

CITY OF SURREY

BY-LAW NO. 16498

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: SINGLE FAMILY RESIDENTIAL (12) ZONE (RF-12)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 026-991-268

Lot 5 Section 22 Block 5 North Range 1 West New Westminster District Plan BCP28480

15945 - 107A Avenue

(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 and regulate a *single family dwelling*.

**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. (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*; and
  - (b) For *building* construction within a *lot*:
    - i. The *floor area ratio* shall not exceed 0.48 provided that of the 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*;
    - ii. 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 27.5 metres [90 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 first storey from either the front or side walls at the first storey level or a combination thereof; and
    - iii. notwithstanding the above, the maximum allowable floor area shall be 320 square metres [3,450 sq.ft.] .

**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 Front Yard</i>	<i>Rear Yard*</i>	<i>Side Yard</i>
<i>Principal Building</i>	24.5 m. [80 ft.]	7.5 m. [25 ft.]	1.8 m. [6 ft.]
<i>Accessory Buildings and Structures Greater Than 10 square metres [105 sq.ft.] in Size</i>	38.0 m. [125 ft.]	1.8 m [6 ft.]	1.0 m [3 ft.]
<i>Other Accessory Buildings and Structures</i>	38.0 m [125 ft.]	0.0 m	0.0 m.

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

- \* 50% of the length of the rear *building* face may be *setback* 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.

- Principal building*:
  - The *building height* shall not exceed 9 metres [30 feet]; and
  - The *building height* of a *principal building* with a roof slope of less than 1:4 shall not exceed 7.3 metres [24 ft.].
- 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 a residential use 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 3.
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*;
  - (b) *Parking spaces* shall be located only on a *driveway* leading to a garage, carport or parking pad, in a garage, in a carport, or on a parking pad; and
  - (c) The total area surfaced or paved for a *driveway* shall be as follows:
    - i. One *driveway* with a uniform width of 6 metres [20 ft.] extending from the *lot line* to the garage, car port, or parking pad on the *lot*;
    - ii. The *driveway* width may be expanded provided that the total area of the *driveway* within the *front yard* or required *side yard* does not exceed 33% of the total area of the *front yard* or required *side yard* within which the *driveway* is located; and
    - iii. Notwithstanding Sub-section H.3(c)ii. additional *driveway* width may also be allowed to provide access to additional *parking spaces* in a garage, carport or parking pad, where the garage, carport or parking pad has more than 2 side by side *parking spaces*, provided that such width is no more than 3 metres [10 ft.] times the number of adjacent side by side *parking spaces* measured at the required *front yard setback* and is uniformly tapered over the required *front yard* to a width of 6 m [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 *principal building*, 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; and
  - (b) Adequate screening, as described in Section I.2 of this Zone is provided.

#### **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) 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
  - (b) 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**

*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>
671.2 sq. m [7.225 sq.ft.]	17.1 metres [56 ft]	49.24 metres [161.5 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 RF 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 RF Zone.
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.
  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, 2007, No. 16498."

READ A FIRST AND SECOND TIME on the 3rd day of December, 2007.

PUBLIC HEARING HELD thereon on the 17th day of December, 2007 .

READ A THIRD TIME ON THE 17th day of December, 2007.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 28th day of January, 2008.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK