

CITY OF SURREY

BY-LAW NO. 14978

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended
.....

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: 008-459-576
Lot 1 Section 14 Block 5 North Range 2 West New Westminster District Plan 75602

13629 - 108 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 commercial development in *City Centre*.

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* excluding *drive-through restaurants*;
6. *Neighbourhood pubs*;
7. Office uses excluding the following:
 - (a) *social escort services*; and
 - (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. *Accessory uses* including the following:
 - (a) 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*.

C. Lot Area

Not applicable to this Zone.

D. Density

The *floor area ratio* shall not exceed 1.0.

E. Lot Coverage

The maximum *lot coverage* shall be 70%.

F. Yards and Setbacks

Principal buildings and *accessory buildings* and *structures* shall be sited in accordance with the following *setbacks*:

- (a) *Front Yard* - 15 metres [50 feet];
- (b) *Rear Yard* - 0 metre [0 feet];
- (c) *Side Yard* - 0 metre [0 feet]; and
- (d) *Side Yard on Flanking Street* - 0.9 metre [3 feet].

(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 Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 2. *Tandem parking* is not permitted.

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. 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.
3. Open or storage is not permitted.

J. Special Regulations

1. The outdoor storage 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*.
3. *Lands* 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.

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. metres [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 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-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, 2003, No. 14978."

READ A FIRST AND SECOND TIME on the 14th day of April, 2003.

PUBLIC HEARING HELD thereon on the 28th day of April, 2003.

READ A THIRD TIME ON THE 28th day of April, 2003.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 28th day of April, 2003.

MAYOR

CLERK

h:\clerks\by-laws\bylaw library\adopted\14000\14750-14999\byl 14978.doc
SEH 4/29/13 12:08 PM