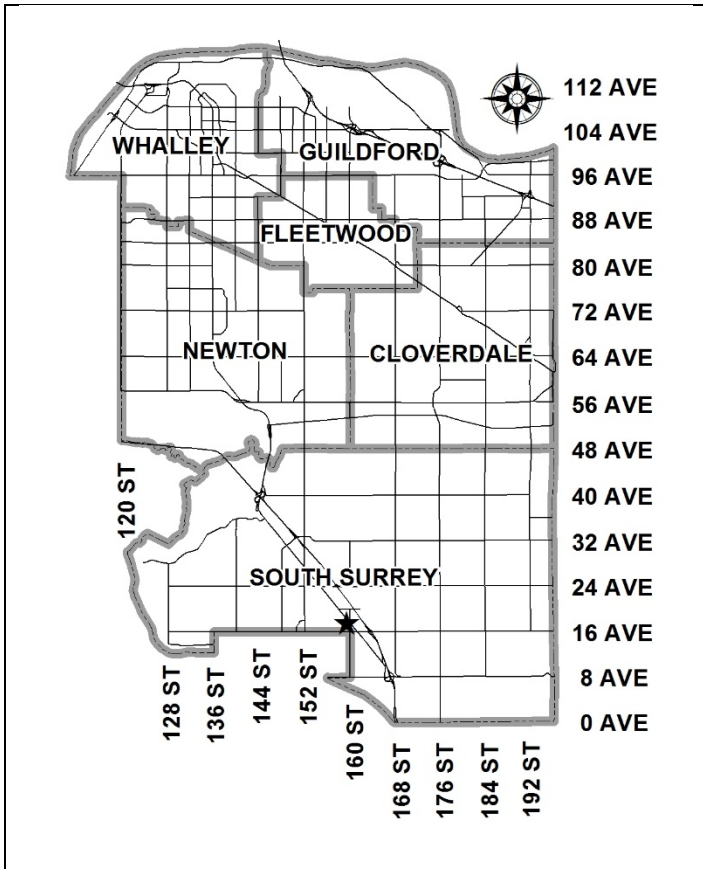


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0484-00

Planning Report Date: December 16, 2019



PROPOSAL:

- Terminate Land Use Contract No. 76
- Rezoning a portion of the site from C-8 to RM-15

to permit the Zoning By-law to come into effect with a zone that aligns with the existing land uses on the subject site.

LOCATION:

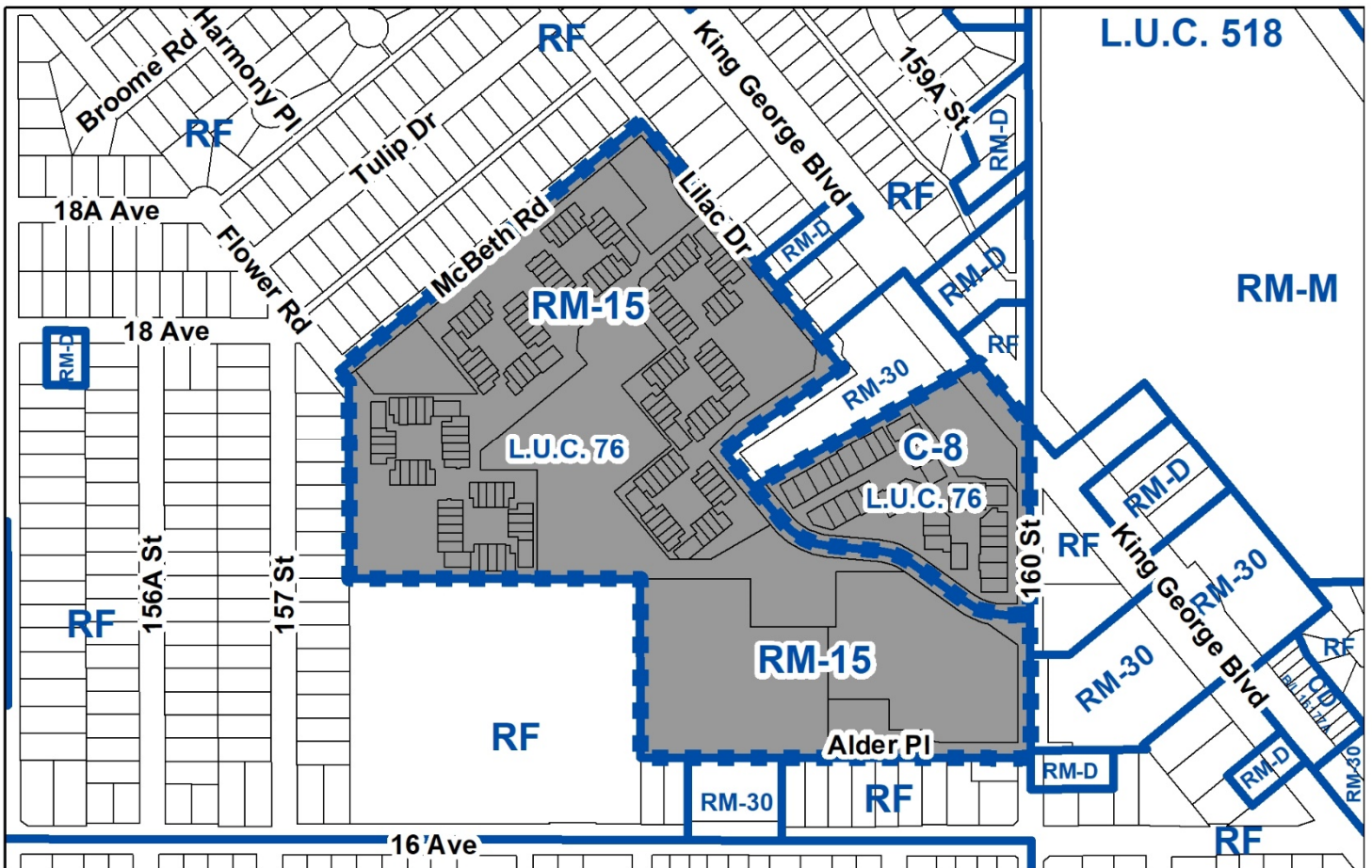
Generally, between 157 Street and 160 Street, and 16 Avenue and McBeth Road and King George Boulevard

LUC AND UNDERLYING ZONING:

LUC No. 76
 (RM-15 and C-8 Zones underlying)

OCP DESIGNATION:

Urban



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing to:
 - Terminate LUC No. 76; and
 - Rezone a portion of the site from "Community Commercial Zone (C-8)" to "Multiple Residential 15 Zone (RM-15)".

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. 76 was adopted by Authorization By-law No. 4179 on May 13, 1974 and was amended by By-law Nos. 4772 and 5002 on March 29, 1976 and January 6, 1977, respectively. LUC No. 76 permits townhouse and cluster residential buildings together with permitted accessory buildings and structures, retail commercial, service commercial, office buildings, and a public 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 proposed rezoning for a portion of the site from C-8 to RM-15 is a housekeeping measure to ensure the existing residential land uses on the property are properly aligned with the appropriate zone under the Zoning By-law and are not associated with a development proposal at this time.
- Once LUC No. 76 is terminated and the one-year grace period ends, the underlying "Multiple Residential 15 Zone (RM-15)" and "Community Commercial Zone (C-8)" will automatically come into effect and will regulate the subject area.
- The "Multiple Residential 15 Zone (RM-15)" permits ground-oriented multiple unit residential buildings and child care centres.

- The "Community Commercial Zone (C-8)" permits retail stores, personal service uses, general service uses, beverage container return centres, eating establishments, neighbourhood pubs, liquor store, office uses, parking facilities, automotive service uses, indoor recreation facilities, entertainment uses, assembly halls, community services, child care centres, and cultural uses.
- The rezoning and termination process will not affect the ownership, tenure status, or Strata By-laws of the given properties. As this is a Council initiated process, no action is required by individual owners or Strata Council.

RECOMMENDATION

The Planning & Development Department recommends that:

1. A By-law be introduced to terminate Land Use Contract No. 76 and set Public Hearing for January 27, 2020; and
2. A By-law be introduced to rezone a portion of the site from "Community Commercial Zone (C-8)" to "Multiple Residential 15 Zone (RM-15)" and set Public Hearing for January 27, 2020.

BACKGROUND

Land Use Contracts

- 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 landowners and/or developers that incorporated zoning, development control and servicing issues into one document. As a result, on lands within a 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 landowners/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*, eliminating the ability of municipalities to enter into LUCs. Surrey had adopted approximately 370 LUC By-laws before these legislative changes were enacted.
- 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. To date, Council has adopted Termination By-laws for most LUCs in Surrey through the early termination process, with only nine (9) LUCs remaining. For those LUCs that have not yet been presented to Council, further review by staff is required or additional actions are needed before the underlying zone can come into effect.
- As a result, City staff are moving forward with the termination of LUC No. 76 in accordance with the approved process.

Zoning

- When Zoning By-law, 1979, No. 5942 was adopted on April 21, 1980, zones were assigned to all properties in Surrey. Properties regulated by LUCs were also provided zones to align with the existing land uses in those areas. The zone assigned to an LUC lot is known as the "underlying zone" of that property. This means that the property is included in the Zoning By-law, but the regulations of the zone are not in effect while the LUC is on the property's title.
- During the creation of underlying zones, some LUC properties were given zones that did not align with the existing land uses on those sites. For these properties, a Rezoning By-law is required alongside the LUC Termination By-law to ensure that non-conforming situations are not created when Zoning By-law No. 12000 comes into effect.
- Rezoning a portion of the site from "Community Commercial Zone (C-8)" to "Multiple Residential 15 Zone (RM-15)" is proposed alongside the LUC termination process in order to provide a zone that better aligns with the existing townhouse residential use on the subject portion of the site. See the "Discussion" section in this report for a more detailed explanation of the current and proposed underlying zoning.

PUBLIC NOTIFICATION

Early termination of LUC No. 76, and the accompanying rezoning, is a Council-initiated project and does not require a Development Proposal Sign to be installed or pre-notification letters sent to surrounding residents.

Staff contacted the management companies for both the commercial site on King George Boulevard and the townhouse site. Both were provided with information regarding the discharge process and timeline and declined an offer to meet with staff.

The LUC Termination By-law and Rezoning By-law are 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. 76, and to neighbouring properties within 100 metres or three lots of the subject property, whichever is greater, to inform them that Council is considering terminating the LUC and to rezone the underlying zone. In addition, the Public Hearing notice will be published in two consecutive issues of the Peace Arch News.

Staff recommend that Council set January 27, 2020 as the Public Hearing date. This is the second scheduled meeting after the introduction of the proposed by-laws. Given the number of people receiving Public Hearing notices from this application, the later Public Hearing date allows more time for staff to respond to inquiries that may arise from the public. This scheduling has been implemented in the past and has aided the successful communication of LUC termination process to residents within and surrounding the City's LUC areas.

SITE CHARACTERISTICS

Existing Land Use: Townhouses, City parkland, and local commercial uses.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across McBeth Road and Lilac Drive):	Single family dwellings, duplex, and townhouses.	Urban, Multiple Residential	RF, RM-D, RM-30
East (Across 160 Street):	Single family dwellings, and duplexes.	Urban	RF, RM-30
South:	Single family dwellings, townhouses, and Earl Marriott Secondary School.	Urban, Multiple Residential	RF, RM-30
West:	Single family dwellings and Earl Marriott Secondary School	Urban	RF

DISCUSSION

- LUC No. 76 was adopted by Authorization By-law No. 4179 on May 13, 1974 and was amended by By-law Nos. 4772 and 5002 on March 29, 1976 and January 6, 1977, respectively.
- LUC No. 76 regulates 190 bare-land strata lots, two (2) strata properties containing 76 cluster housing units, one (1) City park lot, and one (1) commercial lot. The subject area is located in South Surrey in the block between 157 Street and 160 Street, and 16 Avenue and McBeth Road and King George Boulevard.
- The subject area is designated Urban under the Official Community Plan (OCP) and has underlying "Multiple Residential 15 Zone (RM-15)" and "Community Commercial Zone (C-8)" under Surrey Zoning By-law, 1993, No. 12000. Further, portions of the site are designated Single Family Residential (6 upa), Townhouse (15 upa), and Commercial under the King George Highway Development Concept Plan.
- LUC No. 76 permits townhouse and cluster residential buildings together with permitted accessory buildings and structures, retail commercial, service commercial, office buildings, and a public park.
- LUC No. 76 was originally intended to develop the subject area in 3 phases.

- In Phase 1, one (1) lot at the southern portion of the site was developed into 44 cluster housing units, which were registered under Strata Plan No. NW0318 on April 9, 1975. In Phase 2, one (1) lot at the south-east corner of the site was developed into 32 cluster housing units, which were registered under Strata Plan No. NW0648 on September 24, 1976. In Phase 3, seven (7) lots in the remaining LUC area were developed into 190 townhouse units, three (3) park lots, and a commercial development, between 1975 and 1979.
- When Zoning By-law, 1979, No. 5942 was adopted on April 21, 1980, the zoning of all properties in Surrey was converted from a Zoning By-law, 1964, No. 2295 to an equivalent Zoning By-law, No. 5942 zone.
- Through this conversion the underlying zoning for the LUC lands in Phases 1, 2, and a majority of 3, were given an underlying "Townhouse Residential Zone (RT-1)" which reflected the townhouse developments that occupied the lands. These lands were subsequently given an underlying "Multiple Residential 15 Zone (RM-15)" when the Zoning By-law, 1993, No. 12000 was adopted to supersede Zoning By-law, No. 5942.
- However, for the eastern portion of Phase 3, only the commercial lot abutting King George Boulevard should have been assigned an underlying commercial zoning and the 36 unit residential townhouse development should have been assigned an underlying townhouse zoning. Instead, the entire area of Phase 3 was given an underlying commercial zoning of "Shopping Centre Zone (C-S)" for both the commercial and the residential lots. Subsequently, these properties were given an underlying "Community Commercial Zone (C-8)", when Zoning By-law, 1993, No. 12000 was adopted.
- Before LUC No. 76 is terminated, the 36 residential properties with an incorrect underlying C-8 Zone will need to be rezoned to RM-15 to reflect the existing townhouse land use and to apply an appropriate set of zoning regulations for this residential use (Appendix I). The rezoning and termination process will not affect the ownership, tenure status, or Strata By-laws of the given properties. As this is a Council initiated process, no action is required by individual owners or by the Strata Council.
- 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. Given this grace period, the Termination By-law and Rezoning By-law can be adopted at the same time without resulting in a non-conforming zone coming into effect on the above noted 36 residential properties.
- Once LUC No. 76 is terminated and the one-year grace period ends, the underlying "Multiple Residential 15 Zone (RM-15)" and "Community Commercial Zone (C-8)" will automatically come into effect and will regulate the subject area.
- The "Multiple Residential 15 Zone (RM-15)" permits ground-oriented multiple unit residential buildings and child care centres.
- The "Community Commercial Zone (C-8)" permits retail stores, personal service uses, general service uses, beverage container return centres, eating establishments, neighbourhood pubs, liquor store, office uses, parking facilities, automotive service uses, indoor recreation facilities, entertainment uses, assembly halls, community services, child care centres, and cultural uses.

- 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. LUC Termination and Rezoning Area
- Appendix II. Copy of Part 21 "Multiple Residential 15 Zone (RM-15)" of Surrey Zoning By-law, 1993, No. 12000, as amended
- Appendix III. Copy of Part 36 "Community Commercial Zone (C-8)" of Surrey Zoning By-law, 1993, No. 12000, as amended

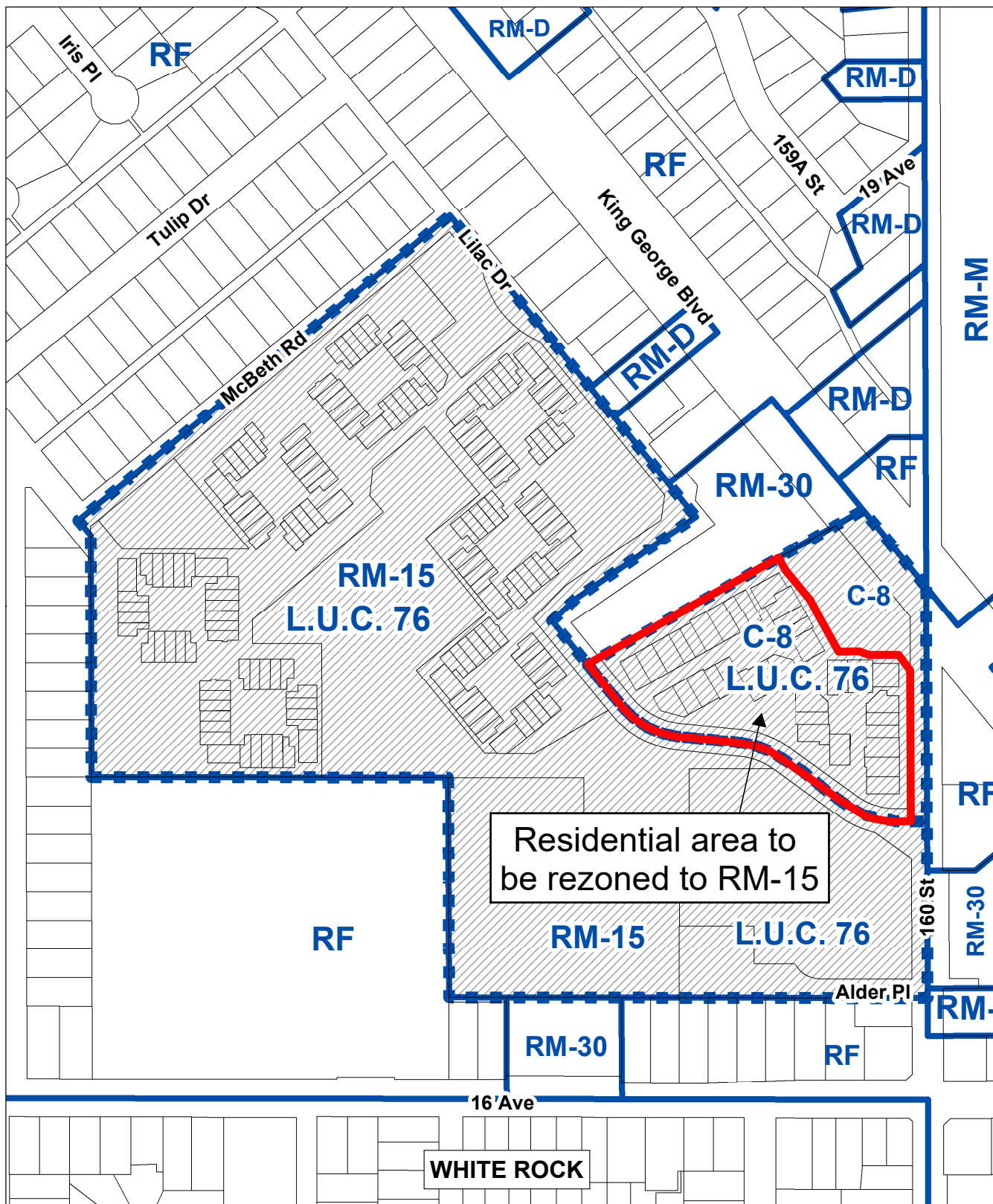
INFORMATION AVAILABLE ON FILE

- Land Use Contract No. 76.

approved by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

LFM/cm



7916-0484-00

- Residential area to be rezoned to RM-15
- L.U.C. 76 to be terminated





Part 21 - RM-15, Multiple Residential 15 Zone

Multiple Residential 15 Zone

Part 21

RM-15

A. Intent

Amendments: 12824, 06/24/96

This Zone is intended to accommodate and regulate the development of *family-oriented, low density, ground-oriented multiple unit residential buildings* and related *amenity spaces*, which are to be developed in accordance with a *comprehensive design* in existing *urban* areas and in new *urban* areas where *density* bonus is provided.

B. Permitted Uses

Amendments: 13774, 07/26/99

Land and *structures* shall be used for the following uses only, or for a combination of such uses, provided such combined uses are part of a *comprehensive design*:

1. *Ground-oriented multiple unit residential buildings.*
2. *Child care centres*, provided that such centres:
 - (a) Do not constitute a singular use on the *lot*; and
 - (b) Do not exceed a total area of 3.0 square metres [32 sq.ft.] per *dwelling unit*.

C. Lot Area

Refer to Sections D and E of this Zone.

D. Density

Amendments: 12333, 07/25/94; 12824, 06/24/96; 17462, 09/12/11; 17471, 10/03/11; 18414, 03/23/15; 19073, 02/20/17; 19491, 02/19/18

For the purpose of *building* construction:

1. For the purpose of *building* construction in all Areas described and outlined on the map attached as Schedule F of this By-law, the maximum *density* shall be 1 *dwelling unit* per acre and the dimensions of the *lots* created in a subdivision shall be in accordance with Section K.1 of this Zone. The maximum *density* shall be increased to that prescribed in Section D.2 of this Zone if amenities are provided in accordance with Schedule G of this By-law.
2. Ground-Oriented Multiple Unit Residential Buildings: The maximum *density* shall not exceed a *floor area ratio* of 0.70 and 37 *dwelling units* per hectare [15 u.p.a.].
3. Indoor Amenity Space: The space required in Sub-section J.1(b) of this Zone, is excluded from the calculation of the *floor area ratio*.

E. Lot Coverage

Amendments: 12333, 07/25/94; 17704, 07/23/12

The maximum *lot coverage* shall be 45%.

F. Yards and Setbacks

Amendments: 17471, 10/03/11

Buildings and *structures* shall be sited not less than 7.5 metres [25 ft.] from all *lot lines* (measurements to be determined as per Part 1 Definitions, of this By-law).

G. Height of Buildings

Amendments: 13094, 05/12/97; 17471, 10/03/11

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

1. Principal buildings: The *height* shall not exceed 11 metres [36 ft.].
2. Accessory buildings and structures:

- (a) Indoor *amenity space buildings*: The height shall not exceed 11 metres [36 ft.]; and
- (b) Other *accessory buildings and structures*: The height shall not exceed 4.5 metres [15 ft.].

H. Off-Street Parking and Loading/Unloading

Amendments: 12333, 07/25/94; 13094, 05/12/97; 13774, 07/26/99; 14120, 10/16/00; 17471, 10/03/11; 18414, 03/23/15; 18434, 04/27/15; 18719, 05/30/16

1. Resident, visitor and employee *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. Fifty percent (50%) of all required resident *parking spaces* shall be provided as *underground parking* or as parking within the *building* envelope.
3. Parking within the required *setbacks* is not permitted.
4. *Tandem parking* for *ground-oriented multiple unit residential buildings* shall be permitted as follows:
 - (a) A maximum of fifty percent (50%) of all required resident *parking spaces* may be provided as *tandem parking spaces*, excluding *parking spaces* provided as *underground parking*. For *underground parking* a maximum of ten percent (10%) of all required resident *parking spaces* may be provided as *tandem parking spaces*;
 - (b) *Dwelling units* with *tandem parking spaces* shall not be permitted direct vehicular access to an adjacent *highway*;
 - (c) *Tandem parking spaces* must be attached to each *dwelling unit*, excluding *parking spaces* provided as *underground parking*; and
 - (d) Both *tandem parking spaces* must be held by the same owner.

I. Landscaping

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 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. Garbage containers and *passive recycling containers* shall be screened to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

J. Special Regulations

1. *Amenity space* shall be provided on the *lot* as follows:
 - (a) Outdoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit* and shall not be located within the required *setbacks*; and
 - (b) Indoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit*, of which a maximum of 1.5 square metres [16 sq.ft.] per *dwelling unit* may be devoted to a *child care centre*.
2. *Child care centres* shall be located on the *lot* such that these centres:
 - (a) Are accessed from a *highway*, independent from the access to the residential 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

Amendments: 12824, 06/24/96

1. For subdivision of the land in all Neighbourhood Concept Plan and Infill Areas 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 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>
2,000 sq. m. [0.5 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. 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.

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Community Commercial Zone

Part 36 - C-8, Community Commercial Zone

Part 36

C-8

A. Intent

This Zone is intended to accommodate and regulate the development of community shopping centres serving a community of several neighbourhoods.

B. Permitted Uses

Amendments: 12333, 07/25/94; 12715, 12/04/95; 13251A, 03/16/98; 13497, 09/15/98; 13564, 11/16/98; 13769, 01/22/01; 15064, 07/21/03; 15977, 04/24/06; 17462, 09/12/11; 17687, 10/01/12; 19073, 02/20/17; 19261, 06/26/17

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

1. *Retail stores* excluding the following:
 - (a) *adult entertainment stores*; and
 - (b) *secondhand stores* and *pawnshops*.
2. *Personal service uses* excluding *body rub parlours*.
3. *General service uses* excluding funeral parlours and *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. *Eating establishments* excluding *drive-through restaurants*.
6. *Neighbourhood pubs*.
7. *Liquor store*.

8. Office uses excluding the following:
 - i. *social escort services*
 - ii. *methadone clinics*
 - iii. *marijuana dispensaries*
9. *Parking facilities.*
10. *Automotive service uses of vehicles less than 5,000 kilograms [11,023 lbs] G.V.W., provided that such use is associated with a use permitted under Section B.1 of this Zone.*
11. *Indoor recreational facilities.*
12. *Entertainment uses excluding arcades and adult entertainment stores.*
13. *Assembly halls.*
14. *Community services.*
15. *Child care centres.*
16. One *dwelling unit* per *lot* provided that the *dwelling unit* is:
 - (a) Contained within the *principal building*; and
 - (b) Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the *lot*.
17. Cultural Uses

C. Lot Area

Not applicable to this Zone.

D. Density

Amendments: 14390, 05/22/01; 19073, 02/20/17

1. In 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 0.80 if amenities are provided in accordance with Schedule G of this By-law.

2. In areas other than those specified in Sub-section D.1 of this Zone, the *floor area ratio* shall not exceed 0.80.

E. Lot Coverage

The maximum *lot coverage* shall be 50%.

F. Yards and Setbacks

Buildings and *structures* shall be sited not less than 7.5 metres [25 ft.] from all *lot lines* (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 12 metres [40 ft.].
2. *Accessory buildings and structures*: The *height* shall not exceed 4.5 metres [15 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: 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 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 or storage shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fence and/or substantial *landscaping* strips of 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 screens and in no case shall these materials be piled up to the height of more than 3.5 metres [11.5 ft.].

J. Special Regulations

Amendments: 13497, 09/15/98

1. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
2. The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Part.
3. *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*.
4. Land and *structures* shall be used for the uses permitted in this Zone only if such uses do not emit noise in excess of 70 dB(A) 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 60 dB(A).

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>
2,000 sq. m. [0.5 acres]	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 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.