

CITY OF SURREY

BY-LAW NO. 14165

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: GENERAL AGRICULTURAL ZONE (A-1)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 013-028-375

Parcel "B" (Reference Plan 3904) District Lot 167, Group 2 Except: Firstly: Parcel "C" (Reference Plan 4579), Secondly: Part in Plan LMP 15992, New Westminster District

(5446 - 152 Street)

(hereinafter referred to as the "*Lands*")

2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone, with respect to the *Lands*, is intended to regulate and accommodate a *private school* and industrial business park development.

The *Lands* are divided into Block A and Block B as shown on Schedule "A" which is attached hereto and forms part of this By-law. Each Block is intended to accommodate the following uses:

Block A: *Private School*

Block B: Business Park

B. Permitted Uses

Block A:

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

1. *Private schools.*
2. *Child care centres.*
3. *Community services.*
4. *Accessory uses, including the following:*
 - (a) One (1) or two (2) *dwelling units* for the accommodation of official, manager or caretaker of the *principal use* provided that such use is limited in area to 260 square metres [2,800 sq.ft.] either accommodated in one separate *building* or within the *principal building*.

Block B:

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

1. *Light impact industry* including wholesale and retail sales of products produced on the *lot* or as part of the wholesale or warehouse operations.
2. Office uses excluding *social escort services*.
3. *General service uses* excluding *drive-through banks*.
4. *Warehouse uses*.
5. *Accessory uses* including the following:
 - (a) *Personal service uses* limited to the following:
 - i. Barbershops;
 - ii. Beauty parlours;
 - iii. Cleaning and repair of clothing; and
 - iv. Shoe repair shops.
 - (b) *Eating establishments, excluding drive-through restaurants;*

- (c) *Community services*;
- (d) *Child care centre*; and
- (e) *Dwelling unit(s)* provided that the *dwelling unit(s)* is (are):
 - i. Contained within a *principal building*;
 - ii. Occupied by the owner or a caretaker, for the protection of the businesses permitted;
 - iii. Restricted to a maximum number of:
 - a. One *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 sq.ft.] in floor area;
 - b. Two *dwelling units* in each *principal building* of 2,800 square metres [30,000 sq.ft.] or greater in floor area; and
 - c. Notwithstanding Sub-sections B.5 (e) iii.a. and iii.b. the maximum number shall be two *dwelling units* for *lots* less than 4.0 hectares [10 acres] in area and three *dwelling units* for *lots* equal to or greater than 4.0 hectares [10 acres] in area.
 - iv. Restricted to a maximum floor area of:
 - a. 140 square metres [1,500 sq.ft.] for one (first) *dwelling unit* on a *lot* and where a *lot* has been subdivided by a strata plan then there shall only be one 140-square metre [1,500 sq.ft.] *dwelling unit* within the strata plan;
 - b. 90 square metres [970 sq.ft.] for each additional *dwelling unit*; and
 - c. Notwithstanding Sub-sections B.5 (e) iv.a. and iv.b. the maximum floor area shall not exceed 33% of the total floor area of the *principal building* within which the *dwelling unit* is contained.

C. Lot Area

Not applicable to this Zone.

D. Density

Block A:

The maximum *floor area ratio* (FAR) shall not exceed 0.50.

Block B:

The maximum *floor area ratio* (FAR) shall not exceed 0.75.

E. Lot Coverage

Block A:

The maximum *lot coverage* shall be 40%.

Block B:

The maximum *lot coverage* shall be 45%.

F. Yards and Setbacks

Block A:

1. All *front yard, rear yard* and *side yard setbacks* shall be greater than or equal to the measurement of the *building height* of the highest *building* on the *lot*.
2. *Buildings* and *structures* shall be sited in accordance with the following minimum *setbacks*:

Use	<i>Setback</i>	<i>Front</i> <i>Yard</i>	<i>Rear</i> <i>Yard</i>	<i>Side</i> <i>Yard</i>	<i>Side Yard</i> <i>on Flanking</i> <i>Street</i>
<i>Principal and</i> <i>Accessory Buildings</i> <i>and Structures</i>		7.5 m [25 ft.]	7.5 m [25 ft.]	3.6 m [12 ft.]	7.5 m [25 ft.]

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

Block B:

Use	<i>Setback</i>	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal and Accessory Buildings and Structures</i>		7.5 m [25 ft.]	7.5 m [25 ft.]	7.5 m* [25 ft.]	7.5 m [25 ft.]

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

* One (1) *side yard setback* may be reduced to 3.6 metres [12 ft.] if the *side yard* abuts land which is *commercial* or *industrial*.

G. Height of Buildings

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

Block A:

1. *Principal building:* The *building height* shall not exceed 9 metres [30 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 4 metres [13 feet]. Notwithstanding the above, the building height for an accessory building located in Block A to accommodate an accessory use under Part B.4(a) of this Zone shall not exceed 6.0 metres (20 feet).

Block B:

1. *Principal building:* The *building height* shall not exceed 12 metres [40 ft.].
2. *Accessory buildings and structures:* The *building height* shall not exceed 6 metres [20 ft.].

H. Off-Street Parking and Loading/Unloading

Block A:

1. Refer to Part 5, Off-Street Parking and Loading/Unloading of the Surrey Zoning By-law, 1993, No. 12000, as amended, provided that where there is a *child care centre* and a *private school*, only parking requirements for a *private school* are applicable.

Block B:

1. Refer to Part 5 Off-Street Parking and Loading/Unloading of the Surrey Zoning By-law, 1993, No. 12000, as amended.
2. *Tandem parking* may only be permitted as specified:

For company fleet vehicles in all commercial, industrial and mixed-use developments (where commercial or industrial uses are part of the development) required *parking spaces* may be provided as *tandem parking*.

I. Landscaping

Block A:

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 all *lot* lines of the developed portion of the *lot*, a 3 metres [10 ft.] wide landscaped strip shall be provided, consisting of hedges, ground cover or a decorative fence or a combination thereof.
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.

Block B:

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 3 metres [10 ft.] in width shall be provided from back of curb or projected future curb location. This *landscaping* strip shall consist of an earth berm of not less than 0.7 metre [2 ft.] in height, which shall be planted with maintenance-free ground cover or grass and trees at a spacing of not less than 7.5 metres [25 ft.] which shall have an initial planting trunk diameter of not less than 4.75 centimetres [2 in.] measured 1.5 metres [5 ft.] above *finished grade*. The trees chosen shall be capable of attaining a height of not less than 6 metres [20 ft.] in 10 years.
3. 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.

J. Special Regulations

Block A:

1. *Child care centres* shall be located on the *lot* such that these *child care centres* have direct access to an *open space* and play area within the *lot*.

Block B:

1. *Land* and *structures* shall be used for the uses permitted in this Zone only if such uses.
 - (a) Constitute no unusual fire, explosion or safety hazard;
 - (b) 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 60dB; and
 - (c) Do not produce heat or glare perceptible from any boundary of the *lot* on which the use is located.
2. Outdoor storage of any goods, materials or supplies is specifically prohibited.
3. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
4. *Child care centres* shall be located on the *lot* such that these *child care centres* have direct access to an *open space* and play area within the *lot*.

K. Subdivision

1. Subdivision along the common boundary between Block A and Block B, as shown on Schedule "A", attached hereto is permitted.

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 as set forth in Surrey Subdivision and Development By-law, 1986, No. 8830, as amended, as follows:

Block A: PA-2 Zone

Block B: IB Zone.
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 following:

Block A: PA-2 Zone

Block B: IB 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 regulations pursuant thereto.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2000, No. 14165."

READ A FIRST AND SECOND TIME on the 6th day of November, 2000.

PUBLIC HEARING HELD thereon on the 20th day of November, 2000.

READ A THIRD TIME ON THE 20th day of November, 2000.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 9th day of July, 2007.

MAYOR

CLERK

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