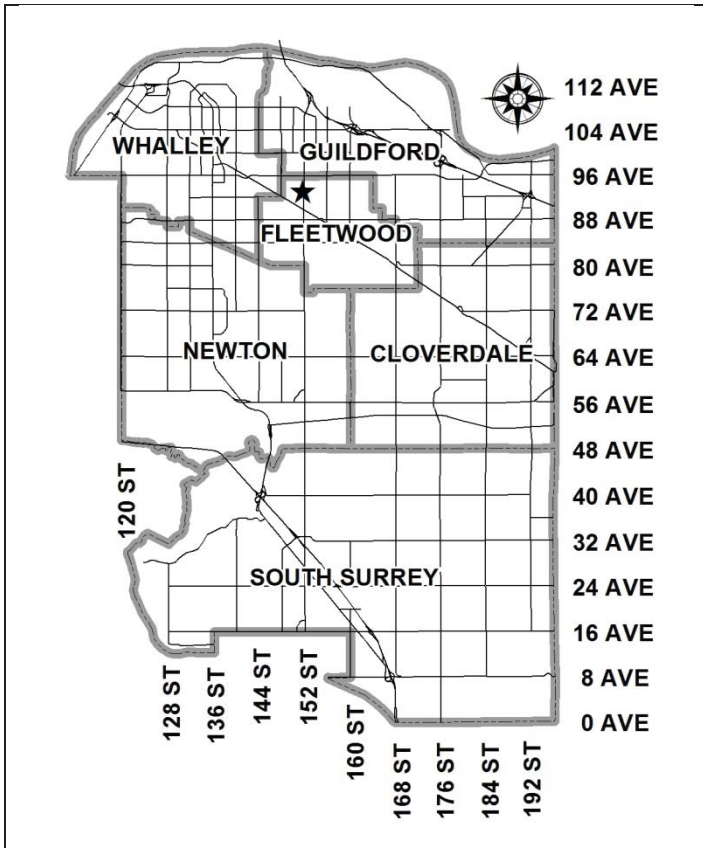


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7916-0350-00

Planning Report Date: October 3, 2016



**PROPOSAL:**

- Terminate Land Use Contract No. 262

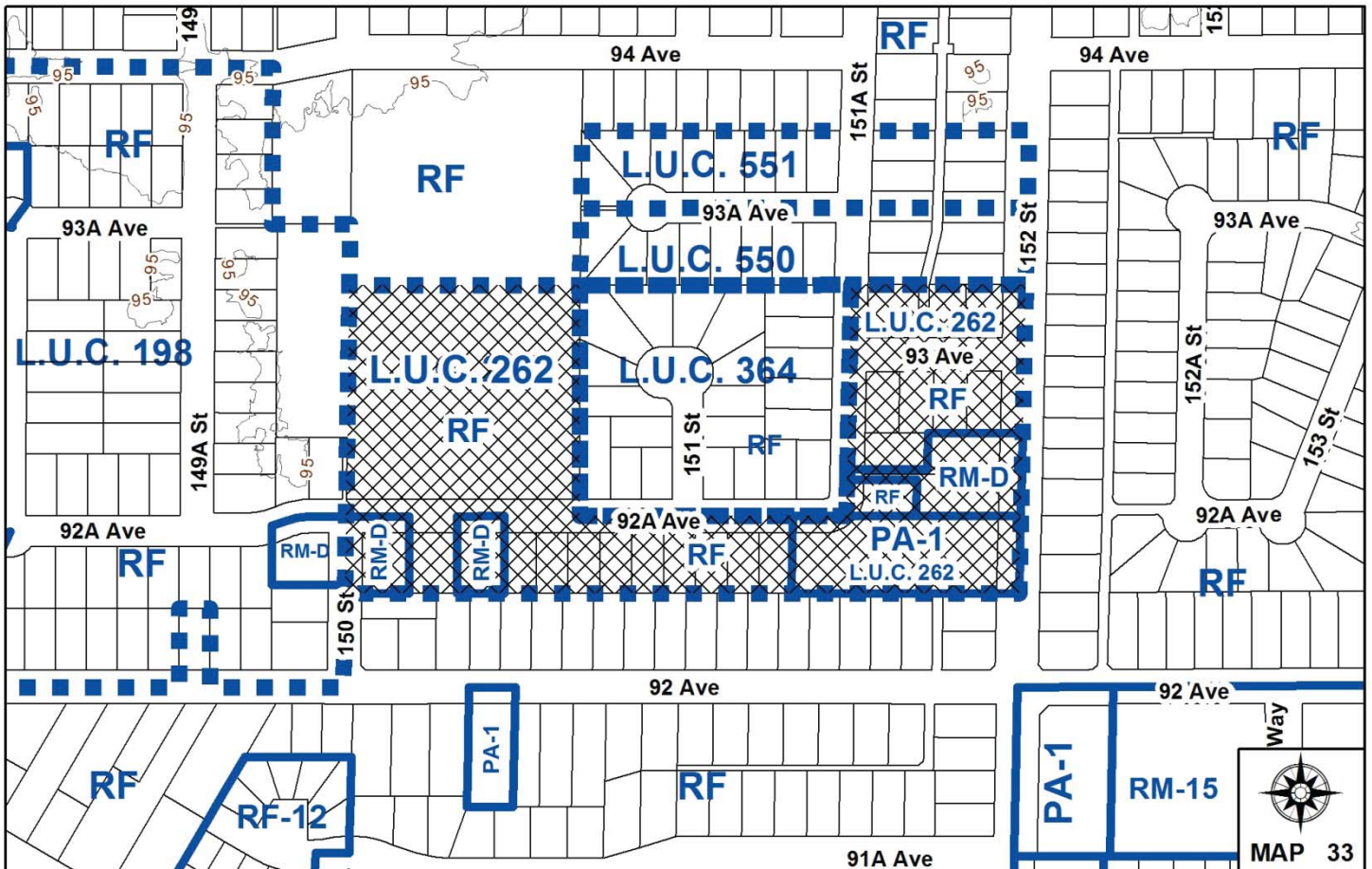
to permit the existing underlying RF, RM-D and PA-1 Zones to come into effect.

**LOCATION:** 92A Avenue and 151A Street

**LUC AND** LUC No. 262

**UNDERLYING ZONING:** (RF, PA-1 and RM-D Zones underlying)

**OCP DESIGNATION:** Urban



### RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing to terminate LUC No. 262.

### 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.
- LUC No. 262 was adopted by Authorization By-law, 1977, No. 5110 on October 17, 1977.
- LUC No. 262 permits residential single family dwellings on 17 subject lots two-family dwellings on 6 subject lots a church and accessory dwelling on 1 lot and a park site.
- In accordance with the legislation, 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.
- Once LUC No. 262 is terminated and the one-year grace period ends, the current underlying “Single Family Residential Zone (RF)”, “Duplex Residential Zone (RM-D)” and “Assembly Hall 1 Zone (PA-1)” will automatically come into effect and will regulate the 19 single family lots and a City-owned park, 4 duplex lots and 1 institutional lot (Danish Lutheran Church).
- The portion of Barry Mather Park currently regulated by LUC No. 262 will remain as City park.
- The “Single Family Residential Zone (RF)” permits single family dwellings, including one (1) secondary suite, as well as a bed and breakfast operation and the keeping of boarders or lodgers as accessory uses. The “Duplex Residential Zone (RM-D)” permits duplexes only.
- The “Assembly Hall 1 Zone (PA-1)” permits assembly halls, including churches, private schools and child care centres as well as one (1) or two (2) caretaker dwelling units as an accessory use, provided that such use is limited in area to 260 square metres (2800 sq.ft.) and accommodated in either one separate building or within the principal building.
- If the land owner feels that the termination of the LUC will cause undue hardship, the property owner has the right to appeal to the City’s Board of Variance (BOV). The application to the BOV must be received by the BOV within 6 months after the LUC Termination By-law has been adopted by City Council.

## RECOMMENDATION

The Planning & Development Department recommends that a By-law be introduced to terminate Land Use Contract No. 262 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.
- As a result, City staff are moving forward with the termination of LUC No. 262 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 owners and tenants of properties within LUC No. 262, 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. 262. In addition, the Public Hearing notice will be published in two consecutive issues of the Surrey Now.

SITE CHARACTERISTICS

Existing Land Use: Single family dwellings, duplexes and one (1) lot containing both a Lutheran Church and caretaker dwelling, which are to remain.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	City-owned park (Barry Mather Park) and single family dwellings	Urban	RF, LUC No. 364 (RF Zone underlying) and LUC No. 550 (RF Zone underlying)
East (Across 152 Street):	Single family dwellings	Urban	RF
South:	Single family dwellings	Urban	RF
West (Across 150 Street):	City-owned park (Barry Mather Park), single family dwellings and duplexes	Urban	LUC No. 198 (RF and RM-D Zone underlying)

DISCUSSION

- LUC No. 262 was adopted by Authorization By-law, 1977, No. 5110 on October 17, 1977.
- LUC No. 262 currently regulates 19 single family lots, 4 duplex lots, one (1) institutional (Danish Lutheran Church) lot and one (1) City-owned lot designated as park (Barry Mather Park).
- The subject site is designated “Urban” under the Official Community Plan (OCP) with an underlying “Single Family Residential Zone (RF)” for 20 subject lots, “Duplex Residential Zone (RM-D)” for 4 subject lots and “Assembly Zone 1 (PA-1)” for one (1) subject lot under Surrey Zoning By-law, 1993, No. 12000, as amended. The subject site is located in Fleetwood, between 92 Avenue and 93A Avenue, at 151A Street.
- LUC No. 262 permits residential single family dwellings only on 17 lots (Lots 2 to 8, 11 and 13 to 21). LUC No. 262 permits two-family dwellings only on 6 lots (Lot 1, 9, 10 and 22 to 24). LUC No. 262 permits a church and accessory dwelling on 1 lot (Lot 12) and a park site.

- LUC No. 262 permitted the original site to be subdivided into a maximum of 17 single family lots, 6 duplex lots, one (1) institutional lot, one (1) remainder lot that was to be developed under a future Land Use Contract (LUC) and one (1) lot that was to be transferred to the City for parks and detention pond purposes. The subject area was subdivided under Subdivision Plan No. 53710. One property (Lot 320 of Plan No. 53710) originally regulated by LUC No. 262 was discharged by Authorization By-law, 1978, No. 5412 and subdivided under LUC No. 364.
- The most northerly lot and one of the southern lots (15016/15018 – 92A Avenue) contain a stratified duplex but their underlying zoning is RF. The non-conforming provisions of the Local Government Act will apply.
- The portion of Barry Mather Park currently regulated by LUC No. 262 will remain as City park.
- In accordance with the legislation, 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. 262 is terminated and the one-year grace period ends, the current underlying “Single Family Residential Zone (RF)”, “Duplex Residential Zone (RM-D)” and “Assembly Hall 1 Zone (PA-1)” will come into effect and will regulate the 19 single family lots and a City-owned park, 4 duplex lots and one (1) institutional (Danish Lutheran Church) lot respectively.
- The “Single Family Residential Zone (RF)” permits single family dwellings, including one secondary suite, as well as a bed and breakfast operation and the keeping of boarders or lodgers as accessory uses.
- The “Duplex Residential Zone (RM-D)” permits duplexes only.
- The “Assembly Hall 1 Zone (PA-1)” permits assembly halls, including churches, private schools and child care centres as well as one (1) or two (2) caretaker dwelling units as an accessory use, provided that such use is limited in area to 260 square metres (2800 sq.ft.) and accommodated in either one separate building or within the principal building.
- If the land owner feels that the termination of the LUC will cause undue hardship, the property owner has the right to appeal to the City’s Board of Variance (BOV). The application to the BOV must be received by the BOV within 6 months after the LUC Termination By-law has been adopted by City Council.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Copy of Part 16 Single Family Residential Zone (RF) of Surrey Zoning By-law, 1993, No. 12000, as amended
- Appendix II. Copy of Part 18 Duplex Residential Zone (RM-D) of Surrey Zoning By-law, 1993, No. 12000, as amended
- Appendix III. Copy of Part 31 Assembly Hall 1 Zone (PA-1) of Surrey Zoning By-law, 1993, No. 12000, as amended

INFORMATION AVAILABLE ON FILE

- Land Use Contract No. 262.

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

CRL/dk



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; 18771, 07/25/16**

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 reduced at a rate of 2% for each 93 square metres [1,000 sq. ft.] of additional lot area until a lot coverage of 25% is reached, which is the maximum lot coverage for lots greater than 1,262 square metres [13,500 sq. ft.] in area.

**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; 18771, 07/25/16**

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

<i>Use</i>	<i>Setback</i>	<i>Front Yard<sup>1,2,3</sup></i>	<i>Rear Yard<sup>4</sup></i>	<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. <sup>5</sup> [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.]

Other <i>Accessory Buildings</i> and <i>Structures</i>	18.0 m [60 ft.]	0.0 m	0.0 m.	7.5 m. [25 ft.]
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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 The required *front yard setback* is increased to 11.0 metres [36 ft.] to the front face of an attached garage on *lots* that front onto a cul-de-sac bulb and which have a frontage of less than 8.0 metres [26 ft.], as determined by measuring a straight line drawn between the two front corners of the *lot*.
- 4 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*.
- 5 The *side yard setback* may be reduced to 1.2 metres [4 ft.] along one *side lot line* adjoining a *lot* zoned Single Family Residential (RF) provided that the *side yard setback* on the opposite side of the *lot* is increased to 2.4 metres [8 ft.].

## 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; 18719, 05/30/16; 18771, 07/25/16

1. Resident *parking spaces* shall be provided as stated in Table C.1 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 3 cars or trucks, which may be increased to a maximum of 4 cars or trucks on *lots* where the front face of an attached garage is set back a minimum of 11.0 metres [36 ft.] from the *front lot line*;
  - (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, which may be increased to 4 where the front face of an attached garage is set back a minimum of 11.0 metres [36 ft.] from the *front lot line*.
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 8.0 metres [26 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 50% 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 set back* 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
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.1 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; 18771, 07/25/16**

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.



Part 18 - RM-D, Duplex Residential Zone

## Duplex Residential Zone

### Part 18

### RM-D

#### A. Intent

This Zone is intended to accommodate and regulate *duplex* dwellings on *urban lots*.

#### B. Permitted Uses

**Amendments: 12737, 01/15/96**

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

1. One (1) *duplex* provided that the minimum *lot* size shall be 930 square metres [10,000 sq. ft.] and minimum *lot* width shall be 24 metres [80 ft.]. Where the *lot* under this zone is subdivided into strata lots, only 1 *dwelling unit* shall be permitted within each of the strata lots and in the case of such a subdivision, each of the permitted *dwelling units* must form part of the *duplex* constructed on the *lot* as it existed prior to the subdivision.

#### C. Lot Area

Not applicable to this Zone.

#### D. Density

**Amendments: 14519, 10/15/01; 15896, 01/09/06**

1. (a) For the purpose of this Section and notwithstanding the definition of *floor area ratio* in Part 1 Definitions of this By-law, 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) For *building* construction within a *corner lot*, the maximum allowable floor area shall be 446 sq. m. [4,800 sq. ft.], provided that, of the allowable maximum floor area, 90 sq. m. [960 sq. ft.] shall be reserved for garage(s) or carport(s), and 20 sq. m. [210 sq. ft.] shall be reserved for use only as *accessory buildings* and *structures*; and.
- (c) For *building* construction within a *lot* other than a *corner lot*, the maximum allowable floor area shall be 372 sq. m. [4,000 sq. ft.], provided that, of the allowable maximum floor area, 90 sq. m. [960 sq. ft.] shall be



reserved for garage(s) or carport(s) and 20 sq. m. [210 sq. ft.] shall be reserved for use only as *accessory buildings and structures*.

### E. Lot Coverage

The maximum *lot coverage* shall be 33%.

### F. Yards and Setbacks

**Amendments: 13093, 05/12/97; 18414, 03/23/15**

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

<b>Use</b>	<b>Setback</b>	<b>Front Yard</b>	<b>Rear Yard</b>	<b>Side Yard</b>	<b>Side Yard on Flanking Street</b>
<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.

**G. Height of Buildings**

**Amendments: 12239, 04/18/94**

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

1. ***Principal building***: The *height* shall not exceed 9 metres [30 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; 13774, 07/26/99; 15896, 01/09/06; 18719, 05/30/16**

1. Resident and visitor *parking spaces* shall be provided as stated in 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 *dwelling unit* shall be limited to:
  - (a) A maximum of 2 cars or trucks;
  - (b) *House trailer, camper* or boat, provided that the combined total shall not exceed 1; and
  - (d) The total amount permitted under (a) and (b) shall not exceed 2.
3. On a *corner lot*, *vehicle* parking is 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*;
  - (b) *Parking spaces* shall be located only on a *driveway* leading to a garage, carport or parking pad and in a garage, in a carport, or on a parking pad;
  - (c) *Vehicle* access to each *dwelling unit* within the *duplex* shall be provided from a separate *driveway* with one of the two *driveways* constructed off

the *frontage* street and the second *driveway* constructed off the *flanking street*, except where there is a lane up to or along the *rear lot line* or *side lot line*, in which case a minimum of one of the two *driveways* shall be constructed off the lane;

- (d) Where either the fronting *highway* or *flanking street* is designated an *arterial highway*, *vehicle* access to the *lot* shall be provided only as stipulated by Surrey Highway and Traffic By-law, 1997, No. 13007, as amended;
  - (e) The total area of a *driveway* shall be as follows:
    - i. Each *dwelling unit* within the *duplex* may have one *driveway* with a maximum width of 6 metres [20 ft.], extending from the *lot line* to the garage, carport, or parking pad on the *lot*; and
    - ii. 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
  - (f) The total number of *vehicles* parked on a *driveway* within the *front yard* or *side yard* shall not exceed two for each *dwelling unit* within the *duplex*.
4. On a *lot* other than a *corner lot*, *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*;
  - (b) *Parking spaces* shall be located only on a *driveway* leading to a garage, carport or parking pad and in a garage, in a carport, or on a parking pad;
  - (c) *Vehicle* access to each *dwelling unit* within the *duplex* may be provided by a *driveway* with a maximum width of 6 metres [20 ft.] extending from the *lot line* to the face of the garage, carport, or parking pad on the *lot*, provided that the *driveways* on the same *lot* must have a minimum landscaped separation of 3.5 metres [12 ft.] along the entire length of the two *driveways*;
  - (d) As an alternative to 4(c), a single *driveway* may be used to provide access to both *dwelling units* on the *lot* provided that the *driveway* has a maximum width of 6.0 metres [20 ft.] at the *front lot line* and tapers uniformly to a total width no greater than 12.0 metres [40 ft.] at the face of the garages, carports or parking pads; and

- (e) The total number of *vehicles* parked on a *driveway* within the *front yard* or *side yard* shall not exceed two for each *dwelling unit* within the *duplex*.
5. Notwithstanding subsection H.4., where there is a lane up to or along the *rear lot line* or *side lot line*, *vehicle* access to a *lot* other than a *corner lot* is permitted only from the lane.
6. Notwithstanding the width of the *parking space* required for a double garage in Section B.2 of Part 5 Off-Street Parking and Loading/Unloading of this By-law, for the purpose of this Zone, the width of a double garage to accommodate 2 *vehicles* parked side-by-side may be reduced to a minimum of 5.5 m. [18 ft.], measured between the inside faces of the side walls of the garage, provided that the opening for *vehicle* access to the garage shall accommodate a garage door that is a minimum of 5.0 m. [16 ft.] in width.
7. No outside parking or storage of a *house trailer* or boat is permitted within the *front yard setback*, or within the required *side yards* 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.1 of Part 5 Off-Street Parking and Loading/Unloading of this By-law;
- (b) Notwithstanding Sub-section H.3(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.1 of this Zone is provided.

## I. Landscaping

1. 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.
2. All 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.

**J. Special Regulations**

Not applicable to this Zone.

**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>
930 sq. m. [10,000 sq.ft.]	24 metres [80 ft.]	28 metres [90 ft.]

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. Development permits may be required in accordance with the *Official Community Plan*.

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Part 31 - PA-1, Assembly Hall 1 Zone

## Assembly Hall 1 Zone

### Part 31

### PA-1

#### A. Intent

**Amendments: 17181, 06/07/10; 17471, 10/03/11**

This Zone is intended for neighbourhood-scale *assembly halls*, including *churches*, *private schools* and *child care centres* subject to the Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended and the Child Care Licensing Regulation set out under B.C. Reg. 95/2009, as amended.

#### B. Permitted Uses

**Amendments: 12333, 07/25/94**

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

1. *Assembly halls*, including *churches*, which accommodate a maximum of 300 seats.
2. *Private schools* provided that the enrollment is limited to 50 students.
3. *Child care centres* provided that the enrollment at any one time is limited to 50 students.
4. *Community services*.
5. *Accessory uses*, including the following:
  - (a) One (1) or 2 *dwelling units* for the accommodation of official, manager or caretaker of the *principal use* provided that such use is limited in area to 260 square metres [2800 sq.ft.] either accommodated in one separate *building* or within the *principal building*.

#### C. Lot Area

Not applicable to this Zone.



**D. Density**

**Amendments: 13155, 02/09/08; 18414, 03/23/15**

1. In Neighbourhood Concept Plan and Infill Areas as described and outlined on the maps attached as Schedule F attached to this By-law, the maximum *density* shall not exceed a *floor area ratio* of 0.1 or a *building area* of 300 square metres [3,230 sq. ft.] whichever is smaller. The maximum *density* may be increased to a maximum *floor area ratio* of 0.35 if amenities are provided in accordance with Schedule G of this By-law.
2. In areas other than the ones in Sub-section D.1 of this Zone, the maximum *density* shall not exceed a *floor area ratio* of 0.35.

**E. Lot Coverage**

The maximum *lot coverage* shall be 35%.

**F. Yards and Setbacks**

1. All *front yard*, *rear yard* and *side yard setbacks* shall be greater than or equal to the measurement of the *height* of the highest *building* on the *lot*.
2. *Buildings* and *structures* shall be sited in accordance with the following minimum *setbacks*:

<b>Use</b>	<b><i>Setback</i></b>	<b><i>Front Yard</i></b>	<b><i>Rear Yard</i></b>	<b><i>Side Yard</i></b>	<b><i>Side Yard on Flanking Street</i></b>
<b><i>Principal and Accessory Buildings and Structures</i></b>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	3.6 m. [12 ft.]	7.5 m. [25 ft.]

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

### G. Height of Buildings

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

1. *Principal building*: The *height* shall not exceed 9 metres [30 ft.].
2. *Accessory buildings and structures*: The *height* shall not exceed 4 metres [13 ft.].

### H. Off-Street Parking and Loading/Unloading

**Amendments: 13774, 07/26/99; 18719, 05/30/16**

1. Refer to Table C.1, Part 5 Off-Street Parking and Loading/Unloading of this By-law.
2. No off-street parking shall be permitted within the *front yard setback* or the *side yard setback* along a *flanking street*.

### I. Landscaping

**Amendments: 12333, 07/25/94; 17471, 10/03/11**

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. Along all *lot lines* of the developed portion of the *lot*, a 3 metre [10 ft.] wide landscaped strip shall be provided, consisting of hedges, ground cover or a decorative fence or a combination thereof.
3. 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*.

### J. Special Regulations

1. *Child care centres* shall be located on the *lot* such that these centres:
  - (a) Are accessed from a *highway*, independent from the access to other uses permitted in Section B of this Zone; and
  - (b) Have direct access to an *open space* and play area within the *lot*.

**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>
1,000 sq. m. [0.25 acre]	30 metres [100 ft.]	30 metres [100 ft.]

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; 17181, 06/07/10**

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. *Building* permits shall be subject to the "Surrey Building By-law" and the "Surrey Development Cost Charge By-law".
5. Sign regulations are as provided in Surrey Sign By-law No. 13656.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of this By-law.
7. Provincial licensing for a *child care centre* is regulated by the Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended and the Child Care Licensing Regulation set out under B.C. Reg. 95/2009, as amended.
8. *Private schools* are regulated by the Independent School Act S.B.C., 1989, c. 51.