

CITY OF SURREY

BY-LAW NO. 16405A

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)

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Portion of Parcel Identifier: 008-359-695

Portion of Lot 12 Section 32 Block 1 North Range 1 East New Westminster District, shown in heavy outline on Schedule "A" attached hereto and forming part of this By-law as Schedule A, certified correct by John Onderwater, B.C.L.S. on the 9<sup>th</sup> day of May, 2007 containing 5,180.4 square metres, and called Block 1 and 5,162.9 square metres, called Block 2.

Portion of 17414 - 4 Avenue

(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 *suburban* and *urban lots*.

**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. The maximum *unit density* shall not exceed 2.5 *dwelling units* per hectare [1 u.p.a.].
- 2. The maximum *unit density* may be increased as follows if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended:
  - (a) Block 1: 5 *dwelling units* per hectare [2 u.p.a.]; and
  - (b) Block 2: 15 *dwelling units* per hectare [6 u.p.a.].
- 3. (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. Block 1: 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*.
    - ii. Block 2:
      - a. The *floor area ratio* shall not exceed 0.52 provided that of the resulting allowable floor area, 37 square metres [400 sq. ft.] shall be reserved for use only as a garage or carport and further provided that where an *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*;

- b. The maximum permitted floor area of a second storey for a *principal building* shall not exceed 80% of the floor area of the first storey including attached garage, but not including any portion of the *structure* located within 7.5 metres [25 ft.] of the *front lot line*. The reduced floor area of the second storey shall be accomplished by an offset at the second storey level from the wall at the main floor level from either the front or side walls at the main floor level or a combination thereof; and
- c. notwithstanding the above, the maximum allowable floor area shall be 270 square metres [2,900 sq.ft.]

**E. Lot Coverage**

The maximum lot coverage shall be as follows:

- 1. Block 1: 25%.
- 2. Block 2: 40%.

**F. Yards and Setbacks**

- 1. Block 1:

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

<b>Use</b>	<b><i>Setback</i></b>	<b>North <i>Yard</i></b>	<b>South <i>Yard</i></b>	<b><i>Side Yard</i></b>	<b><i>Side Yard on Flanking Street</i></b>
<i>Principal Building</i>		15 m. [50 ft.]	7.5 m. [25 ft.]	3.0 m. [10 ft.]	7.5 m. [25 ft.]
<i>Accessory Buildings and Structures Greater Than 10 square metres [105 sq.ft.] in Size</i>		18.0 m. [60 ft.]	1.8 m [6 ft.]	1.0 m [3 ft.]	7.5 m [25 ft.]
<i>Other Accessory Buildings and Structures</i>		18.0 m [60 ft.]	0.0 m	0.0 m.	7.5 m. [25 ft.]

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

2. Block 2

*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>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	1.8 m.** [6 ft.]	3.6 m. [12 ft.]
<i>Accessory Buildings and Structures Greater Than 10 square metres [105 sq.ft.] in Size</i>		18.0 m. [60 ft.]	1.8 m [6 ft.]	1.0 m [3 ft.]	7.5 m [25 ft.]
<i>Other Accessory Buildings and Structures</i>		18.0 m [60 ft.]	0.0 m	0.0 m.	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 *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 single family 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 the fronting street may be relaxed to 6.7 metres [22.0 feet], except that the *setbacks* for a 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.].

\*\*\* 50% of the length of the rear *building* face may be set back a distance of 6.0 metres [20 ft.] from the *rear lot line* provided the remainder of the *building* face, not including *sundecks* is setback at least 8.5 metres [28 ft.] from the *rear lot line*.

## **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*: 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. 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 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.
3. 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 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.

## **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.

**J. Special Regulations**

Not applicable to this Zone.

**K. Subdivision**

- 1. 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. *Lots* created through subdivision in accordance with Section D.2 of this Zone, shall conform to the following minimum standards:

	<b>Lot Size</b>	<b>Lot Width</b>	<b>Lot Depth</b>
Block 1	1,300 sq.m. [14,000 sq.ft.]	30 metres [100 ft.]	30 metres [100 ft.]
Block 2	450 sq.m. [4,843 sq.ft.]	15 metres [50 ft.]	28 metres [92 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 for Block 1 and the RF Zone for Block 2, 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, 2006, No. 15973, as amended, and the development cost charges shall be based on the RH-G Zone for Block 1 and the RF Zone for Block 2.
8. Surrey Tree Protection By-law, 2006, No. 16100, as amended.
9. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16405A."

READ A FIRST AND SECOND TIME on the 28th day of May, 2007.

PUBLIC HEARING HELD thereon on the 11th day of June, 2007.

READ A THIRD TIME ON THE 11th day of June, 2007 .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 9th day of March, 2009.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

