

CITY OF SURREY

BY-LAW NO. 14839

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: LOCAL COMMERCIAL ZONE (C-4)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 018-437-320
Lot 4 Section 24 Block 5 North Range 1 West New Westminster District Plan LMP12294

10415 - 168 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 small scale neighbourhood commercial developments.

B. Permitted Uses

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

1. The following uses are permitted, provided that the total floor area does not exceed 470 square metres [5,060 sq.ft.] and the gross floor area of each individual business does not exceed 279 square metres [3,000 sq.ft.]:

(a) *Retail store* excluding the following:

- i. *adult entertainment stores*;
- ii. *auction houses*; and

- iii. *secondhand stores and pawnshops;*
 - (b) *Eating establishment* excluding the following:
 - i. *Drive-through restaurant;* and
 - ii. *Eating establishment* licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended; and
 - (c) *Personal service uses* limited to the following:
 - i. Barbershop;
 - ii. Beauty parlour;
 - iii. Cleaning and repair of clothing; and
 - iv. Shoe repair shop;
 - (d) Office uses excluding the following:
 - i. *social escort services;* and
 - ii. *methadone clinics;*
 - (e) *General service uses* excluding funeral parlours, *drive-through banks* and *vehicle rentals;*
 - (f) *Community services;* and
 - (g) *Child care centres.*
2. One *dwelling unit* per *lot* provided that the *dwelling unit* is:
- (a) Contained within the *principal building;*
 - (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* shall not exceed 0.40.

E. Lot Coverage

The maximum *lot coverage* shall be 40%.

F. Yards and Setbacks

1. *Principal buildings* shall be sited in accordance with the following minimum *setbacks*:

- (a) *Front Yard* - 1.1 metres [3.5 feet];
- (b) *Rear Yard* - 7.5 metres [25 feet];
- (c) *Side Yard* - 7.5 metres [25 feet]; and
- (d) *Side Yard on Flanking Street* - 3.0 metres [10 feet].

Notwithstanding Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000 as amended, roof overhangs not exceeding 1.1 metres (3.5 ft.) in width may be permitted to encroach within the minimum *setbacks*.

2. *Accessory buildings and structures* shall be sited in accordance with the following minimum *setbacks*:

- (a) *Front Yard* - 7.5 metres [25 feet];
- (b) *Rear Yard* - 0.38 metre [1.2 feet];
- (c) *Side Yard* - 4.8 metres [16 feet]; and
- (d) *Side Yard on Flanking Street* - 7.5 metres [25 feet].

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 9 metres [30 feet].
- 2. *Accessory buildings and structures*: The *building height* shall not exceed 4 metres [13 feet].

H. Off-Street Parking

- 1. Off-street parking for uses permitted under Sub-section B.1 of this Zone shall be provided pursuant to Table C.2, Part 5 Off-Street Parking and

Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.

2. Notwithstanding Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000 as amended, off-street parking for uses permitted under Sub-section B.2 of this Zone shall be a minimum of 2 *parking spaces*.

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. 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* and paved areas provided for pedestrian access to *buildings*.
3. Except in those portions where hard surfacing is provided, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width shall be provided along the east and south property lines within the *lot*.
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 not less than 0.76 metre [2.5 ft.] wide and a solid decorative fence at least 1.5 metres [5 ft.] high shall be provided along the north and west property lines within the *lot*.
5. Loading areas, garbage containers and *passive recycling containers* shall be screened from any adjacent *residential lot*, to a height of at least 1.5 metres [5 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

J. Special Regulations

1. The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone.
2. *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

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>
1,500 sq. m.	30 metres	30 metres
[16,000 sq.ft.]	[100 ft.]	[100 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, 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, 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-4 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-4 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.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14839."

READ A FIRST AND SECOND TIME on the 4th day of November, 2002.

PUBLIC HEARING HELD thereon on the 18th day of November, 2002.

READ A THIRD TIME ON THE 18th day of November, 2002.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 26th day of May, 2003.

_____ MAYOR

_____ CLERK