

THE CORPORATION OF THE DISTRICT OF SURREY

BY-LAW NO. 10834

A by-law to amend the provisions of
"Surrey Subdivision By-law, 1986, No.
8830", as amended.

.....

NOW, THEREFORE, the Municipal Council of The Corporation of the District of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. "Surrey Subdivision By-law, 1986, No. 8830", as amended, is hereby further amended as follows:

(a) The preamble is hereby amended by inserting the words "and Development" after the words "to Regulate the Subdivision" and before the words "of Land".

(b) The WHEREAS clause is hereby amended in the first line by inserting the words "and development" after the words "to regulate the subdivision" and before the words "of land".

(c) Section 1, Title, is hereby amended in the second line by inserting the words "and Development" after the words "Surrey Subdivision" and before the word "By-law".

(d) Section 2, Organization, is hereby amended in PART VIII, Latecomer Agreements by deleting Sections 34 to 48 in their entirety and inserting Sections 34 and 35 in their place as follows:

"Section 34 Policy/Procedure

Section 35 Latecomer Charge Escalation"

(e) Section 3, Schedules, is hereby amended by deleting Schedules F to I in their entirety and inserting Schedule F in their place as follows:

"Schedule 'F' - West Panorama Ridge"

(f) PART I - INTERPRETATION is hereby amended in Section 4, Definitions, as follows:

(i) The definition for "Benefitting Lands" is hereby deleted in its entirety.

(ii) The definition for "Building Permit" is hereby inserted after the definition for "Boulevard" and before the

definition for "Chief Inspector" as follows:

" 'Building Permit' means permission or authorization in writing by the Chief Inspector for the Municipality or his duly authorized representative to perform work regulated by the Surrey Building By-law."

(iii) The definitions for "Developer" and "Development" are hereby inserted after the definition for "Council" and before the definition for "Drainage Works" as follows:

" 'Developer' means the owner, or authorized agent of the owner, of property for which an application for subdivision or building permit is made.

'Development' means all lands within the subdivision, or all lands affected by the building permit, as the case may be."

(iv) The definition for "Equivalent Service Connection" is hereby deleted in its entirety.

(v) The definition for "Frontender" is hereby deleted in its entirety.

(g) PART II - GENERAL REQUIREMENTS is hereby amended by inserting Section 12(b), Building Permits, after Section 12(a), Development Permits, as follows:

"Where a developer applies for a building permit to construct or modify a building on property of any zone within 'Surrey Zoning By-law 1979, No. 5942' other than A-1, A-2, A-3, RS, R-A(G), R-1, R-H(G), R-F, R-F(R), R-F(F) or R-F(C) therein, where the value of construction is greater than \$50,000.00 as estimated by the Chief Building Inspector, the developer shall provide highways, water distribution, sanitary sewer, and drainage works, underground, wiring and street lighting systems as required in Sections 24, 25, 26, 32 and Parts VI and VIII of this By-law."

(h) PART V - HIGHWAY DEDICATION, SERVICING AND CONSTRUCTION STANDARDS is hereby amended as follows:

(i) Section 18, Provision of Highways, is hereby deleted in its entirety.

(ii) Section 24, Servicing Requirements, is hereby amended as follows:

(a) Sub-Section (a) is hereby amended in the second line by deleting the word "subdivider" after the words "in this By-law, the" and before the words "shall provide" and inserting the word "developer" in its place.

(b) Sub-Section (a) is hereby further amended in the second line by inserting the words "vehicular and pedestrian highway systems" after the words "shall provide" and before the words "water distribution".

(c) Sub-Section (a) is hereby further amended in Sub-Sub-Section (1) by inserting the words "or the development" after the words "created by the subdivision".

(d) Sub-Section (a) is hereby further amended by renumbering Sub-Sub-Sections 3, 4, and 5 to Sub-Sub-Sections 4, 5, and 6.

(e) Sub-Section (a) is hereby further amended by inserting Sub-Sub-Section 3 after Sub-Sub-Section 2 as follows:

"(3) Extends along all highways adjacent to the development, up to the centreline of the highway allowance;"

(f) Sub-Section (a) is hereby further amended in the third line of renumbered Sub-Sub-Section 6 by deleting the word "subdivision" and inserting the word "development" in its place.

(g) Sub-Section (b), Exceptions, is hereby amended in the second line by deleting the word "subdivision" and inserting the word "developer" in its place.

(h) Sub-Section (c), Alternate Servicing Systems, is hereby amended in the fifth line by inserting the words "or a building permit may be approved" after the words "may approve a subdivision" and before the words "within which".

(i) Sub-Section (c), Alternate Servicing Systems, is hereby further amended in the third line of Sub-Sub-Section (1) by deleting the word "subdivider" and inserting the word "developer" in its place.

(j) Sub-Section (c), Alternate Servicing Systems, is hereby further amended in the first line of Sub-Sub-Section (2) by deleting the word "subdivider" and inserting the word "developer" in its place.

(iii) Section 25, Land for Drainage Control, is hereby amended as follows:

(a) Sub-Sub-Section (a) is hereby amended in the first line by deleting the word "subdivider" and inserting the word "developer" in its place.

(b) Sub-Sub-Section (a) is hereby further amended in the second line by inserting the words "or the Chief Building Inspector" after the words "Approving Officer" and before the words "provide and convey".

(i) PART VI - SERVICING AGREEMENTS is hereby amended as follows:

(i) Section 27, Agreement Conditions, is hereby amended as follows:

(a) The word "subdivision" in the second and seventh lines of the first paragraph is hereby deleted and the word "development" is hereby inserted in its place.

(b) The word "subdivider" in the sixth line of the first paragraph is hereby deleted and the word "developer" is hereby inserted in its place.

(c) Sub-Section (n) is hereby amended in the fifth line by inserting the words "or development, where applicable" after the words "for the subdivision" and before the word "and".

(d) Sub-Sub-Section (o) is hereby amended in the fourth line by deleting the word "subdivision" and inserting the word "developer" in its place.

(ii) Section 28, Failure to construct the Works and Services, is hereby amended as follows:

(a) Sub-Section (a) is hereby amended in the first line of the first paragraph, in the first line of Sub-Sub-Section (1), and in the fifth line of the Sub-Sub-Section (2), by deleting the word "subdivider" and inserting the word "developer" in its place.

(j) PART VII - PAYMENTS OF TAXES AND CHARGES is hereby amended in Section 32, Processing Fees, in the first line, by deleting the word "subdivider" and inserting the word "developer" in its place.

(k) PART VIII - LATECOMER AGREEMENTS is hereby amended as follows:

(i) Section 33, Application for Cost Sharing, is hereby deleted and Section 33, Application for Cost Sharing, is hereby inserted in its place as follows:

"33. A developer may apply to Council for cost sharing of a water, sewer, drainage or highway system extension which provides excess or extended services pursuant to Section 990 of the Municipal Act."

(ii) Sections 34 to 48 inclusive are hereby deleted in their entirety.

(iii) Section 34, and Section 35, Latecomer Charge Escalation, are hereby inserted after Section 33, Application for Cost Sharing, as follows:

"34. The Municipality will process applications for cost-sharing of a water, sewer or drainage or highway extension in accordance with current Council Policy, and the current Engineering Department Procedure.

35. The latecomer charges shall be escalated

Latecomer based on an interest rate of five per cent

Charge (5%) per annum. The accumulation of interest

Escalation shall be compounded annually on the anniversary date of the completion of the extension. The interest component included in a latecomer charge shall be payable based on the number of whole years between the date of completion of the extension and the date that the connection is made."

(l) The four SCHEDULES "A" TO SURREY SUBDIVISION BY-LAW NO. 8830 are all amended in the title to read as follows:

"SCHEDULE "A" TO SURREY SUBDIVISION AND DEVELOPMENT BY-LAW NO. 8380".

(m) SCHEDULE "B" TO SURREY SUBDIVISION BY-LAW NO. 8830 is hereby amended as follows:

(i) The first line of the title is hereby amended to read as follows:

"SCHEDULE "B" TO SURREY SUBDIVISION AND DEVELOPMENT BY-LAW NO. 8830."

(ii) Section 1, PROCESSING FEE, is hereby amended in the first line of the section entitled Residential, Mini Agreements, by deleting the word "Subdivision" and inserting the word "Development" in its place.

(iii) Section 1, PROCESSING FEE, is hereby further amended in the Section entitled Residential, SERVICING AGREEMENT WITH SUBDIVISION, by inserting the words "OR BUILDING PERMIT" following the words "SERVICING AGREEMENT WITH SUBDIVISION".

(n) SCHEDULE "F" TO SURREY SUBDIVISION BY-LAW NO. 8830 is hereby amended in the first line of the title to read as follows:

"SCHEDULE "F" TO SURREY SUBDIVISION AND DEVELOPMENT BY-LAW NO. 8830"

(o) The following Schedules are hereby deleted in their entirety:

"SCHEDULE 'G' To Surrey Subdivision By-law No. 8830, Equivalent Service Connection Calculation"

SCHEDULE 'H' To Surrey Subdivision By-law 8830, Application for the Cost Sharing of a System Extension

SCHEDULE 'I' To Surrey Subdivision By-law No. 8830, Latecomer Agreement"

2. This By-law shall be cited for all purposes as "Surrey Subdivision By-law, 1986, No. 8830, Amendment By-law, 1991, No. 10834."

PASSED THREE READINGS by the Municipal Council on the 4th day of February, 1991.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 18th day of February, 1991.

_____MAYOR

_____CLERK