

CITY OF SURREY

BY-LAW NO. 13779

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 "HIGHWAY COMMERCIAL INDUSTRIAL ZONE (CHI)"
TO "COMPREHENSIVE DEVELOPMENT ZONE (CD)"

Parcel Identifier: 010-479-651

Lot 7 Section 14 Township 1 New Westminster District Plan 19188.

(1640 - 152 Street)

(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 and a parking area on those *lands* defined as Block A and Block B which are described by metes and bounds as follows:

Block A:

All that portion of Lot Seven (7) Section Fourteen (14) Township One (1) New Westminster District Plan Nineteen Thousand One Hundred Eighty-Eight (19188) lying westerly of a line drawn parallel to and 51.0 metres perpendicularly distant easterly from the Westerly boundary of said Lot 7, said line extending northerly to intersection with the Northerly boundary of said Lot 7 and southerly to intersection with the Southerly boundary of said Lot 7.

Block B

All that portion of Lot Seven (7) Section Fourteen (14) Township One (1) New Westminster District, Plan Nineteen Thousand One Hundred Eight-Eight (19188) lying easterly of a line drawn parallel to and 51.0 metres perpendicularly distant easterly from the Westerly boundary of said Lot 7, said line extending northerly to intersection with the Northerly boundary of said Lot 7 and southerly to intersection with the Southerly boundary of said Lot 7.

B. Permitted Uses

1. The *Lands* and *structures* on Block A shall be used for the following uses only, or for a combination of such uses:
 - (a) *Retail stores* excluding the following:
 - i. *adult entertainment stores*; and
 - ii. *secondhand stores* and *pawnshops*;
 - (b) *Personal service uses* excluding *body rub parlours*;
 - (c) *General service uses* excluding funeral parlours and *drive-through banks*;
 - (d) *Beverage container return centres* provided that:
 - i. the use is confined to an enclosed *building*; and
 - ii. the *building* is a maximum of 279 square metres [3,003 sq. ft.];
 - (e) *Eating establishments* excluding *drive-through restaurants*;
 - (f) Office uses excluding *social escort service*;
 - (g) *Parking facilities*;
 - (h) *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(a) of this Zone;
 - (i) Indoor *recreational facilities*;
 - (j) *Entertainment uses* excluding *arcades* and *adult entertainment stores*;
 - (k) *Assembly halls*;
 - (l) *Community service*;

- (m) *Child care centres;*
- (n) One *dwelling unit* per *lot* provided that the *dwelling unit* is:
 - i. Contained within the *principal building*; and
 - ii. Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the *lot*.

2. The *lands* and *structures* on Block B shall be used for the following uses only:

- (a) at grade *parking facility*.

C. Lot Area

Not applicable to this Zone.

D. Density

The maximum *floor area ratio* shall not exceed 0.80.

E. Lot Coverage

The maximum *lot coverage* shall be 50%.

F. Yard And Setbacks

1. *Buildings* and *structures* on Block A shall be sited as follows:

- (a) *North Side Yard:* 7.5 metres [25 ft.]
- (b) *South Side Yard:* 0.0 metre (0.0 ft.)
- (c) *Front Yard:* 6.16 metres [20 ft.]
- (d) *Rear Yard:* 7.5 metres [25 ft.]

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

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 *building height* shall not exceed 12 metres [40 feet].
2. *Accessory buildings and structures:* The *building 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 *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 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*.
4. *Lands* and *structures* shall be used for the uses permitted in this Zone only if such uses do not emit noise in excess of 70 dB measured at any point on any boundary of the *lot* on which the use is located, provided that where a *lot* abuts a *lot* other than an *industrial lot* the noise level shall not exceed 60 dB.

K. Subdivision

Not applicable to this Zone.

L. Other Regulations

In addition to all statutes, by-laws, orders, regulations or agreements, 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 Surrey Sign By-law, 1999, No. 13656, 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. c. 60, as amended, and the Child Care Regulations set out under B.C. Reg 319/89/213.
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3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1999, No. 13779."

PASSED FIRST AND SECOND READING on the 5th day of July, 1999.

PUBLIC HEARING HELD thereon on the 19th day of July, 1999.

PASSED THIRD READING on the 19th day of July, 1999.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 31st day of January, 2000.

_____MAYOR

_____CLERK