

CITY OF SURREY

BY-LAW NO. 16708

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: HIGHWAY COMMERCIAL INDUSTRIAL ZONE (CHI)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 012-297-381
Parcel "One" (Explanatory Plan 12938) Legal Subdivision 6 Section 16 Township 8
New Westminster District Except: Parcel A (Reference Plan BCP18934)

18660 Fraser Highway

(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 a community shopping centre, in accordance with a *comprehensive design*.

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* including *drive-through banks* and excluding funeral parlours.
4. *Eating establishments* excluding *drive-through restaurants*.
5. Office uses excluding the following:
 - (a) *Social escort services*; and
 - (b) *Methadone clinics*.
6. *Indoor recreational facilities*, excluding *bingo halls*.
7. *Community services*.
8. *Child care centres*.

C. Lot Area

Not applicable to this Zone.

D. Density

The *floor area ratio* shall not exceed 0.10. The *floor area ratio* may be increased to 0.40 if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.

E. Lot Coverage

The *lot coverage* shall not exceed 35%.

F. Yards and Setbacks

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

1. Front (North) - 2.0 metres [7 ft.];
2. Rear Yard (South) - 7.5 metres [25 ft.];
3. Side Yard (West) - 0.0 metre [0 ft.]; and
4. Side Yard (East) - 0.0 metre [0 ft.].

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 9.0 metres [30 feet].
2. Accessory buildings and structures: The *building height* shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

Parking spaces shall be provided as stated in Table C.2 of Part 5 Off-Street Parking Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.

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*.
3. Except in those portions where a *building* abuts the *lot line*, screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.] wide combined with a fence at least 1.5 metres [5 ft.] high shall be provided along all *lot lines*.
4. 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.
5. Open display or storage shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fence and/or substantial *landscaping* strips of 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 screens and in no case shall these materials be piled up to a height of more than 3.5 metres [11.5 ft.].

J. Special Regulations

1. Garbage containers and *passive recycling containers* shall not be located within any required *setback*.
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:

Lot Size	Lot Width	Lot Depth
2,200 sq. m [0.5 acre]	44 metres [145 ft]	44 metres [145 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 CHI Zone as set forth in the 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, as amended, and the development cost charges shall be based on the CHI 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.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16708."

READ A FIRST AND SECOND TIME on the 23rd day of June, 2008.

PUBLIC HEARING HELD thereon on the 14th day of July, 2008.

READ A THIRD TIME ON THE 14th day of July, 2009.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 27th day of July, 2009.

_____ MAYOR

_____ CLERK

h:\by-laws\adopted bylaws\2009\16708.doc