

PART IV - GENERAL PROVISIONS

The following general provisions shall apply throughout the Municipality:

A. USES PERMITTED IN ALL ZONES

1. Public Uses:

The following uses may be located in any zone:

- (a) Municipal playgrounds and recreation areas, including Municipal golf courses and golf drive ranges. A.1(a)
Amended
B/L 8819

- (b) Telecommunication towers, subject to the following conditions: 11/17/86
 - (i) all such towers shall comply with all setback regulations applicable to principal buildings for the zone in which the said tower is located; A.1(b)
Amended
B/L 11346
11/09/92

 - (ii) in the case of towers that are free-standing (affixed directly onto the ground, rather than on a building) the height shall not exceed 12 metres [40 feet]; and

 - (iii) in the case of towers that are erected upon a building, the combined height of the building and the tower shall not exceed the maximum height applicable to principal buildings for the zone in which the said tower is located plus 3 metres [10 feet], provided that where there is no maximum height for buildings prescribed in the zone, the combined height of the building and the said tower shall not exceed 12 metres [40 feet].

 - (iv) the limitations on height of towers set out in (ii) and (iii) do not apply to amateur radio stations."

- (c) Public schools and public hospitals provided that such buildings shall be situated such that the minimum yard requirements shall be as follows: A.1(c)
Amended
B/L 6839
10/26/81
 - (i) Front yard ... fifteen (15) metres [50 ft].
 - (ii) Rear yard fifteen (15) metres [50 ft].
 - (iii) Side yard six (6) metres [20 ft].

Maximum floor area ratio of schools shall be:

Elementary Schools	0.40	Amended
Junior Secondary Schools	0.40	B/L 7678
Senior Secondary Schools	0.40	10/24/83
Any combination of the above on any one site.	0.40	

The floor area ratios hereinbefore defined may be exceeded by 0.15 for the purpose of erecting or placing temporary portable classrooms thereon, and which said classrooms shall be permitted on the site for a period not to exceed two years.

- (d) Municipal buildings provided they shall have a minimum side, front and rear yard equal to the height of the principal building

A.1(d)
Amended
B/L 8819
11/17/86

2. Utilities and Services:

An electrical transformer station, sewage treatment plant, Municipal utility operation, Municipal service operation, water pumping station, reservoir, or other utility structure or use may be located in any zone provided that:

- (a) The structure or use is necessary in this location for the safe and efficient operation of the utility or service.
- (b) The utility or service is available to the general public.
- (c) The minimum site area is no smaller than the minimum size lot allowed in the area, except in Agriculture Zone in which it is to be located. In Agricultural Zone the minimum size lot shall be zero decimal four (0.4) hectares.
- (d) Height and yard restrictions shall be those of the zone in which the use is to be located with the exception of Municipal water towers.
- (e) A planted strip at least one decimal five (1.5) metres [5 ft.] wide shall be maintained on all boundaries.
- (f) Fencing at least one decimal eight (1.8) metres [6 ft.] in height is erected where any danger of children exists and such fencing shall not encroach on any minimum yard.

A.2(d)
Amended
B/L 11346
11/09/92

3. Uses Within Utility Rights-of-Way:

Notwithstanding the permitted uses set out in Section B of each zone, where a utility right-of-way has been registered against a property or a portion of a property, the property or portion of the property subject to the said right-of-way may only be used for recreational open space, agricultural, horticultural and associated uses, excluding mink or fox farms, piggeries, kennels, mushroom farms, poultry farms and feedlots except as follows:

- (a) In the following industrial zones, where land subject to a utility statutory right-of-way may also be used for parking and storage, provided that such uses shall be accessory to the principal uses

Amended
B/L 8827
11/24/86

permitted for the site, and are lawfully permitted by the registered utility statutory right-of-way: I-G, I-H, I-W, I-P(2), I-S, I-T, I-C, I-L(S), I-A.

B/L 8926
03/02/87

- (b) In the following commercial zones, where land subject to a utility statutory right-of-way may also be used for surface parking provided that such uses shall be accessory to the principal uses permitted for the site, and are lawfully permitted by the registered utility statutory right-of-way, and further provided that where the Park Designation Map of the Official Community Plan indicates a linear open space system along the said utility right-of-way, uninterrupted public access to and through the lands shall be provided by a statutory right-of-way not less than ten (10) metres [33 ft.] wide: C-C, C-R(1), C-R(2), C-S, C-H, C-L, C-G, C-G(1), C-G(2), C-T(1), C-T(2), RT-1, RM-1, RM-2, RM-3, RM-4, P-R, P-P, P-P(1), P-P(2), P-A."

4. Where land in a zone cannot be used for the Permitted Uses set out in Section B for that zone due to the unavailability or inadequacy of those Municipal facilities and services required by the Land Development Section of that zone, such land may be used for those Permitted Uses set out in Sub-section B.1 of A-1, Agricultural Zone One.

Section 4
Amended
Part 2 of
By-law 5942

5. Recreational Uses:
Repealed by By-law 8819. (11/17/86)

Section A.5
Inserted
B/L 6873
11/09/81

6. SkyTrain ALRT Stations:

A SkyTrain ALRT Station may be located in any zone and may include ancillary retail or service commercial uses provided that:

- (a) The ancillary commercial uses are developed as an integral part of the station or site; and
- (b) The ancillary commercial uses are oriented to serving the convenience needs of SkyTrain patrons; and
- (c) The ancillary commercial uses on the station site do not exceed 60 square metres (646 square feet) gross floor area in total.

Inserted
B/L 10179
02/19/90

B. USES PERMITTED IN SPECIFIC ZONES

1. Home Occupations:

- (a) Type I Home Occupations:

Type I Home Occupations are permitted in any zone permitting either a single family dwelling or two family dwelling provided that:

- (i) No person other than a member of the immediate family occupying the dwelling may be employed.
- (ii) No goods are displayed or sold on the premises.
- (iii) No alterations are made which change the character of the building as a dwelling.
- (iv) No more than twenty-five (25) percent of the area of one floor or any accessory building of like area is used.
- (v) No evidence of the home occupation including storage of materials or illuminated signs, shall be visible from outside the confines of the dwelling.

(b) Type II Home Occupations:

Type II Home Occupations are permitted in any zone provided that:

- (i) The use of the premises for a home occupation shall be confined to the incidental use of a telephone and records pertaining directly to that business.
- (ii) No goods are to be displayed, stored or sold on the premises.
- (iii) No alterations are made which change the character of the dwellings.
- (iv) No signs are displayed on the premises.
- (v) The storage of vehicles or equipment associated with a home occupation is not permitted on or near the site for which a Type II home occupation permit is granted.
- (vi) In the case of rental premises, the business license applicant will be required to obtain the permission of the owner of the premises before a business license under this section can be issued.

2. Personal Care and Day Care Facilities:

(a) Personal Care Facilities:

Personal Care Facilities accommodating up to and including ten (10) persons may be located in any zone.

(b) Day Care Children:

- (i) The keeping of not more than ten (10) day care children may be permitted in any zone except RM-1, RM-2, RM-3, RM-4, unless otherwise provided for in that zone.
- (ii) Notwithstanding the above restrictions, day care facilities may be permitted in any public assembly building subject to the provisions of the Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended.

3. Newspaper Sub-station:

A newspaper sub-station may be located in any non-residential zone provided that:

- (a) No part of the structure shall be located closer to any street right-of-way than seven decimal five (7.5) metres [24.6 ft.] or any other property line than four decimal five (4.5) metres [15 ft.].
- (b) Where the property abuts a residential zone, a planted strip at least one decimal five (1.5) metres [5 ft.] wide and one (1.0) metre [3 ft.] high shall be maintained on that boundary.

4. Wrecked Vehicles:

Amended
B/L 9234
12/14/87

Wrecked Vehicles are not permitted in any zone unless specifically provided for in that zone, or unless as specifically hereinafter provided:

- (a) wrecked vehicles are required for the operation of a business and in such case the wrecked vehicles shall be completely enclosed within a building or approved walled or fenced area with no wrecked vehicles to be visible from outside the building or the walled or fenced area in which the wrecked vehicles are stored, and further provided that the total number of wrecked vehicles stored within the walled or fenced area shall not exceed (5) at any time; or
- (b) one wrecked vehicle which may be stored inside a building used for residential purposes, provided that such vehicle is completely enclosed within a building."

4.A Truck Parking or Storage

Inserted
BL 10876
7/15/91

Vehicles exceeding 5,000 kilograms (11,023 lbs.) licensed G.V.W. are not permitted to be parked or stored either inside or outside a building or structure on any parcel in a residential zone.

5. Private Airport:

Private airports or heliports may be located in any agricultural zone provided that:

- (a) The private airport or heliport is used for the private purposes only by the owner of the property and any aircraft operated on the property must be operated by the owner or some person employed by the owner for a specific purpose related to the operation of the farm; Amended
B/L 7543
05/30/83
- (b) The site area is not less than 16 hectares [40 acres];
- (c) The site and facilities to be developed shall meet the requirements of Transport Canada for the type of airport or heliport proposed;
- (d) Any building, hangar or other structure shall be at least 30 metres [100 ft.] from any lot line;
- (e) A maximum of two (2) aircraft and/or helicopters is permitted on one site at one time;
- (f) All runways or areas used for takeoff and landing shall be at least 150 metres [500 feet] from any property line;
- (g) No commercial activities, demonstrations or instructional training to be associated with the operation of a private airport or heliport; and
- (h) The use does not create a nuisance.

6. Recreational Vehicle Parking - Expo 86

Repealed by By-law No. 8351. (09/23/85)

7. Bed and Breakfast

Bed and breakfast use may be permitted in A-1, A-2, A-3, RS, R-A(G), R-1, R-H(G), R-F, R-F(R) and R-F(F) zones provided however, that Amended
B/L 10781
2/18/91

- (a) Not more than eight (8) persons shall be accommodated within one (1) dwelling unit;
- (b) Not more than three (3) bedrooms shall be used for the bed and breakfast operation; Sec. 7
Inserted
B/L 8245
06/10/85
- (c) No cooking facilities or other facilities for the keeping of food shall be provided for within the bedrooms intended for the said operation; Amended
B/L 8449
01/13/86
- (d) Parking of recreation vehicles or vehicles operated by the patrons shall be adequately provided for within the property;

- (e) No patron shall stay within the same dwelling for more than thirty (30) days in a calendar year; and
- (f) A valid business license has been issued for the use.

8. Containers for Garbage and Recyclable Material

Any multi-family development in the R-F(M), RT-1, RM-1, RM-2, RM-3, RM-4 and C-C zones shall provide a facility for garbage containers and recycling containers-passive.

Inserted
BL 10916
6/17/91

Bins should be clearly labelled for source separation.

Any garbage and recycling containers located outdoors shall be completely screened to a height of at least two decimal five (2.5) metres (6 ft.) by buildings, solid decorative fence, a landscape screen or a combination thereof.

In the case of buildings constructed prior to June 30, 1991, one parking space per apartment building or townhouse cluster may be used for this purpose without affecting the parking requirement for the development."

9. P.C.B. Storage

Notwithstanding other provisions of this By-law, P.C.B.'s (chlorobiphenyl's) may be stored in commercial or industrial zones, provided that the said storage is authorized by and in compliance with a permit issued by the Waste Management Branch of the Ministry of Environment.

Inserted
B/L 11441
10/05/92

10. Mobile Food Services

Mobile food services providing temporary food services from a mobile food vending cart not exceeding 4 square metres in area, capable of being moved on its own wheels without alteration or preparation, and be fully self-contained with no service connection, may be permitted in all commercial and industrial zones.

Inserted
B/L 11696
03/22/93

11. Small-Scale Drug Stores

No small-scale drug store or methadone dispensary shall locate within 400 metres [1,300 feet] of the lot line of an existing drug store, small-scale drug store or methadone dispensary.

Inserted
B/L 16804
11/24/08

C. REGULATIONS APPLICABLE TO ALL ZONES

1. Site:

- (a) Only one (1) principal building may occupy one (1) site, except as specifically provided in the zone or in a comprehensive design in which more than one (1) principal building may be permitted.

- (b) Where a site or record lot lies within two or more zones, a principal building may be placed on a portion of the site or record lot lying in only one zone and no further building shall be erected on those portions of the site or record lot lying in any other zone.

2. Minimum Floor Area:

Every site which may be used for the erection or placing of a single family dwelling, shall contain the minimum permissible floor area on the ground floor as defined under the definition of Dwelling - Single Family in Part I of this By-law.

3. Fencing:

- (a) Any fence, wall or similar structure located in any residential zone shall not be:
 - (i) Higher than one decimal eight (1.8) metres [6 ft.] unless it complies with the height and yard restrictions applicable to principal buildings for the zone in which it is located.
 - (ii) Higher than one decimal two (1.2) metres [4 ft.] when it is located within a required front yard.
 - (iii) Higher than one (1.0) metres [3 ft.] in an area bounded by the intersecting property lines at a street corner and a straight line joining points nine (9) metres [30 ft.] along said property lines from their point of intersection.
 - (iv) Constructed of barbed wire or electrified unless it is located on a property at least four thousand (4,000) square metres [1 ac.] in area.
 - (v) constructed of ultra barrier or razor ribbon wire.

Inserted
B/L 9718
10/24/88

- (b) Where a fence, wall or similar structure is located on top of a retaining wall the height of the fence shall include the height of the retaining wall, except that where their combined height exceeds one decimal eight (1.8) metres [6 ft.], the fence, wall or similar structure by itself may have a height of not more than one (1) metre.
- (c) Restrictions under this section shall not apply to any hedge, bush, shrub, tree or other natural growth neither shall they apply to any open mesh or chain link fence which does not restrict vision.
- (d) The use of ultra barrier/razor wire as fencing material is prohibited in all zones

Inserted
B/L 9813
12/12/88

4. Variation of House Design:

No single family dwelling or two family dwelling may be erected in a zone within fifty-five (55) metres [180 ft.] of any structure of a similar exterior design.

5. Development Reserves:

Areas deemed undevelopable by virtue of extreme slope, ravine conditions, swamps, including the immediate uplands of streams, rivers, lakes and the ocean, shall be considered undevelopable and shall be subtracted for the purposes of calculating density and site coverage from the developable portion of the site and shall be kept free of development.

6. Special Setbacks:

All zones shall be subject to Part VII (Special Building Setback).

6.A Setback from Natural Gas Transmission Rights-of-Way:

(a) Rear Setback for Buildings:

Notwithstanding the provisions of other sections of this By-law, the setback of buildings on properties containing or abutting a natural gas transmission right-of-way at the rear shall not be less than 7.5 metres, and such setback shall be measured at right angles to the gas right-of-way boundary closest to the building line.

Inserted
B/L 9185
10/19/87

(b) Side Setback for Buildings:

Notwithstanding the provisions of other sections of this By-law, the buildings on properties containing a natural gas transmission right-of-way at the side shall not extend into the said right-of-way.

(c) Setback for Ancillary Structures:

Notwithstanding the provisions of other sections of this By-law, the ancillary structures on properties containing a natural gas transmission right-of-way shall not extend into the said right-of-way.

7. Sewage:

Sewage and waste disposal systems shall be constructed to the standards as prescribed under the 'Surrey Subdivision By-law, 1986, No. 8830, and amendments thereto'. In the event that it is not possible to connect such sewage and waste disposal systems to the municipal, public sewer system, a sewage disposal system, as defined by the Health Act and Regulations thereto, may be constructed or installed in accordance with the Health Act and the Regulations thereto.

Amended
B/L 9882
02/20/89

8. Drainage:

All developments shall be provided with the required drainage works in conformity with the Natural Drainage System Policy and Design Manual adopted by the Municipality.

9. Floodproofing:

All zones shall be subject to Part VIII (Floodproofing).

10. Off-street Parking:

All zones shall be subject to Part V (Off-street Parking).

11. Access:

Driveway crossings to all zones shall be provided in accordance with "Schedule A" of the 'Surrey Subdivision By-law 1986, No. 8830, and amendments thereto.'

Amended
B/L 9882
02/20/89

12. Height of Structures:

Height limitations shall not apply to windmills, chimney towers, spires, or similar structures occupying less than ten (10) per cent of the site area.

12A. Siting of Accessory Building Structures:

In all zones, and, unless incorporated as part of the principal building, structures including, but not limited to stadiums, sheds, fences, platforms, display signs, tanks, poles, towers, swimming pools, windmills, chimney towers, satellite dishes, spires and similar building structures shall be sited in accordance with the requirements for accessory buildings in the zone in which they are located.

Inserted
B/L 7845
04/09/84

13. Signs:

All zones shall be subject to Part VI (Signs).

14. Average Front Setback:

Where forty (40) percent or more of the adjacent lots in the same block and fronting on the same street are occupied by buildings at the date of coming into effect of this By-law and the average setback does not exceed the minimum setback required in that zone, the minimum front setback required in that zone may be relaxed; provided however that no building or part thereof hereafter erected shall be so situated on a site that any main front wall will be closer to the street line than the average of the setback of the said buildings. In all other cases, the minimum setback required in that zone shall apply.

15. Extension of Municipal Facilities and Services:

Where land in a zone cannot be used for the Permitted Uses set out in Section B of that zone due to the unavailability or inadequacy of those

Municipal facilities and services required by the Land Development Section of that zone, the owner of the land may, with the consent of the Municipality and upon such terms and conditions as are acceptable to the Municipality, extend Municipal facilities and services to the land so that the facilities and services provided to the land meet the requirements of the said Land Development Section.

16. Existing Land Use Contract:

Where the regulations set forth in this By-law conflict with the terms and conditions contained in an existing Land Use Contract, the terms and conditions contained in the Land Use Contract shall prevail.

17. Tourist Accommodation:

The maximum length of occupancy by any person/persons in any tourist accommodation facility, including but not limited to hotels, motels and tourist trailer parks, is 182 days in any twelve-month period, on the same property.

Inserted
B/L 9034
07/13/87

Amended B/L 6401 - 10/27/80
Amended B/L 7035 - 02/08/82
Amended B/L 5942
(Part 2)
Repealed B/L 9117
01/11/88

D. COMPREHENSIVE DEVELOPMENT ZONES

E. DEVELOPMENT PERMITS

1. Repealed by By-law 8626.

2. Repealed by By-law 8626.

3. Pursuant to Section 998 of the Municipal Act, RSBC, and amendments thereto, all registered owners of land within a development permit area designated prior to December 2, 1985, shall, prior to the commencement of a development other than the development of three (3) or less self-contained dwelling units, obtain or hold a development permit, which may regulate or require any or all of the following:

Amended
B/L 8626
06/16/86

- (a) Regulate the dimensions and siting of buildings and structures on the land;
- (b) Regulate the siting and design of off-street parking and loading facilities in accordance with the provisions of the permit;
- (c) Require that landscaping or screening be established around different uses in accordance with the standards set out in the permit;

- (d) Require the pavement of roads and parking areas in accordance with the standards set out in the permit;
- (e) Require that the land be developed, including:
 - (i) The provision of sewerage, water and drainage facilities; and
 - (ii) The construction of highways, street lighting, underground wiring, sidewalks and transit service facilities;
- (f) Subject to Section 719A, require the construction of buildings and structures in accordance with the specifications, terms and conditions of the permit;
- (g) Require the preservation or dedication of natural water courses and the construction of works to preserve and beautify them in accordance with the terms and conditions specified in the permit;
- (h) Require that an area of land specified in the permit above the natural boundary of streams, rivers, lakes, or specified in the permit;
- (i) Require the provision of areas for play and recreation;
- (j) Limit the number, size and type and specify the form, appearance and construction of signs, and
- (k) Regulate the exterior finishing of buildings, other than residential buildings containing three (3) or less self-contained dwelling units, having the regard for requirements made under paragraph (c).

4. Repealed by By-law 8626.

5. All development permits issued prior to December 2, 1985, or under Sub-Section One (1) herein above stated, remain valid and may be amended pursuant to Section 998 of the Municipal Act, RSBC, 1979, Chapter 290, and amendments thereto.

Inserted
B/L 8626
06/16/86

F. INSPECTION OF PROPERTY

1. The Municipal Planning Officer, the Chief Inspector, the Municipal Engineer, the Medical Health Officer, the Fire Chief, the By-law Enforcement Officer and each of their respective Deputies and Assistants, each as duly appointed, from time-to-time by the Municipal Council, are hereby authorized collectively or individually, to enter, at all reasonable times, upon any property subject to any of the regulations of this By-law, in order to ascertain whether such regulations are being obeyed.

Amended
B/L 8810
12/17/86

2. It is unlawful for any person to prevent, or obstruct or seek or attempt to

Inserted

prevent or obstruct the entry of any Municipal Inspector as authorized
under Section F.1.

B/L 8810
12/17/86

G. Deleted by By-law No. 12207 on April 18, 1994

H. MEASUREMENTS

All dimensions and other measurements in this By-law are expressed in the Standard International Units (Metric) system. Equivalents in the Imperial (foot, pound, etc.) system shown in square brackets are included for convenience only, and do not form part of this By-law.

I. SUBDIVISION

1. Unless otherwise provided hereinafter, any parcel created under the 'Surrey Subdivision By-law, 1986, No. 8830, and amendments thereto', shall be in accordance with the parcel standards prescribed for the zone in which the subdivision is located. Inserted
B/L 8792
11/03/86
Amended
B/L 9882
02/20/89
2. No parcel created by a subdivision shall have a frontage less than 1/10 of its total perimeter or have a lot width less than the minimum requirement prescribed for the zone in which the subdivision is located, unless approved by the Approving Officer, and in no cases shall a frontage be less than four decimal five (4.5) metres or shall a relaxation of the lot width requirement result in a frontage less than four decimal five (4.5) metres.
3. For the purpose of subdivision, the width of a parcel or the width of a lot measured between two side lot lines on a straight line shall be determined as hereinafter set forth:
 - (a) For a rectangular parcel, the width of a parcel shall be determined by a straight line seven decimal five (7.5) metres from and parallel to the frontage of the parcel.
 - (b) For a parcel of an irregular shape, the width shall be determined by a straight line seven decimal five (7.5) metres from and parallel to the frontage of the parcel. However, where the frontage intersects any of the side lot lines at an angle less than 60 degrees, the width shall be determined by a straight line at least seven decimal five (7.5) metres from any point of the frontage and equiangular to both side lot lines;
 - (c) Where the frontage of a parcel is not a straight line, all references of frontage in (b) above shall mean a straight line connecting the two points at which the frontage intersects with the side lot lines; provided, however, that the width shall not be less than seven decimal five (7.5) metres from any point of the frontage; and
 - (d) In the case of a panhandle lot and for the purpose of determining the lot width, the panhandle portion shall be disregarded, resulting in a rectangle or a polygon. The shortest lot line contiguous with the panhandle shall be considered as the

frontage for the purpose of determining the lot width and the provisions set forth in (a) and (b) above shall apply.

4. For the purpose of subdivision, the depth of a parcel or the depth of a lot shall be determined by a straight line perpendicular to the width of the said parcel and having the least distance between the front and the furthest opposing lot line.
5. Where the parcel to be created is in such an irregular shape that the width and/or depth of the parcel cannot be determined as hereinabove provided, the said width and/or depth of the parcel shall be determined by the Approving Officer.
6. Where a strict application of the width requirement would result in a parcel substantially larger than the minimum area required in a particular zone, the Approving Officer may reduce this requirement by not more than ten (10) percent.
7. Where the land being subdivided is such that the last lot to be created does not have the required minimum lot area, the subdivision may be approved provided that the area of this last lot is not less than ninety (90) percentum of the minimum lot area requirement prescribed in the zone.
8. Where a replotting scheme is proposed under Part 28 Division (2) of the Municipal Act, the minimum dimensional and/or area requirements may be reduced where this reduction is necessary for completion of the replotting scheme, provided however that such reduction shall not result in a dimension or lot area less than that of any existing lot which is less than the minimum requirements prior to replot.
9. Where the land proposed for subdivision is intended to complete a previous subdivision within a block in which a substantial number of smaller parcels have been created, the minimum dimensional and/or area requirements may be reduced so that the new parcels to be created are similar in lot dimensions and size of the existing lots within the block; provided, however, that such reduction shall not result in a dimension or lot area less than eighty-five (85) percent of the average parcel within the block and further provided that in no case shall the lot width of the parcels so created be less than twelve (12) metres [40 ft.] and the lot depth be less than twenty-five (25) metres [80 ft.].
10. Notwithstanding the provisions of Section 1 hereof, when the Municipality or the School Board intends to acquire a portion of a parcel of land for school, park, road, or other Municipal purposes and such parcel:
 - (a) Contains a total area larger than that required for school, park, road or other Municipal purposes; and
 - (b) Does not contain a total area large enough for both:
 - (i) School, park, road or other Municipal purposes; and

- (ii) Adequate and lawful continuation of the purposes for which it was used prior to the acquisition by the Municipality or the School Board, or is intended to be used;

that parcel may be subdivided into two or more parcels which are smaller than those parcels otherwise permitted within the zones in which they are located.

11. Notwithstanding the provisions of this By-law or any regulation under the "Local Services Act", the Approving Officer may approve a subdivision of any parcel of land that has been owned by the person applying for the subdivision for a period of not less than five years prior to the application, for the purpose of providing a separate residence for the owner, or for the father, mother, father-in-law, mother-in-law, son, daughter, son-in-law, daughter-in-law, or grandchild of the owner.
 - (a) A parcel created by a subdivision under this provision shall be not less than 1 hectare, unless a smaller area, of not less than two thousand five hundred (2,500) square metres, is approved by the Medical Health Officer.
 - (b) This section does not apply where the parcel being subdivided is classified as farm land for the purpose of real property assessment and taxation, and the remainder of the parcel, after subdivision, would be less than two (2) hectares.
 - (c) Where land is subdivided under this provision, the subdivided parcel shall be restricted to residential use for a period of five years and the use of the remainder of the parcel shall not be changed for five years.
 - (d) Not more than one parcel shall be subdivided from any parcel under the provisions of this section in any five-year period.
12. Unless otherwise specified, the minimum parcel standards prescribed in a zone under the Subdivision Section shall apply to a bare land strata subdivision under the Condominium Act, R.S.B.C.