

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0553-00

Planning Report Date: January 16, 2017

PROPOSAL:

- **Terminate Land Use Contract No. 514**

to permit the existing underlying RF-G and RM-D Zones to come into effect.

LOCATION:

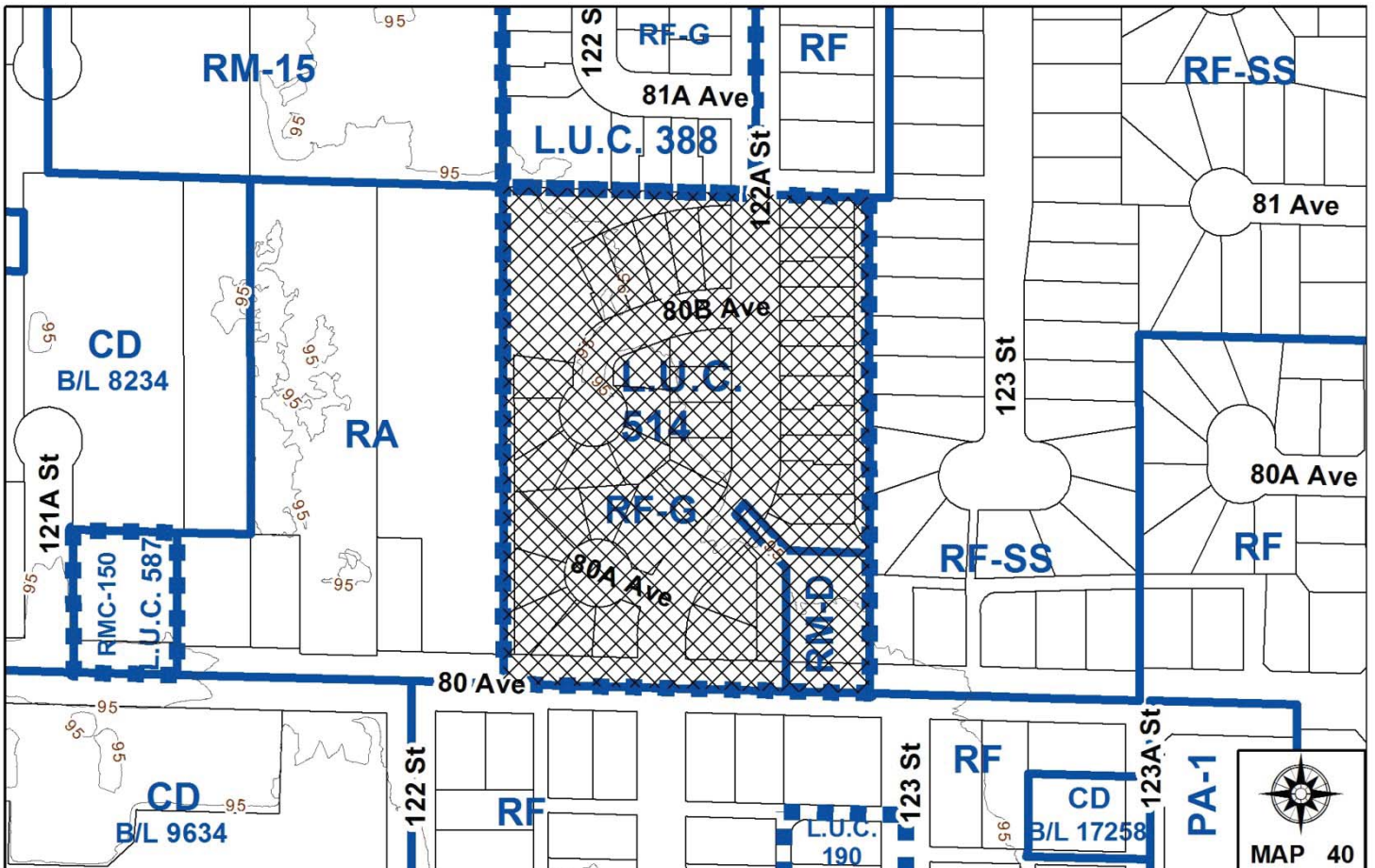
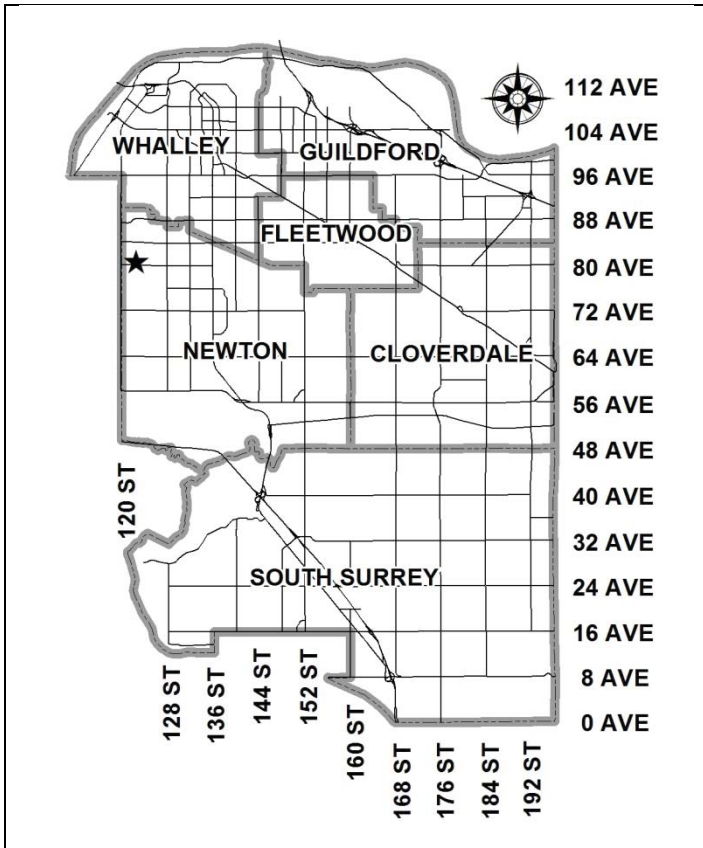
Between 80 Avenue and 81A Avenue, and 122 Street and 123 Street

LUC AND UNDERLYING ZONING:

LUC No. 514
 (RF-G and RM-D Zones underlying)

OCP DESIGNATION:

Urban



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing to terminate LUC No. 514.

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. 514 was adopted by Authorization By-law No. 5689 on January 2, 1979.
- LUC No. 514 permits single family residential and customary accessory uses, with one lot being permitted a duplex.
- 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. 514 is terminated and the one-year grace period ends, the current underlying "Single Family Residential Gross Density Zone (RF-G)" and "Duplex Residential Zone (RM-D)" will automatically come into effect and will regulate the subject lots.
- The "Single Family Residential Gross Density Zone (RF-G)" permits single family dwellings, including one secondary suite.
- The "Duplex Residential Zone (RM-D)" permits one duplex.
- 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. 514 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. 514 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. 514, informing them that Council is considering terminating the LUC. 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, duplex, and City parkland (Peter Pan Park).

Adjacent Area:

| Direction | Existing Use | OCP Designation | Existing Zone |
|---------------------------|---|-----------------|--|
| North: | Single family dwellings and Peter Pan Park. | Urban | LUC No. 388 (RF-G Zone underlying), RF |
| East: | Single family dwellings. | Urban | RF-SS |
| South (Across 8o Avenue): | Single family dwellings. | Urban | RF |
| West: | Peter Pan Park. | Urban | RA |

DISCUSSION

- LUC No. 514 was adopted by Authorization By-law No. 5689 on January 2, 1979.
- LUC No. 514 regulates 44 lots. The subject area is located in Newton, between 8o Avenue and 81A Avenue, and 122 Street and 123 Street.
- The subject area is designated Urban under the Official Community Plan (OCP) and with most all lots having an underlying "Single Family Residential Gross Density Zone (RF-G)", except one lot in the south-east corner that has an underlying "Duplex Residential Zone (RM-D)" under Surrey Zoning By-law, 1993, No. 12000, as amended.
- LUC No. 514 permits single family residential and customary accessory uses, with one lot being permitted a duplex.
- LUC No. 514 permitted the original subject area to be subdivided into 41 single family lots, one (1) duplex lot, one (1) lot to be held for future subdivision to the east, and one (1) City owned lot used for park purposes. These lots were created under Subdivision Plan No. 56400 on January 31, 1979. The lot held of future subdivision was ultimately acquired by the City and is currently being used as a Right-of-Way.
- The portion of Peter Pan Park regulated by LUC No. 514 will remain City owned parkland.
- 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. 514 is terminated and the one-year grace period ends, the current underlying "Single Family Residential Gross Density Zone (RF-G)" and "Duplex Residential Zone (RM-D)" will come into effect and will regulate the use of the land.
- The "Single Family Residential Gross Density Zone (RF-G)" permits single family dwellings, including one secondary suite.
- The "Duplex Residential Zone (RM-D)" permits one duplex.
- 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

INFORMATION AVAILABLE ON FILE

- Land Use Contract No. 514.

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

ARR/da



Single Family Residential Gross Density Zone

Part 17 - RF-G, Single Family Residential Gross Density Zone

Part 17

RF-G

A. Intent

Amendments: 17471, 10/03/11

This Zone is intended for single family housing on small urban *lots*, with substantial public *open space* set aside within the subdivision. This Zone shall only be considered if there are special amenities such as mature vegetation, watercourses, ravines or other landscape or heritage features worthy of preservation or the *lot* can contribute *open space* to a park designated in the *Official Community Plan*.

B. Permitted Uses

Amendments: 13155, 02/09/98; 17290, 12/13/10; 17471, 10/03/11

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. The following uses are permitted within the *open space* set aside pursuant to Section D.2 of this Zone, provided that these uses do not infringe upon the quality of the features being preserved and are for the enjoyment of the residents within the subdivision and do not constitute a commercial undertaking:
 - (a) Tennis court, swimming pool, play ground, fitness trail, baseball diamond, picnic area, putting green and pitch and putt course provided that the enclosed or covered portion of the said facility does not exceed 5% of the total *open space* set aside; and
 - (b) Equestrian facilities, both open and covered, provided however, that the enclosed or covered portion of this facility does not exceed 10% of the total *open space* set aside.

C. Lot Area

Amendments: 17471, 10/03/11

The minimum *site area for subdivision* shall be 1 hectare [2.5 acres], except in the case of a remainder *lot*, where the *lots* including the remainder *lot* which were created by the same plan of subdivision are zoned RF-G.

D. Density

Amendments: 12101, 07/11/94; 13093, 05/12/97; 13155, 02/09/98; 14519, 10/15/01; 14651, 03/25/02; 17471, 10/03/11; 17797, 11/26/12; 18414, 03/23/15

1. For the purpose of subdivision:
 - (a) 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 2.5 *dwelling units* per hectare [1 u.p.a.]. The *density* may be increased to 14.75 *dwelling units* per hectare [6 u.p.a.], calculated on the basis of the entire *lot*, if amenities are provided in accordance with Schedule G of this By-law.
 - (b) In areas other than the ones in Sub-section D.1(a) of this Zone, the maximum *density* shall not exceed 14.75 *dwelling units* per hectare [6 u.p.a.], calculated on the basis of the entire *lot*.
2. The maximum *density* of development may be increased from 14.75 *dwelling units* per hectare [6 u.p.a.] to 18.5 *dwelling units* per hectare [7.5 u.p.a.], both calculated on the basis of the entire *lot*, provided:
 - (a) *Open space* in an amount of not less than 15% of the *lot* area is preserved in its natural state or retained for park and recreational purposes;
 - (b) The said *open space* shall contain natural features such as a stream, ravine, stands of mature trees, or other land forms worthy of preservation, and/or contain heritage *buildings* or features, and/or contribute to a park designated in the *Official Community Plan*; and
 - (c) The said *open space* shall be accessible by the public from a *highway*
3. *Undevelopable areas* may be included in *open space* set aside in Sub-section D.2(b), however, this undevelopable area shall be discounted by 50%.
4. (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 *lot*, the *floor area ratio* shall not exceed 0.55, provided that, of the resulting allowable floor area, 28 square metres [300 sq. ft.] shall be reserved for use only as a garage or carport and further provided that where an *accessory building* is greater than 5 square metres [50 sq. ft.] in size that the area in excess of 5 square metres [50 sq. ft.] shall be included as part of the floor area for the purposes of calculating *floor area ratio*; and
- (c) The maximum permitted floor area of a second storey for a *principal building* shall not exceed 80% of the floor area of the first storey including attached garage, but not including any portion of the *structure* located within 7.5 metres [25 sq. ft.] of the *front lot line*. The reduced floor area of the second storey shall be accomplished by a *setback* at the second storey level from the wall at the main floor level from either the front or side walls at the main floor level or a combination thereof; and
- (d) notwithstanding the above, the maximum allowable floor area shall be 260 square metres [2,800 sq.ft.].

E. Lot Coverage

The maximum *lot coverage* shall be 45%.

F. Yards and Setbacks

Amendments: 12101, 07/11/94; 13093, 05/12/97; 17704, 07/23/12; 18414, 03/23/15

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

| <i>Use</i> | <i>Setback</i> | <i>Front Yard*</i> | <i>Rear Yard***</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.] | 1.2 m. [4 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.] |
| <i>Buildings and Structures For Uses Permitted Under Section B.2 of This Zone</i> | | 7.5 m. [25 ft.] | 30.0 m. [100 ft.] | 15.0 m. [50 ft.] | 7.5 m. [25 ft.] |

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

- * The *front yard setback* may be relaxed at a lower floor level only to 5.5 metres [18 ft.] for a maximum of 50% of the length of the front of the dwelling for all portions of the dwelling excluding the garage. If 50% of the *building* face is *setback* 9 metres [30 ft.] from the *front lot line*, the *setback* to an attached garage whose main access doors face the fronting street may be relaxed to 6.7 metres [22 ft.], except that the *setbacks* for a garage whose main access doors face a *side yard* may be relaxed to 4.5 metres [15 ft.].

With the exception of a garage whose main access doors face a *side yard*, the minimum *front yard setback* of a garage or a carport which forms part of a *principal building* may be reduced to 5.5 metres [18 ft.], as long as at least 50% of the *front yard setback* of the *principal building* remains 7.5 metres [25 ft.] or more.

*** 50% of the length of the rear *building* face may be *setback* a distance of 6.0 metres [20 ft.] from the *rear lot line* provided the remainder of the *building* face is *setback* at least 8.5 metres [28 ft.] from the *rear lot line*.

G. Height of Buildings

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

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

1. *Principal building*:
 - (a) The *building height* shall not exceed 9 metres [30 feet].
 - (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

1. Resident and visitor *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 2 cars or trucks;
 - (b) *House trailer, camper* or boat, provided that the combined total shall not exceed 1; and
 - (c) The total amount permitted under (a) and (b) shall not exceed 2.
3. *Vehicle* parking may be permitted in either the *front yard* or *side yard* subject to the following:

- (a) No off-street *parking space* shall be permitted within the required *front yard* or *side yard setback* except on a *driveway*. *Driveways* may be constructed off either the *frontage* or *flanking street*;
 - (b) *Parking spaces* shall be located only on a *driveway* leading to a garage, carport or parking pad, in a garage, in a car port, or on a parking pad; and
 - (c) The total area surfaced or paved for a *driveway* shall be as follows:
 - i. Every *lot* may have one *driveway* with a uniform width of 6 metres [20 ft.] extending from the *lot line* to the garage, car port, or parking pad on the *lot*;
 - ii. The *driveway* width may be expanded provided that the total area of the *driveway* within the *front yard* or required *side yard* does not exceed 33% of the total area of the *front yard* or required *side yard* within which the *driveway* is located; and
 - iii. Notwithstanding 3.(c) (ii) additional *driveway* width may also be allowed to provide access to additional *parking spaces* in a garage, carport or parking pad, where the garage, carport or parking pad has more than 2 side by side *parking spaces*, provided that such width is no more than 3 metres [10 ft.] times the number of adjacent side by side *parking spaces* measured at the required *front yard 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
 - (d) The number of vehicles parked in a *driveway* within the *front yard* or *side yard* shall not exceed two.
4. No outside parking or storage of a *house trailer* or boat is permitted within the *front yard setback*, or within the required *side yards* 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; 13155, 02/09/98

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. 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.
3. The *open space* set aside pursuant to Section D.2.(a) of this Zone, shall be improved with a basic level of *landscaping* work including brushing and seeding of the ground, limbing of low branches on trees and providing and constructing paths for public passage, wherever appropriate.

J. Special Regulations

Amendments: 17290, 12/13/10

1. A *secondary suite* shall:
 - (a) Not exceed 90 square metres [968 sq.ft.] in floor area; and

- (b) Occupy less than 40% of the habitable floor area of the *building*.

K. Subdivision

Amendments: 13093, 05/12/97; 13155, 02/09/98; 17797, 11/26/12

1. *Lots* created through subdivision shall meet the dimensional requirements of the RF Zone.
2. *Lots* created through subdivision in accordance with Section D.2 of this Zone, shall conform to the following minimum standards:

| | <i>Lot Size</i> | <i>Lot Width</i> | <i>Lot Depth</i> |
|---|------------------------------|-------------------------|-----------------------|
| Regular Standard <i>Lots</i> | 370 sq. m. [4,000 sq.ft.] | 12.0 metres [40 ft.] | 28 metres [90 ft.] |
| Permissible Reduction as set out below* | 325 sq. m. [3,500 sq.ft.] | 10.5 metres [35 ft.] | 28 metres [90 ft.] |

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

- * Permissible reduction for up to 50% of the *lots* within a plan of subdivision where 15% or more of the lands subdivided are set aside as *open space* pursuant to Section D.2(b) of this Zone.

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.

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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*:

| Use | Setback | Front Yard | Rear Yard | Side Yard | Side Yard on Flanking Street |
|--|----------------|-----------------------|----------------------|----------------------|---|
| <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*.