

CITY OF SURREY

BY-LAW NO. 13087

A by-law to amend "Surrey Zoning By-law, 1993, No. 12000."
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The Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, (the "Zoning By-law"), is hereby further amended, pursuant to the provisions of Section 963 of the Municipal Act R.S.B.C. 1979 Chapter 290 as amended, by changing the classification of the following parcels of land, presently shown upon the maps designated as the "Zoning Maps" and marked as Schedule "A" under Part 3 of the Zoning By-law, as follows:

FROM "GASOLINE SERVICE STATION ZONE (C-G)"
AND "LOCAL COMMERCIAL ZONE (C-L)"
TO "COMPREHENSIVE DEVELOPMENT ZONE (CD)"

Lot 2, District Lot 165, Group 2, New Westminster District,
Plan LMP30647.

(3531 King George Highway)

(hereinafter referred to as the "Lands")

2. The following regulations shall apply to the Lands:

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of a neighbourhood scale shopping node and gas bar and convenience store.

B. Permitted Uses

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

1. The following uses are permitted provided that the gross floor area of each individual business does not exceed 370 square metres [4,000 sq. ft.] unless otherwise specified:
 - (a) *Retail stores* excluding the following:
 - (i) *adult entertainment stores*; and
 - (ii) auction houses.
 - (b) *Personal service uses* limited to the following:
 - (i) Barbershops;
 - (ii) Beauty parlours;
 - (iii) Cleaning and repair of clothing; and
 - (iv) Shoe repair shops;
 - (c) *Eating establishments* excluding *drive-through restaurants*;
 - (d) Office uses excluding *social escort services*;
 - (e) *General service uses* excluding funeral parlours, *drive-through banks* and *vehicle rentals*;
 - (f) *Community services*; and
 - (g) *Child care centres*.

2. One *dwelling unit* per *lot* provided that the *dwelling unit* is:
 - (a) Contained within the *principal building*; and
 - (b) Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the *lot*.

3. Gasoline station provided that where self-service hoses are available, at least an equal number of full-service hoses shall be available on the same lot.

C. Lot Area

Not applicable to this Zone.

D. Density

The maximum density shall not exceed a floor area ratio (FAR) of 0.20.

E. Lot Coverage

The maximum *lot coverage* shall be 22%.

F. Yard And Setbacks

1. *Principal and accessory buildings* and structures shall be situated as follows:

- (a) *Front Yard* - 7.5m metres [25 feet]
- (b) *Rear Yard* - 7.5 metres [25 feet]
- (c) *North Side Yard* - 6.0 metres [20 feet]
- (d) *South Side Yard* - 3.65 metres [12 feet]

2. Pump Islands and Kiosk** shall be situated as follows:

- (a) *Front Yard* - 4.5 metres [feet]
- (b) *Rear Yard* - 4.0 metres* [13 feet]
- (c) *Side Yard* - 4.0 metres* [13 feet]
- (d) *Side Yard on Flanking Street* - 4.5 metres [15 feet]

3. Canopies

- (a) *Front Yard* - 2.0 metres [7 feet]
- (b) *Rear Yard* - 2.0 metres* [7 feet]
- (c) *Side Yard* - 2.0 metres* [7 feet]
- (d) *Side Yard on Flanking Street* - 2.0 metres [7 feet]

Measurements to be determined as per Part I Definitions, of "Surrey Zoning By-law, 1993, No. 12000," as amended.

* The *rear yard setback* and *side yard setback* shall be a minimum of 4.5 metres [15 ft.] if the *rear yard* or *side yard* abuts a *highway* or 12 metres [40 ft] if the *rear yard* or *side yard* abuts any *residential lot*.

** The kiosk shall not exceed a gross floor area of 5 square metres [50 sq. ft.].

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000," as amended:

1. *Principal buildings:* The *height* shall not exceed 9.0 metres [30 feet].
2. *Pump Island Canopies:* The height shall not exceed 6.0 metres [20 ft.].
3. *Accessory buildings and structures:* The *height* shall not exceed 4.0 metres [13 feet].

H. Off-Street Parking

Refer to Part 5 Off-Street Parking, of "Surrey Zoning By-law, 1993, No. 12000," as amended.

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 sodded with grass on the side of the *highway* abutting the *lot*, except at driveways.
4. Except in those portions where a *building* abuts the *lot line*, screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.] wide and a solid decorative fence at least 1.5 metres [5 ft.] high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *residential lot*.
5. Loading areas, garbage containers and *passive recycling containers* shall be screened from any adjacent *residential lot*, to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

J. Special Regulations

1. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
2. The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Part.
3. *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.

K. Subdivision

Lots created through subdivision in this Zone shall conform to the following minimum standards:

Lot Size	Lot Width	Lot Depth
2,000 sq. m. [0.5 acres]	30 metres [100 ft.]	30 metres [100 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of "Surrey Zoning By-law, 1993, No. 12000," as amended.

L. Other Regulations

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

1. Definitions are as set out in Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000," as amended.
2. Prior to any use, the Lands must be serviced as set out in Part 2 Uses Limited, of "Surrey Zoning By-law, 1993, No. 12000," as amended and in accordance with the servicing requirements for the C-5 Zone as set forth in "Surrey Subdivision and Development By-law, 1986, No. 8830," as amended.
3. General provisions on use are as set out in Part 4 General Provisions of "Surrey Zoning By-law, 1993, No. 12000," as amended.
4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking, of "Surrey Zoning By-law, 1993, No. 12000," as amended.
5. *Sign* regulations are as set out in Part 6 Signs, "Surrey Zoning By-law, 1993, No. 12000," as amended.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of "Surrey Zoning By-law, 1993, No. 12000," as amended.

7. *Building* permits shall be subject to the "Surrey Building By-law, 1987, No. 9011," as amended, and the "Surrey Development Cost Charge By-law, 1993, No. 11951," as amended, and the development cost charges shall be based on the C-5 Zone.
8. "Tree Preservation By-law, 1996, No. 12880," and any amendments thereto.
9. Development permits may be required in accordance with the "Surrey *Official Community Plan*, 1996, By-law No. 12900," and any amendments thereto.
10. Provincial licensing of *child care centres* is regulated by the Community Care Facility Act R.S.B.C. 1979, c. 57 and the Child Care Regulations set out under B.C. Reg 319/89/213.

2. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1997, No. 13087."

PASSED FIRST AND SECOND READING on the 1st day of April, 1997.

PUBLIC HEARING HELD thereon on the 21st day of April, 1997.

PASSED THIRD READING on the 21st day of April, 1997.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 15th day of November, 1999.

MAYOR

CLERK