

CITY OF SURREY

BY-LAW NO. 16569

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: COMPREHENSIVE DEVELOPMENT ZONE (CD) (Surrey Zoning By-law, 1979, No. 5942) Amendment By-law, 1986, No. 8512

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Portion of Parcel Identifier: 024-940-259

Lot 3 Section 17 Township 1 New Westminster District Plan LMP48660 as shown in heavy outline on Schedule "A" attached hereto and forming part of this By-law as Block B containing a total area of 0.588 hectares within Area 1 and Area 2 certified correct by Gary Rowbotham on the 7th day of February, 2008.

Portion of 2124 - 128 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 oversized *urban lots*.

B. Permitted Uses

The *Lands* shall be used for the following uses only, or for a combination of such uses:

1. One *single family dwelling*.
2. *Accessory uses*.

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 resulting allowable floor area, 37 square metres [400 sq.ft.] shall be reserved for use only as a garage and 10 square metres [105 sq.ft.] shall be reserved for use only as *accessory buildings* and *structures*. The area to be reserved for a garage or carport may be reduced to 25 square metres [270 sq.ft.] when a single attached garage or carport is an integral part of the *single family dwelling*; and
 - ii. Notwithstanding Sub-section D.2(b)i of this Zone, the maximum *floor area* of all *buildings* and *structures* on a *lot*, shall be 330 square metres [3,550 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*:

1. Area 1

	<i>Setback</i>	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Use</i>					
<i>Principal Building</i>		7.5 m [25 ft.]	7.5 m ¹ [25 ft.]	1.2 m [4 ft.]	2.5 m [8 ft.]
<i>Accessory Buildings and Structures</i>		n/a ²	1.0 m [3 ft.]	1.0 m [3 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 rear wall for a *principal building* may be reduced to 6.0 m [20 ft.] for up to 50% of the rear of the *principal building* either on an upper or lower storey or some combination thereof.
- ² *Accessory buildings and structures* shall not be located in the *front yard* of the *principal building*.

2. Area 2

<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>		4.5 m [15 ft.]	9.5 m [31 ft.]	1.2 m [4 ft.]	2.5 m [8 ft.]
<i>Accessory Buildings and Structures</i>		n/a ²	1.0 m [3 ft.]	1.0 m [3 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 No detached garages are permitted within Area 2.
- ² *Accessory buildings and structures* shall not be located in the front yard of the *principal building*.

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 9.0 metres [30 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 3.0 metres [10 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 5.0 metres [16 ft.].

H. Off-Street Parking

1. A minimum of 2 off-street *parking spaces* shall be provided for each *single family dwelling unit*.
2. No detached garages may be permitted in Area 2.
3. A maximum of 2 off-street *parking space* may be located in a detached garage in Area 1.

4. Outside parking of *vehicles* ancillary to a *residential* use shall be limited to a maximum of 2 cars or trucks.
5. Outside parking or storage of *campers*, boats, or *house trailers* shall not be permitted in any *front yard setback*.
6. No parking is permitted on *corner lots* in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 6.0 m [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 *buildings*, *structures*, non-porous or paved surfaces shall be landscaped. This *landscaping* shall be maintained.
2. No more than 30% of the *lot* area not occupied by a *principal building* or *accessory buildings* or *structures* shall be covered with non-porous or paved surfaces including the *driveway*.
3. At least 50% of the area of the required *front yard* shall be landscaped and shall not include any non-porous or paved surfaces.
4. Notwithstanding the above, a minimum planting buffer of 1.5 metres [5 ft.] shall be maintained along the *rear lot line* in Area 2.

J. Special Regulations

1. Where there is a lane up to or along the *rear lot line* or *side lot line* or where a lane is required for alternative access in accordance with Highway and Traffic By-law, 1997, No. 13007, as amended, *vehicle* access to the *lot* is only permitted from the lane. Where there is no lane up to or along the *rear lot line* or *side lot line* or where a lane is not required for alternative access in accordance with Highway and Traffic By-law, 1997, No. 13007, as amended, vehicle access shall be permitted from the *front lot line* or *side lot line* in which case a double garage may be permitted.

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>
560 sq. m [6,000 sq.ft.]	15 metres [50 ft]	28 metres [92 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 RH 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, 2008, No. 16569."

READ A FIRST AND SECOND TIME on the 11th day of February, 2008.

PUBLIC HEARING HELD thereon on the 25th day of February, 2008.

READ A THIRD TIME ON THE 10th day of March, 2008.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 14th day of September, 2009.

_____ MAYOR

_____ CLERK

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