

CITY OF SURREY

BY-LAW NO. 16659A

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:

- (a) FROM: SINGLE FAMILY RESIDENTIAL ZONE (RF)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)
-

Portion of Parcel Identifier: 004-927-508
Lot 181 Section 29 Township 2 New Westminster District Plan 51409 shown in heavy outline on the Survey Plan attached hereto and forming part of this By-law as Schedule "A" certified correct by D. Dyck B.C.L.S. on the 11th day of April, 2008, containing 337.84 square metres and called Block A

Portion of 13533 - 87B Avenue

Portion of Parcel Identifier: 004-927-532
Lot 182 Except Part Subdivided by Plan BCP5741 Section 29 Township 2 New Westminster District Plan 51409 shown in heavy outline on containing 307.72 square metres and called Block B

Portion of 13545 - 87B Avenue

- (b) FROM: NEIGHBOURHOOD COMMERCIAL ZONE (C-5)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)
-

Parcel Identifier: 025-681-532
Lot B Section 29 Township 2 New Westminster District Plan BCP5741 hereinafter referred to as Block C as shown in heavy outline on Schedule "A", containing 0.4750 hectare and called Block C

13578 - 88 Avenue

(hereinafter both 1(a) and (b) shall be 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 a neighbourhood scale shopping node.

B. Permitted Uses

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

1. Blocks A and B

Parking facilities.

2. Block C

The following uses are permitted provided that the *gross floor area* of each individual business does not exceed 370 square metres [4,000 sq.ft.]:

(a) *Retail stores* excluding the following:

- i. *Adult entertainment stores;*
- ii. *Auction houses; and*
- iii. *Secondhand stores and pawnshops.*

(b) *Personal service uses* limited to the following

- i. *Barbershops;*
- ii. *Beauty parlours*
- iii. *Cleaning and repair of clothing; and*
- iv. *Shoe repair shops.*

(c) *Eating establishments* excluding *drive-through restaurants;*

(d) *Neighbourhood pub;*

(e) *Liquor store*, permitted only in conjunction with a "liquor primary license" establishment, with a valid license, issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, c.267 as amended;

(f) *Office uses* excluding the following:

- i. *Social escort services; and*
- ii. *Methadone clinics.*

- (g) *General service uses* excluding funeral parlours, *drive-through banks* and *vehicle rentals*;
- (h) *Community services*; and
- (i) *Child care centres*.

2. One *dwelling unit* 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

For the purpose of this Section, notwithstanding the definition of *floor area ratio* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, the calculation of *floor area ratio* shall be based on the area of the Block.

1. Blocks A and B

The *floor area ratio* shall not exceed 0.001.

2. Block C

The *floor area ratio* shall not exceed 0.5.

E. Lot Coverage

1. Blocks A and B

The *lot coverage* shall not exceed 1%.

2. Block C

The *lot coverage* shall not exceed 50%.

F. Yards and Setbacks

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

1. Blocks A and B

Buildings and structures shall be sited in accordance with the following minimum setbacks:

Use	Setback	Front Yard	Rear Yard	Side Yard	Side Yard on Flanking Street
<i>Principal and Accessory Buildings and Structures</i>		10 m. [30 ft.]	10 m. [30 ft.]	10 m. [30 ft.]	10 m. [30 ft.]

Measurements to be determined as per Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

2. Block C

- (a) *Front Yard* (King George Highway)- 7.5 metres [25 feet];
- (b) *Rear Yard** - 2.5 metres [8 feet];
- (c) *Side Yard* - 0 metres [0 feet]; and
- (d) *Side Yard on Flanking Street* (88 Avenue) - 13.0 metres [42 feet].

* Notwithstanding the definition of *rear yard* in Part 1 Definitions of Surrey Zoning By-law, 1993, No 12000, as amended, the *rear yard* shall be considered the line between Blocks B and C.

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. Block A

Principal buildings and structures shall not exceed 2.0 metres [6.5 ft.].

2. Block C

- (a) *Principal buildings:* The *building height* shall not exceed 9 metres [30 feet].
- (b) *Accessory buildings and structures:* The *building height* shall not exceed 4 metres [13 feet].

H. Off-Street Parking

1. Refer to Table C.2, 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 1.5 metres [5 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, notwithstanding any other provision in this Zone.
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*.

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>
5,000 sq. m [1.3 acres]	30 metres [100 ft]	60 metres [195 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-5 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, 2006, No. 15973, and the development cost charges shall be based on the C-5 Zone.
8. Surrey Tree Protection By-law, 2006, No. 16100, 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 and Assisted Living Act R.S.B.C. 2002. c. 75, 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, c. 267, as amended.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16659A."

READ A FIRST AND SECOND TIME on the 12th day of May, 2008.

PUBLIC HEARING HELD thereon on the 16th day of June, 2008.

READ A THIRD TIME ON THE 16th day of June, 2008.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 25th day of June, 2012.

_____ MAYOR

_____ CLERK

h:\by-laws\adopted bylaws(2012)\byl 16659a.docx

