

CITY OF SURREY

BY-LAW NO. 14109

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended
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THE CITY 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 Local Government Act, R.S.B.C. 1996 c. 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" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:

FROM "COMMUNITY COMMERCIAL ZONE (C-8)"

TO "COMPREHENSIVE DEVELOPMENT ZONE (CD)"

All or Portions of the following lands shown in outline on Survey Plan attached hereto and forming a part of this by-law as Schedule A, certified correct by John Onderwater, B.C.L.S., on the 15th day of August, 2000, called Block A containing 3.92 hectares and Block B containing 0.166 hectares and more particularly described as follows:

Parcel Identifier: 000-498-556

Lot 59, Section 26, Block 5 North, Range 2 West, New Westminster District, Plan 33336

(13665 - 102 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 regulate the development of a community shopping centre.

The *Lands* are divided into Blocks A and B as shown on Schedule A which is attached hereto and forms part of this By-law.

B. Permitted Uses

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

1. Block A

- (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) *Neighbourhood pubs*;
- (g) Office uses excluding *social escort services*;
- (h) *Parking facilities*;
- (i) *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;
- (j) *Indoor recreational facilities*;
- (k) *Entertainment uses* excluding *arcades* and *adult entertainment stores*;
- (l) *Assembly halls*;
- (m) *Community services*;
- (n) *Child care centres*;
- (o) 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. Block B

Eating establishments including drive-through restaurants.

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. Yards and Setbacks

1. Block A

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 Surrey Zoning By-law, 1993, No. 12000, as amended).

2. Block B

Buildings and structures shall be sited not less than 6.0 metres [20 ft.] from the eastern *lot line* and not less than 5.8 metres [19 ft.] from the southern *lot line* (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

1. Refer to Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.

2. For company fleet *vehicles* required *parking spaces* may be provided as *tandem parking*.

I. Landscaping

1. Block A

- (a) All developed portions of the *lot* not covered by the *buildings*, *structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained;
- (b) 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*;
- (c) The boulevard areas of *highways* abutting a *lot* shall be hard surfaced in accordance with Surrey Subdivision & Development By-law, 1986, No. 8830, as amended;
- (d) 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*;
- (e) Loading areas, 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; and
- (f) 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.].

2. Block B

- (a) All developed portions of the *lot* not covered by the *buildings*, *structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained;
- (b) The boulevard areas of *highways* abutting a *lot* shall be hard surfaced in accordance with Surrey Subdivision & Development By-law, 1986, No. 8830, as amended;
- (c) Loading areas, 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; and

(d) Open display or storage is not permitted.

J. Special Regulations

1. Garbage containers and *passive recycling containers* shall not be located within any required *setback*.
2. The outdoor storage or display or 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*.
4. *Land* and *structures* shall be used for the uses permitted in this Zone only if such uses do not emit noise in excess of 60 dB measured at any point on any boundary of the *lot* on which the use is located.

K. Subdivision

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.]

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

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 Parking and Loading/Unloading, 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.
 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, 2000, No. 14109."

READ A FIRST AND SECOND TIME on the 5th day of September, 2000.

PUBLIC HEARING HELD thereon on the 18th day of September, 2000.

READ A THIRD TIME ON THE 18th day of September, 2000.

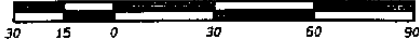
RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 4th day of June, 2001.

_____ MAYOR

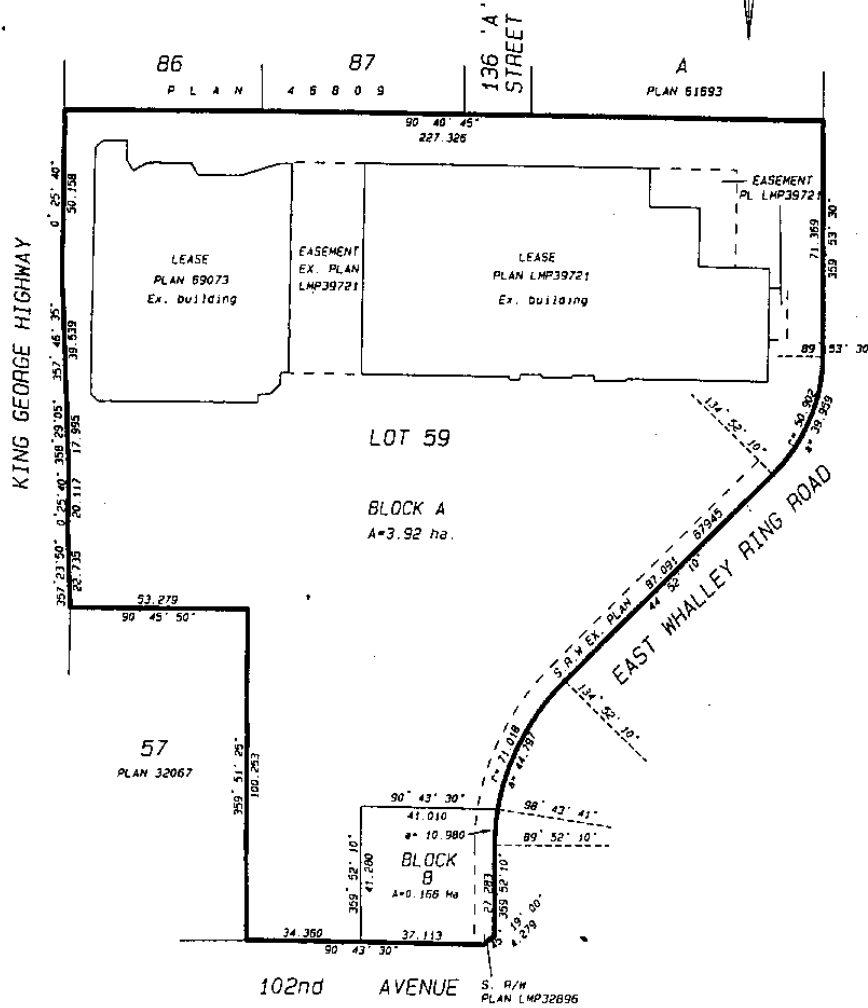
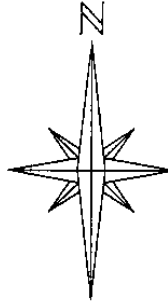
_____ CLERK

PLAN TO ACCOMPANY CITY OF SURREY BYLAW NUMBER 14109
 OF LOT 59, SECTION 26, BLOCK 5 NORTH RANGE 2 WEST
 N.W.D. PLAN 33336.
 CITY OF SURREY

SCALE 1:1500



ALL DISTANCES ARE IN METRES.
 Ha Denotes hectares
 Grid bearings are derived from plan 33336



JOHN UNDERWATER & ASSOC.
 B. C. LAND SURVEYORS
 CLOVERDALE B. C.
 PHONE 574-7311
 FILE: JS0041.SK

CERTIFIED CORRECT
 THIS 15th DAY OF AUGUST, 2000.

THIS PLAN LIES WITHIN THE
 GREATER VANCOUVER REGIONAL DISTRICT

John Underwater
 B. C. L. S.