

CITY OF SURREY

BY-LAW NO. 16063

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)

Parcel Identifier: 008-578-737  
Lot 2 Section 4 Township 7 New Westminster District Plan 10703

257 - 192 Street

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

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

**A. Intent**

This Comprehensive Development Zone is intended to accommodate *agricultural* uses on *lots* of a minimum size of 2 hectares [5 acres] and to accommodate and regulate the development of a *child care centre* accommodating a maximum of 25 children, subject to the Community Care Facility Act and to protect agricultural land from the intrusion of uses not compatible with *farm operations*.

**B. Permitted Uses**

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

1. *Agriculture and horticulture.*
2. *One single family dwelling.*

3. *Child care centre* licensed to accommodate a maximum number of 25 children, at any one time provided that such centre does not constitute a singular use on the *lot*.
4. *Forestry*.
5. Provided that the following uses are within *buildings* or *structures* that do not exceed 10% of the *lot*:
  - (a) Agricultural and horticultural education;
  - (b) Conservation and nature study;
  - (c) Fish, game and wildlife enhancement;
  - (d) Hunting and wilderness survival training;
  - (e) *Kennels-Commercial*;
  - (f) *Kennels-Hobby*; or
  - (g) *Agri-tourism*.
6. Horse-riding, training and/or boarding facility provided:
  - (a) There are not more than 40 stalls; and/or
  - (b) It does not include a racetrack licensed by the British Columbia Racing Commission.
7. *Accessory uses* limited to the following:
  - (a) Display and retail sale of products provided all of the following are satisfied:
    - i. all of the products offered for sale shall be produced by the *farm operation* or at least 50% of the floor area for product sales and display shall be limited to product produced by the *farm operation*;
    - ii. products offered for sale shall be limited to *agricultural* and/or *horticultural* products and shall exclude dressed fowl or poultry, butchered meat and/or preserved food unless dressed, butchered or preserved off-site;
    - iii. the cumulative maximum floor area for the display and sale of products shall not exceed 93 square metres [1,000 sq. ft.];
    - iv. all products offered for sale and related displays shall be located entirely within a *building*; and

- v. products offered for sale and related displays shall be an *accessory use* to a *single family dwelling* and the *agricultural* and/or *horticultural* use of the *lot*;
- (b)
  - i. Food and beverage service lounge associated with a *farm-based winery* in accordance with the Agricultural Land Commission Act; and
  - ii. Retail sales associated with a *farm-based winery* in accordance with the Agricultural Land Commission Act; provided the maximum floor area for retail sales and wine tasting does not exceed 93 sq.m. [1,000 sq.ft.].
- (c) *Primary processing* of products provided at least 50% of the product being processed shall be produced by the same *farm operation* or is feed required for the *farm operation*; and
- (d) 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.
- (e) One additional *dwelling unit* with a maximum floor area of 75 square metres [800 square feet] shall be accommodated within a separate *accessory building* existing on July 24, 2006.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

The maximum *density* for the *child care centre* shall not exceed a *floor area ratio* of 0.01.

**E. Lot Coverage**

The maximum *lot coverage* of the *child care centre* shall not exceed 186 square metres (2,000 sq.ft.).

## F. Yards and Setbacks

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

| <b>Use</b>  | <b>Setback</b> | <b>Front Yard</b>    | <b>Rear Yard</b>     | <b>Side Yard</b>  | <b>Side Yard on Flanking Street</b> |
|---|----------------|----------------------|----------------------|---|-------------------------------------|
| <i>Single Family Dwellings, Duplexes and Accessory Buildings and Structures and All Buildings and Structures Not Stated Below</i> |                | 12.0 m.<br>[40 ft.]  | 12.0 m.<br>[40 ft.]  | Lesser of;<br>(a) 13.5 m.<br>[44 ft.] or<br>(b) 10% of the <i>lot</i> width; but in any event not less than 3.0 metres [10 ft.] | 12.0 m.<br>[40 ft.]                 |
| <i>Buildings for Uses Permitted Under Sections B.1, B.4 and B.7(c) of this Zone, including Accessory Buildings and Structures</i> |                | 30.0 m.<br>[100 ft.] | 15.0 m.*<br>[50 ft.] | 15.0 m.*<br>[50 ft.]  | 30.0 m.<br>[100 ft.]                |
| <i>Kennels-Commercial, Kennels-Hobby, Horse-riding training and/or boarding</i>   |                | 30.0 m.              | 30.0 m<br>**         | 30.0 m.**   | 30.0 m.                             |

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

\* If the *side yard* or *rear yard* abut a *Residential lot*, any exhaust fans or machinery used in the said *building* shall be located at least 24 metres [80 ft.] from any *lot line* and shall emit a noise level no greater than 60 dB at the perimeter of any *lot line*.

\*\* When the *front yard* is 90 metres [295 ft.] or more, the *rear yard* and *side yard* may be reduced to 15 metres [50 ft.] for uses permitted under Sub-section B.7(e) and B.7(f).

## G. Height of Buildings

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

1. *Single family dwelling, duplex or buildings for uses permitted under Section B.7:* The *building height* shall not exceed 9 metres [30 feet].

2. All other accessory buildings and structures: The *building height* shall not exceed 12 metres [40 feet].

## H. Off-Street Parking

1. Refer to Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Where *boarders* or *lodgers* 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. For *non-farm operations*, a *vehicle* over 5,000 kilograms [11,023 lbs.] G.V.W., which may be a truck tractor, trailer or semi-trailer as defined in the Commercial Transport Act, R.S.B.C. 1979, c. 55, dump truck or other similar *vehicle* for transporting goods and materials may be parked on a *lot*, provided that:
  - (a) The use of the *vehicle* is ancillary to the *permitted residential use* on the *lot*;
  - (b) The *vehicle* is owned or operated by the owner or occupant of the *lot*;
  - (c) The *vehicle* shall not be parked within the required *building setbacks* for *uses permitted* under Section B.1 of this Zone; and
  - (d) Only 1 such *vehicle* is permitted to be parked on a *lot*.
4. *Vehicles* over 5,000 kilograms [11,023 lbs.] G.V.W., which may be truck tractors, trailers or semi-trailers as defined in the Commercial Transport Act, R.S.B.C. 1979, c.55, dump trucks or other similar *vehicles* for transporting goods and materials, may be parked on a *lot* provided that:
  - (a) The use of the *vehicles* is ancillary to the *permitted non-residential use* on the *lot*;
  - (b) The *vehicles* are owned or operated by the owner or occupant of the *lot*; and
  - (c) The *vehicles* shall not be parked within the required *building setbacks* for *uses permitted* under this Zone.

**I. Landscaping**

Not applicable to this Zone.

**J. Special Regulations**

1. *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.
2. All designated outdoor play areas for the *child care centre* shall be fenced to a height of 1.8 metres [6 ft.] and should be non-climbable and strong. If the fence is not solid, the spacings should not allow a child's head through.

**K. Subdivision**

*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>          |
|----------------------------|--------------------------|---------------------------|
| 2.02 hectares<br>[5 acres] | 66.8 metres<br>[219 ft.] | 293.6 metres<br>[963 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. 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 CCR Zone as set forth in Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
2. General provisions are as set out in Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
3. 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.

4. *Sign* regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
  5. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
  6. *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 CCR Zone.
  7. Surrey Tree Preservation By-law, 1996, No. 12880, as amended.
  8. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
  9. 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, 2006, No. 16063."

READ A FIRST AND SECOND TIME on the 10th day of July, 2006.

PUBLIC HEARING HELD thereon on the 11th day of September, 2006.

READ A THIRD TIME ON THE 11th day of September, 2006.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 30th day of October, 2006.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK