

CITY OF SURREY

BY-LAW NO. 14803

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)

Parcel Identifier: 002-288-184  
Lot "A" (X27180E) Section 28 Block 5 North Range 1 West New Westminster District  
Plan 61834

(10174 - 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 community shopping centres serving a community of several neighbourhoods.

**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. *Personal service uses* excluding *body rub parlours*.
3. *General service uses* excluding funeral parlours and *drive-through banks*.
4. *Beverage container return centres* provided that:
  - (a) the use is confined to an enclosed *building*; and
  - (b) the *building* is a maximum of 279 square metres [3,003 sq.ft.].
5. *Eating establishments* including *drive-through restaurants*, provided that the drive-through operation and associated activities are not visible from 152 Street.
6. *Neighbourhood pubs*.
7. Office uses excluding the following:
  - (a) *social escort services*;
  - (b) *methadone clinics*.
8. *Parking facilities*.
9. *Indoor recreational facilities*.
10. *Entertainment uses* excluding *arcades* and *adult entertainment stores*.
11. *Assembly halls*.
12. *Community services*.
13. *Child care centres*.
14. One *dwelling unit* per *lot* provided that the *dwelling unit* is:
  - (a) contained within the *principal building*; and
  - (b) occupied by the owner or the owner's employee, for the protection of the businesses permitted on the *lot*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

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

**E. Lot Coverage**

The maximum *lot coverage* shall be 50%.

**F. Yards and Setbacks**

1. *Principal buildings* shall be sited in accordance with the following minimum *setbacks*:
  - (a) *Front Yard* - 2.0 metres [6.6 feet];
  - (b) *Rear Yard* - 7.5 metres [25 feet];
  - (c) *Side Yard* (North) - 2.3 metres [7.5 feet]; and
  - (d) *Side Yard* (South) - 1.5 metres [5 feet].
  
2. *Accessory buildings* and *structures* shall be sited in accordance with the following *setbacks*:
  - (a) *Front Yard* - 5.5 metres [18 feet];
  - (b) *Rear Yard* - 7.5 metres [25 feet];
  - (c) *Side Yard* (North) - 2.3 metres [7.5 feet]; and
  - (d) *Side Yard* (South) - 1.5 metres [5 feet].
  
3. Notwithstanding Section F.1, the existing *building* (the "Existing Building") can be sited at a minimum *front yard setback* of 0.76 metre (2.5 ft.) as shown on the site plan as attached in Schedule A of this Zone. Any addition or expansion of the Existing Building shall conform to the minimum *yards* and *setbacks* of this Zone excluding this Section F.3. If the Existing Building is damaged or destroyed to the extent of 75% or more of its value above its foundation, as determined by the building inspector, it must not be repaired or reconstructed except in accordance with Section F.1 of this Zone.
  
4. Notwithstanding Sub-section F.1(a) above, the canopies and eaves for the *principal building* may encroach into the minimum *front yard setback* to a maximum of 1.2 metres (4 ft.).

**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 and Loading/Unloading**

1. Refer to Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
  - (a) Notwithstanding Section H.1, a total of 29 *parking spaces* and 1 loading space are allowed for the *eating establishment* in the Existing Building with a total floor area not exceeding 355 square metres [3,820 sq.ft.], excluding associated office, staff room and storage areas;
  - (b) Any expansion of the total floor area of 355 square metres [3,820 sq.ft.], excluding associated office, staff room and storage areas in the *eating establishment* in the Existing Building, shall conform with Section H.1 of this Zone; and
  - (c) If the Existing Building is damaged or destroyed to the extent of 75% or more of its value above its foundation, as determined by the building inspector, it must not be repaired or reconstructed except in accordance with Section H.1 of this Zone.
2. *Tandem parking* may be permitted for company fleet vehicles.

## **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 0.9 metre [3 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. 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.

**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.
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 70 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.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of the Surrey Zoning By-law, No. 12000.

**L. Other Regulations**

In addition to all statutes, by-laws, orders, regulations or agreements, the following are applicable (however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in Surrey Zoning By-law, 1993, No. 12000, as amended, the provisions in this Comprehensive Development Zone shall take precedence):

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, 2002, No. 14650, 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 Regulations pursuant thereto including without limitation 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, 2002, No. 14803."

READ A FIRST AND SECOND TIME on the 3rd day of September, 2002.

PUBLIC HEARING HELD thereon on the 16th day of September, 2002.

READ A THIRD TIME ON THE 16<sup>th</sup> day of September, 2002.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 6th day of January, 2003.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK