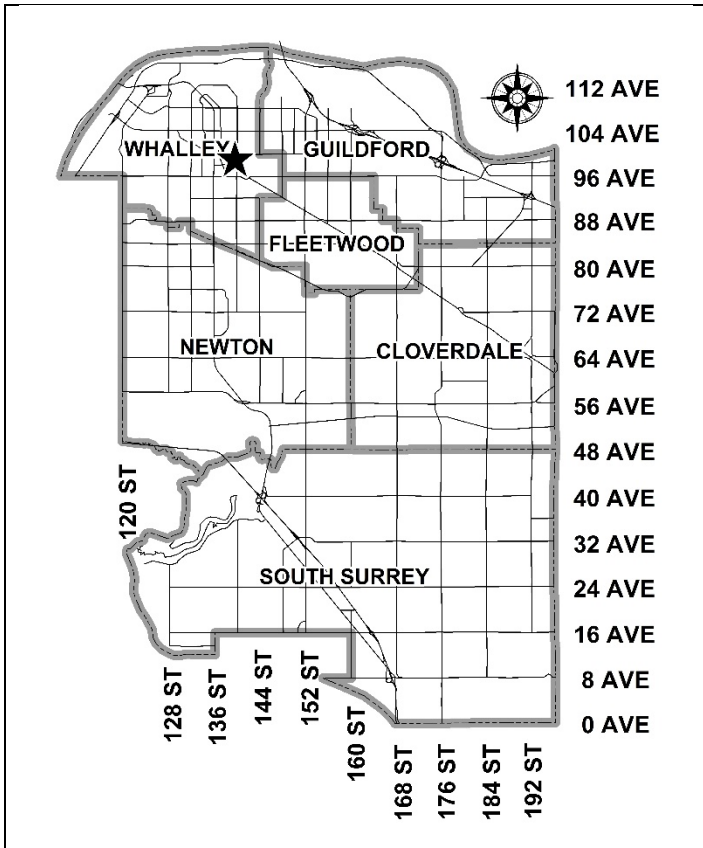


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0675-00

Planning Report Date: May 4, 2020



PROPOSAL:

- **Terminate Land Use Contract No.591**
- **Rezoning** a portion from RF to RM-30

to permit the existing underlying RF Zone to come into effect on the existing single-family residential lot and City-owned Park, and to rezone the existing townhouse lot to an appropriate townhouse zone (RM-30).

LOCATION:

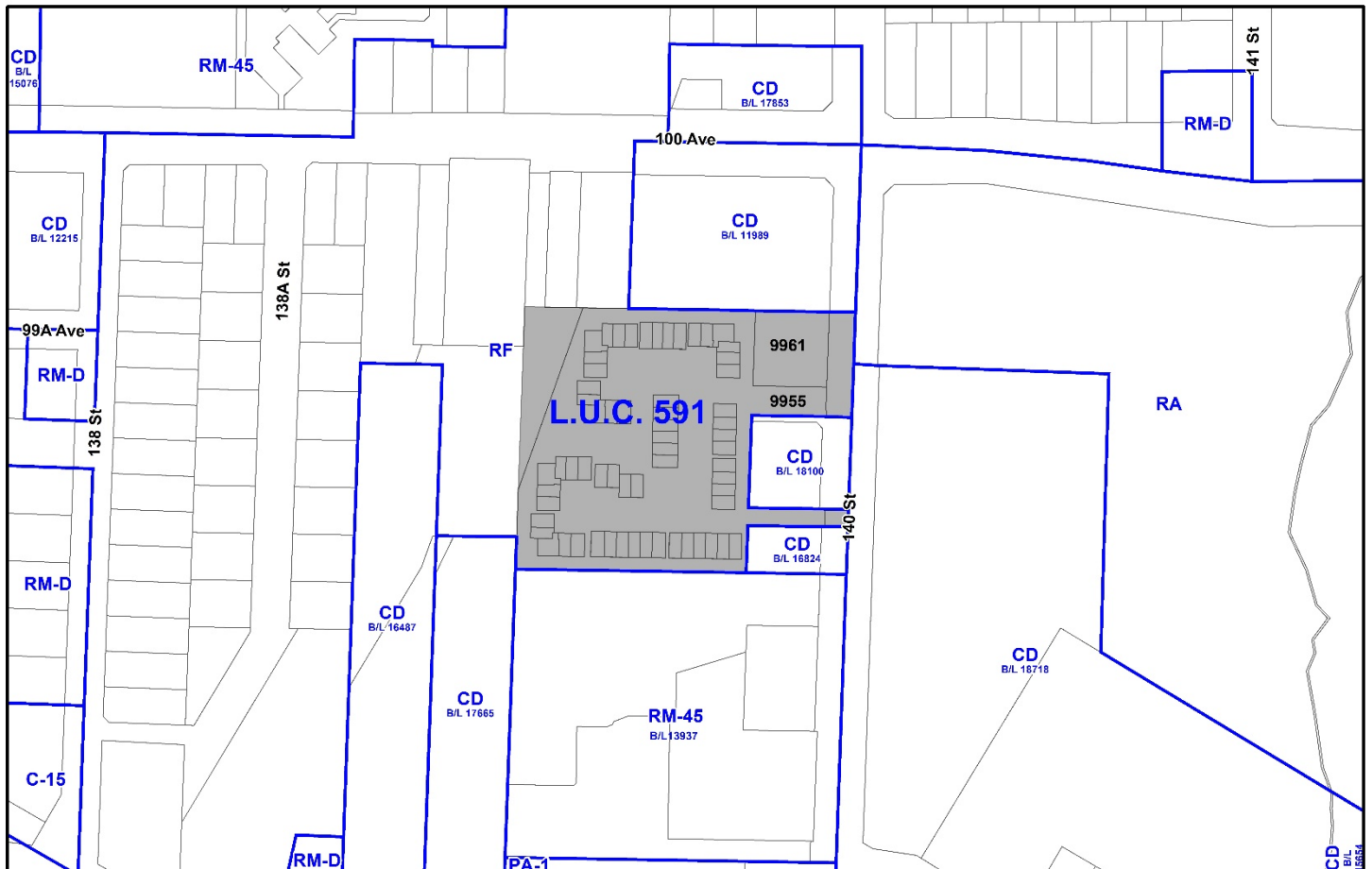
9955 - 140 Street
 9961 - 140 Street
 Portion of 13900 - 100 Avenue

LUC AND UNDERLYING ZONING:

LUC No. 591
 (RF Zone underlying)

OCP DESIGNATION:

Multiple Residential



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
 - Termination of LUC No. 591; and
 - Rezoning of a portion of the site.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The site's underlying "Single Family Residential Zone (RF)" is not compatible with the portion of the site located at 9955 -140 Street, which is currently occupied by a townhouse complex.

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. 591 was adopted by Authorization By-law, 1979, No. 5774 on January 8, 1979. Lot 134 (9891 – 140 Street) was discharged by Partial Discharge By-law, 2010, No. 16823 on June 7, 2010, in order to permit the development of a 4-unit townhouse project. Subsequently, Lot 132 (9921 -140 Street) and Lot 133 (9909 -140 Street) were discharged by Partial Discharge By-law, 2015, No. 18099 on September 28, 2015, in order to permit the development of a 35-unit, 4-storey apartment building with townhouses on the ground floor.
- LUC No. 591 permits 62 townhouse units, along with a recreational facility and land to be dedicated for use as a public park and playground area.
- The proposed rezoning of the townhouse portion of the site, located at 9955 - 140 Street, from the underlying "Single Family Residential Zone (RF)" to "Multiple Residential 30 Zone (RM-30)" is a housekeeping measure to ensure that the existing townhouse use on the property is properly aligned with the appropriate Zone under the Zoning By-law No. 12000, and is not associated with a development proposal at this time. The underlying "Single Family Residential Zone (RF)" for the existing single-family residential lot at 9961 – 140 Street and the park lot at 13900 – 100 Avenue will remain unchanged, as this is an appropriate Zone for these lots.
- The "Single Family Residential Zone (RF)" permits a single-family dwelling, including one (1) secondary suite, as well as a bed and breakfast operation and the keeping of boarders or lodgers as accessory uses. The "Multiple Residential 30 Zone (RM-30)" permits multiple unit residential buildings, ground-oriented multiple units' residential buildings, and childcare centres as an accessory use.

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- 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. 591 is terminated and the one-year grace period ends, the current underlying "Single Family Residential Zone (RF)" will automatically come into effect and will regulate the one (1) residential lot located at 9961 – 140 Street and the one (1) City-owned Park located on the northwest corner of the site. Once LUC. 591 is terminated and the rezoning from "Single Family Residential Zone (RF)" to "Multiple Residential 30 Zone (RM-30)" is complete, and the one-year grace period ends, the underlying "Multiple Residential 30 Zone (RM-30)" will automatically come into effect and will regulate the sixty-two (62) strata townhouses located at 9955 – 140 Street.
 - 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.
 - If the landowner(s) feel(s) 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:

1. A By-law be introduced to terminate Land Use Contract No. 591 and a date be set for Public Hearing; and
2. A By-law be introduced to rezone the property located at 9955 – 140 Street (the townhouse portion of the subject site) from "Single Family Residential Zone (RF) to "Multiple Residential 30 Zone (RM-30)" and a date be set for Public Hearing.

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 land owners and/or developers that incorporated zoning, development controls 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-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 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 seven (7) 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. 591 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 a 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.
- When Zoning By-law, 1993, No. 12000 was adopted on September 13, 1993, the zoning of all properties in Surrey were converted from a Zoning By-law, 1979, No. 5942 zone to an equivalent Zoning By-law, 1993, No. 12000 zone.
- 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 "Single Family Residential Zone (RF)" to "Multiple Residential 30 Zone (RM-30)" is proposed alongside the LUC termination process in order to provide a zone that better aligns with the existing townhouse residential use on a portion of the subject site (9955 – 140 Street). See the "Discussion" section in this report for a more detailed explanation of the current and proposed underlying zoning.

PUBLIC NOTIFICATION

Early termination of LUCs and the accompanying rezoning, is a Council-initiated process that does not require the consent of landowners within the LUC being terminated or underlying zone being changed. A Development Proposal Sign has not been installed and no pre-notification letters have been mailed.

However, 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. 591, informing them that Council is considering terminating the LUC and rezoning the underlying Zone. In addition, the Public Hearing notice will be published in two consecutive issues of the Surrey Now-Leader.

SITE CHARACTERISTICS

Existing Land Use: Townhouses, Single family dwelling and City-owned Park

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	4-storey apartment building, single family dwelling, vacant	Multiple Residential	CD (Bylaw No. 11989), RF

	single-family lot, City-owned Park (including multi-use pathway).		
East (Along 140 Street):	35-unit, 4-storey apartment building with townhouses on the ground floor under construction and 4-unit townhouse complex.	Multiple Residential	CD (Bylaw No. 18100) and CD (Bylaw No. 16824),
(Across 140 Street)	City-owned Park (Green Timbers Park), City-owned lot.	Multiple Residential and Conservation and Recreation.	CD By-law No. 18718 and RA.
South:	Townhouses.	Multiple Residential	RM-45
West:	City-owned Park and utility ROW, Three-building 198-unit apartment building.	Multiple Residential	RF, CD (Bylaw No. 16487), CD (Bylaw No. 17665).

DISCUSSION

- LUC No. 591 was adopted by Authorization By-law, 1979, No. 5774 on January 8, 1979. Lot 134 (9891 – 140 Street) was discharged by Partial Discharge By-law, 2010, No. 16823 on June 7, 2010, in order to permit the development of a 4-unit townhouse project. Subsequently, Lot 132 (9921 -140 Street) and Lot 133 (9909 -140 Street) were discharged by Partial Discharge By-law, 2015, No. 18099 on September 28, 2015, in order to permit the development of a 35-unit, 4-storey apartment building with townhouses on the ground floor.
- LUC No. 591 currently regulates one (1) City-owned Park, one (1) single family residential lot and sixty-two (62) strata townhouse units.
- The subject area is designated as "Multiple Residential" in the Official Community Plan (OCP) with an underlying "Single Family Residential Zone (RF)" under Surrey Zoning By-law, 1993, No. 12000, as amended.
- LUC No. 591 permitted the original site to be subdivided into four (4) residential lots and stratified into sixty-two (62) strata townhouse lots, while also conveying a portion of the site to the City as a Park. The subject lots were created by Subdivision Plan No. 58009 on October 24, 1979 and through Strata Plan No. NW1534 on February 9, 1981.
- The underlying RF Zone is an appropriate zone for the single-family residential lot at 9961 – 140 Street and the park lot at 13900 – 100 Avenue but it is not an appropriate zone for the townhouse lot at 9955 – 140 Street. The proposed RM-30 Zone (which is a townhouse Zone under Zoning By-law No. 12000) is the appropriate zone to regulate this existing townhouse residential use. 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.
- Once LUC No. 591 is terminated and the one-year grace period ends, the current underlying "Single Family Residential Zone (RF)" will automatically come into effect and will regulate the one (1) residential lot located at 9961 – 140 Street and the one (1) City-owned Park located on the northwest corner of the site. Once LUC. 591 is terminated and the rezoning from "Single Family Residential Zone (RF)" to "Multiple Residential 30 Zone (RM-30)" is complete, and the one-year grace period ends, the underlying "Multiple Residential 30 Zone (RM-30)" will automatically come into effect and will regulate the sixty-two (62) strata townhouse units located at 9955 – 140 Street.
- The "Single Family Residential Zone (RF)" permits a single-family dwelling, including one (1) secondary suite, as well as a bed and breakfast operation and the keeping of boarders or lodgers as accessory uses. The "Multiple Residential 30 Zone (RM-30)" permits multiple unit residential buildings, ground-oriented multiple units' residential buildings, and childcare centres as an accessory use.
- If the landowner 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 22 Multiple Residential 30 Zone (RM-30) of Surrey Zoning By-law, 1993, No. 12000, as amended

INFORMATION AVAILABLE ON FILE

- Land Use Contract No. 591.

approved by Ron Gill

Jean Lamontagne
General Manager
Planning and Development



Part 16 - RF, Single Family Residential Zone

Single Family Residential Zone

Part 16

RF

A. Intent

Amendments: 12824, 06/24/96

This Zone is intended for *single family dwellings*.

B. Permitted Uses

Amendments: 17290, 12/13/10

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

1. One *single family dwelling* which may contain 1 *secondary suite*.
2. *Accessory uses* including the following:
 - (a) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions, of this By-law; and
 - (b) The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions, of this By-law.

C. Lot Area

Not applicable to this Zone.

D. Density

Amendments: 12101, 07/11/94; 12681, 12/04/95; 12824, 06/24/96; 13093, 05/12/97; 14519, 10/15/01; 15587, 12/13/04; 16957, 06/29/09; 17471, 10/03/11; 17989, 29/07/13; 18050; 09/23/13; 18414, 03/23/15; 19073, 02/20/17; 19333, 12/18/17; 19995, 12/16/19; 20014, 01/27/20

1. For the purpose of subdivision:
 - (a) In all Secondary Plan and Infill Areas, as identified in Schedule G, Section E of this By-law, the maximum *unit density* shall be 2.5 *dwelling units* per hectare and the dimensions of the *lots* created in a subdivision shall be in accordance with Section K.1 of this Zone. The maximum *unit density* may be increased to 14.8 *dwelling units* per hectare and Section K.2 of this Zone shall apply if amenity contributions (specifically affordable housing,

capital projects, police, fire, libraries, parks and, where applicable, underground utilities) are provided in accordance with Schedule G, Sections A, B, D and E of this By-law.

- (b) In all other areas, the maximum *unit density* shall be 2.5 *dwelling units* per hectare. Any increase in the maximum *density* is subject to the provision of amenity contributions (specifically affordable housing and capital projects) in accordance with Schedule G, Sections A and B of this By-law.
 - (c) Notwithstanding Section D.1 (a) and (b) above, if a *lot* falls within a Centre Specific Contribution Area, as identified in Schedule G, Section C of this By-law, additional amenity contributions (specifically capital projects) as specified in Schedule G, Section C of this By-law, may apply.
2. (a) For *building* construction within a *lot*:
- i. The *floor area ratio* must not exceed 0.60 for the first 560 square metres [6,000 sq. ft.] of *lot* area and 0.35 for the remaining *lot* area in excess of 560 square metres [6,000 sq. ft.], provided that 39 square metres [420 sq. ft.] must be reserved for use only as a garage or carport.
 - ii. Notwithstanding Sub-section D.2.(a)i., the maximum allowable floor area is as follows:
 - (a) 465 square metres [5,000 sq.ft.], except in the area shown in Schedule D.1.(a); and
 - (b) For *building* construction on a *lot* within the area shown in Schedule D.1.(a), the maximum allowable floor area is 84 square metres [900 sq.ft.] and a *basement* is not permitted on such *lot*.
 - iii. The maximum permitted floor area of a second storey for a *principal building* must not exceed 80% of the floor area of the main floor level including attached garage and that portion of any porch or veranda at the front that is covered by a sloped roof, but not including any portion of the *structure* located within 7.5 metres [25 ft.] of the *front lot line*. The reduced floor area of the second storey shall be accomplished by an offset at the second storey level from the wall at the main floor level from either the front or side walls or a combination thereof; and

- iv. For the purpose of this Section and notwithstanding the definition of *floor area ratio* in Part 1 Definitions of this By-law, the following must be included in the calculation of *floor area ratio*:
- (a) Covered areas used for parking, unless the covered parking is located within the *basement*;
 - (b) The area of an accessory building in excess of 10 square metres [108 sq. ft.];
 - (c) Covered outdoor space with a height of 1.8 metres [6 ft.] or greater, except for a maximum of 10% of the maximum allowable floor area of which 15 square metres [160 sq. ft.] must be reserved for a front porch or veranda; and
 - (d) Floor area including staircases, garages and covered parking with extended height exceeding 3.7 metres [12 feet] must be multiplied by 2, excluding:
 - (i.) 19 square metres [200 sq. ft.] and
 - (ii.) floor area directly below a sloped ceiling less than 4.6 metres [15 ft.] in height, provided that the area has at least one wall 3.7 metres [12 ft.] or less in height.

E. Lot Coverage

Amendments: 17989, 29/07/13; 18771, 07/25/16

1. For *lots* with a size of a 560 square metres [6,000 sq.ft.] or less, the maximum *lot coverage* is 40%.
2. For *lots* with a size greater than 560 square metres [6,000 sq. ft.], the maximum *lot coverage* is reduced at a rate of 2% for each 93 square metres [1,000 sq. ft.] of additional *lot* area until a *lot coverage* of 25% is reached, which is the maximum *lot coverage* for *lots* greater than 1,262 square metres [13,500 sq. ft.] in area.

F. Yards and Setbacks

Amendments: 12101, 07/11/94; 13093, 05/12/97; 17471, 10/03/11; 17704, 07/23/12; 17989, 07/29/13; 18414, 03/23/15; 18771, 07/25/16

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

<i>Use</i>	<i>Setback</i>	<i>Front Yard</i> ^{1,2,3}	<i>Rear Yard</i> ⁴	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Building</i>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	1.8 m. ⁵ [6 ft.]	3.6 m. [12 ft.]
<i>Accessory Buildings and Structures Greater Than 10 square metres [108 sq.ft.] in Size</i>		18.0 m. [60 ft.]	1.8 m [6 ft.]	1.0 m [3 ft.]	7.5 m [25 ft.]
<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.

- ¹ Except for a garage, the *front yard setback* may be relaxed at the lower floor level to 5.5 metres [18 ft.] for a maximum of 50% of the width of the *principal building*. If a minimum of 50% of the width of the *principal building* is set back 9 metres [30 ft.], the setback to an attached garage may be relaxed to 6.7 metres [22 ft.].
- ² With the exception of a garage with its main access doors facing a *side yard*, an attached garage to the *principal building* must not extend towards the *highway* for more than half the depth of the said garage, measured from the front face of the *principal building*, excluding any front face of the exterior wall above the said garage. If an attached garage with its main access doors facing a *highway* contains more than 2 parallel parking bays, the additional parking bay(s) and the garage entrance leading to the additional parking bay(s) must be set back at least 0.9 metre [3 ft.] from the front of the said garage.

- ³ The required *front yard setback* is increased to 11.0 metres [36 ft.] to the front face of an attached garage on *lots* that front onto a cul-de-sac bulb and which have a frontage of less than 8.0 metres [26 ft.], as determined by measuring a straight line drawn between the two front corners of the *lot*.
- ⁴ 50% of the length of the rear *building* face may be *setback* a distance of 6.0 metres [20 ft.] from the *rear lot line* provided the remainder of the *building* face is *setback* at least 8.5 metres [28 ft.] from the *rear lot line*.
- ⁵ The *side yard setback* may be reduced to 1.2 metres [4 ft.] along one *side lot line* adjoining a *lot* zoned Single Family Residential (RF) provided that the *side yard setback* on the opposite side of the *lot* is increased to 2.4 metres [8 ft.].

G. Height of Buildings

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

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

1. Principal building:
 - (a) The *building height* shall not exceed 9 metres [30 ft.].
 - (b) The *building height* of any portion of a *principal building* with a roof slope of less than 1:4 shall not exceed 7.3 metres [24 ft.].
2. Accessory buildings and structures: The *height* shall not exceed 4 metres [13 ft.] except that where the roof slope and construction materials of an *accessory building* are the same as that of the *principal building*, the *building height* of the *accessory building* may be increased to 5 metres [16.5 ft.]

H. Off-Street Parking and Loading/Unloading

Amendments: 12333, 07/25/94; 13093, 05/12/97; 13774, 07/26/99; 14120, 10/16/00; 18719, 05/30/16; 18771, 07/25/16; 18859, 10/03/16

1. Resident *parking spaces* shall be provided as stated in Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of this By-law.
2. Outside parking or storage of *campers*, boats and *vehicles* including cars, trucks and *house trailers* ancillary to a residential use shall be limited as follows:
 - (a) A maximum of 3 cars or trucks, which may be increased to a maximum of 4 cars or trucks on *lots* where the front face of an attached garage is set back a minimum of 11.0 metres [36 ft.] from the *front lot line*;

- (b) *House trailer, camper* or boat, provided that the combined total shall not exceed 1; and
 - (c) The total amount permitted under (a) and (b) shall not exceed 3, which may be increased to 4 where the front face of an attached garage is set back a minimum of 11.0 metres [36 ft.] from the *front lot line*.
3. *Vehicle* parking may be permitted in either the *front yard* or *side yard* subject to the following:
- (a) No off-street *parking space* shall be permitted within the required *front yard* or *side yard setback* except on a *driveway*. *Driveways* may be constructed off either the *frontage* or *flanking street*;
 - (b) *Parking spaces* shall be located only on a *driveway* leading to a garage, carport or parking pad, in a garage, in a car port, or on a parking pad; and
 - (c) The total area surfaced or paved for a *driveway* shall be as follows:
 - i. Every *lot* may have one *driveway* with a uniform width of 8.0 metres [26 ft.] extending from the *lot line* to the garage, car port, or parking pad on the *lot*;
 - ii. Notwithstanding Sub-section H.3.(c) (i) 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 setback* and is uniformly tapered over the required *front yard* to a width of 8 metres [26 ft.] at the *front lot line*; and
 - iii. Notwithstanding Sub-sections H.3.(c) (i) and (ii), a *driveway* shall not exceed 53% of the total area of the *front yard* or required *side yard* within which the *driveway* is located;
 - iv. Where the *driveway* is constructed in a *side yard* off a *flanking street* all references to *front yard* within this Section shall be read as *side yard*; and
4. No outside parking or storage of a *house trailer* or boat is permitted within the *front yard setback*, or within the required *side yards* adjacent the *dwelling unit*, or within 1 metre [3 ft.] of the *side lot line*, except as follows:
- (a) On *lots* which have no vehicular access to the *rear yard* or where access is not feasible through modification of *landscaping* or fencing or both, either

1 *house trailer* or 1 boat may be parked in the front *driveway* or to the side of the front *driveway* or in the *side yard*, but no closer than 1 metre [3 ft.] to a *side lot line* nor within 1 metre [3 ft.] of the *front lot line* subject to the residential parking requirements stated in Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of this By-law;

- (b) Notwithstanding Sub-section H.4(a), no outside parking or storage of a *house trailer* or boat is permitted on *corner lots* in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 9 metres [30 ft.] along the said *lot lines* from the point of intersection of the two *lot lines*; and
- (c) Adequate screening, as described in Section I.2 of this Zone is provided.

I. Landscaping

Amendments: 12333, 07/25/94; 17989, 07/29/13; 18771, 07/25/16

1. All developed portions of the *lot* not covered by *buildings*, *structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. A minimum of 30% of the *lot* must be covered by porous surfaces.
3. The parking or storage of *house trailers* or boats shall be adequately screened by compact evergreen trees or shrubs at least 1.8 metres [6 ft.] in height and located between the said *house trailer* or boat and any point on the *lot line* within 7.5 metres [25 ft.] of the said *house trailer* or boat, in order to obscure the view from the abutting *lot* or street, except:
 - (a) on a *corner lot*, this required landscape screening shall not be located in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 9 metres [30 ft.] along the said *lot lines* from the point of intersection of the 2 *lot lines*;
 - (b) where the *driveway* or the parking area is used for parking or storage of a *house trailer* or boat, the landscape screen is not required within the said *driveway*; and
 - (c) in the case of *rear yards*, this screening requirement may be provided by a 1.8 metre [6 ft.] high solid fence.

J. Special Regulations

Amendments: 17290, 12/13/10; 17989, 07/29/13; 18050, 09/23/13

1. For *lots* within designated floodplain in the Bridgeview area as referred to in Part 8 Floodproofing, of this By-law, the uses listed in Section B of this Zone shall be permitted only if the *lot* has a *frontage* of not less than 15 metres [50 ft.] and an area of not less than 464 square metres [5,000 sq.ft.].
2. Basement access and basement wells are permitted only between the *principal building* and the *rear lot line* and must not exceed a maximum area of 28 square metres [300 sq. ft.], including the stairs.
3. A *secondary suite* shall:
 - (a) Not exceed 90 square metres [968 sq.ft.] in floor area; and
 - (b) Occupy less than 40% of the habitable floor area of the *building*.

K. Subdivision

Amendments: 12824, 06/24/96; 19995, 12/16/19

1. For subdivision of land in all Secondary Plan and Infill Areas as identified in Schedule G, Section E of this By-law, where amenities are not provided in accordance with Schedule G, Sections D and E of this By-law, the *lots* created through subdivision 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 land in all Secondary Plan and Infill Areas as identified in Schedule G, Section E of this By-law, where amenities are provided in accordance with Schedule G, Sections D and E of this By-law, the *lots* created shall conform to the minimum standards prescribed in Section K.3 of this Zone.
3. *Lots* created through subdivision in this Zone shall conform to the following minimum standards:

	<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
Subdivision	560 sq. m. [6,000 sq.ft.]	15 metres [50 ft.]	28 metres [90 ft.]
<i>Lot Consolidation in Bridgeview's Designated Floodplain Areas</i>	464 sq. m. [5,000 sq.ft.]	15 metres [50 ft.]	no minimum

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

L. Other Regulations

Amendments: 13657, 03/22/99; 13774, 07/26/99

In addition, land use regulations including the following are applicable:

1. Prior to any use, lands must be serviced as set out in Part 2 Uses Limited, of this By-law and in accordance with the "Surrey Subdivision and Development By-law".
2. General provisions on use are as set out in Part 4 General Provisions, of this By-law.
3. Additional off-street parking and loading/unloading requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of this By-law.
4. Subdivisions shall be subject to the "Surrey Development Cost Charge By-law" and the "Tree Preservation By-law".
5. *Building* permits shall be subject to the "Surrey Building By-law".
6. Sign regulations are as provided in Surrey Sign By-law No. 13656.
7. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of this By-law.
8. Floodproofing shall be as set out in Part 8 Floodproofing, of this By-law.



Part 22 - RM-30, Multiple Residential 30 Zone

Multiple Residential 30 Zone

Part 22

RM-30

A. Intent

This Zone is intended to accommodate and regulate the development of medium *density*, *multiple unit residential buildings*, *ground-oriented multiple residential buildings* and related *amenity spaces* which are to be developed in accordance with a *comprehensive design*.

B. Permitted Uses

Amendments: 13774, 07/26/99; 17574, 02/06/12

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. *Multiple unit residential buildings* and *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: 13155, 02/09/98; 07574, 02/06/12; 17704, 07/23/12; 18414, 03/23/15; 19073, 02/20/17; 19491, 02/19/18; 19995, 12/16/19

For the purpose of *building* construction:

1. In all Secondary Plan and Infill Areas, as identified in Schedule G, Section E of this By-law, the maximum *density* shall be a *floor area ratio* of 0.1 or *building area* of 300 sq. m, whichever is smaller. The maximum *density* may be increased to that prescribed in Sections D.3 and D.4 of this Zone if amenity contributions

(specifically affordable housing, capital projects, police, fire, libraries, parks and, where applicable, underground utilities) are provided in accordance with Schedule G, Sections A, B, D and E of this By-law.

2. In all other areas, the maximum *density* shall be as prescribed in Sections D.3 and D.4 of this Zone. Any increase in the maximum *density* is subject to the provision of amenity contributions (specifically affordable housing and capital projects) in accordance with Schedule G, Sections A and B of this By-law.
3. Multiple Unit Residential Buildings and Ground-Oriented Multiple Unit Residential Buildings: the *density* shall be a *floor area ratio* of 1.00 and 75 *dwelling units* per hectare.
4. Indoor Amenity Space: the indoor *amenity space* required in Section J.1 of this Zone is excluded from the *floor area ratio* calculation.
5. Notwithstanding Sections D.1 through D.4 above, if a *lot* falls within a Centre Specific Contribution Area, as identified in Schedule G, Section C of this By-law, additional amenity contributions (specifically capital projects) as specified in Schedule G, Section C of this By-law, may apply.

E. Lot Coverage

The maximum *lot coverage* shall be 45%.

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

Amendments: 13540, 10/19/98

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

1. Principal buildings: The *height* shall not exceed 13 metres [43 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; 13540, 10/19/98; 13774, 07/26/99; 14120, 10/16/00; 17471, 10/03/11; 18414, 03/23/15; 18434, 04/27/15; 18719, 05/30/16; 19817, 05/27/19

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. No parking shall be permitted in front of the main entrance of a non-*ground-oriented multiple unit residential building*, except for the purpose of short-term drop-off or pick-up and for accessible parking.
5. *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 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. 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

Amendments: 19945, 11/18/19

1. *Amenity space*, subject to Section B.1, Part 4, General Provisions, shall be provided on the *lot* as follows:
 - (a) Outdoor amenity space, in the amount of 3.0 sq. m per dwelling unit, plus 4.0 sq. m per lock-off suite;
 - (b) Outdoor amenity space shall not be located within the required setbacks;
 - (c) Indoor amenity space, in the amount of 3.0 sq. m per dwelling unit, plus 4.0 sq. m per lock-off-suite; and
 - (d) Indoor amenity space devoted to a child care centre shall be a maximum of 1.5 sq. m per dwelling unit.
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*.
3. *Balconies* are required for all *dwelling units* which are not *ground-oriented* and shall be a minimum of 5% of the *dwelling unit* or 4.6 square metres [50 sq.ft.] per *dwelling unit*, whichever is greater.

K. Subdivision

Amendments: 13155, 02/09/98; 19995, 12/16/19

1. For subdivision of land in all Secondary Plan and Infill Areas as identified in Schedule G, Section E of this By-law:
 - (a) Where amenities are not provided in accordance with Schedule G, Sections D and E 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.

- (b) Where amenities are provided in accordance with Schedule G, Sections D and E of this By-law, the *lots* created shall conform to the minimum standards prescribed in Sub-section K.2 of this Zone.
2. *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.