

THE CORPORATION OF THE DISTRICT OF SURREY

BY-LAW NO. 8512

A By-law to amend "Part 1 of Surrey
Zoning By-law, 1979, No. 5942."

As amended by Bylaw No: 16568, 09/14/09

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THE MUNICIPAL COUNCIL of The Corporation of the District of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. "Part 1 of Surrey Zoning By-law, 1979, No. 5942", as amended, is hereby further amended, pursuant to the provisions of Section 716 of the "Municipal Act", and the classification of the following parcels of land, presently shown upon the maps designated as the "Zoning Maps" and marked as Schedule "A" under PART III of the said By-law No. 5942, is hereby amended as follows:

FROM "HALF-ACRE RESIDENTIAL - GROSS DENSITY ZONE (R-H(G))" TO "COMPREHENSIVE DEVELOPMENT ZONE NUMBER TWENTY-SIX (C-D(26))"

Portion of Parcel Identifier: 024-940-259
Lot 3 Section 17 Township 1 New Westminster District Plan LMP48660

Shown in heavy outline on a Survey Plan attached hereto and forming part of this by-law as Schedule A, certified correct by Gary Rowbotham on the 24th day of January, 2008, containing 0.318 hectares and called Block A.

(Portion of 2124 - 128 Street)

The following provisions shall apply to this Comprehensive Development Zone Number Twenty-six (C-D (26)):

A. Intent

This Comprehensive Development Zone is intended to permit the retail nursery and garden centre to operate on the site.

B. Permitted Uses

Land and structures shall be used for the following uses only:

1. Retail Nurseries
2. Accessory Uses:
 - (a) One dwelling unit provided that:
 - (i) The dwelling unit is within the principal building;
 - (ii) The dwelling unit is occupied by the owner or his employee for the protection of the nursery business.
 - (b) Accessory Buildings.

C. Land Development

Notwithstanding any other provision of this zone, the uses permitted by Section B shall be conditional upon the immediate availability and adequacy of those Municipal facilities and services hereinafter set forth to serve each parcel of land and each unit of every building, structure and use to be erected, placed or carried on thereon. No use of land and no use of any building or structure thereon shall be deemed to be authorized by Section B of this zone, and all uses otherwise permitted by this By-law are hereby prohibited unless and until all of the following services and facilities have been provided and are immediately available and are adequate therefore to the standards set out as follows:

1. Sanitary sewer, waterworks and drainage works shall be provided and constructed to the standards set out for the "Local Commercial Zone (C-L)" in "Surrey Subdivision By-law, 1979, No. 5944" as amended.
2. All highways abutting and serving the land including boulevards, street lighting, underground wiring, sidewalks, transit service facilities shall be constructed to the standards set out for the "Local Commercial Zone (C-L)" in "Surrey Subdivision By-law, 1979, No. 5944", as amended.
3. Where this zone abuts other zones requiring a lesser servicing standard than those specified in Sub-section C.1. above, and where any portion of the works and facilities required under Sub-section C.1. cannot be practically provided to the full standard as required due to unavailability of

Municipal services, that portion of the works and facilities may be provided to a lesser standard as required in the said abutting zone.

4. For the purpose of collecting Development Cost Charges, the C-L provision in the "Surrey Development Cost Charge By-law, 1984, No. 7996," as amended, shall apply.

D. Density

The maximum density shall not exceed a floor area ratio of one (1).

E. Site coverage

The maximum site coverage shall be fifty (50) per cent.

F. Subdivision

1. Lot size: The minimum lot size shall be 3,180 square metres [0.785 acres].
2. Frontage: The minimum frontage shall be seventy (70) metres (230 ft.).

G. Height of Structures

1. Principal buildings: The height of principal buildings shall not exceed two stories.
2. Accessory buildings: The height of accessory buildings shall not exceed four decimal five (4.5) metres.

H. Yards and Setbacks

Buildings and structures shall be situated as hereinafter set forth:

1. Front yard: The minimum front yard shall be seven decimal five (7.5) metres.
2. Side yard:
 - (a) The minimum side yard adjoining a residential zone shall be six (6) metres.
 - (b) The minimum side yard adjoining a non-residential zone shall be three (3) metres.
 - (c) The minimum side yard on a side property line fronting onto a flanking street shall be seven decimal five (7.5) metres.
3. Rear yard: The minimum rear yard shall be seven decimal five (7.5) metres.

I. Off-Street Parking

Off-street parking shall be provided in accordance with the provisions of "PART V - OFF-STREET PARKING" of "Part 1 of Surrey Zoning By-law, 1979, No. 5942," as amended.

J. Landscaping

Any building or structure being erected, enlarged or increased in capacity shall make provision for landscaping as hereinafter set forth:

1. Landscaping shall cover not less than five (5) per cent of the developed site area.
2. A continuous landscaping strip not less than one decimal five (1.5) metres in width shall be provided along the developed portion of each side of the site which abuts a public highway. This landscaping strip may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.
3. Except in those portions where a building abuts the property line, screen planting at least one decimal five (1.5) metres high in a strip at least one decimal five (1.5) metres wide, or a solid decorative fence at least one decimal five (1.5) metres high shall be provided along all property lines separating the developed portion of the site from any residentially zoned property.
4. Loading areas or trucking yards shall be screened from adjacent residentially zoned property to a height of at least two decimal five (2.5) metres by buildings, a landscaping screen, a solid decorative fence, or a combination thereof.
5. The boulevard areas of highways abutting the site shall be seeded or sodded with grass on the side of the road abutting the site except at driveways.

K. Documentation

Every applicant for development permit shall provide sufficient documentation for Council's consideration, and shall include the following information:

1. A site plan or plans, including legal descriptions of the area to be developed, showing the location of all existing and proposed buildings, streets, lanes, highways, driveways, parking and loading areas, sidewalks, street lighting, utilities and utility easements, major and minor drainage systems, streams and other topographical features of the site;

2. Preliminary architectural plans including floor plans, rendered elevations, typical sections, and a three dimensional representation in the form of an aerial perspective or a model for any proposed buildings;
3. Existing and proposed grades and their relations to the elevations on adjoining properties;
4. The location, size, height, colour, lighting and orientation of all signs;
5. The location and treatment of open spaces, landscaping, fences and walls;
6. A statement of ownership of land and interest of the applicant therein;
7. The estimated commencement date and proposed schedule of construction.

2. This By-law shall be cited for all purposes as "Part 1 of Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1986, No. 8512."

READ A FIRST AND SECOND TIME on the 17th day of February, 1986.

PUBLIC HEARING HELD thereon on the 10th day of March, 1986, and on the 12th day of May, 1986.

READ A THIRD TIME ON THE 12th day of May, 1986.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 20th day of May, 1986.

_____MAYOR

_____CLERK

