

CITY OF SURREY

BY-LAW NO. 16866B

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended

As amended by Bylaw No: 17711, 07/29/13

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THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

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: 024-957-976
Lot 2 Section 17 Township 8 New Westminster District Plan LMP46179

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 2nd day of December 2008, containing 5.326 hectares, called Block D.

Portion of 6890 - 176 Street

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

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

A. Intent

This Comprehensive Development Zone is intended, where *density* bonus is provided, to accommodate and regulate the development of *single family dwellings* on individual *lots* and *ground-oriented multiple unit residential buildings* with substantial public *open space* set aside within the development site in accordance

with a *comprehensive design*. This Zone shall only be considered if there are special amenities such as watercourses and mature vegetation.

The *Lands* are divided into Blocks D₁, D₂ and D₃, as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule B, certified correct by Grant Butler, B.C.L.S. on the 2nd day of December 2008, and as shown on the Survey Block Plan attached hereto and forming part of this By-law as Schedule C, certified correct by Gary Sundvick, B.C.L.S. on the 13th day of June 2012.

B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses provided such combined uses are part of a *comprehensive design*:

1. Blocks D₁ and D₂

Single family dwellings on individual *lots*.

2. Block D₃

Ground-oriented multiple unit residential buildings.

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 gross 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 *dwelling units* per gross hectare [2 u.p.g.a.] on the basis of the entire *Lands*, provided:

i. *Open space* is preserved in its natural state or retained for park and recreational purposes as follows:

Cluster Housing Type	Minimum Open Space*
Block D1 <i>Single Family Dwellings</i>	50% of the site area for subdivision
Block D2 <i>Single Family Dwellings</i>	70% of the site area for subdivision
Block D3 <i>Ground-Oriented Multiple Unit Residential Buildings</i>	80% of the site area for subdivision

* The amount of *open space* shall be calculated in proportion to the housing types;

ii. *Open space*, in the amount of not less than 54% of the *Lands*; and

iii. The said *open space* shall be accessible by the public from a *highway*.

2. For *building* construction within a *lot*, the maximum *floor area ratio* (FAR) shall be as follows:

Cluster Housing Type	Maximum FAR
Block D1 <i>Single Family Dwellings</i>	0.45*
Block D2 <i>Single Family Dwellings</i>	0.70*
Block D3 <i>Ground-Oriented Multiple Unit Residential Buildings</i>	0.50**

* For Blocks D1 and D2, the maximum *floor area ratio* is based on the *lot* area on which the *single family dwelling* is constructed, provided that, of the resulting allowable floor area, 35 square metres [380 sq.ft.] shall be reserved for use only as a garage or carport and further provided that where any *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*.

** For Block D3, the maximum *floor area ratio* is based upon on the *lot* area of Block D3 excluding all the *open space* set aside pursuant to Sub-section D.1(c).

E. Lot Coverage

1. Where Blocks D1 and D2 refer to *single family dwellings* and Block D3 refers to *ground-oriented multiple unit residential buildings*:

- (a) Block D1: The maximum *lot coverage* is 25% and is to be calculated based on the *lot* area on which the *buildings* are constructed;
- (b) Block D2: The maximum *lot coverage* is 50% and is to be calculated based on the *lot* area on which the *buildings* are constructed; and
- (c) Block D3: The maximum *lot coverage* is 30% and is to be calculated based on the *lot* area of Block D3 excluding all the *open space* set aside pursuant to Sub-section D.1(c).

F. Yards and Setbacks

1. Blocks D1 and D2

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

Use	Setback	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Buildings</i>		7.5 m. [25 ft.]	7.5 m. ¹ [25 ft.]	1.2 m. [4 ft.]	2.4 m. [11 ft.]
<i>Accessory Buildings and Structures</i>		10.0 m. [33 ft.]	1.0 m [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.

¹ The minimum *rear yard setback* shall be reduced to 6.0 metres [20 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*.

2. Block D3

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

Use	Setback	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>
<i>Principal Buildings and Accessory Buildings and Structures</i>		6.0 m. [20 ft.]	3.0 m. [10 ft.]	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 9.5 metres [31 feet].
2. Accessory buildings and structures: The *building height* shall not exceed 3 metres [10 feet] except 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. Blocks D1 and D2
 - (a) A minimum of 2 off-street *parking spaces* shall be provided in a garage;
 - (b) The width of a *driveway* on the *lot* shall not exceed 6.0 metres [20 ft.];
 - (c) 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;
 - (d) A triple garage to accommodate three *vehicles* parked side by side is not permitted;
 - (e) Outside parking of *vehicles* ancillary to a *residential* use shall be limited to a maximum of 2 cars or trucks;
 - (f) Outside parking or storage of *campers*, boats or *house trailers* shall not be permitted; and
 - (g) 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*.
2. Block D3
 - (a) 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; and

- (b) All resident *parking spaces* shall be provided *underground* or as *parking within building envelope*.

I. Landscaping

1. Blocks D₁ and D₂

- (a) 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;
- (b) 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*; and
- (c) At least 50% of the area of the required *front yard* shall be landscaped, which shall not include any non-porous or paved surfaces.

2. Block D₃

- (a) 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;
- (b) Along the developed sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 5 metres [16 ft.] in width shall be provided within the *lot*;
- (c) The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*; and
- (d) Garbage containers and *passive recycling containers* shall be screened to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

- 3. The *open space* set aside pursuant to 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 passages, 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 Subsection 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:

	Lot Size	Lot Width	Lot Depth
Block D1	700 sq. m [7,500 sq.ft.]	18 metres [60 ft]	30 metres [100 ft.]
Block D2	365 sq. m. [3,929 sq.ft.]	13.4 metres [44 ft]	26 metres [85 ft.]
Block D3	7,500 sq.m. [1.8 acre]	29 metres [95 ft]	258 metres [846 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. For Block D3, *building* permits shall be subject to Surrey Development Cost Charge By-law, 2008, No. 16494, as may be amended or replaced from time to time, and the development cost charges shall be based on the RC Zone (Type III).
 9. For Blocks D1 and D2, subdivisions shall be subject to the applicable Surrey Development Cost Charge By-law, 2008, No. 16494, as may be amended or replaced from time to time, and the development cost charges shall be based on the RC Zone (Type I for Block D1 and Type II for Block D2).
 10. Surrey Tree Protection By-law, 2006, No. 16100, as amended.
 11. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
 12. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act R.S.B.C. 2002. c. 75, 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, 2008, No. 16866B."

READ A FIRST AND SECOND TIME on the 15th day of December, 2008.

PUBLIC HEARING HELD thereon on the 19th day of January, 2009.

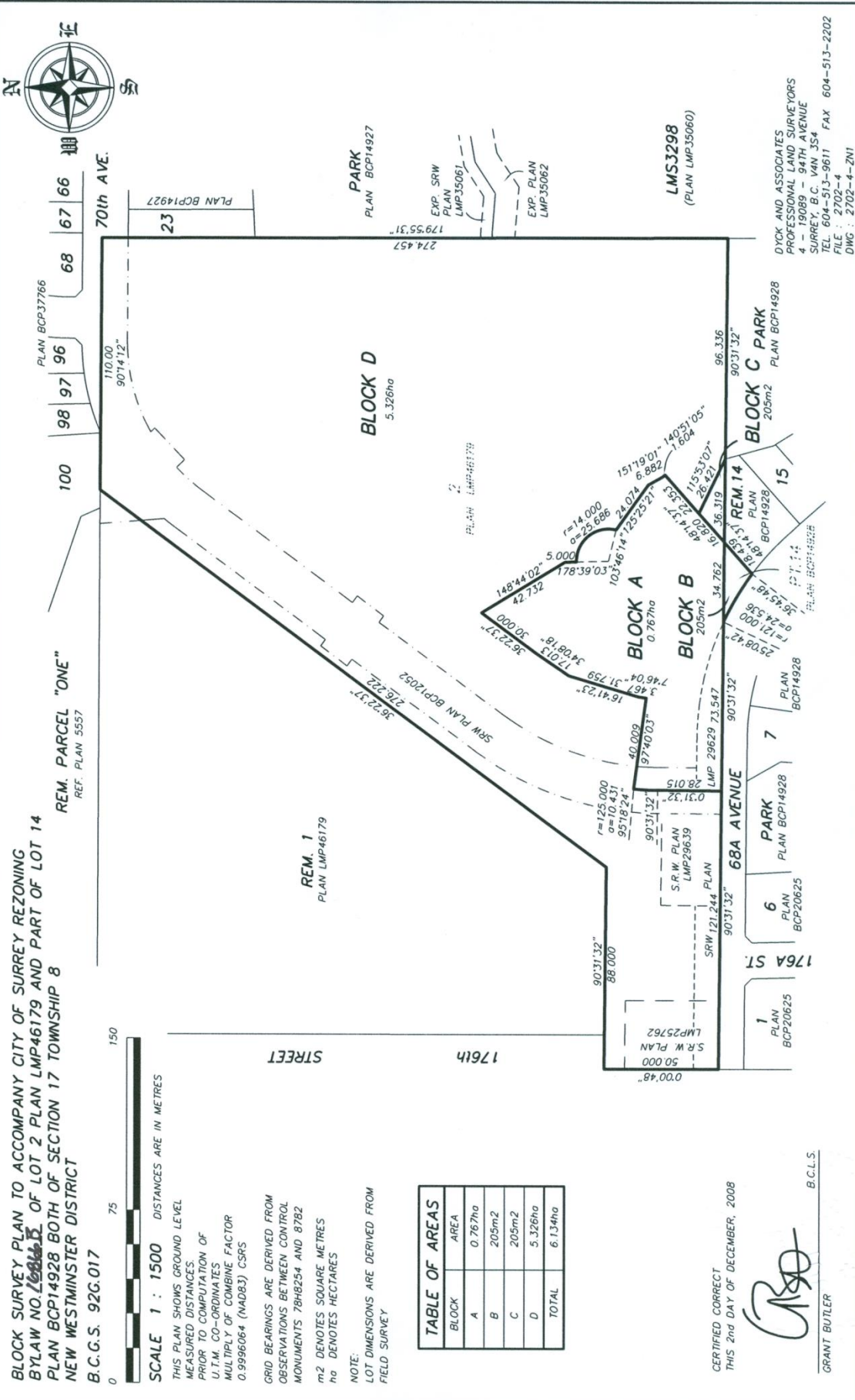
READ A THIRD TIME ON THE 19th day of January, 2009.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 7th day of June, 2010.

_____ MAYOR

_____ CLERK

SCHEDULE A



BLOCK SURVEY PLAN TO ACCOMPANY CITY OF SURREY REZONING BYLAW NO. 2681 OF LOT 2 PLAN LMP46179 AND PART OF LOT 14 PLAN BCP14928 BOTH OF SECTION 17 TOWNSHIP 8 NEW WESTMINSTER DISTRICT B.C.G.S. 92G.017

REM. PARCEL "ONE"
REF. PLAN 5557



SCALE 1 : 1500 DISTANCES ARE IN METRES

THIS PLAN SHOWS GROUND LEVEL MEASURED DISTANCES. PRIOR TO COMPUTATION OF U.T.M. CO-ORDINATES MULTIPLY OF COMBINE FACTOR 0.9996064 (NAD83) CSRS

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN CONTROL MONUMENTS 78B254 AND 8782
m2 DENOTES SQUARE METRES
ha DENOTES HECTARES

NOTE:
LOT DIMENSIONS ARE DERIVED FROM FIELD SURVEY

BLOCK	AREA
A	0.767ha
B	205m ²
C	205m ²
D	5.326ha
TOTAL	6.134ha

CERTIFIED CORRECT
THIS 2nd DAY OF DECEMBER, 2008

GRANT BUTLER

GRANT BUTLER B.C.L.S.

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