

CITY OF SURREY

BY-LAW NO. 16681A

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)

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Portion of Parcel Identifier: 013-229-991  
Parcel "H" (Explanatory Plan 13997) of Parcel "D" (Reference Plan 3573) North Half of the North West Quarter Section 17 Township 8 New Westminster District as shown on the Survey Plan attached hereto and forming part of this by-law as Schedule A, certified correct by Grant Butler, B.C.L.S. on the 20th day of July 2009 containing 5.273 hectares and called Block A

Portion of 17918 Old Yale Road East

(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 the development of small *suburban lots* with substantial public *open space* containing special amenities such as watercourses, mature vegetation and other natural features that are worthy of preservation.

**B. Permitted Uses**

The *Lands* and *structures* shall be used for one *single family dwelling* on each *lot*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. For the purpose of subdivision:

- (a) The maximum *unit density* shall not exceed 2.5 *dwelling units* per hectare [1 u.p.a.];
- (b) The maximum *unit density* may be increased from 2.5 *dwelling units* per hectare [1 u.p.a.] to 3.95 *dwelling units* per hectare [1.6 u.p.a.], calculated on the basis of the entire *Lands*, if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended; and
- (c) The maximum *unit density* may be increased from 3.95 *dwelling units* per hectare [1.6 u.p.a.] to 5.25 *dwelling units* per hectare [2.12 u.p.a.], calculated on the basis of the entire *Lands*, provided:
  - i. *Open space*, in the amount of not less than 67% of the *Lands* is retained and preserved in its natural state or retained for parks and recreational purposes; and
  - ii. The said *open space* shall be accessible by the public from a *highway*.

2. For *building* construction within a *lot*:

- (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*;
- (b) The maximum *floor area ratio* shall not exceed 0.70; and
- (c) Notwithstanding the above, the maximum allowable floor area shall be 260 square metres [2,800 sq. ft.].

**E. Lot Coverage**

The *lot coverage* shall not exceed 50%.

**F. Yards and Setbacks**

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

<b>Use</b>	<b>Setback Front Yard</b>	<b>Rear Yard</b>	<b>Side Yard</b>	<b>Side Yard on Flanking Street</b>
<i>Principal Building</i>	6.0 m. <sup>1</sup> [20 ft.]	7.5 m. <sup>2</sup> [25 ft.]	1.2 m. [4.0 ft.]	2.4 m. [11 ft.]
<i>Accessory Buildings and Structures</i>	10.0 m. [33 ft.]	1.0 m. <sup>3</sup> [3 ft.]	0.0 m. [0 ft.]	6.0 m. [20 ft.]

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

- <sup>1</sup> The *front yard setback* of the *principal building* may be reduced to a minimum of 4.0 metres [13 ft.] for up to 50% of the width of the front of the *principal building*, or for the entire first storey or part thereof of the *principal building*, provided that the *front yard setback* of a garage shall be a minimum of 6.0 metres [20 ft.]. The minimum setbacks may be further reduced to 2.0 metres [6 ft. 6 in.] by an unenclosed and uninhabitable space such as a porch or veranda, provided that the said porch or veranda is covered from above and is an integral part of the *principal building*.
- <sup>2</sup> The minimum *rear yard setback* of the *principal building* may be reduced to 6.0 metres [20ft.] for a maximum of 50% of the width of the rear of the *principal building* excluding decks. The minimum *rear yard setback* shall be reduced to 3.0 metres [10 ft.] for a maximum of 50% of the width of the rear of the *principal building* by an unenclosed and uninhabitable space such as a deck, provided that the said deck is an integral part of the *principal building*.
- <sup>3</sup> A minimum *separation* of 5.0 metres [16 ft.] is required between the *principal building* and *accessory buildings and structures* exceeding 3.0 metres [10 ft.] in *building height*.

2. Notwithstanding Sub-section E.17 (b) of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended, stairs of more than five (5) risers may encroach into the *setback*.

**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 9.5 metres [31 ft.].

2. *Accessory buildings and structures:* The *building height* shall not exceed 3.0 metres [10 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 5.0 metres [16 ft.].

## H. Off-Street Parking

1. A minimum of 2 off-street *parking spaces* shall be provided in a garage.
2. The width of a *driveway* on the *lot* shall not exceed 6.0 metres [20 ft.].
3. Notwithstanding the width of the *parking space* required for a double garage in Section B.1 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, a double garage to accommodate two *vehicles* parked side by side shall be a minimum of 5.5 metres [18 ft.] in width where the maximum width of the garage is measured between the interior faces of the side walls of the garage.
4. A triple garage to accommodate three *vehicles* parked side by side is not permitted.
5. Outside parking of *vehicles* ancillary to a *residential* use shall be limited to a maximum of 2 cars or trucks.
6. Outside parking or storage of *campers, boats, or house trailers* shall not be permitted.
7. No parking is permitted on a *corner lot* within an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 6.0 metres [20 ft.] along the said *lot lines* from the point of intersection of the two *lot lines*.

## I. Landscaping

1. All portions of the *lot* not covered by the *principal buildings* and *accessory buildings* and *structures*, non-porous or paved surfaces shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. Non-porous or paved surfaces, including a *driveway*, shall not cover more than 30% of the *lot* area that is not occupied by the *principal* and *accessory buildings* or *structures*.
3. At least 50% of the area of the required *front yard* shall be landscaped, which shall not include any non-porous or paved surfaces.

4. The *open space* set aside pursuant to Sub-section D.1.(c) 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. Where amenities are not provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended, or where *open space* is not provided in accordance with Sub-section D.1(c) of this Zone, 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 Sub-section D.1(c) of this Zone, shall conform to the following minimum standards:

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
365 sq. m [3,929 sq.ft.]	13.4 metres [44 ft]	26 metres [85 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 RC Zone as set forth in the 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 Off-Street Parking, 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.
  8. Subdivisions shall be subject to the applicable Surrey Development Cost Charge By-law, 2008, No. 16494, as amended, and the development cost charges shall be based on the RC Zone.
  9. Surrey Tree Protection By-law, 2006, No. 16100, as amended.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16681A."

READ A FIRST AND SECOND TIME on the 26th day of May, 2008.

PUBLIC HEARING HELD thereon on the 16th day of June, 2008.

READ A THIRD TIME, AS AMENDED ON THE 27th day of July, 2009.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 27th day of July, 2009.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

