

CITY OF SURREY

BY-LAW NO. 12282

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

As amended by Bylaw No: 15123, 10/27/03

THIS IS A CONSOLIDATED BYLAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.

THE MUNICIPAL 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 963 of the "Municipal Act," and 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 III of the said By-law No. 12000, is hereby amended as follows:

FROM: RETAIL COMMERCIAL ZONE THREE (C-R (3))
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

- (a) All and singular that certain parcel or tract of land and premises, situate, lying and being in the Province of British Columbia which may more particularly be described as follows:

Commencing at the North West corner of Lot 1
Except: Parcel "M" (Bylaw Plan 63673) of
Lot 1, Section 10, Township 2, New Westminster District, Plan 1871;

Thence 90 degrees 37 minutes 38 seconds, following in the northerly limit of said Lot 1, Plan 1871, 88.137 metres more or less to the north east corner of said Lot 1, Plan 1871;

Thence 90 degrees 37 minutes 38 seconds, following in the easterly production of the northerly limit of said Lot 1, Plan 1871, 33 feet perpendicularly distant from the easterly limit of said Lot 1, Plan 1871;

Thence 0 degrees 18 minutes 22 seconds, parallel with the easterly limit of Plan 1871, 108.270 metres to a point;

Thence 270 degrees 44 minutes 31 seconds, to intersection with the easterly limit of Lot 4 except: Parcel "F" (Bylaw Plan 62480), Section 10, Township 2, New Westminster District, Plan 4258, said intersection being 108.290 metres northerly of the north east corner of said Lot 1, Plan 1871;

Thence 270 degrees 44 minutes 31 seconds, 95.864 metres to a point;

Thence 225 degrees 00 minutes 00 seconds, 87.301 metres to a point;

Thence 270 degrees 0 minutes 0 seconds, 53.917 metres to a point;

Thence 315 degrees 0 minutes 0 seconds, 129.094 metres to a point;

Thence 226 degrees 40 minutes 28 seconds, 9.636 metres to the beginning of a tangential circular curve to the left of radius 136.135 metres;

Thence south westerly following in the arc of said curve 108.651 metres to a point;

Thence 180 degrees 56 minutes 46 seconds, 87.424 metres to intersection with a line drawn parallel and 33 feet perpendicularly distant southerly from the southerly limit of said Plan 1871, said intersected point being 264.980 metres westerly from the intersection of the southerly production of the westerly limit of said Lot 1, Plan 1871 and said parallel line;

Thence 90 degrees 40 minutes 8 seconds, parallel to and 33 feet perpendicularly southerly from the southerly limit of said Plan 1871, 264.980 metres to intersection with the southerly production of the westerly limit of said Lot 1, Plan 1871;

Thence 0 degrees 17 minutes 3 seconds, following in the southerly production of the westerly limit of said Lot 1, Plan 1871, 33 feet perpendicularly distant to the south west corner of said Lot 1, Plan 1871;

Thence 0 degrees 17 minutes 3 seconds, following in the westerly limit of said Lot 1, Plan 1871, 45.727 metres more or less to the point of commencement and containing by ad measurement 4.68 hectares more or less, and as shown delineated as Area a on Schedule "A" to this By-law.

Portion of 15172 - 57 Avenue;
5671 and 5651 - 152 Street;
Portions of 15140 and 15130 - 57 Avenue;
Portion of 15097 - 56 Avenue;
Portions of 15080, 15056 and
15036 - 57 Avenue;
Portion of 15036 - 57 Avenue;
15143, 15121, 15077 and
15055 - 56 Avenue;
Portion of 15045 - 56 Avenue)

- (b) All and singular that certain parcel or tract of land and premises, situate, lying and being in the Province of British Columbia which may more particularly be described as follows:
Beginning at the north west corner of Lot 1,
Except: Parcel "M" (Bylaw Plan 63673) of
Lot 1, Section 10, Township 2, New Westminster District, Plan 1871;
- Thence 90 degrees 37 minutes 38 seconds, following in the northerly limit of said Lot 1, Plan 1871, 88.137 metres more or less to the north east corner of said Lot 1, Plan 1871;
- Thence 90 degrees 37 minutes 38 seconds, following in the easterly production of the northerly limit of said Lot 1, Plan 1871, 33 feet perpendicularly distant from the easterly limit of said Lot 1, Plan 1871;
- Thence 0 degrees 18 minutes 22 seconds, parallel with the easterly limit of the remainder of Plan 1871, 108.270 metres to the point of commencement;
- Thence 270 degrees 44 minutes 31 seconds, to intersection with the easterly limit of Lot 4 Except: Parcel "F" (Bylaw Plan 62480), Section 10, Township 2, New Westminster District, Plan 4258, said intersection being 108.290 metres northerly of the north east corner of said Lot 1, Plan 1871;
- Thence 270 degrees 44 minutes 31 seconds, 95.864 metres to a point;
- Thence 225 degrees 00 minutes 00 seconds, 87.301 metres to a point;
- Thence 270 degrees 0 minutes 0 seconds, 53.917 metres to a point;
- Thence 315 degrees 0 minutes 0 seconds, 129.094 metres to a point;
- Thence 46 degrees 40 minutes 28 seconds, 50.610 metres to the beginning of a tangential circular curve to the left of radius 286.842 metres;
- Thence north easterly, following in the arc of said curve, 121.938 metres to a point;
- Thence 22 degrees 19 minutes 4 seconds, 5.844 metres to the beginning of a tangential curve to the right of radius 183.821 metres;
- Thence north easterly, following in the arc of said curve, 218.092 metres to a point;
- Thence 90 degrees 17 minutes 44 seconds, 25.732 metres more or less to intersection with the easterly limit of Lot 4, Except: Parcel "F" (By-law Plan 62480), Section 10, Township 2, New Westminster District, Plan 4258, said intersection being 57.024 metres more or less southerly from the north east corner of said Lot 4, Plan 4258;

Thence 90 degrees 17 minutes 44 seconds following in the easterly production of the last described course, to a point 33 feet perpendicularly distant from the easterly limit of the said Lot 4, Plan 4258;

Thence southerly, 284.631 metres more or less to the point of commencement and containing by ad measurements 6.92 hectares more or less, and as shown delineated as Area b on Schedule "A" to this By-law.

Portions of 5827, 5781, 5767 and
5709 - 152 Street;
Portions of 15172, 15140 and
15130 - 57 Avenue;
Portion of 15097 - 56 Avenue;
Portions of 15080 and 15056 - 57 Avenue)
(hereinafter referred to as "the lands")

2. The following regulations shall apply to the lands herein:

A. INTENT

This Comprehensive Development Zone is intended to accommodate community shopping centres, public and private hospitals and a public and private universities or colleges.

B. PERMITTED USES

1. The land and any buildings or structures on the land shall be used for the following uses only, or for a combination of such uses in Area a, shown in Schedule A:

- (a) Retail stores, excluding adult entertainment stores
- (b) Personal service uses
- (c) General services excluding funeral parlours
- (d) Eating establishments including drive-through restaurants
- (e) Neighbourhood pubs
- (f) *Liquor store*, permitted only in conjunction with a "liquor-primary" licensed establishment, with a valid license issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267. s. 84, as amended
- (g) Office uses
- (h) Indoor recreational facilities
- (i) Entertainment uses, excluding arcades and adult entertainment stores
- (j) Community services
- (k) Child care centres
- (l) One dwelling unit per lot provided that the dwelling unit is:
 - (i) contained within a principal building,

- (ii) occupied by the owner's employee for the protection of the business or the lot

2. This land and any buildings or structures on the land shall be used for the following uses only, or for a combination of such uses in Area b shown in Schedule A:

- (a) Hospitals
- (b) Universities named under the University Act R.S.B.C. 1979, c. 419
- (c) Colleges and Institutes designated as such under the Colleges and Institutes Act R.S.B.C. 1979, c. 53.

C. LOT AREA

Not applicable to this zone.

D. DENSITY

- 1. The maximum density shall not exceed a total floor area ratio (FAR) of:
 - 1. 0.81 for Area a as shown in Schedule A.
 - 2. 0.71 for Area b as shown in Schedule A.

E. LOT COVERAGE

The maximum lot coverage shall not exceed 50%.

F. YARD AND SETBACKS

Buildings and structures shall be sited not less than 7.5 metres [25 feet] from all lot lines.

G. HEIGHT OF STRUCTURES

- 1. Principal Buildings: The height shall not exceed 24 metres [80 feet].
- 2. Accessory Buildings and Structures: The height shall not exceed 4.5 metres [15 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 building, 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 feet] 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 feet] high in a strip at least 1.5 metres [5 feet] wide and a solid decorative fence at least 1.5 metres [5 feet] 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 feet] 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 feet] by buildings and/or solid decorative fence and/or substantial landscaping strips of not less than 1.5 metres [5 feet] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 feet] within 5 metres [16 feet] 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 feet].

J. SPECIAL REGULATIONS

1. Garbage containers and passive recycling containers shall not be located within any required setback.
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

1. Lot size: The minimum shall be 2,000 square [0.5 acres]
2. Width & Depth: The minimum shall be 30 metres [100 feet].

L. OTHER REGULATIONS

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

1. The definition set out in Part 1, Definitions, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
2. Prior to any use, 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 "Surrey Subdivision and Development By-law".
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. Subdivisions shall be subject to the Surrey Development Cost Charge By-law and the Tree Preservation By-law".
6. Building permits shall be subject to the "Surrey Building By-law".
7. Developments permits may be required in accordance with the Official Community Plan.
8. Sign regulations are as set out in Part 6, Signs, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
9. Building Permits shall be subject to the "Surrey Building By-law" and the "Surrey Development Cost Charge By-law", and amendments thereto, and the Development Cost Charges shall be based on C-8 Zone and on the categories of "Hospitals" and "Schools (Post Secondary)", as the case may be.
10. Special building setbacks are as set out in Part 7, Special Building Setbacks, of "Surrey zoning By-law, 1993, No. 12000", as amended.
11. Violations are as set out in Part 9, Violations, of "Surrey Zoning By-law, 1993, No. "Surrey Zoning By-law, 1993, No. 12000", as amended.

12. 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. Regulation 319/89.
13. Hospitals are regulated under the Hospital Act R.S.B.C. 1979, c. 176.
14. Provincial licensing of neighbourhood pubs is regulated by the Liquor Control and Licensing Act R.S.B.C.

M. SCHEDULES

The following schedules are attached to and form part of this by-law:

Schedule A - which divides the lands into Areas a and b to be used in conjunction with the density sub-sections of this by-law.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, By-law, 1994, No. 12282."

READ A FIRST AND SECOND TIME on the 25th day of April, 1994.

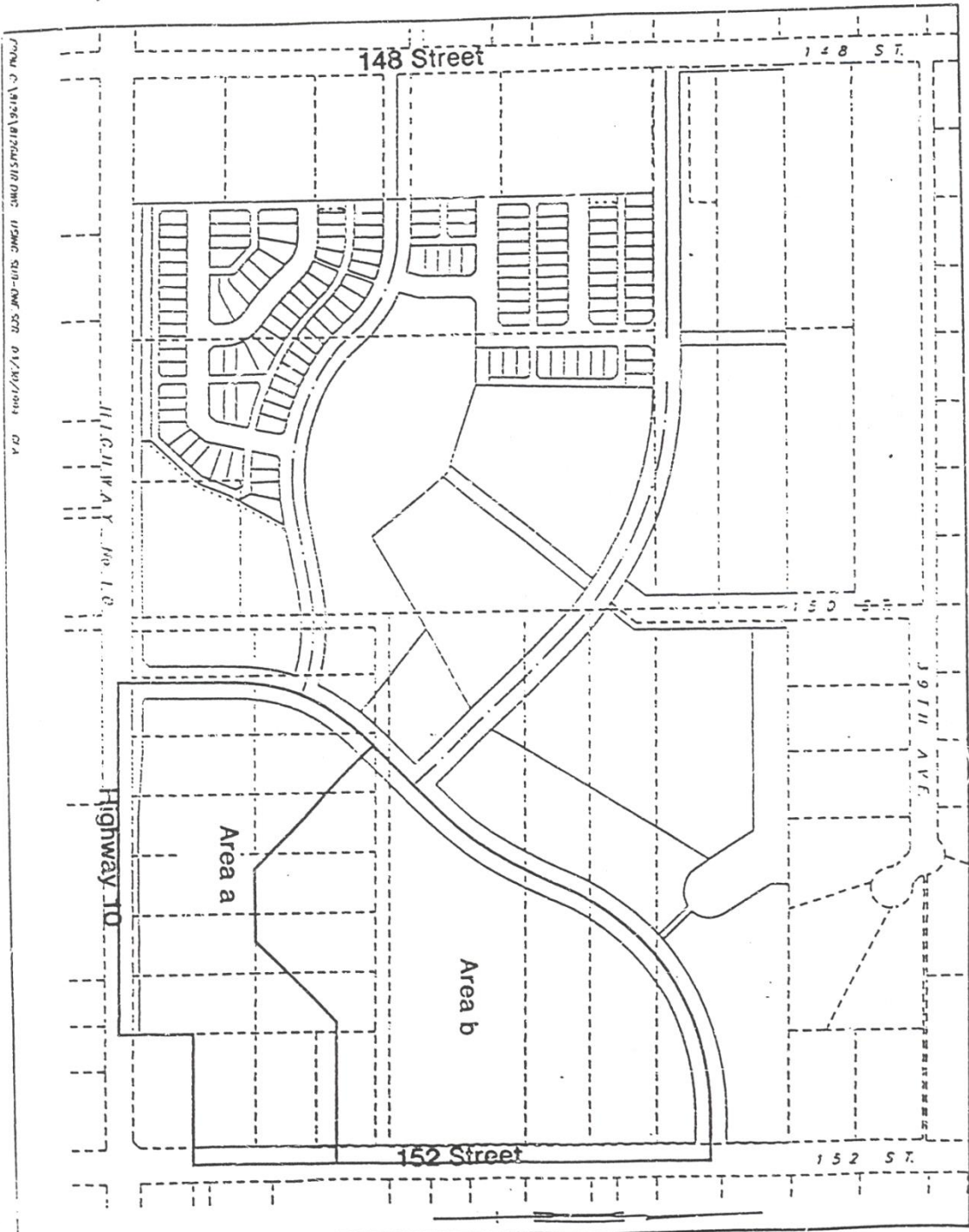
PUBLIC HEARING HELD thereon on the 30th day of May, 1994.

READ A THIRD TIME on the 13th day of June, 1994.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 31st day of July, 1995.

_____MAYOR

_____CLERK



Schedule "A" to By-law No.12282