

CITY OF SURREY

BY-LAW NO. 14926

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: HIGH IMPACT INDUSTRIAL ZONE (IH)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 025-498-029
Lot 1 Section 29 Township 2 New Westminster District Plan BCP 1396

12905 - 80 Avenue

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

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

A. Intent

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

1. Block A

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

- (a) *Light Impact Industry* including wholesale and retail sales of products produced on the business premises or stored on the business premises as part of the permitted *industrial use*; provided that the total floor area used for retail sales and display of goods and products to the public shall not exceed 50% of the floor area of the permitted *industrial use*. In addition to the preceding restriction on floor area, a clothing store, a grocery store, a sweets store, a jewelry store or a video store, shall not be permitted unless the products sold through any such store are manufactured or manufactured and warehoused on the same business premises as the store.
- (b) Office uses excluding:
 - i. *social escort services*; and

- ii. *methadone clinics.*
- (c) *General service uses* excluding *drive-through banks.*
- (d) *Warehouse uses.*
- (e) *Accessory uses* including the following:
 - i. *Personal service uses* limited to the following:
 - a. Barbershops;
 - b. Beauty parlours;
 - c. Cleaning and repair of clothing; and
 - d. Shoe repair shops.
 - ii. *Recreational facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - iii. *Eating establishments*, excluding *drive-through restaurants*;
 - iv. *Community services*;
 - v. *Assembly halls* limited to *churches*, provided that:
 - a. the *church* does not exceed a total floor area of 700 square metres [7,500 sq. ft.];
 - b. the *church* accommodates a maximum of 300 seats; and
 - c. there is not more than one *church* on a *lot*.
 - vi. *Child care centre*; and
 - vii. *Dwelling unit(s)* provided that the *dwelling unit(s)* is (are):
 - a. Contained within a principal building;
 - b. Occupied by the owner or a caretaker, for the protection of the businesses permitted;
 - c. Restricted to a maximum number of:
 - 1. One *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 sq. ft.] in floor area;
 - 2. Two *dwelling units* in each *principal building* of 2,800 square metres [30,000 sq. ft.] or greater in floor area; and
 - 3. Notwithstanding Sub-sections B.5 (g) 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.

- d. Restricted to a maximum floor area of:
 1. 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;
 2. 90 square metres [970 sq. ft.] for each additional *dwelling unit*; and
 3. Notwithstanding Sub-sections B.5 (g) 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.

2. Block B

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

- (a) *Light impact industry.*
- (b) *Recycling depots* provided that:
 - i. The use is confined to an enclosed *building*; and
 - ii. The storage of used tires is prohibited.
- (c) *Transportation industry.*
- (d) *Automotive service uses.*
- (e) Automobile painting and body work.
- (f) *Vehicle storage and parking facilities* including truck parking and recreational *vehicle storage*.
- (g) *General service uses* limited to the following:
 - i. driving schools; and
 - ii. *industrial equipment rentals.*
 - iii. taxi dispatch offices;
 - iv. industrial first aid training; and
 - v. trade schools.
- (h) *Warehouse uses.*
- (i) Office uses limited to the following:

- i. Architectural and landscape architectural offices;
 - ii. Engineering and surveying offices;
 - iii. General contractor offices;
 - iv. Government offices; and
 - v. Utility company offices.
- (j) *Accessory uses* including the following:
- i. *Coffee shops* provided that the seating capacity shall not exceed 35 and the said *coffee shop* is not licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended.
 - ii. *Recreation facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - iii. *Community services*;
 - iv. *Assembly halls* limited to *churches*, provided that:
 - a. the *church* does not exceed a total floor area of 700 square metres (7,500 sq. ft.);
 - b. the *church* accommodates a maximum of 300 seats; and
 - c. there is not more than one *church* on a *lot*.
 - v. *Child care centres*;
 - vi. *Dwelling unit(s)* provided that the *dwelling unit(s)* is (are):
 - a. Contained within the *principal building*;
 - b. Occupied by the owner or a caretaker, for the protection of the businesses permitted;
 - c. Restricted to a maximum number of:
 1. One *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 sq. ft.] in floor area;
 2. Two *dwelling units* in each *principal building* of 2,800 square metres [30,000 sq. ft.] or greater in floor area; and
 3. Notwithstanding Sub-sections B.10 (f) 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.
 - d. Restricted to a maximum floor area of:
 1. 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;

2. 90 square metres [970 sq. ft.] for each additional *dwelling unit*; and
 3. Notwithstanding Sub-sections B.10 (f) 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.
- vii. Sales of rebuilt *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.* provided that:
- a. it is part of an automobile painting and body work business;
 - b. the number of rebuilt vehicles ready for sale shall not exceed 5 at any time;
 - c. the business operator holds a current and valid Motor Dealer's certificate; and
 - d. the business operator is an approved Insurance Corporation of British Columbia Salvage Buyer.

C. Lot Area

The minimum *site area for subdivision* shall be 4 hectares [10 acres].

D. Density

1. In Block A, the maximum *floor area ratio* shall not exceed 0.75.
2. In Block B, the maximum *floor area ratio* shall not exceed 1.00.

E. Lot Coverage

1. In Block A, the maximum *lot coverage* shall be 45%.
2. In Block B, the maximum *lot coverage* shall be 60%.

F. Yards and Setbacks

1. Block A

Principal and *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* - 7.5 metres [25 feet];
- (c) *Side Yard* - 7.5 metres [25 feet] *; and
- (d) *Side Yard on Flanking Street* - 7.5 metres [25 feet].

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

2. **Block B**

Principal and *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* - 7.5 metres [25 feet];
- (c) *Side Yard* - 7.5 metres [25 feet] *; and
- (d) *Side Yard on Flanking Street* - 7.5 metres [25 feet].

* One (1) *side yard setback* shall be 7.5 metres [25 feet] or 0.0 metre [0 feet] if the said *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.

1. **Block A**

- (a) *Principal buildings*: The *building height* shall not exceed 12 metres [40 feet].
- (b) *Accessory buildings and structures*: The *building height* shall not exceed 6 metres [20 feet].

2. **Block B**

- (a) *Principal buildings*: The *building height* shall not exceed 18 metres [60 feet].
- (b) *Accessory buildings and structures*: The *building height* shall not exceed 6 metres [20 feet].

H. Off-Street Parking

1. Refer to Table C.3, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
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 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 ground*. The trees chosen shall be capable of attaining a height of not less than 6 metres [20 ft.] in 10 years.
3. A *landscaping* screen shall be created along all *lot lines* separating the developed portion of the *lot* from any *residential lot*, or from a *highway* which is developed with *residential lots* opposite the developed portion of the *lot*. This *landscaping* screen shall consist of an earth berm of not less than 1 metre [3 ft.] in height and a width of not less than 2.5 metres [8 ft.] and the planting of a hedge, capable of attaining a height of 2 metres [6 ft.] within 3 years with hedging trees planted at intervals assuring complete visual screening within 3 years.
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.
5. Open display and storage including the outdoor storage of damaged or *wrecked vehicles* shall be completely screened to a height of 2.5 metres [8 ft.] by *buildings* and/or solid decorative fencing and/or substantial *landscaping* strips of not less than 2.5 metres [8 ft.] in height and 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 screen and in no case shall these materials be piled up to the height of more than 3.5 metres [12 ft.]

J. Special Regulations

1. *Land* and *structures* shall be used for the uses permitted in this By-law 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 60 dB; 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 in Block A.
- 3. Outdoor storage of any goods, materials or supplies is specifically prohibited and the front of the **principal building** and the **highway**, excluding **vehicles** exceeding 5,000 kilograms [11,023 lbs] G.V.W. which are intended for sale.
- 4. The storage of damaged or wrecked vehicles is only permitted in Block B and shall be completely enclosed within a building or approved wall or fenced area. *Wrecked vehicles* shall not be visible from outside the *building* or walled fenced area in which they are stored.
- 5. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
- 6. *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>
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, 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 IB 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 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 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, 2003, No. 14926."

READ A FIRST AND SECOND TIME on the 3rd day of February, 2003.

PUBLIC HEARING HELD thereon on the 17th day of February, 2003.

READ A THIRD TIME ON THE 17th day of February, 2003.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 24th day of July, 2003.

_____ MAYOR

_____ CLERK

