

CITY OF SURREY

BY-LAW NO. 17159

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

As amended by Bylaw No: 17795, 06/17/13

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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,  
                      2004, NO. 15263)

TO:                COMPREHENSIVE DEVELOPMENT ZONE (CD)

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Strata Lots 1-47 Section 14 Township 2 New Westminster District Strata Plan BCS2221,  
Together with an Interest in the Common Property in Proportion to the Unit Entitlement  
of the Strata Lot as Shown on Form V

15255 and Unit Nos. 101 to 212, 15299 - 68 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, limited retail and service uses and an *assembly hall* on strata lots created in accordance with the Strata Property Act, 1998 SBC c.43, as amended. For the purposes of this Zone, the term strata lot shall also include common property. Strata Plan BCS2221 shall not be modified in any way.

**B. Permitted Uses**

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

1. The permitted uses on Strata Lots 1 to 47 inclusive are as follows:
  - (a) *Light impact industry* including wholesale and retail sales of products produced on the strata lot or as part of the wholesale operation, provided that:
    - i. The *gross floor area* used or intended to be used for retail sales and display to the public shall not exceed a maximum of:
      - a. 50% of the main floor of a business to a maximum of 47 square metres (500 sq.ft.) when the *gross floor area* of the main floor of the business is less than 112 square metres (1,200 sq.ft.);
      - b. 33% of the main floor of a business to a maximum of 93 square metres (1,000 sq.ft.) when the *gross floor area* of the main floor of the business is 112 square metres (1,200 sq.ft.) or more.
    - ii. The area used or intended to be used for retail sales and display is a physically distinct area, and is separated from the rest of the activities by a physical barrier as follows:
      - a. The physical barrier shall be a wall a minimum of 1.2 metres (4 ft.) in height and may contain a door.
      - b. Notwithstanding Sub-Section 2.B.1.a.ii.a. above, when the gross floor area of the main floor of the business is 112 square metres (1,200 sq.ft.) or more and the ceiling of the unit is 3.7 metres (12 ft.) or more, the physical barrier shall be a wall a minimum of 1.8 metres (6 ft.) in height and may be made of glass in the uppermost 0.6 metres (2 ft.). This wall may also contain a door.

- iii. For the purpose of this Zone, wholesale means the sale of goods to retailers, businesses or institutions for their own use or for resale, and excludes retail sale to the public.
  - (b) Office uses excluding *social escort services* and *methadone clinics*;
  - (c) *General service uses* excluding *drive-through banks*; and
  - (d) *Warehouse uses*.
2. In addition to 2.B.1. above, the following uses are also permitted on strata lots 12, 19, 22-23, 30 and 35-36:
- (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) Indoor *recreational facilities*, excluding go-kart operations, drag racing and rifle ranges;
  - (c) *Eating establishments*, excluding *drive-through restaurants*;
  - (d) *Community services*; and
  - (e) *Child care centre*.
3. In addition to 2.B.1 above, the following use is also permitted on strata lots 25-27:
- (a) *Accessory uses* limited to the following:
    - i. Pharmacy use, in conjunction with a medical office as permitted under Sub-section 2.B.1.(b) of this Zone, excluding *methadone clinics*, provided that there is not more than one pharmacy occupying one strata lot and the pharmacy does not exceed a *gross floor area* of 50 square metres [500 sq.ft.]; and
    - ii. Retail sale of prescription eyeglasses, in conjunction with an optometry office as permitted under Sub-section 2.B.1.(b) of this Zone, provided that the *gross floor area* used or intended to be used for retail sales and display to the public shall not exceed a maximum of 23 square metres [250 sq.ft.].

4. In addition to 2.B.1. above, the following uses are also permitted on strata lot 47:
- (a) *Eating establishments*, excluding *drive-through restaurants*, provided that the *eating establishment* does not exceed a total floor area of 1,300 square metres [14,000 sq.ft.];
  - (b) *Assembly halls* limited to *churches*, provided that:
    - i. There is not more than one *church* on a *Lot*; and
    - ii. The church does not exceed a total floor area of 1,450 square metres [15,500 sq. ft.];
  - (c) *Dwelling units*, provided that the *dwelling units* are:
    - i. Contained within a *principal building*;
    - ii. Occupied by the owner or a caretaker, for the protection of the uses permitted on the *Lands*;
    - iii. Restricted to a maximum number of two *dwelling units*; and
    - iv. Restricted to a maximum floor area of 140 square metres [1,500 sq. ft.] for the first *dwelling unit* and 90 square metres [970 sq. ft.] for the second *dwelling unit*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. The *floor area ratio* shall not exceed 0.45.
2. Notwithstanding Sub-section D.1 of this By-law, and with the exception of Strata Lots 9-10, 24 and 28-33, the creation of additional floor area within a strata lot, including creation of a mezzanine, is not permitted. For the purposes of this By-law, a mezzanine is defined as an intermediate floor assembly between the floor and ceiling of any storey and includes an interior balcony.

**E. Lot Coverage**

The *lot coverage* shall not exceed 45%.

## F. Yards and Setbacks

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

<b>Use</b>	<b>Setback</b>	<b>Front Yard</b>	<b>Rear Yard</b>	<b>Side Yard</b>	<b>Side Yard on Flanking Street</b>
<i>Principal and Accessory Buildings and Structures</i>		7.5 m [25 ft.]	7.5 m [25 ft.]	7.5 m* [25 ft.]	7.5 m [25 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* may be reduced to 3.6 metres [12 ft.] 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 [140 ft.].
2. *Accessory buildings and structures:* The *building height* shall not exceed 6 metres [20 ft.].

## H. Off-Street Parking

1. Refer to Table C.3, Part 5 Off-Street Parking and Loading/Unloading, 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 *Lands* 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 *Lands* 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 metres [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 grade*. The trees chosen shall be capable of attaining a height of not less than 6 metres [20 ft.] in 10 years.

3. A *landscaping* screen shall be created along all *lot lines* separating the developed portion of the *lot* from a *highway* which is developed with *residential lots* opposite the developed portion of the *lot*. This *landscaping* screen shall consist of an earth berm of not less than 1 metre [3 ft.] in height and a width of not less than 2.5 metres [8 ft.] and the planting of a hedge, capable of attaining a height of 2 metres [6 ft.] within 3 years with hedging trees planted at intervals assuring complete visual screening within 3 years.

**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 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*.
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 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 Off-Street Parking, 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.
8. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2007, No. 16494, as may be amended or replaced from time to time, and the development cost charges shall be based on the IB Zone.
9. Surrey Tree Protection By-law, 2006, No. 16100, as amended.
10. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
11. 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, 2010, No. 17159."

READ A FIRST AND SECOND TIME on the 22nd day of March , 2010.

PUBLIC HEARING HELD thereon on the 12th day of April, 2010.

READ A THIRD TIME on the 12th day of April, 2010.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 14th day of March, 2011.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

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