

CITY OF SURREY

BY-LAW NO. 15344

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

As amended by Bylaw No: 16768, 10/20/08

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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: COMPREHENSIVE DEVELOPMENT ZONE (CD)
("Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 14926")
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

"Strata Lots 1 to 229 Section 29 Township 2 New Westminister District Strata Plan BCS1022 Together With An Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V

8120, 8128, 8138, 8140, 8148, 8158 and 8166 - 128 Street

Parcel Identifier: 025-498-029
Lot 1 Section 29 Township 2 New Westminister District Plan BCP1396, Except Phases One, Two and Three Strata Plan BCS1022

12877 - 80 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 accommodate and regulate the comprehensive design of an industrial business park consisting of *light impact industrial uses*, offices and service uses.

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.

All regulations in this By-law shall apply to both Block A and Block B except where otherwise specified.

B. Permitted Uses

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 stored on the *lot* 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 proceeding restriction on floor area, a clothing store, a grocery store, a sweets store, a jewellery store or a video store, shall not be permitted unless the products sold through such store are manufactured or part of a *warehouse use* on the same business premises as the store.
2. *Retail stores*, excluding the following, provided that the total floor area of all *retail stores* permitted by Section B.2 does not exceed 10% of the total floor area constructed on-site at any time, and further, provided that the total floor area of all *retail stores* permitted by Section B.2. does not exceed a maximum of 4,200 m² [45,000 sq.ft.):
 - (a) *Adult entertainment stores*;
 - (b) *Auction houses*; and
 - (c) *Secondhand stores and pawnshops*.
3. Office uses excluding:
 - (a) *Social escort services*; and
 - (b) *Methadone clinics*.
4. *General service uses* excluding *drive-through banks*.
5. *Warehouse uses*.

6. *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) *Recreational facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - (c) *Eating establishments*, excluding *drive-through restaurants* provided that there is only one (1) *eating establishment* in Block B which does not exceed 1,510 square metres [16,254 sq.ft.] in area;
 - (d) *Community services*;
 - (e) *Child care centre*; and
 - (f) *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.6 (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.

- 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.6 (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.

C. Lot Area

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

D. Density

- 1. The maximum *floor area ratio* shall be 0.75.
- 2. Notwithstanding the maximum allowed *floor area ratio*, the maximum allowable combined floor area in Block A and Block B shall not exceed 48,465 square metres [521,690 sq. ft.].

E. Lot Coverage

The maximum *lot coverage* shall be 45%.

F. Yards and Setbacks

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

- 1. *Front Yard* - 7.5 metres [25 feet];
- 2. *Rear Yard* - 7.5 metres [25 feet];
- 3. *Side Yard* - 7.5 metres [25 feet] *; and
- 4. *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*.

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 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. Loading areas, garbage containers and *passive recycling containers* shall be screened from any abutting *highway* by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

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.
 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 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, 2004, No. 15344."

READ A FIRST AND SECOND TIME on the 5th day of April, 2004.

PUBLIC HEARING HELD thereon on the 19th day of April, 2004.

READ A THIRD TIME ON THE 19th day of April, 2004.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 10th day of May, 2004.

_____ MAYOR

_____ CLERK

Schedule A

SURVEY PLAN TO ACCOMPANY CITY OF SURREY BYLAW No. 15344
OVER PART OF LOT 1 SECTION 29 TOWNSHIP 2
NEW WESTMINSTER DISTRICT PLAN BCP1396

FOR ZONING PURPOSES

SCALE 1:1500

0 20 40 60 80
All dimensions are in metres.



128 STREET

PARK

BLOCK B

AREA = 20237m²

LOT 1
PLAN BCP1396

BLOCK A
AREA = 54275m²

P.C.L. "D" B.C. HYDRO & POWER AUTHORITY RIGHT OF WAY
PLAN 22159

80TH AVE

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