

CITY OF SURREY

BY-LAW NO. 16483

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: 002-294-435
Lot 2 Except: Parcel "A" (Explanatory Plan 12294) Section 30 Township 8 New Westminister District Plan 10113

17127 - 80 Avenue

Parcel Identifier: 010-316-213
Lot 11 Section 30 Township 8 New Westminister District Plan 17602

8230 - 170A Street

(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 small *suburban lots*, with substantial public *open space* set aside within the subdivision.

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 3.95 *dwelling units* per hectare [1.6 u.p.a.], calculated on the basis of the entire *Lands*.
2. The maximum *unit density* may be increased from 3.95 *dwelling units* per hectare [1.6 u.p.a.] to 5 *dwelling units* per hectare [2.0 u.p.a.], both calculated on the basis of the entire *Lands*, provided:
 - (a) *Open space* in an amount of not less than 15% of the *Lands* is preserved in its natural state or retained for park and recreational purposes;
 - (b) The said *open space* shall contain natural features such as a stream, ravine, stands of mature trees, or other land forms and/or contain heritage *buildings* or features, and/or contribute to a park designated in the *Official Community Plan*; 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(a), however, this *undevelopable area* shall be discounted by 50%.
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 *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*.

E. Lot Coverage

The maximum *lot coverage* shall be 25%.

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> | | 7.5 m. [25 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 Surrey Zoning By-law, 1993, No. 12000, as amended.

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 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 *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.
3. The *open space* set aside pursuant to Section D.2(a) of this Zone, 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 Zone.

K. Subdivision

- 1. For the purpose of subdivision, the *lots* created shall conform to the minimum standards prescribed in Sub-sections K.2 or K.3 of this Zone.
- 2. *Lots* created through subdivision shall meet the dimensional requirements of the RH Zone.
- 3. *Lots* created through subdivision in accordance with Section D.2.(a) of this Zone, shall conform to the following minimum standards:

| | <i>Lot Size</i> | <i>Lot Width</i> | <i>Lot Depth</i> |
|---|--------------------------------|-----------------------|------------------------|
| Regular Standard <i>Lots</i> | 1,050 sq. m [11,500 sq.ft.] | 26 metres [85 ft.] | 30 metres [100 ft.] |
| Permissible Reduction as set out below* | 775 sq.m. [8,350 sq.ft.] | 20 metres [70 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.

* Permissible reduction for up to 40% of the *lots* within a plan of subdivision where 15% or more of the lands subdivided are set aside as *open space* pursuant to Section D.2(a) of this Zone.

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, 2006, No. 15973, as amended, and the development cost charges shall be based on the RH-G Zone.
8. Surrey Tree Protection By-law, 2006, No. 16100, 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, 2007, No. 16483."

READ A FIRST AND SECOND TIME on the 5th day of November, 2007.

PUBLIC HEARING HELD thereon on the 19th day of November, 2007.

READ A THIRD TIME ON THE 19th day of November, 2007.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 15th day of December, 2008.

MAYOR

CLERK

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