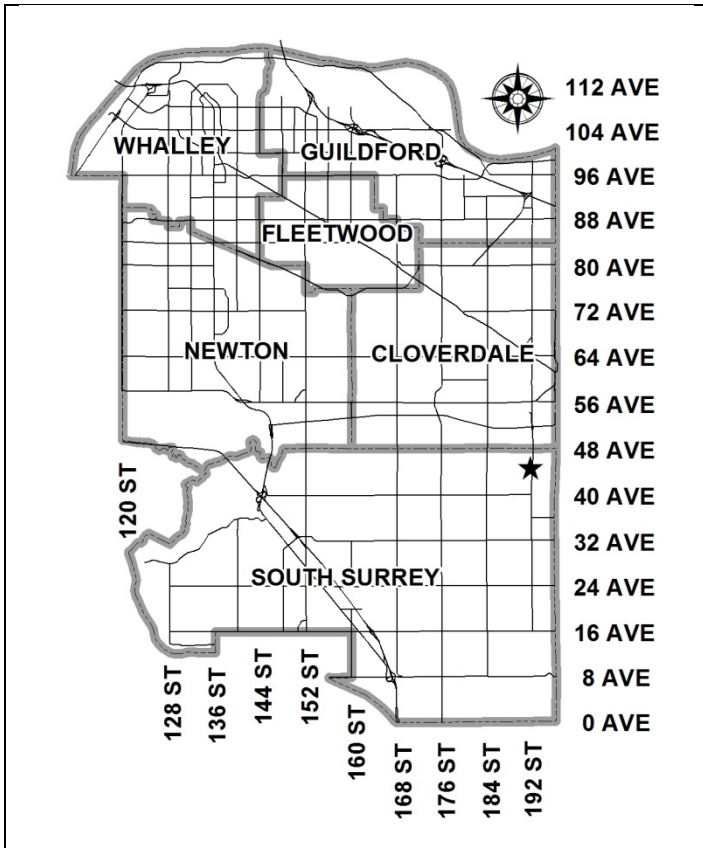


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0338-00

Planning Report Date: March 7, 2016



PROPOSAL:

- **Terminate Land Use Contract No. 466**

to permit the existing underlying A-1 Zone and RF Zone to come into effect.

LOCATION:

196 Street at 45 Avenue

LUC NO.

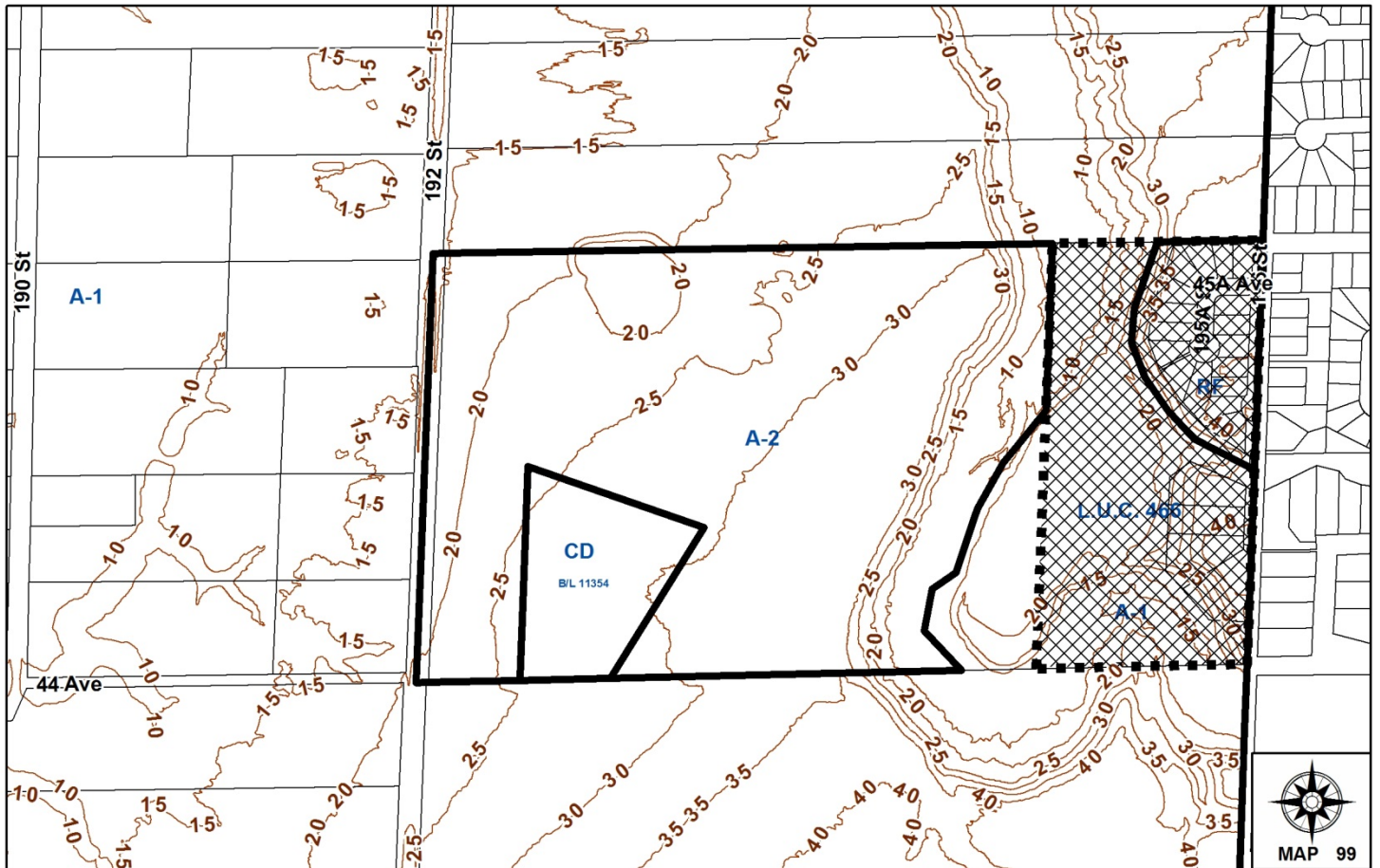
LUC No. 466

UNDERLYING ZONING:

A-1 and RF

OCP DESIGNATION:

Agricultural



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing to terminate LUC No. 466.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- In 2014, the Provincial Government adopted changes to the *Local Government Act* that terminate all Land Use Contracts (LUCs) in the Province on June 30, 2024. However, the legislation also permits municipalities to undertake early termination of LUCs in advance of 2024.
- On June 15, 2015, City Council endorsed the recommendations in Corporate Report No. R122, which outlined a process with respect to the early termination of LUCs in Surrey.
- In accordance with recent legislative changes, the LUC Termination By-law must include an effective date that is no less than one year from adoption of the by-law, resulting in a grace period.
- City staff are now moving forward with the first group of LUCs to be terminated, in accordance with the approved process described in Corporate Report No. R122, which prioritizes based on business development or the simplicity of the termination.
- LUC No. 466 was adopted by By-law No. 5749 on January 8, 1979.
- LUC No. 466 permitted soil extraction and agricultural uses. LUC 466 was amended in 1981 to permit increased soil extraction and to permit the creation of 17 urban-sized single family lots on the Northeast corner of the subject site. The balance of the site was stratified in 1992 to create a 4-lot, single-family residential bare-land strata.
- Once LUC No. 466 is terminated and the one-year grace period ends, the current underlying A-1 Zone and underlying RF Zone will come into effect and will regulate the subject lots.

RECOMMENDATION

The Planning & Development Department recommends that a By-law be introduced to terminate Land Use Contract No. 466 and a date be set for Public Hearing.

BACKGROUND

- In the early 1970s the Provincial Government adopted changes to the *Municipal Act* (now called the *Local Government Act*) that allowed local governments to enter into Land Use Contracts (LUCs) with land owners and/or developers that incorporated zoning, development control and servicing issues into one document. As a result, on lands within an LUC, the LUC became the governing land use control and, in some instances, the subdivision and development control as well.
- Although LUCs are an agreement between the City and land owners/and developers, all LUCs were adopted by By-law. The first LUC in Surrey was adopted by City Council by By-law on August 7, 1972.
- In the late 1970s the Provincial Government adopted changes to the *Municipal Act* (now called the *Local Government Act*), eliminating the ability of municipalities to enter into LUCs.
- Approximately 370 LUCs were adopted in Surrey, most of which remain in effect.
- In 2014, the Provincial Government adopted changes to the *Local Government Act* that terminate all Land Use Contracts (LUCs) in the Province on June 30, 2024. However, the legislation also permits municipalities to undertake early termination of LUCs in advance of 2024, should they choose to do so.
- On June 15, 2015, Council approved the recommendations in Corporate Report No. R122, which outlined a proposed process with respect to the early termination of LUCs in Surrey, which prioritizes based on business development or the simplicity of the termination.
- As a result, City staff are now moving forward with the termination of LUC No. 466 in accordance with the approved process.

PUBLIC NOTIFICATION

Early termination of LUCs is a Council-initiated project that does not require the consent of landowners within the LUC being terminated. A Development Proposal Sign has not been installed and no pre-notification letters have been mailed.

However, the LUC Termination By-law is required to have its own Public Hearing. As a result, the Public Hearing Notice will be delivered to all residents and tenants of properties within LUC No. 466, informing them that Council is considering terminating the LUC. Notice of the Public Hearing will also be delivered to adjoining property owners and tenants within 100 metres (or 3-lot depth, whichever is greater) of the boundaries of LUC No. 466. In addition, the Public Hearing notice will be published in two consecutive issues of either the Surrey Now or the Peace Arch News.

DISCUSSION

- It is now in order for LUC No. 466 to be considered for early termination.
- LUC No. 466 was adopted by LUC Authorization By-law, 1978, No. 5749 on January 8, 1979 to regulate development on a 8.4 hectare (21 acre) rectangular parcel of land located along 196 Street at 45 Avenue, on the border between Surrey and the Township of Langley.
- The subject lands are designated Agricultural under the Official Community Plan and are bordered on the north and south by agricultural lands, also designated Agricultural, and to the west by the Agricultural Land Reserve. The Northeast corner the subject lands regulated by LUC No. 466 have an underlying Single Family Residential Zone (RF) while the balance of the subject lands have an underlying General Agriculture Zone (A-1) under Surrey Zoning By-law, 1993, No. 12000, as amended.
- Anderson Creek, which borders the subject lands to the west, also meanders into the southern and northern portion of subject site.
- LUC No. 466 permitted soil extraction, as well as agricultural uses as outlined in the A-1 Zone of Surrey Zoning By-law, 1964, No. 2265.
- In 1981, LUC No. 466 was amended by LUC Amendment By-law, 1981, No. 6630 to permit increased soil extraction and to permit the development of urban-sized, single family residential lots under the Restricted Single Family Residential Zone R-F(R) of Surrey Zoning By-law, 1979, No. 5942 on the Northeast corner of the subject site.
- In 1982, a cul-de-sac (195A Street) and 17 urban-sized single family lots, along with a 0.4 hectare (1.0 ac.) buffer/park lot that was transferred to Surrey, were created on the Northeast corner of the original parent parcel.
- In 1991, the balance of the original parent parcel regulated by LUC No. 466 was consolidated with a portion of agricultural lot to the west that was fragmented from the remainder of the larger agricultural parcel by Anderson Creek, in order to create a large, 8.1 hectare (20 ac.) parcel.
- The portion of the adjoining lot that was consolidated with the original parent parcel was not, and is not, regulated by LUC No. 466.
- In 1992, this 8.1 hectare parcel was stratified to create a bare land strata that consists of four, suburban-sized single family residential lots and a large common area.
- The large (7.1 hectare/18 ac.) common area for this bare land strata contains a small lake that was created by the soil extraction in the 19080's, grassed open areas, and heavily forested areas along the setbacks of the Anderson Creek.
- In accordance with the recent legislative changes, the LUC Termination By-law must include an effective date that is no less than one year from adoption of the by-law, resulting in a grace period. The subject Termination By-law has a one-year grace period.

- Once LUC No. 466 is terminated and the one-year grace period ends, the current underlying A-1 Zone and underlying RF Zone will come into effect and will regulate the use of the land.
- The A-1 Zone permits a wide variety of agricultural, horticultural and related uses, as well as one single-family dwelling per lot under 0.4 hectares (10 ac.) in size.
- The RF Zone permits single family dwellings, with or without a secondary suite, bed and breakfast operations and the keeping of boarders or lodgers.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Copy of Part 10 General Agriculture Zone (A-1) of Surrey Zoning By-law, 1993, No. 12000, as amended

Appendix II. Copy of Part 16 Single Family Residential Zone (RF) of Surrey Zoning By-law, 1993, No. 12000, as amended

INFORMATION AVAILABLE ON FILE

- Land Use Contract No. 466.

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

EM/dk



Part 10 - A-1, General Agriculture Zone

General Agriculture Zone

Part 10

A-1

A. Intent

This Zone is intended to accommodate *agricultural* uses on *lots* of a minimum size of 2 hectares [5 acres] and to protect *agricultural* land from the intrusion of uses not compatible with *farm operations*.

B. Permitted Uses

Amendments: 15056, 06/23/03; 15655, 03/07/05; 17290, 12/13/10; 18212, 05/26/13

Land and *structures* shall be used for the following uses only, or for a combination of such uses:

1. *Agriculture and horticulture.*
2. *One single family dwelling* which may contain 1 *secondary suite*.
3. *Intensive agriculture*, provided that this use shall occur only on land within the *Agricultural Land Reserve (ALR)*.
4. *Farm-based winery* provided that:
 - (a) This use shall occur only on land within the *Agricultural Land Reserve*; and
 - (b) The use is subject to all conditions in the *Agricultural Land Commission Act/Regs/Orders*.
5. *Forestry.*
6. Where the *lot* is 4 hectares [10 acres] or more and is a *farm operation*, one additional *single family dwelling* or a *duplex*.
7. Provided that the total area covered by *buildings* and *structures* shall not exceed 10% of the *lot*:
 - (a) *Agricultural and horticultural education*;
 - (b) *Conservation and nature study*;
 - (c) *Fish, game and wildlife enhancement*;

- (d) Hunting and wilderness survival training;
 - (e) *Kennels-Commercial*;
 - (f) *Kennels-Hobby*; or
 - (g) *Agri-tourism*.
8. Horse-riding, training and/or boarding facility provided:
- (a) there are not more than 40 stalls; and/or
 - (b) it does not include a racetrack licensed by the British Columbia Racing Commission.
9. *Accessory uses* limited to the following:
- (a) Display and retail sale of products provided all of the following are satisfied:
 - i. all of the products offered for sale shall be produced by the *farm operation* or at least 50% of the floor area for product sales and display shall be limited to product produced by the *farm operation*;
 - ii. products offered for sale shall be limited to *agricultural* and/or *horticultural* products and shall exclude dressed fowl or poultry, butchered meat and/or preserved food unless dressed, butchered or preserved off-site;
 - iii. the cumulative maximum floor area for the display and sale of products shall not exceed 93 square metres [1,000 sq. ft.];
 - iv. all products offered for sale and related displays shall be located entirely within a *building*; and
 - v. products offered for sale and related displays shall be an *accessory use* to a *single family dwelling* and the *agricultural* and/or *horticultural* use of the *lot*;
 - (b)
 - i. Food and beverage service lounge associated with a *farm-based winery* in accordance with the *Agricultural Land Commission Act/Regs/Orders*;
 - ii. Retail sales associated with a *farm-based winery* in accordance with the *Agricultural Land Commission Act/Regs/Orders*; provided

the maximum floor area for retail sales and wine tasting does not exceed 93 sq.m. [1,000 sq.ft.].

- (c) *Primary processing* of products provided at least 50% of the product being processed shall be produced by the same *farm operation* or is feed required for the *farm operation*;
- (d) Private airport, subject to Section B.10, Part 4 General Provisions, of this By-law;
- (e) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions, of this By-law;
- (f) The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions of this By-law; and
- (g) *Soil amendment*; and
- (h) *Cogeneration Facility* provided all of the following are satisfied:
 - i. the *Cogeneration Facility* shall be associated with a *greenhouse* on the *lot*;
 - ii. the *lot* is a *farm operation*;
 - iii. the *Combined Heat and Power Engine* capacity must not exceed 1.0 Megawatt of electricity for each hectare of land used for *greenhouses*; and
 - iv. despite Sub-Section B.9(h) iii. the *Combined Heat and Power Engine* capacity may be increased to 1.5 Megawatts of electricity for each hectare of land used for a *greenhouse* if high intensity lighting (greater than 10,000 lux) is used in the *greenhouse*.

C. Lot Area

Not applicable to this Zone.

D. Density

Not applicable to this Zone.

E. Lot Coverage

Not applicable to this Zone.

F. Yards and Setbacks

Amendments: 15056, 06/23/03; 15655, 03/07/05; 17771, 11/05/12; 18212, 05/26/14

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

(a) **Minimum setbacks:**

<i>Setback</i> Use	<i>Front</i> <i>Yard</i>	<i>Rear</i> <i>Yard</i>	<i>Side</i> <i>Yard</i>	<i>Side Yard</i> <i>on Flanking</i> <i>Street</i>
<i>Single Family Dwellings, Duplexes and Accessory Buildings and Structures and All Buildings and Structures Not Stated Below</i>	7.5 m. [25 ft.]	12.0 m. [40 ft.]	Lesser of; (a) 13.5 m. [44 ft.] or (b) 10% of the <i>lot</i> width; but in any event not less than 3.0 metres [10 ft.]	7.5 m. [25 ft.]
<i>Buildings for Uses Permitted Under Sections B.1, B.4, B.5, B.9(c) and B.9(h) of this Zone,</i> <i>I. including Accessory Buildings and Structures</i>	30.0 m. [100 ft.]	15.0 m.* [50 ft.]	15.0 m.* [50 ft.]	30.0 m. [100 ft.]
<i>Kennels-Commercial, Kennels-Hobby, Horse-riding training and/or boarding</i>	30.0 m. [100 ft.]	30.0 m.** [100 ft.]	30.0 m.** [100 ft.]	30.0 m. [100 ft.]
<i>Buildings for Uses Permitted Under Section B.3 of this Zone***</i>	90.0 m. [300 ft.]	15.0 m. [50 ft.]	15.0 m. [50 ft.]	30.0 m. [100 ft.]
<i>Buildings and Structures For Private Airport</i>	30.0 m. [100 ft.]	30.0 m. [100 ft.]	30.0 m. [100 ft.]	30.0 m. [100 ft.]

Measurements to be determined as per Part 1 Definitions, of this By-law.

- * If the *side yard* or *rear yard* about a *Residential lot*, any exhaust fans or machinery used in the said *building* shall be located at least 24 metres [80 ft.] from any *lot line* and shall emit a noise level no greater than 60 dB(A) at the perimeter of any *lot line*.
- ** When the front yard is 90 metres [295 ft.] or more, the rear yard and side yard may be reduced to 15 metres [50 ft.] for uses permitted under Sub-section B.7(e) and B.7(f).
- *** The said buildings shall be located not less than 30 metres [100 ft.] from the boundary of any other Zone.

(b) **Maximum setbacks:**

No portion of a *single family dwelling* and an additional *single family dwelling* or a *duplex* shall be located farther than 50.0 metres [164 ft] from the *front lot line* provided that, on a *corner lot*, no portion of a *single family dwelling* and an additional *single family dwelling* or a *duplex* shall be located farther than 50.0 metres [164 ft] from either the *front lot line* or the *side lot line* on a *flanking street*.

G. Height of Buildings

Amendments: 15056, 06/23/03; 15655, 03/07/05

Measurements to be determined as per Part 1 Definitions, of this By-law:

1. *Single family dwelling, duplex or buildings for uses permitted under Section B.9:*
The *height* shall not exceed 9 metres [30 ft.].
2. *All other buildings and structures:* The *height* shall not exceed 12 metres [40 ft.].

H. Off-Street Parking and Loading/Unloading

Amendments: 12333, 07/25/94; 13774, 07/26/99; 18414, 03/23/15

1. Refer to Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of this By-law.
2. Where *boarders* or *lodgers* or *bed and breakfast* users are accommodated, the following shall be provided:
 - (a) Where 3 patrons or less are accommodated, 1 parking space shall be provided; and
 - (b) Where more than 3 patrons are accommodated, 2 parking spaces shall be provided.

3. For non-farm operations, a *vehicle* over 5,000 kilograms [11,023 lbs.] *G.V.W.*, which may be a truck tractor, trailer or semi-trailer as defined in the Commercial Transport Act, R.S.B.C. 1979, c. 55, dump truck or other similar *vehicle* for transporting goods and materials may be parked on a *lot*, provided that:
 - (a) The use of the *vehicle* is ancillary to a permitted *principal use* of this Zone on the *lot*;
 - (b) The *vehicle* is owned or operated by the owner or occupant of the *lot*;
 - (c) The *vehicle* shall not be parked within the required *building setbacks* for *uses permitted* under Section B.1 of this Zone; and
 - (d) Only 1 such *vehicle* is permitted to be parked on a *lot*.
4. *Vehicles* over 5,000 kilograms [11,023 lbs.] *G.V.W.*, which may be truck tractors, trailers or semi-trailers as defined in the Commercial Transport Act, R.S.B.C. 1979, c.55, dump trucks or other similar *vehicles* for transporting goods and materials, may be parked on a *lot* provided that:
 - (a) The use of the *vehicles* is ancillary to the *permitted non-residential use* on the *lot*;
 - (b) The *vehicles* are owned or operated by the owner or occupant of the *lot*; and
 - (c) The *vehicles* shall not be parked within the required *building setbacks* for *uses permitted* under this Zone.

I. Landscaping

Not applicable to this Zone.

J. Special Regulations

Amendments: 17290, 12/13/10; 17771, 11/05/12

1. A *secondary suite* shall:
 - (a) Not exceed 90 square metres [968 sq.ft.] in floor area; and
 - (b) Occupy less than 40% of the habitable floor area of the *building*.
2. The following provisions shall apply to a *farm residential footprint*:
 - (a) The maximum size of the *farm residential footprint* shall be 2,000 square metres [0.5 acres];

- (b) Despite Sub-section J.2.(a), the maximum size of the *farm residential footprint* may be increased by 1000 square metres [0.25 acres] for an additional *single family dwelling* or *duplex* where the *lot* is 4 hectares [10 acres] or more and is a *farm operation*; and

The maximum depth of the *farm residential footprint* from the *front lot line*, or the *side lot line* on a *flanking street* if it is a *corner lot*, shall be 60 metres [197 ft.].

K. Subdivision

Lots created through subdivision in accordance with this Zone shall conform to the following minimum standards:

	<i>Lot Size</i>	<i>Lot Width</i>
Land Within the ALR*	4 hectares [10 acres]	Not less than 1/10 of total <i>lot</i> perimeter
Land Outside the ALR*	2 hectares [5 acres]	Not less than 1/10 of total <i>lot</i> perimeter

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of this By-law.

* Where ALR is *Agricultural Land Reserve*.

L. Other Regulations

Amendments: 13657, 03/22/99; 13774, 07/26/99; 15056, 06/23/03; 15655, 03/07/05; 17471, 10/03/11; 18212, 05/26/14

In addition, land use regulations including the following are applicable:

1. Prior to any use, lands must be serviced as set out in Part 2 Uses Limited, of this By-law and in accordance with the "Surrey Subdivision and Development By-law".
2. General provisions on use are as set out in Part 4 General Provisions, of this By-law.
3. Additional off-street parking and loading/unloading requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of this By-law.
4. Subdivisions shall be subject to the "Surrey Development Cost Charge By-law" and the "Tree Preservation By-law".

5. *Building* permits shall be subject to the "Surrey Building By-law".
6. Sign regulations are as provided in Surrey Sign By-law No. 13656.
7. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of this By-law.
8. *Kennels-Commercial* and *Kennels-Hobby* shall be subject to the "Surrey Kennel Regulation By-law".
9. *Manufactured home* siting shall be subject to the "Surrey Mobile Homes and Trailer Regulation and Control By-law".
10. Noise is regulated by the "Surrey Noise Control By-law".
11. Unless prohibited or further regulated in this Zone, By-law, or other By-laws, activities and *uses* on lands located in the *Agricultural Land Reserve* shall be in accordance with the *Agricultural Land Commission Act/Regs/Orders*, where applicable.
12. Lands used for an *agricultural* use are classified as farms under the B.C. Assessment Act, R.S.B.C. 1996.
13. *Farm-based winery* shall be subject to the Liquor Control and Licensing Act and the *Agricultural Land Commission Act/Regs/Orders*.
14. *Cogeneration Facility* shall be regulated by the *Agricultural Land Commission Act/Regs/Orders*, Clean Energy Act, S.B.C. 2010, c. 22 as amended, the Environmental Management Act, S.B.C. 2003, c. 53 as amended, the "Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008" as amended, and the B.C. Hydro Standing Offer Program as amended.



Part 16 - RF, Single Family Residential Zone

Single Family Residential Zone

Part 16

RF

A. Intent

Amendments: 12824, 06/24/96

This Zone is intended for *single family dwellings*.

B. Permitted Uses

Amendments: 17290, 12/13/10

Land and *structures* shall be used for the following uses only, or for a combination of such uses:

1. One *single family dwelling* which may contain 1 *secondary suite*.
2. *Accessory uses* including the following:
 - (a) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions, of this By-law; and
 - (b) The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions, of this By-law.

C. Lot Area

Not applicable to this Zone.

D. Density

Amendments: 12101, 07/11/94; 12681, 12/04/95; 12824, 06/24/96; 13093, 05/12/97; 14519, 10/15/01; 15587, 12/13/04; 16957, 06/29/09; 17471, 10/03/11; 17989, 29/07/13; 18050; 09/23/13; 18414, 03/23/15

1. For the purpose of subdivision in all Neighbourhood Concept Plan and Infill Areas as described and outlined on the map attached as Schedule F of this By-law, the maximum *unit density* is 2.5 *dwelling units* per hectare [1 u.p.a.] and the dimensions of the *lots* created in a subdivision shall be in accordance with Section K.1 of this Zone. The maximum *unit density* may be increased to 14.8 *dwelling*

units per hectare [6 u.p.a.] and Section K.2 of this Zone shall apply if amenities are provided in accordance with Schedule G of this By-law.

2. (a) For *building* construction within a *lot*:
 - i. The *floor area ratio* must not exceed 0.60 for the first 560 square metres [6,000 sq. ft.] of *lot* area and 0.35 for the remaining *lot* area in excess of 560 square metres [6,000 sq. ft.], provided that 39 square metres [420 sq. ft.] must be reserved for use only as a garage or carport.
 - ii. Notwithstanding Sub-section D.2.(a)i., the maximum allowable floor area is as follows:
 - (a) 465 square metres [5,000 sq.ft.], except in the area shown in Schedule D.1.(a); and
 - (b) For *building* construction on a lot within the area shown in Schedule D.1.(a), the maximum allowable floor area is 84 square metres [900 sq.ft.] and a *basement* is not permitted on such *lot*.
 - iii. The maximum permitted floor area of a second storey for a *principal building* must not exceed 80% of the floor area of the main floor level including attached garage and that portion of any porch or veranda at the front that is covered by a sloped roof, but not including any portion of the *structure* located within 7.5 metres [25 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 main floor level from either the front or side walls or a combination thereof; and
 - iv. For the purpose of this Section and notwithstanding the definition of *floor area ratio* in Part 1 Definitions of this By-law, the following must be included in the calculation of *floor area ratio*:
 - (a) Covered area used for parking unless the covered parking is located within the *basement*;
 - (b) The area of an *accessory building* in excess of 10 square metres [108 sq.ft.];
 - (c) Covered outdoor space with a height of 1.8 metres [6 ft.] or greater, except for a maximum of 10% of the maximum

allowable floor area of which 15 square metres [160 sq. ft.] must be reserved for a front porch or veranda; and

- (d) Floor area with extended height including staircases, garages and covered parking, must be multiplied by 2, where the extended height exceeds 3.7 metres [12 ft.], except for a maximum of 19 square metres [200 sq.ft.] on the *lot*.

E. Lot Coverage

Amendments: 17989, 29/07/13

1. For *lots* with a size of a 560 square metres [6,000 sq.ft.] or less, the maximum *lot coverage* is 40%.
2. For *lots* with a size greater than 560 square metres [6,000 sq.ft.], the maximum *lot coverage* is as follows:

<i>Lot Size</i>	<i>Maximum Lot Coverage</i>
Greater than 560 square metres [6,000 sq.ft.] to 653 square metres [7,000 sq.ft.]	38%
Greater than 653 square metres [7,000 sq.ft.] to 746 square metres [8,000 sq.ft.]	36%
Greater than 746 square metres [8,000 sq.ft.] to 839 square metres [9,000 sq.ft.]	34%
Greater than 839 square metres [9,000 sq.ft.] to 932 square metres [10,000 sq.ft.]	32%
Greater than 932 square metres [10,000 sq.ft.] to 1,583 square metres [17,000 sq.ft.]	32% minus 2% for each additional 93 square metres [1,000 sq.ft.], or portion thereof, of <i>lot area</i> in excess of 932 square metres [10,000 sq.ft.]
Greater than 1,583 square metres [17,000 sq.ft.]	18%

F. Yards and Setbacks

Amendments: 12101, 07/11/94; 13093, 05/12/97; 17471, 10/03/11; 17704, 07/23/12; 17989, 07/29/13; 18414, 03/23/15

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

<i>Use</i>	<i>Setback</i>	<i>Front Yard</i> ^{1&2}	<i>Rear Yard</i> ³	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Building</i>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	1.8 m. [6 ft.]	3.6 m. [12 ft.]
<i>Accessory Buildings and Structures Greater Than 10 square metres [108 sq.ft.] in Size</i>		18.0 m. [60 ft.]	1.8 m [6 ft.]	1.0 m [3 ft.]	7.5 m [25 ft.]
<i>Other Accessory Buildings and Structures</i>		18.0 m [60 ft.]	0.0 m	0.0 m.	7.5 m. [25 ft.]

Measurements to be determined as per Part 1 Definitions, of this By-law.

¹ Except for a garage, the *front yard setback* may be relaxed at the lower floor level to 5.5 metres [18 ft.] for a maximum of 50% of the width of the *principal building*. If a minimum of 50% of the width of the *principal building* is set back 9 metres [30 ft.], the setback to an attached garage may be relaxed to 6.7 metres [22 ft.].

² With the exception of a garage with its main access doors facing a *side yard*, an attached garage to the *principal building* must not extend towards the *highway* for more than half the depth of the said garage, measured from the front face of the *principal building*, excluding any front face of the exterior wall above the said garage. If an attached garage with its main access doors facing a *highway* contains more than 2 parallel parking bays, the additional parking bay(s) and the garage entrance leading to the additional parking bay(s) must be set back at least 0.9 metre [3 ft.] from the front of the said garage.

- ³ 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 is *setback* at least 8.5 metres [28 ft.] from the *rear lot line*.

G. Height of Buildings

Amendments: 12239, 04/18/94; 12101, 07/11/94; 18414, 03/23/15

Measurements to be determined as per Part 1 Definitions, of this By-law:

1. *Principal building*:
 - (a) The *building height* shall not exceed 9 metres [30 ft.].
 - (b) The *building height* of any portion of a *principal building* with a roof slope of less than 1:4 shall not exceed 7.3 metres [24 ft.].
2. *Accessory buildings and structures*: The *height* shall not exceed 4 metres [13 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 metres [16.5 ft.]

H. Off-Street Parking and Loading/Unloading

Amendments: 12333, 07/25/94; 13093, 05/12/97; 13774, 07/26/99; 14120, 10/16/00

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 this By-law.
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*. *Driveways* may be constructed off either the *frontage* or *flanking street*;
 - (b) *Parking spaces* shall be located only on a *driveway* leading to a garage, carport or parking pad, in a garage, in a car port, or on a parking pad; and
 - (c) The total area surfaced or paved for a *driveway* shall be as follows:
 - i. Every *lot* may have 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 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*.
 - iv. Where the *driveway* is constructed in a *side yard* off a *flanking street* all references to *front yard* within this Section shall be read as *side yard*; 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 *dwelling unit*, 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 this By-law;

- (b) Notwithstanding Sub-section H.4(a), no outside parking or storage of a *house trailer* or boat is permitted on *corner lots* in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 9 metres [30 ft.] along the said *lot lines* from the point of intersection of the two *lot lines*; and
- (c) Adequate screening, as described in Section I.2 of this Zone is provided.

I. Landscaping

Amendments: 12333, 07/25/94; 17989, 07/29/13

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. A minimum of 30% of the *lot* must be covered by porous surfaces.
3. 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) on a *corner lot*, this required landscape screening shall not be located in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 9 metres [30 ft.] along the said *lot lines* from the point of intersection of the 2 *lot lines*;
 - (b) 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
 - (c) 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

Amendments: 17290, 12/13/10; 17989, 07/29/13; 18050, 09/23/13

1. For *lots* within designated floodplain in the Bridgeview area as referred to in Part 8 Floodproofing, of this By-law, the uses listed in Section B of this Zone shall be permitted only if the *lot* has a *frontage* of not less than 15 metres [50 ft.] and an area of not less than 464 square metres [5,000 sq.ft.].
2. Basement access and basement wells are permitted only between the *principal building* and the *rear lot line* and must not exceed a maximum area of 28 square metres [300 sq. ft.], including the stairs.
3. A *secondary suite* shall:
 - (a) Not exceed 90 square metres [968 sq.ft.] in floor area; and
 - (b) Occupy less than 40% of the habitable floor area of the *building*.

K. Subdivision

Amendments: 12824, 06/24/96

1. For subdivision of the land in all Neighbourhood Concept Plan and Infill Areas as described and outlined on the map attached as Schedule F of this By-law where amenities are not provided in accordance with Schedule G of this By-law, the *lots* created shall conform to the minimum standards prescribed in Section K of Part 12 One-Acre Residential Zone RA of this By-law.

2. For subdivision of the land in all Neighbourhood Concept Plan and Infill Areas as described and outlined on the map attached as Schedule F of this By-law where amenities are provided in accordance with Schedule G of this By-law, the *lots* created shall conform to the minimum standards prescribed in sub-section K.3 of this Zone.
3. *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>
Subdivision	560 sq. m. [6,000 sq.ft.]	15 metres [50 ft.]	28 metres [90 ft.]
<i>Lot Consolidation in Bridgeview's Designated Floodplain Areas</i>	464 sq. m. [5,000 sq.ft.]	15 metres [50 ft.]	no minimum

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of this By-law.

L. Other Regulations

Amendments: 13657, 03/22/99; 13774, 07/26/99

In addition, land use regulations including the following are applicable:

1. Prior to any use, lands must be serviced as set out in Part 2 Uses Limited, of this By-law and in accordance with the "Surrey Subdivision and Development By-law".
2. General provisions on use are as set out in Part 4 General Provisions, of this By-law.
3. Additional off-street parking and loading/unloading requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of this By-law.
4. Subdivisions shall be subject to the "Surrey Development Cost Charge By-law" and the "Tree Preservation By-law".
5. *Building* permits shall be subject to the "Surrey Building By-law".
6. Sign regulations are as provided in Surrey Sign By-law No. 13656.

7. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of this By-law.
8. Floodproofing shall be as set out in Part 8 Floodproofing, of this By-law.