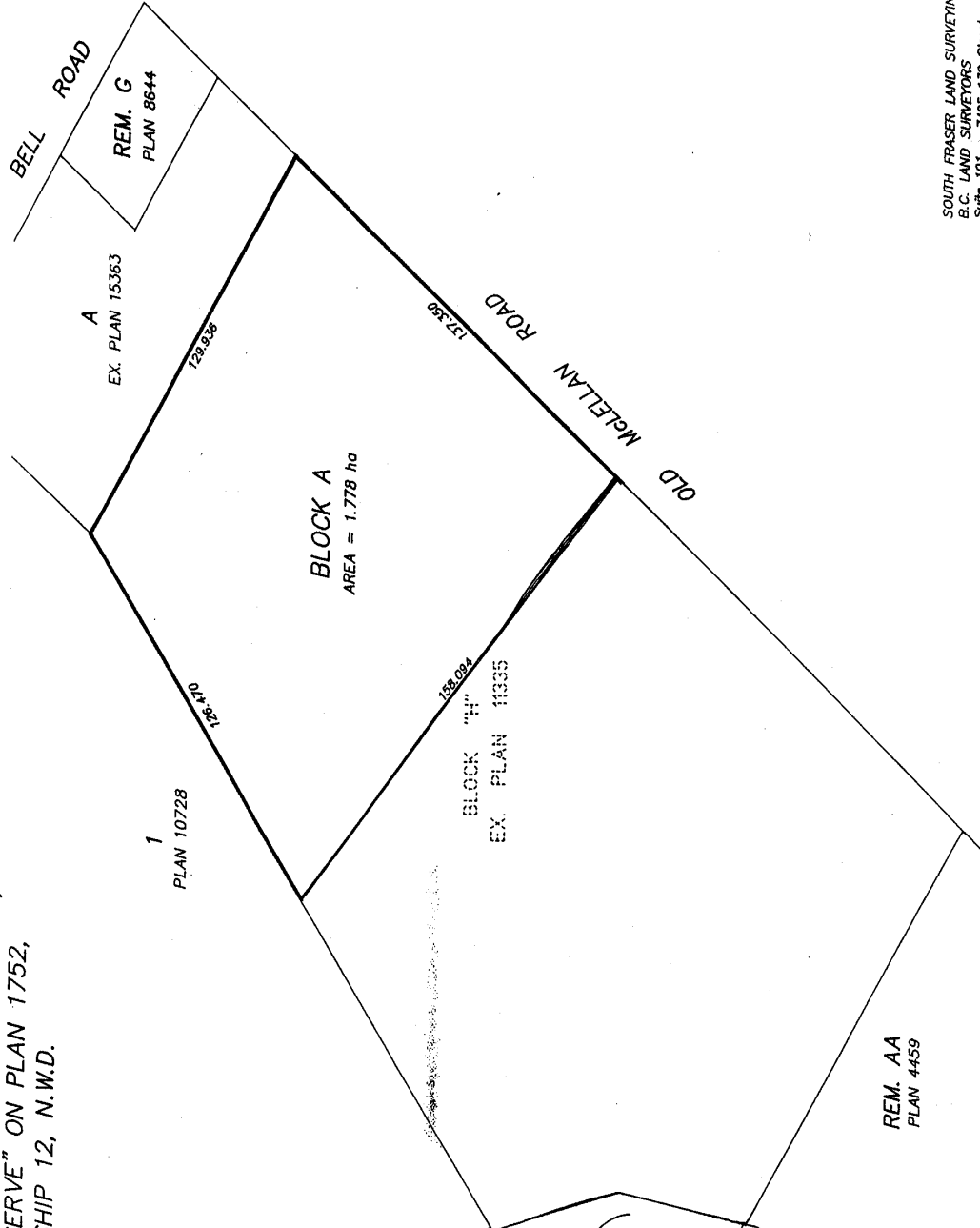
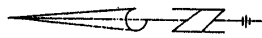
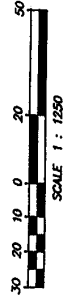
_____ MAYOR

_____ CLERK

SCHEDULE A

EXPLANATORY PLAN OF PARCEL "H" (EX. PLAN 11335) OF THAT PORTION MARKED "RESERVE" ON PLAN 1752, S.E. 1/4 SECTION 12, TOWNSHIP 12, N.W.D.

TO ACCOMPANY CITY OF SURREY ZONING BYLAW NO. **15357** CITY OF SURREY



PT. 0.1344c
S.E. 1/4 SEC. 12
PLAN 1752

PCL. A
PLAN 1752

CERTIFIED CORRECT ACCORDING TO LAND TITLE OFFICE RECORDS THIS 02th DAY OF MARCH, 2004.

[Signature]

B.C.L.S.

SOUTH FRASER LAND SURVEYING LTD.
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