

CITY OF SURREY

BY-LAW NO. 17348

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: COMPREHENSIVE DEVELOPMENT ZONE (CD) (BY-LAW NO. 13835)
 (SURREY ZONING BY-LAW, 1993, NO. 12000, AMENDMENT BY-LAW,
 1999, NO. 13835)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 018-236-464

Strata Lot 1 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 301, 7728 - 128 Street

Parcel Identifier: 018-236-472

Strata Lot 2 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 302, 7728 - 128 Street

Parcel Identifier: 018-236-481

Strata Lot 3 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 303, 7728 - 128 Street

Parcel Identifier: 018-236-499

Strata Lot 4 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 304, 7728 - 128 Street

Parcel Identifier: 018-236-502

Strata Lot 5 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 305, 7728 - 128 Street

Parcel Identifier: 018-236-511

Strata Lot 6 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 306, 7728 - 128 Street

Parcel Identifier: 018-236-529

Strata Lot 7 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 307, 7728 - 128 Street

Parcel Identifier: 018-236-537

Strata Lot 8 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 308, 7728 - 128 Street

Parcel Identifier: 018-236-553

Strata Lot 9 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 309, 7728 - 128 Street

Parcel Identifier: 018-236-561

Strata Lot 10 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 207A, 7728 - 128 Street

Parcel Identifier: 018-236-570

Strata Lot 11 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 206, 7728 - 128 Street

Parcel Identifier: 018-236-588

Strata Lot 12 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 205, 7728 - 128 Street

Parcel Identifier: 018-236-596

Strata Lot 13 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 204, 7728 - 128 Street

Parcel Identifier: 018-236-600

Strata Lot 14 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 203, 7728 - 128 Street

Parcel Identifier: 018-236-618

Strata Lot 15 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 202, 7728 - 128 Street

Parcel Identifier: 018-236-626

Strata Lot 16 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 202, 7728 - 128 Street

Parcel Identifier: 018-236-634

Strata Lot 17 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 201, 7728 - 128 Street

Parcel Identifier: 018-236-642

Strata Lot 18 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 201, 7728 - 128 Street

Parcel Identifier: 018-236-651

Strata Lot 19 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 210, 7728 - 128 Street

Parcel Identifier: 018-236-669

Strata Lot 20 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 209, 7728 - 128 Street

Parcel Identifier: 018-236-677

Strata Lot 21 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 208, 7728 - 128 Street

Parcel Identifier: 018-236-685

Strata Lot 22 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 206, 7728 - 128 Street

Parcel Identifier: 018-236-693

Strata Lot 23 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1;

Unit 207, 7728 - 128 Street

Parcel Identifier: 018-236-707

Strata Lot 24 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1; and

Unit 101 - 110, 7728 - 128 Street

Parcel Identifier: 018-236-715

Strata Lot 25 Section 20 Township 2 New Westminster District Plan LMS853 Together with an Interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1.

Unit 216, 7728 - 128 Street

(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 *light impact industry* and *accessory uses*.

The *Lands* are divided into Blocks A and B as shown on Schedule A, attached hereto and forms part of this By-law, certified correct by Shannon Aldridge, B.C.L.S. on the 22nd day of December, 2010.

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

- (a) *Light impact industry.*
- (b) *Recycling depots* provided that:
 - i. The use is confined to an enclosed *building*; and
 - ii. The storage of used tires is prohibited.
- (c) *Transportation industry.*
- (d) *Automotive service uses.*
- (e) Automobile painting and body work.
- (f) *Vehicle storage and parking facilities* including truck parking and recreational *vehicle storage*.
- (g) *General service uses* limited to the following:
 - i. Driving schools;
 - ii. *Industrial equipment rental*;
 - iii. Taxi dispatch offices;
 - iv. *Industrial first aid training*; and
 - v. Trade schools.
- (h) *Warehouse uses.*
- (i) *Distribution centres.*
- (j) 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.
- (k) *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;
 - ii. *Recreation facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - iii. *Community services*;
 - iv. *Child care centres*;
 - 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 of 1 *dwelling unit* in Block A.
 - d. Restricted to a maximum floor area of:
 - (i) 140 square metres [1,500 sq. ft.]; and
 - (ii) Not more than 33% of the total floor area of the *principal building* within which the *dwelling unit* is contained.
 - vi. Sales of rebuilt *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.* provided that:
 - a. It is part of an automobile painting and body work business;
 - b. The number of rebuilt *vehicles* ready for sale shall not exceed 5 at any time;
 - c. The business operator holds a current and valid Motor Dealer's certificate; and

- d. The business operator is an approved Insurance Corporation of British Columbia salvage buyer.

2. Block B

- (a) *Light impact industry.*
- (b) *Recycling depots* provided that:
 - i. The use is confined to an enclosed *building*; and
 - ii. The storage of used tires is prohibited.
- (c) *Transportation industry.*
- (d) *Automotive service uses.*
- (e) Automobile painting and body work.
- (f) *Vehicle* storage and *parking facilities* including truck parking and recreational *vehicle* storage.
- (g) *General service uses* limited to the following:
 - i. Driving schools;
 - ii. *Industrial equipment rental*;
 - iii. Taxi dispatch offices;
 - iv. *Industrial* first aid training;
 - v. Trade schools; and
 - vi. Packaging, delivering, mailing, photocopying and moving service business provided that:
 - a. No more than one such business may be on the *Lands*; and
 - b. The total floor area of such business shall not exceed 604 square metres [6,500 sq.ft.].
- (h) *Warehouse uses.*
- (i) *Distribution centres.*
- (j) 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.
- (k) *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;
 - ii. *Recreation facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - iii. *Community services*;
 - iv. *Child care centres*;
 - 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 of 1 *dwelling unit* in Block B:
 - d. Restricted to a maximum floor area of:
 - (i) 140 square metres [1,500 sq. ft.]; and
 - (ii) Not more than 33% of the total floor area of the *principal building* within which the *dwelling unit* is contained.
 - vi. Sales of rebuilt *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.* provided that:
 - a. It is part of an automobile painting and body work business;
 - b. The number of rebuilt *vehicles* ready for sale shall not exceed 5 at any time;
 - c. The business operator holds a current and valid Motor Dealer's certificate; and

- d. The business operator is an approved Insurance Corporation of British Columbia salvage buyer.
- vii. *Eating establishment*, excluding *coffee shop*, provided:
 - a. There is a maximum of 30 seats or a floor area of 57.6 square metres [620 sq.ft.], whichever is less;
 - b. There is not more than one *eating establishment* in Block B; and
 - c. It is limited to the hatched area shown on Schedule B, attached hereto and forms part of this By-law, certified correct by Shannon Aldridge, B.C.L.S. on the 6th day of January, 2011.

C. Lot Area

Not applicable to this Zone.

D. Density

- 1. The maximum *floor area ratio* shall not exceed 1.00
- 2. Despite the definition of *floor area ratio* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, where the *Lands* are stratified for the purposes of application of Section D.1 of this Zone, *floor area ratio* shall be calculated based on the cumulative floor areas of all the *buildings* divided by the area of the parent *lot* from which strata lots were created.

E. Lot Coverage

- 1. The *lot coverage* shall not exceed 60%.
- 2. Despite the definition of *lot coverage* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, where the *Lands* are stratified for the purposes of application of Section E.1 of this Zone, *lot coverage* shall be calculate based as a percentage of the horizontal areas of all the *buildings* to the area of the parent *lot* from which strata lots were created.

F. Yards and Setbacks

- 1. *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>		7.5 m. [25 ft.]	1.5 m. [5 ft.]	1.5 m. [5 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.

2. Despite the definition of *setbacks* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, where the *Lands* are stratified, for the purposes of application for Section F.1 of this Zone, *setbacks* shall be determined based on the *lot lines* of the parent *lot* from which strata lots were created.

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 18 metres [60 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 6 metres [20 feet].

H. Off-Street Parking

Refer to Part 5 Off-Street Parking 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. 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. Screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.] wide, or a solid decorative fence at least 1.5 metres [5 ft.] high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *residential lot*.

5. 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.
6. Open display and storage including the outdoor storage of damaged or *wrecked vehicles* shall 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.].

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. Outdoor storage of any goods, materials or supplies is specifically prohibited between the front of the *principal building* and the *highway*, excluding *vehicles* exceeding 5,000 kilograms [11,023 lbs.] *G.V.W.* which are intended for sale.
3. The storage of damaged or *wrecked vehicles* shall only be permitted within a *building*.
4. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
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*.
6. *Eating establishments*, excluding *coffee shops*, shall have a separate entry and be physically separated by a wall from any other use.

K. Subdivision

Lots created through subdivision in this Zone shall conform to the following minimum standards:

Lot Size	Lot Width	Lot Depth
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 IL 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 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, 2010, No. 17111, as may be amended or replaced from time to time, and the development cost charges shall be based on the IL 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 licensed premises is regulated by the Liquor Control and Licensing Act, R.S.B.C. 1996, Chapter 267, as amended.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2011, No. 17348."

READ A FIRST AND SECOND TIME on the 10th day of January, 2011.

PUBLIC HEARING HELD thereon on the 24th day of January, 2011.

READ A THIRD TIME ON THE 24th day of January, 2011.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 7th day of February, 2011.

_____ MAYOR

_____ CLERK

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SCHEDULE A

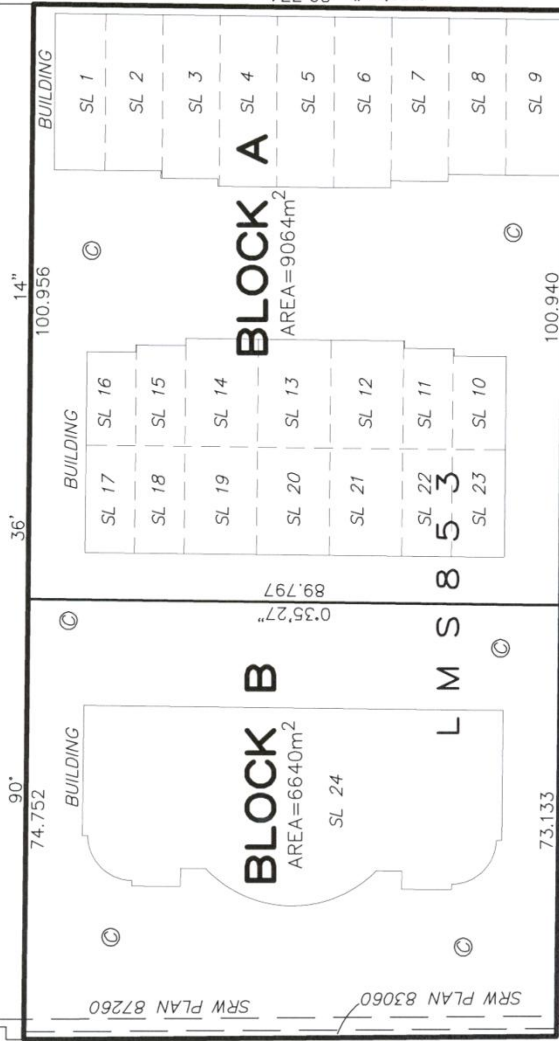
**SURVEY PLAN TO ACCOMPANY CITY OF SURREY
REZONING BYLAW 17348, OF STRATA LOTS 1 TO 24
AND THE COMMON PROPERTY OF STRATA PLAN LMS853,
SEC 20 TP 2 NWD**

Civic Address: 7728 128th St. Surrey, B.C.

SCALE 1 : 1000



LMS1181



2
PLAN 87616

CITY OF SURREY
Grid bearings are NAD 83 (CSRS 2005) derived from
Stratification by Global Jumbia

CERTIFIED CORRECT
DATE 11th 22nd DAY OF DECEMBER, 2010.

REM NWS3244

LMS2987

LEGEND

- ⊙ DENOTES COMMON PROPERTY
- SL DENOTES STRATA LOT

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

B.C.L.S.

TARGET
LAND SURVEYING
SURREY, B.C.
TEL 597 6161

FILE: 6734-BZ

The intended plot size of this plan is 280mm in width and 216mm in height (A size) when plotted at a scale of 1:1000.

SCHEDULE B

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY BYLAW 17348 OF
PORTION OF STRATA LOT 24 STRATA PLAN LMS853 SECTION
20 TOWNSHIP 2 N.W.D.**

B.C.G.S. 92G.016

FIRST FLOOR

INTEGRATED SURVEY AREA No. 1 SURREY

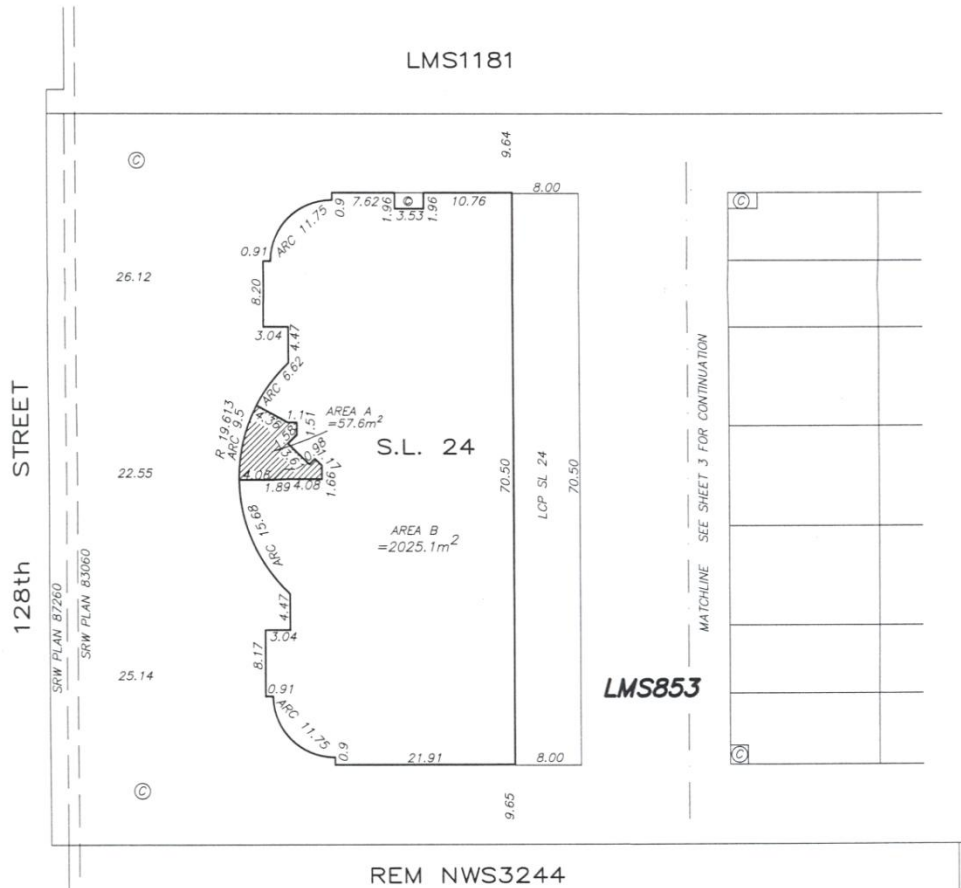
THIS PLAN SHOWS GROUND LEVEL MEASURED DISTANCES.
PRIOR TO COMPUTATION OF U.T.M. COORDINATES MULTIPLY
BY COMBINED FACTOR OF 0.99959695
GRID BEARINGS ARE DERIVED FROM PLAN LMS853

LEGEND

m² DENOTES SQUARE METRES



SCALE 1 : 500



JANUARY, 2011.
B.C.L.S.

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

TARGET
LAND SURVEYING
SURREY B.C.
604-597-6161
FILE: 6734-SL24