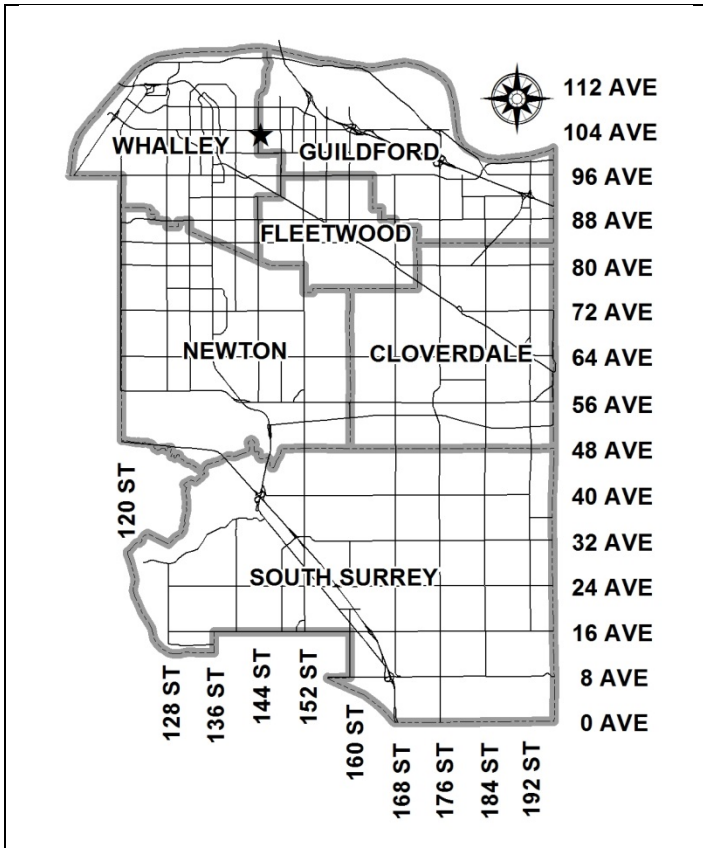


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0473-00

Planning Report Date: November 7, 2016



PROPOSAL:

- Terminate Land Use Contract No. 7

to permit the existing underlying RF Zone and CHI Zone to come into effect.

LOCATION:

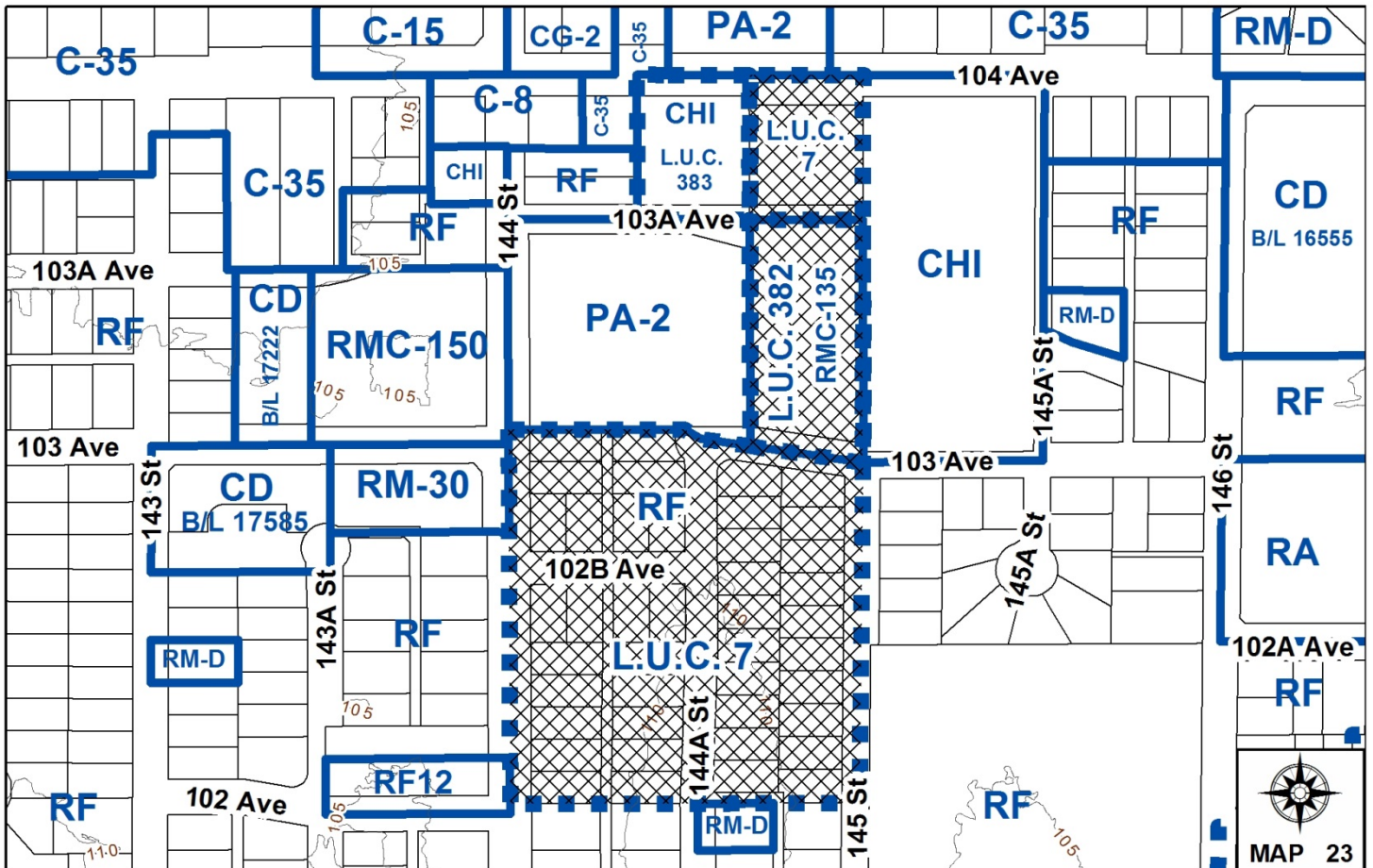
Between 102 Avenue and 104 Avenue, and 144 Street and 145 Street

LUC AND UNDERLYING ZONING:

LUC No. 7
 (RF and CHI Zones underlying)

OCP DESIGNATION:

Urban, Multiple Residential and Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing to terminate LUC No. 7.

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. 7 was adopted by Authorization By-law No. 4077 on October 9, 1973.
- LUC No. 7 permits residential single family housing and customary permitted accessory uses on the lands south of 103 Avenue.
- 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. 7 is terminated and the one-year grace period ends, the current underlying "Single Family Residential Zone (RF)" will automatically come into effect and will regulate 42 single family lots. The "Highway Commercial Industrial Zone (CHI)" will automatically come into effect and regulate one (1) commercial lot (14476 – 104 Avenue) which contains a McDonald's restaurant. LUC No. 382 will remain in effect and regulate one (1) vacant lot (14477 – 103 Avenue) until this second LUC is terminated.
- 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 "Highway Commercial Industrial Zone (CHI)" is intended to accommodate and regulate those commercial and related uses requiring large lots and exposure to major highways.
- 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. 7 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. 7 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. 7, 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. 7. 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, vacant lot, and restaurant.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 104 Avenue):	Church.	Multiple Residential	PA-2 Zone
East (Across 145 Street):	Single family dwellings and Green Timbers Urban Forest Park.	Urban, Conservation and Recreation	RF Zone
South:	Duplexes, single family dwelling, and vacant residential lot.	Urban	RF Zone and RM-D Zone
West (Across 144 Street):	Single family dwellings, duplexes, and townhouses.	Urban, Multiple Residential	RF Zone, RF-12 Zone, RM-30 Zone

DISCUSSION

- LUC No. 7 was adopted by Authorization By-law No. 4077 on October 4, 1978.
- LUC No. 7 regulates 44 lots; 42 single family lots, one (1) commercial lot, and one (1) vacant lot for future development. The subject area is located in Whalley, between 102 Avenue and 104 Avenue, and 144 Street and 145 Street.
- The northern-most lot (14476 - 104 Avenue) in the subject area is designated Commercial under the Official Community Plan (OCP) and has an underlying “Highway Commercial Industrial Zone (CHI)” under Surrey Zoning By-law, 1993, No. 12000, as amended. A McDonald’s restaurant is located on this lot.

- The lot at 14477 – 103 Avenue is designated Multiple Residential under the Official Community Plan (OCP) and is regulated by a second Land Use Contract (LUC No. 382). It has an underlying “Multiple Residential Commercial 135 Zone (RMC-135)” under Surrey Zoning By-law, 1993, No. 12000, as amended.
- The remaining subject area, which is south of 103 Avenue, is designated Urban under the Official Community Plan (OCP) and has an underlying "Single Family Residential Zone (RF)" under Surrey Zoning By-law, 1993, No. 12000, as amended.
- LUC No. 7 permits residential single family housing and customary permitted accessory uses on the lands south of 103 Avenue.
- LUC No. 7 permitted the original subject area to subdivide into 43 lots; 42 single family residential lots and one (1) remainder lot to be used for future subdivision. These lots were created under Subdivision Plan No. 45656 on February 26, 1974. The one (1) remainder lot was consolidated with a lot to the north under Subdivision Plan 45657 on February 26, 1974 and then further subdivided into two (2) lots under Plan No. LMP31864 on February 12, 1997. As a result, a total of 44 lots became regulated by LUC No. 7, 42 single family lots, and two (2) larger lots, 14476 – 104 Avenue, with an underlying CHI Zoning, and 14477 – 103 Avenue, with an underlying RMC-135 Zoning, which is also under LUC No. 382.
- 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. 7 is terminated and the one-year grace period ends, the current underlying "Single Family Residential Zone (RF)" and "Highway Commercial Industrial Zone (CHI)" will come into effect and will regulate the use of the land with one exception. LUC No. 382 will remain in effect and regulate one (1) vacant lot (14477 – 103 Avenue) until this second LUC is terminated.
- 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 "Highway Commercial Industrial Zone (CHI)" is intended to accommodate and regulate those commercial and related uses requiring large lots and exposure to major highways.
- 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 39 "Highway Commercial Industrial Zone (CHI)" of Surrey Zoning By-law, 1993, No. 12000, as amended

INFORMATION AVAILABLE ON FILE

- Land Use Contract No. 7.

Original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

AR/da



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</i> ^{1,2,3}	<i>Rear Yard</i> ⁴	<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. ⁵ [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 Accessory Buildings and Structures	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.



Highway Commercial Industrial Zone

Part 39 - CHI, Highway Commercial Industrial Zone

Part 39

CHI

A. Intent

Amendments: 13774, 07/26/99

This Zone is intended to accommodate and regulate those commercial and related uses requiring large *lots* and exposure to major *highways*, which generally are not accommodated in *shopping centre*, *Town Centre* or *Surrey City Centre* as shown in Schedule D.1 developments.

B. Permitted Uses

Amendments: 12333, 07/25/94; 12523, 02/13/95; 12715, 12/04/95; 13201, 09/16/97; 13316, 02/09/98; 13251A, 03/16/98; 13497, 09/15/98; 15271, 11/01/04; 15977, 04/24/06; 17462, 09/12/11; 17471, 10/03/11

Land and *structures* outside the sub-area of the *City Centre*, as identified on Map D.1(a), shall be restricted to the uses listed in Sub-sections 1 through 16 only, or for a combination of the uses listed in Sub-sections 1 through 16. Land and *structures* located within the sub-area of the *City Centre*, as identified on Map D.1(a), shall be restricted to any of the uses listed in Sub-section 17 only or for a combination of any of the uses listed in Sub-section 17.

Outside the sub-area of the *City Centre* as shown on Map D.1(a)

1. *Automotive service uses of vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.*
2. *Eating establishments* including *drive-through restaurants*.
3. *General service uses* including *drive-through banks*.
4. *Beverage container return centres* provided that:
 - (a) the use is confined to an enclosed *building* or a part of an enclosed *building*; and
 - (b) the *beverage container return centre* does not exceed a *gross floor area* of 418 sq. metres (4,500 sq.ft.).

5. Indoor *recreational facilities*, including *bingo halls*.
6. *Light impact industry* including retail of products processed or manufactured on the *lot*.
7. *Tourist accommodation*
8. *Parking facilities*.
9. *Retail stores* limited to the following:
 - (a) Animal feed and tack shops;
 - (b) Appliance stores;
 - (c) Auction houses;
 - (d) Automotive parts, new;
 - (e) Building supply stores;
 - (f) *Convenience stores*;
 - (g) Used clothing stores or flea markets, provided that the operation is contained within a *building*;
 - (h) Furniture stores;
 - (i) Garden supply stores;
 - (j) Marine parts, new;
 - (k) *Retail warehouse uses*;
 - (l) Sales and rentals of boats;
 - (m) Sports card shops; and
 - (n) Sporting goods stores.
10. *Warehouse uses*.

11. Sales and rentals of *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.*
12. *Assembly halls.*
13. *Community services.*
14. Office uses limited to:
 - (a) Engineering and surveying offices;
 - (b) General contractor offices;
 - (c) Government offices; and
 - (d) Utility company offices.
15. *Child care centres.*
16. *Accessory uses* including the following:
 - (a) One *dwelling unit* per *lot* provided that the *dwelling unit* is:
 - i. Contained within the *principal building*; and
 - ii. Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the *lot*.
 - (b) Automobile painting and body work provided that:
 - i. it is part of a business selling and renting *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.*;
 - ii. the storage of damaged or *wrecked vehicles* shall be completely enclosed within a *building* or approved walled or fenced area;
 - iii. *wrecked vehicles* shall not be visible from outside the *building* or the walled or fenced area in which they are stored;
 - iv. all automobile painting and body work shall be carried out only in an enclosed *building*; and
 - v. the number of *wrecked vehicles* stored within the walled or fenced area shall not exceed 5 at any time.

Within the sub-area of the *City Centre* as Shown on Map D.1(a)

17. Land and *structures* located within the sub-area of the *City Centre*, as shown on Map D.1(a), shall be used for the following uses only or for a combination of such uses:
 - (a) *Eating establishments* including *drive-through restaurants*;
 - (b) *General service uses* including *drive-through banks*;

- (c) *Beverage container return centres* provided that:
 - i. the use is confined to an enclosed *building* or a part of an enclosed *building*; and
 - ii. the *beverage container return centre* does not exceed a *gross floor area* of 418 sq. metres (4,500 sq.ft.);
- (d) *Indoor recreational facilities, including bingo halls*;
- (e) *Tourist accommodation*;
- (f) *Parking facilities*;
- (g) *Retail stores* excluding the following:
 - i. *adult entertainment stores*; and
 - ii. *secondhand stores and pawnshops*;
- (h) *Assembly halls*;
- (i) *Community services*;
- (j) *Office uses* excluding the following:
 - i. *social escort services*; and
 - ii. *methadone clinics*;
- (k) *Child care centres*; and
- (l) *Accessory uses* including the following:

One *dwelling unit* per *lot* provided that the *dwelling unit* is:

- i. Contained within the *principal building*; and
- ii. Occupied by the owner or the owner's employed, for the protection of the businesses permitted on the *lot*.

C. Lot Area

Not applicable to this Zone.

D. Density

Amendments: 14390, 05/22/01

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 *floor area ratio* shall not exceed 0.1 provided that the *gross floor area* on the *lot* does not exceed 300 square metres [3,230 sq. ft.]. The *floor area ratio* shall not exceed 1.00 if amenities are provided in accordance with Schedule G of this By-law, provided that not more than a *floor area ratio* of 0.50 may be used or intended to be used for *tourist accommodation*.
2. In areas other than those specified in Sub-section D.1 of this Zone, the *floor area ratio* shall not exceed 1.00 provided that not more than a *floor area ratio* of 0.50 may be used or intended to be used for *tourist accommodation*.

E. Lot Coverage

The maximum *lot coverage* shall be 50%.

F. Yards and Setbacks

Amendments: 12333, 07/25/94

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

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

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

* One (1) *side yard setback* shall be 7.5 metres [25 ft.] or 0.0 metre if the said *side yard* abuts a *commercial* or *industrial lot*.

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 9 metres [30 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. *Tandem parking* may be permitted as specified:

For company fleet vehicles in all commercial, industrial and mixed-use developments (where commercial or industrial uses are part of the development) required *parking spaces* may be provided as *tandem parking*.

I. Landscaping

Amendments: 13201, 09/16/97

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 the developed sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width shall be provided within the *lot*.
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*.
4. Except in those portions where a *building* abuts the *lot line*, screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.] wide and a solid decorative fence at least 1.5 metres [5 ft.] high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *residential lot*.

5. Loading areas, garbage containers and *passive recycling containers* shall be screened from any adjacent *residential lot*, to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.
6. Open display and storage including the outdoor storage of damaged or *wrecked vehicles* shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fencing and/or substantial *landscaping* strips of not less than 2.5 metres [8 ft.] in height and not less than 1.5 metres [5 ft.] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 ft.] within 5 metres [16 ft.] of the said screen and in no case shall these materials be piled up to the height of more than 3.5 metres [12 ft.].

J. Special Regulations

Amendments: 13201, 09/16/97; 13497, 09/15/98; 15271, 11/01/04

1. Garbage containers and *passive recycling containers* shall not be located along any required *setbacks* adjacent any *residential lot*.
2. *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.
3. Land and *structures* shall be used for the uses permitted in this Zone only if such uses:
 - (a) Constitute no unusual fire, explosion, or safety hazard;
 - (b) Do not emit noise in excess of 70dB measured at any point on any boundary of the *lot* on which the use is located, provided that where a *lot* abuts a *lot* other than an industrial *lot* the noise level shall not exceed 60dB;
 - (c) Do not produce heat or glare perceptible from any *lot line* of the *lot* on which the use is located; and
 - (d) All automobile painting and body work is carried out only in an enclosed *building*.
4. Outdoor storage of any goods, materials, or supplies is specifically prohibited between the front of the *principal building* and the *highway*.
5. The outdoor storage or display of any goods, materials or supplies at *beverage container return centres* is specifically prohibited.

6. For land and *structures* located within the sub-area of the *City Centre*, as shown on Map D.1(a), outdoor storage of any goods, materials or supplies is specifically prohibited.

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. [10,800 sq.ft.]	25 metres [80 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 requirements are as set out in Part 5 Off-Street Parking and Loading /Unloading of this By-law.
4. Sign regulations are as provided in Surrey Sign By-law No. 13656.
5. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of this By-law.
6. *Building* permits shall be subject to the "Surrey Building By-law" and the "Surrey Development Cost Charge By-law".

7. Development permits may be required in accordance with the *Official Community Plan*.
8. Provincial licensing of *child care centres* 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.
9. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act R.S.B.C.

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