

CITY OF SURREY

BY-LAW NO. 16736

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

As amended by Bylaw No: 17331, 02/28/11

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THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

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: LIGHT IMPACT INDUSTRIAL 1 ZONE (IL-1)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 027-170-276
Lot 9 District Lots 9 and 10 Group 2 and Section 25 Block 5 North Range 3 West New Westminster District Plan BCP31641

11897 – 103A Avenue

Parcel Identifier: 027-170-331
Lot 11 District Lots 10 and 11 Group 2 New Westminster District Plan BCP31641

11796 – 103A Street

Parcel Identifier: 027-170-349
Lot 12 District Lot 10 Group 2 New Westminster District Plan BCP31641

11850 – 103A Street

Parcel Identifier: 027-170-365
Lot 13 District Lot 10 Group 2 New Westminster District Plan BCP31641

10323 Grace Road

Parcel Identifier: 027-170-373
Lot 14 District Lots 10 and 11 Group 2 New Westminster District Plan BCP31641

10281 Grace Road

Parcel Identifier: 027-169-936
Lot 8 District Lot 8 Group 2 and Section 19 Block 5 North Range 2 West New Westminster District Plan BCP31641

10449 – 120 Street

(b) FROM: BUSINESS PARK 2 ZONE (IB-2)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 027-169-812
Lot 1 Section 25 Block 5 North Range 3 West New Westminster District Plan BCP31641

10321 – 120 Street

Parcel Identifier: 027-169-821
Lot 2 Section 25 Block 5 North Range 3 West New Westminster District Plan BCP31641

11966 – 103A Avenue

Parcel Identifier: 027-169-839
Lot 3 Section 25 Block 5 North Range 3 West New Westminster District Plan BCP31641

10278 Grace Road

Parcel Identifier: 027-169-847
Lot 4 Section 25 Block 5 North Range 3 West New Westminster District Plan BCP31641

10225 – 120 Street

Parcel Identifier: 027-169-855
Lot 5 Section 25 Block 5 North Range 3 West New Westminster District Plan BCP31641

10279 – 120 Street

Parcel Identifier: 027-169-898
Lot 6 Section 25 Block 5 North Range 3 West New Westminster District Plan BCP31641

10377 – 120 Street

11959 – 103A Avenue

(hereinafter both (a) and (b) are 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 *light impact industry*, office and service *commercial* uses in a *comprehensive design*, where *density* bonus is provided.

The *Lands* are divided into Blocks A, B, B₁, C and D as shown on Schedule A which is attached hereto and forms part of this By-law.

B. Permitted Uses

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

1. Block A

The following uses are permitted provided that the *gross floor area* of each individual business does not exceed 743 square metres [8,000 sq.ft.]:

- (a) *Eating establishments* including *drive-through restaurants*;
- (b) *General service uses* including *drive-through banks*, but excluding *vehicle rentals* and *funeral parlours*;
- (c) Office uses excluding the following:
 - i. *Social escort services*; and
 - ii. *Methadone clinics*;
- (d) *Retail stores* provided that:
 - i. *Adult entertainment stores*, auction houses and *secondhand stores* and *pawnshops* are excluded; and
 - ii. Notwithstanding Sub-section 2.B.1., the *gross floor area* of one business may be increased to a maximum of 1,858 square metres [20,000 sq.ft.].

- (e) *Beverage container return centres* provided that:
 - i. The use is confined to an enclosed *building* or a part of an enclosed *building*; and
 - ii. The *beverage container return centre* does not exceed a *gross floor area* of 279 square metres [3,000 sq.ft.];
- (f) *Indoor recreational facilities*, including *bingo halls*;
- (g) *Light impact industry* including retail of products processed or manufactured on the *lot*;
- (h) *Neighbourhood pubs*;
- (i) *Warehouse uses*;
- (j) *Community services*; and
- (k) *Child care centres*.

2. **Block B**

- (a) *Light impact industry* including the wholesale and retail sale of products produced within the business premises or as part of the wholesale or warehouse operations provided that the total floor area used or intended to be used for retail sales and display to the public shall not exceed 35% of the *gross floor area* for each individual business or establishment;
- (b) *Warehouse uses*;
- (c) *Distribution centres*;
- (d) Office uses limited to the following:
 - i. Architectural and landscape architectural offices;
 - ii. Engineering and surveying offices;
 - iii. General contractor offices;
 - iv. Government offices;
 - v. Insurance offices; and
 - vi. Utility company offices; and
- (e) *Beverage container return centres* provided that:
 - i. The use is confined to an enclosed *building* or a part of an enclosed *building*; and

- ii. The *beverage container return centre* does not exceed a *gross floor area* of 279 square metres [3,000 sq.ft.];
- (f) Indoor *recreational facilities*, including *bingo halls*;
- (g) The following uses are permitted in Block B1 only provided that the *gross floor area* of each individual business does not exceed 929 square metres [10,000 sq.ft.].
 - i. *Eating establishments* including *drive-through restaurants*;
 - ii. *General service uses* including *drive-through banks*;
 - iii. *Retail stores*, excluding the following:
 - a. *Adult entertainment stores*;
 - b. *Auction houses*; and
 - c. *Secondhand stores* and *pawnshops*;
 - iv. *Neighbourhood pubs*;
- (h) *Community services*; and
- (i) *Child care centres*.

3. Block C

- (a) *Light impact industry* including wholesale and retail sales of products produced within the business premises or as part of the wholesale or warehouse operations provided that the total floor area used or intended to be used for retail sales and display to the public shall not exceed 30% of the *gross floor area* for each individual business or establishment or 460 square metres [5,000 sq.ft.];
- (b) *Recycling depots* provided that:
 - i. The use is confined to an enclosed *building*; and
 - ii. The storage of used tires is prohibited;
- (c) *Warehouse uses*;
- (d) *Distribution centres*;

- (e) *General service uses* limited to the following:
 - i. Industrial first aid training; and
 - ii. Trade schools;
- (f) *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; and
- (g) *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, c. 267, as amended;
 - ii. *Indoor recreation facilities*;
 - iii. *Community services*;
 - iv. *Child care centres*; and
 - v. *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:
 - (i) One *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 sq. ft.] in floor area;
 - (ii) Two *dwelling units* in each *principal building* of 2,800 square metres [30,000 sq. ft.] or greater in floor area; and
 - (iii) Notwithstanding Sub-sections 2.B.3(g)v.c.(i) and (ii) the maximum number shall be two *dwelling units*; and

- d. Restricted to a maximum floor area of:
 - (i) 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;
 - (ii) 90 square metres [970 sq. ft.] for each additional *dwelling unit*; and
 - (iii) Notwithstanding Sub-sections 2.B.3 (g)v.d. i and ii, the maximum floor area shall not exceed 33% of the total floor area of the *principal building* within which the *dwelling unit* is contained.

4. Block D

- (a) *Light impact industry* including the wholesale and retail sale of products produced within the business premises or as part of the wholesale or warehouse operations provided that the total floor area used or intended to be used for retail sales and display to the public shall not exceed 20% of the *gross floor area* for each individual business or establishment or 460 square metres [5,000 sq. ft.];
- (b) *Warehouse uses*;
- (c) *Distribution centres*;
- (d) 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; and
- (e) *Accessory uses* including the following:
 - i. *Coffee shops* provided that the seating capacity shall not exceed 35 and the said *coffee shop* is no licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267, as amended.
 - ii. *General service uses* excluding drive-through banks:

- iii.. *Child care centres*; and
- iv. *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:
 - (i) One *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 sq. ft.] in floor area; and
 - (ii) Two *dwelling units* in each *principal building* of 2,800 square metres [30,000 sq.ft.] or greater in floor area.
 - d. Restricted to a maximum floor area of:
 - (i) 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;
 - (ii) 90 square metres [970 sq. ft.] for each additional *dwelling unit*; and
 - (iii) Notwithstanding Sub-sections 2.B.4.(e).v. d (i) and (ii), 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

Not applicable to this Zone.

D. Density

1. Block A

The maximum *floor area ratio* shall not exceed 0.5. The maximum *floor area ratio* may be increased to 1.00 if amenities are provided in accordance with Schedule G of Surrey Zoning By-law 1993, No. 12000, as amended.

2. Blocks B, C and D

The maximum *floor area ratio* shall not exceed 0.1. The maximum *floor area ratio* may be increased to 1.00 if amenities are provided in accordance with Schedule G of Surrey Zoning By-law 1993, No. 12000, as amended.

E. Lot Coverage

The maximum *lot coverage* shall be 60%.

F. Yards and Setbacks

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

Use	Setback	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal and Accessory Buildings and Structures</i>		6.0 m. [20 ft.]	7.5 m. [25 ft.]	7.5 m.* [25 ft.]	6.0 m. [20 ft.]

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

* One (1) *side yard setback* shall be 7.5 metres [25 ft.] or 0.0 metre.

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 11 metres [36 feet].

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

2. Blocks B, C and D

(a) *Principal buildings:* The *building height* shall not exceed 14 metres [45 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.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 Major Road, as shown in the *Official Community Plan*, a continuous *landscaping* strip of not less than 6.0 metres [30 ft.] in width shall be provided within the *lot*.
3. Along the developed sides of the *lot* which abut all *highways* other than a Major Road, as shown in the *Official Community Plan*, a continuous landscape strip of not less than 3.0 metres [10 ft.] shall be provided within the *lot*.
4. 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*.
5. A continuous *landscaping strip* of not less than 1.5 metres [5 ft.] in width shall be provided along all *side lot lines* between a *highway* and 3.0 metres [10 ft.] back from the front face of the closest *principal building* fronting a *highway*.
6. 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.

J. Special Regulations

1. Land and *structures* shall be used for the uses permitted in this Zone 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 *lot line* of the *lot* on which the use is located.

2. Area for outdoor display and storage of any goods, materials or supplies, and areas for parking of trucks and trailers associated with the uses and operations allowed on the *lot* other than the loading spaces in front of loading doors shall:
 - (a) Not be located within any *front yard* or *side yard*;
 - (b) Not exceed a total area greater than the *lot* area covered by the *principal building*; and
 - (c) Be completely screened to a height of at least 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.].
3. Loading areas shall not be located within any required *front yard setback* or *flanking street setback*.
4. Garbage containers and passive *recycling containers* shall not be located within any required front or *flanking street setback*.
5. *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>
1,800 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 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 for Block A and the IB-2 Zone for Block B and C and the IL-1 Zone for Block D 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, as amended, and the development cost charges shall be based on the C-5 Zone for Block A, the IB-2 Zone for Blocks B and C and the IL-1 Zone for Block D.
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. 16736."

READ A FIRST AND SECOND TIME on the 14th day of July, 2008.

PUBLIC HEARING HELD thereon on the 28th day of July, 2008.

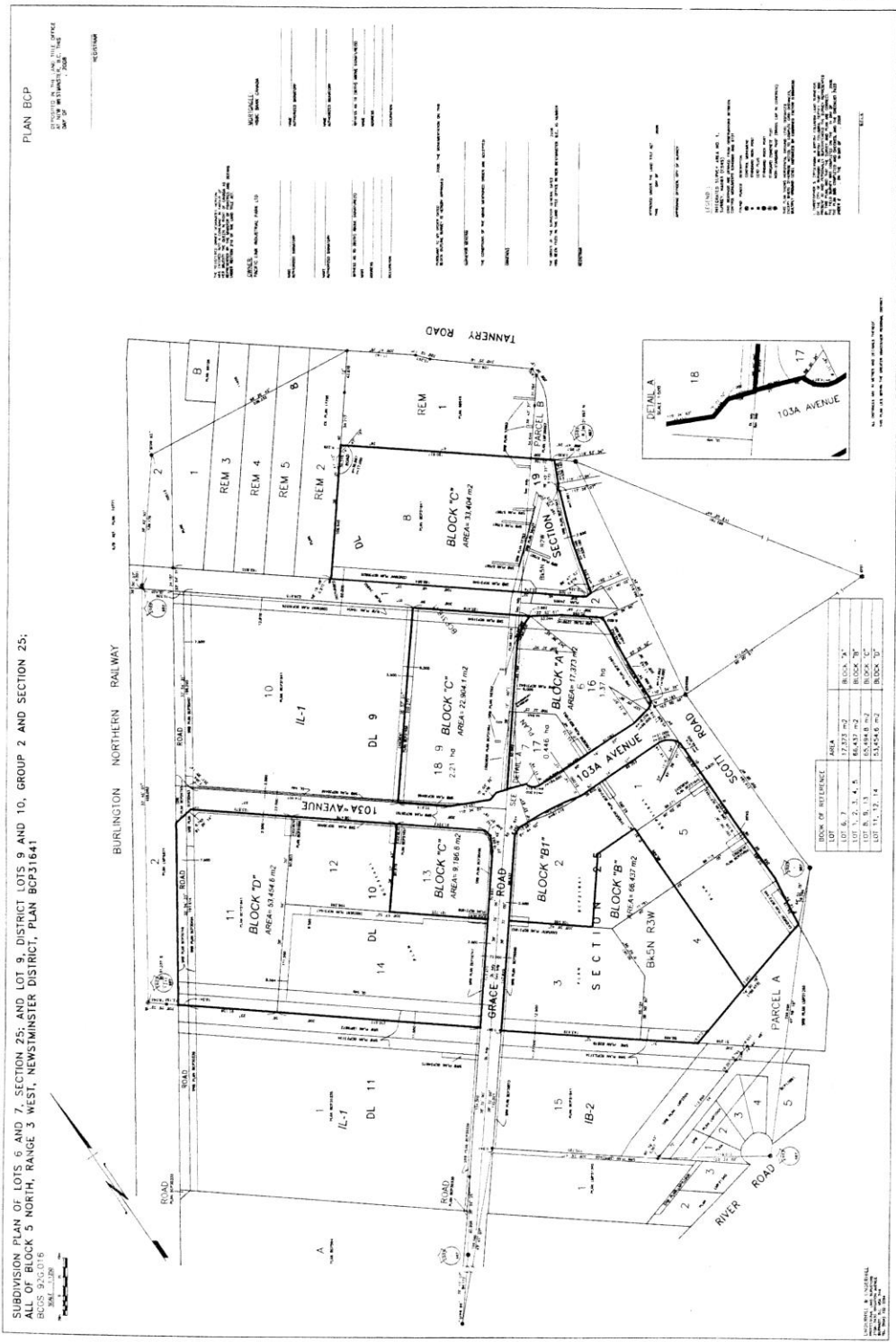
READ A THIRD TIME ON THE 28th day of July, 2008.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 15th day of December, 2008.

_____MAYOR

_____CLERK

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SUBDIVISION PLAN OF LOTS 6 AND 7, SECTION 25; AND LOT 9, DISTRICT LOTS 9 AND 10, GROUP 2 AND SECTION 25; ALL OF BLOCK 5 NORTH, RANGE 3 WEST, NEWMINSTER DISTRICT, PLAN BCP31641

PLAN BCP
 PREPARED BY THE LAND TITLE OFFICE
 ON BEHALF OF THE REGISTRAR

NOTES

1. THE LOTS, BLOCKS AND SECTIONS SHOWN ON THIS PLAN ARE THE RESULT OF THE SUBDIVISION OF THE LAND SHOWN ON THE PLAN OF THE DISTRICT OF NEWMINSTER, DISTRICT, PLAN BCP31641.
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