

CITY OF SURREY

BY-LAW NO. 13490

A by-law to amend Surrey Zoning By-law, 1993, No. 12000,  
as amended.

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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, is hereby further amended, pursuant to the provisions of Section 903 of the Municipal Act R.S.B.C. 1996 Chapter 323, 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 Surrey Zoning By-law, 1993, No. 12000, as amended, as follows:

FROM "COMMUNITY COMMERCIAL ZONE (C-8)" AND  
"SELF-SERVE GASOLINE STATION ZONE (C-G(1))"  
TO "COMPREHENSIVE DEVELOPMENT ZONE (CD)"

Parcel Identifier: 006-727-107, Lot 431, Section 32,  
Township 2, New Westminster District, Plan 43318.

(12830 - 96 Avenue)

(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 community shopping centre serving a community of several neighbourhoods which may include a *drive-through restaurant*, *drive-through bank*, and a *gasoline station*.

**B. Permitted Uses**

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

1. *Retail stores* excluding the following:
  - (a) *adult entertainment stores*; and
  - (b) *secondhand stores and pawnshops*.
2. *Eating establishments* including *drive-through restaurants*.
3. *General service uses* excluding funeral parlours, and including *drive-through banks*.
4. *Personal service uses*.
5. *Neighbourhood pubs*.
6. Office uses.
7. *Gasoline station* provided that not more than one *gasoline station* is permitted on the *Lands*.
8. *Parking facilities*.
9. *Automotive service uses* of vehicles less than 5,000 kilograms [11,023 lbs] *G.V.W.* provided that such use is associated with a use permitted under Section B.1 of this Zone.
10. *Indoor recreational facilities*.
11. *Entertainment uses* excluding *arcades, adult entertainment stores, and gaming facilities*.
12. *Assembly halls*.

13. *Community services.*

14. *Child care centres.*

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

The maximum *density* shall not exceed a *floor area ratio* of 0.80.

**E. Lot Coverage**

The maximum *lot coverage* shall be 50%

**F. Yard And Setbacks**

1. *Principal and accessory buildings and structures* for all uses permitted except that stated in Section B.7 of this Zone, shall be sited in accordance with the following minimum *setbacks*:

(a) *Front Yard* - 1.82 metres, [6.0 feet]

(b) *Rear Yard* - 9.5 metres [31.0 feet]

(c) *Side Yard* - 1.41 metres [4.6 feet]

(d) *Side Yard on Flanking Street* - 2.0 metres [6.6 feet]

2. The *buildings and structures* for that use stated in Section B.7 of this Zone shall be sited in accordance with the following minimum *setbacks*:

(a) *Principal and accessory buildings and structures* not identified in Sub-Section F.2(b) of F.2(c) of this Zone:

- (i) *Front Yard* - 12.0 metres [40 feet]
  - (ii) *Rear Yard* - 4.0 metres [13 feet]
  - (iii) *Side Yard* - 4.0 metres [13 feet]
  - (iv) *Side Yard on Flanking Street* - 12.0 metres [40 feet]
- (b) *Pump Islands* and Kiosk:
- (i) *Front Yard* - 4.5 metres [15 feet]
  - (ii) *Rear Yard* - 4.0 metres [13 feet]
  - (iii) *Side Yard* - 4.0 metres [13 feet]
  - (iv) *Side Yard on Flanking Street* - 4.5 metres [15 feet]
- (c) Canopies:
- (i) *Front Yard* - 2.0 metres [7 feet]
  - (ii) *Rear Yard* - 2.0 metres [7 feet]
  - (iii) *Side Yard* - 2.0 metres [7 feet]
  - (iv) *Side Yard on Flanking Street* - 2.0 metres [7 feet]

## **G. Height of Buildings**

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

1. For all uses permitted except that stated in Section B.7 of this Zone:
  - (a) *Principal buildings*: The *building height* shall not exceed 12 metres [40 feet].
  - (b) *Accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [15 feet].

2. For *gasoline station* uses, the *principal building* and *pump island* canopies shall not exceed a *height* of 6.0 metres [20 ft.].

## **H. Off-Street Parking**

1. Refer to Part 5 Off-Street Parking, of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Notwithstanding Part 5, Off-Street Parking, Section 1(a)(iii) of Surrey Zoning By-law, 1993, No. 12000, as amended a maximum of 23% of the total parking requirement may be reduced to a small car size.

## **I. Landscaping**

1. All developed portions of the *Lands* 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. 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.

6. Open display or storage shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fence and/or substantial *landscaping* strips of not less than 1.5 metres [5 ft.] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 ft.] within 5 metres [16 ft.] of the said screens and in no case shall these materials be piled up to the height of more than 3.5 metres [11.5 ft.].

**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 Zone.
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:

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

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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-8 Zone as set forth in Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
3. General provisions 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, of 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-8 Zone.
8. Surrey Tree Preservation By-law, 1996, No. 12880, as amended.
9. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.

10. Provincial licensing of *child care centres* is regulated by the Community Care Facility Act R.S.B.C. 1996, chapter 60, as amended, and the Child Care Regulations set out under B.C. Reg 319/89/213.

11. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1998, No. 13490."

PASSED FIRST AND SECOND READING on the 6th day of July, 1998.

PUBLIC HEARING HELD thereon on the 27th day of July, 1998.

PASSED THIRD READING on the 27th day of July, 1998.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 27th day of July, 1998.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK