

CITY OF SURREY

BY-LAW NO. 15358

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: HALF-ACRE RESIDENTIAL ZONE (RH)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 002-552-540
 Lot 76 Section 10 Township 2 New Westminster District Plan 60599

5761 – 146 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 for *single family* housing on *suburban lots* where density bonus is provided.

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 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, the maximum *unit density* shall not exceed 5.0 *dwelling units* per hectare [2 u.p.a.]. Where amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended the *unit density* shall not exceed 7.0 *dwelling units* per hectare [3.0 u.p.a.].

2. (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*:
 - (i) The *floor area ratio* 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

 - (ii) Notwithstanding the above, the maximum allowable floor area shall not exceed 450 m² [4,850 sq.ft.].

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	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Building</i>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	3.0 m. [15 ft.]	7.5 m. [25 ft.]
<i>Accessory Buildings and Structures</i>		18.0 m. [60 ft.]	1.8 m. [6.0 ft.]	1.0 m. [3.0 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 the Surrey Zoning By-law No. 12000 as

amended:

1. *Principal building*: The building height shall not exceed 9 metres (30 ft.)
2. *Accessory buildings and structures*: The building height shall not exceed 4 metres (13 ft.) 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. A maximum 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 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 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 L.1 of this Zone 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.

J. Special Regulations

Not applicable to this Zone.

K. Subdivision

1. For subdivision of the *Lands*, the *lots* created shall conform to the minimum standards prescribed in Section F of Part 14 Half-Acre Residential Zone RH 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, *lots* shall conform to the following minimum standards:

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
1,500 sq.m. [16,000 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 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 RH-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 RH-G 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.
11. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15358."

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 19th day of July, 2004.

MAYOR

CLERK

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