

NO: R144

COUNCIL DATE: July 12, 2021

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## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **July 8, 2021**

FROM: **General Manager, Engineering** FILE: **8630-30 (Trucks)**  
**General Manager, Planning & Development**  
**General Manager, Corporate Services**

SUBJECT: **Truck Parking Strategy Initiatives Update**

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## RECOMMENDATION

The Engineering, Planning & Development, and Corporate Services Departments recommend that Council:

1. Receive this report for information;
2. Approve amendments to *Business License Bylaw, 1999, No. 13680*, as documented in Appendix “I”;
3. Authorize the City Clerk to bring forward the necessary amending bylaw for the required readings; and
4. Direct the City Clerk to post notice on the City’s website and direct staff to send written notice to all existing operators of trucking, cartage and warehouse businesses of the proposed amendments to *Business License Bylaw, 1999, No. 13680*, and provide them with an opportunity to make written submissions to Council.

## INTENT

The purpose of this report is to provide a status update on the implementation of the Truck Parking Strategy (the “Strategy”) developed by the Truck Parking Task Force and as authorized by Council in December 2019, and to obtain Council approval to bring forward the necessary bylaw amendments.

## BACKGROUND

At the January 11, 2021 Regular Council Meeting, Council approved Corporate Report R007; 2021 (attached as Appendix “II”), which provided an update on the status of the Strategy’s six recommended initiatives to improve truck parking in Surrey:

1. Provide locations for on-street truck parking in select industrial areas;
2. Permit parking in low-density (one acre or larger) residential areas;
3. Reduce costs of development for truck parking facilities;
4. Develop a mobile parking app;
5. Increase the parking provision of trucking companies; and
6. Pilot a local area service (“LAS”) program to facilitate truck parking development.

Council's direction was for staff to engage with truck parking facilities regarding the proposed amendments to *Business License Bylaw, 1999, No. 13680* (the "Business License Bylaw") and to report back to Council on the progress of all of the above initiatives.

## DISCUSSION

The following provides an update on the implementation of the six recommended initiatives within the Strategy.

### 1. On-Street Truck Parking in Select Industrial Areas

This initiative involves the development of a paid on-street parking permit program to allow for on-street truck parking at all hours in select industrial areas.

Following a rigorous technical analysis to identify potential sites, it was determined that a pilot program could be accommodated within the Bridgeview and Port Kells communities. Staff conducted an analysis of other potential road segments located in other areas of the City to determine if additional sites may be viable for implementation of the pilot program. Sites were evaluated for sufficient pavement width, ability to maintain and exceed sightline requirements, driveway spacing, impacts to existing parking demand, presence of ditches and drainage impacts, adequate turnaround facilities where required, and proximity to residential neighbourhoods. Unfortunately, no other sites are considered viable at this time without requiring considerable capital infrastructure improvements.

Staff engaged with fronting business owners on the road segments selected for the pilot locations in Bridgeview and Port Kells. The fronting businesses as well as other businesses in the vicinity of the pilot locations expressed serious concerns with implementation of the pilot program, particularly regarding loss of on-street parking for employees, truck maneuverability with the resulting reduced travel lane widths, inadequate sightlines at accesses and intersections, loss of business exposure, and security concerns.

Location Number	Location Name	Fronting Businesses	Response Rate	Supportive	Opposed
1	115 Avenue between 131 Street and 132 Street	22	64%	0%	100%
2	189 Street between 94 Avenue and 96 Avenue	88	13%	0%	100%
3	190 Street between 94 Avenue and 95A Avenue	38	11%	0%	100%

In response to the identified concerns, staff have conducted site visits, technical analysis of truck turning movements, sightline analyses, and on-street parking surveys. Through technical review, it was determined that:

- Current on-street parking demand at the proposed pilot locations is approximately 50--60%;
- The remaining curb space would maintain an adequate number of public on-street spaces to meet existing on-street parking demand;
- Additional available on-street parking spaces were observed within the vicinity (one to two-minute walking distance) of the pilot roads;
- The proposed extents of parking allow for sightline distances above the industry standard's minimum recommendations; and

- Resulting travel lane widths with on-street truck parking remain adequate for all truck turning movements and truck accesses.

Given the strong community opposition combined with the limited number of parking spaces that can be achieved, staff do not recommend pursuing implementation of the pilot program fronting these selected road segments at this time, unless otherwise directed by Council, and will abandon this initiative.

## **2. Parking in Low-Density Residential Areas**

This initiative provides for truck parking on residential properties that are one acre or larger and located within the appropriate zoning and land use designations.

This initiative is currently being piloted through the City's Temporary Use Permit ("TUP") standard application process. Staff have contacted the owners and occupants of over 143 properties that met the zoning and land use designation requirements to inform them of the TUP process and to contact the City's Planning & Development Department to discuss the individual merits of each property through a pre-application meeting. To date, staff have received five inquiries but have not received any formal development applications from property owners seeking to apply for a TUP under this pilot program. Staff will continue coordination and concerned enforcement efforts to achieve timely compliance of unauthorized sites and encourage participation in the TUP pilot program.

Following the pilot program, with all TUPs ending by December 31, 2022, staff will evaluate the potential to allow for this initiative on a longer-term basis through amendments to *Surrey Zoning Bylaw, 1993, No. 12000, as amended* (the "Zoning Bylaw").

## **3. Reduce Costs of Development for Truck Parking Facilities**

This initiative is to remove the requirement to fully pave truck parking sites to reduce costs of developing authorized truck parking facilities.

As the current environmental monitoring process for truck parking facilities relies solely on the Provincial regulation, the need for more City-specific guidance was identified to better inform truck parking facility business owners of this process. To this effect, staff have developed a Terms of Reference, which provides guidelines and a reporting process to better streamline the annual environmental monitoring requirement.

The Business License Bylaw is proposed to be amended to provide more clarity for truck parking facilities as to the annual environmental reporting requirements, as documented in Appendix "I". Should the amendments be approved by Council, staff will proceed to notify the industry of the amendments and provide them with an opportunity to make written submissions to Council.

## **4. Parking App**

This initiative is to facilitate the development of a truck parking app to help truck operators find and pay for available truck parking spaces.

A Request for Information was issued in the Summer of 2020 and the City received responses from nine software application developers. Engagement with the respondents had commenced and a number of respondents expressed continued interest in developing the application. As the application will be cost-neutral to the City, the application developer will be responsible for developing, maintaining, and operating the application for truck parking. One application developer has indicated to the City that their application is ready for launch. A second developer has also suggested that an application is nearing launch. Staff will be assisting with marketing for the launch of these applications to the trucking industry through the City's website, newsletters, and social media channels. Should additional applications become available, links to the applications will be posted on the City's website.

## **5. Increase Parking Provision of Trucking Companies**

This initiative is to require trucking and logistics companies to provide adequate parking for all trucks used on an exclusive basis in order to ensure that truck parking is available for all trucks operating in Surrey.

Staff have contacted all existing businesses and industry stakeholders to inform them of the necessary amendments to the Business License Bylaw to require provision of on-site parking for all trucks used on an exclusive basis. The planned six-month engagement period has now concluded with no responses received from the affected businesses and industry stakeholders.

The Business License Bylaw is proposed to be amended, as documented in Appendix "I", to require, as a condition of business licence issuance, trucking and logistics companies to provide parking for all trucks used on an exclusive basis. Should the proposed bylaw amendments be approved by Council, staff will proceed to notify the industry of the amendments and provide the additional formal two-week opportunity to make written submissions to Council.

Should the proposed amendments to the Business License Bylaw be approved by Council, staff will subsequently work towards amendments to *Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691* and to *Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508* to set out appropriate fines in alignment with these proposed amendments to the Business License Bylaw.

## **6. Local Area Service Program to Facilitate Truck Parking Development**

As part of Corporate Report No. Ro07; 2021 (Appendix "II"), Council endorsed in principle the City cost-sharing to a maximum of \$500,000 for a pilot LAS area identified in South Westminster to upgrade the roads and utilities to the City's full industrial road standard servicing requirements through a Council-initiated LAS process.

Once pending issues within the pilot LAS area are resolved, staff will contact the property owners, likely in Q3 2021, to gauge their level of support for the LAS and subsequent charges. If a sufficient level of interest is expressed, staff will develop a preliminary petition for the benefitting area. Should the petition be signed in favour by at least half of the property owners representing at least half of the assessed value of the benefitting properties, then staff will issue a Request for Proposals to retain a consultant to prepare the detailed design for the project to refine the estimate for project cost certainty. Once the appropriate scope of works and detailed cost estimate have been determined for the benefitting area, staff will bring forward a Corporate Report requesting Council to authorize the LAS.

## SUSTAINABILITY CONSIDERATIONS

The Strategy supports the objectives of the City's Sustainability Charter 2.0. In particular, this initiative supports the Sustainability Charter 2.0 themes of Economic Prosperity and Livelihoods, and Infrastructure. Specifically, the Strategy supports the following Desired Outcomes ("DO") and Strategic Direction ("SD"):

- Jobs and Skills Training DO1: Diverse and meaningful employment and business opportunities are available close to where people live, and provide incomes that can support a high quality of life;
- Economy DO5: Locally owned companies are thriving, creating a robust local economy and retaining wealth and jobs in the community;
- Economy DO6: Efficient land use and well-managed transportation infrastructure are in place to attract businesses and support a thriving economy;
- Economy SD6: Facilitate connections between businesses to support sourcing of local services, expertise, and products; and
- Transportation DO14: Goods movement throughout the city is efficient and minimizes environmental and community impacts.

## CONCLUSION

Implementation of the Strategy initiatives has continued to progress according to updated timelines. Based on the above discussion, it is recommended that Council approve bringing forward the noted amendments to the Business License Bylaw for the necessary readings and that staff be authorized to post notice on the City's website and send written notice to all existing operators of truck parking facilities of the proposed amendments to the Business License Bylaw.

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General Manager, Engineering

Remi Dube  
Acting General Manager, Planning &  
Development

Rob Costanzo  
General Manager, Corporate Services

JF/cc/js

Appendix "I" – Proposed Amendments to *Business License Bylaw, 1999, No. 13680*  
Appendix "II" – Corporate Report No. R007; 2021

**Proposed Amendments to Business License By-law, 1999, No. 1368o**

Under Section 2 Interpretation, revise to:

*Add:*

"Trucking & Cartage" means a business which offers the services of transporting goods or materials.

"Warehouse" means a building or structure designed or intended for the storing of large quantities of goods and their distribution.

Under Section 64.1, revise to:

**Truck Parking Facility**

64.1 (1) Every proprietor or property owner(s) of a truck parking facility must provide the City with an annual environmental assessment report, satisfactory to the City, prior to issuance of the annual business license, for the truck parking facility, and the assessment report must be dated no earlier than 60 days from the date of issuance of the annual business license.

Add Section 64.2

**Trucking & Cartage**

64.2(1) Every proprietor of a trucking & cartage business must provide lawful parking for all vehicles used on an exclusive basis for the business, either at the business premises or at another location where such parking is permitted.

Add Section 65.1

**Warehouse**

65.1(1) Every proprietor or property owner(s) of a warehouse must provide lawful parking for all vehicles used on an exclusive basis for the business operations of the warehouse, either at the business premises or at another location where such parking is permitted.

CITY OF SURREY  
BY-LAW NO. 13680

Business License By-law, 1999, No. 13680

A By-law respecting the granting of licenses and the regulation of businesses.

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As amended by By-law Nos. 13719, 05/10/99; 13720, 05/17/99; 13771, 07/05/99; 13795, 07/19/99; 13866, 10/25/99; 13874, 11/01/99; 13966, 03/13/00; 14011, 05/01/00; 14073, 07/17/00; 14354, 04/09/01; 14391, 05/07/11; 14594, 12/10/01; 14639, 02/25/02; 14766, 07/22/02; 14822, 11/18/02; 14832, 03/10/03; 15343, 04/19/04; 15724, 05/02/05; 15736, 05/30/05; 15756, 06/13/05; 16386, 05/28/07; 16450, 09/17/07; 16521, 01/14/08; 16742, 09/08/08; 16848, 01/19/09; 15822, 05/04/09; 16911, 05/25/09; 17069, 12/14/09; 16668, 05/03/10; 17310, 01/10/2011; 17556, 02/06/12; 17831, 12/17/12; 17774, 04/22/13; 18124, 01/13/14; 18321, 11/03/14; 18348, 01/12/15; 18580, 12/14/15; 18972, 12/19/16; 19418, 12/18/17; 19520, 04/09/18; 19709, 12/19/2018; 19903, 10/07/19; 19975, 12/16/19; 20028, 03/09/20; 20124, 07/27/20; 20214, 12/21/20; 20293, 04/12/2021

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The Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

**Short Title**

1. This By-law may be cited for all purposes as "Business License By-law, 1999, No. 13680."

**Interpretation**

2. In the construction and interpretation of this By-law, words and terms will have the meanings assigned to them:

"Acupuncturist" means a person who pierces any part of a client's body with needles as a means of treating disease or pain.

"Adult Entertainment Store" means a premise where objects other than contraceptive devices, designed or intended to be used in a sexual act as defined by Section 1 of the Motion Picture Act Regulations, B.C. Reg. 260/86 made under the Motion Picture Act, R.S.B.C. 1996, c. 314 are sold or offered for sale.

"Adult Publication" means a book, pamphlet, magazine or printed matter however produced which contains a visual image or representation of a person or portion of the human body depicting nudity, sexual conduct or sadomasochistic behavior.

"Alcohol and Drug Recovery House" means a building which contains sleeping units for persons receiving care and support for recovery from alcohol and drug dependency.

"Apartment Building" means a premise, not being a hotel or rooming house, which is divided into not less than three dwelling units, occupied or equipped to be occupied as rental accommodation.

"Applicant" means a person or corporation who makes application for a license under the provisions of this By-law.

"Arcade" means a premise where 6 or more devices or machines, mechanically, electronically, or otherwise operated and which is used or intended to be used for the amusement and enjoyment of the public, but does not include a carnival ride or a premise licensed under the Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267, where minors are not permitted.

"Auction" means offering or putting up for sale real or personal property where the public is invited to make competitive bids for the property offered for sale, but does not include a crown officer selling crown property by auction or a sheriff's officer or bailiff selling property under a judgment or in satisfaction of rent or taxes.

"Authorized Identification" means any one or more of the following:

- (a) valid provincial or state driver's license integrated with a photograph of the bearer;
- (b) British Columbia identification card issued to the bearer within five (5) years of the date it is produced by the bearer as evidence of;
- (c) valid passport; and
- (d) any other form of provincial or federal identification integrated with a photograph of the bearer.

"Automated Teller Machine" means an automated teller machine not located in a bank or on the same premises as a bank.

"Automobile Rebuilder" means a person who rebuilds vehicles from parts obtained from wrecking on site one or more other vehicles.

"Automobile Wrecker" means a person who removes used parts from vehicles for resale and disposes of the remainder as junk, salvage or scrap.

"Automobile Immobilizing Device" includes a wheel lock device, a Denver Boot, or other device designed to be affixed to the wheels or axle of a motor vehicle to prevent the movement of the vehicle.

"Bank" includes a bank, credit union and trust company and every branch of these institutions.

"Beauty and Wellness Centre" means a premise used to improve beauty and wellness through styling, cutting, or chemical treatment of hair and through skin and body treatments, including pedicures, manicures, facials, microdermabrasion, waxing, laser, hydrotherapy, anti-aging, skin rejuvenation therapy, aromatherapy, stone therapy massage, and relaxation massage but excludes fitness centres, personal training centres, and health enhancement centres.

"Bed and Breakfast" means a business operation carried on by the members of a family as a home occupation to provide temporary sleeping accommodations, with or without meals being provided, all provided for a prescribed charge on a daily basis, where the maximum length of occupancy by a patron is not more than 30 days in a 12-month period.

"Bingo Hall" means a recreational facility used or intended to be used for the purpose of playing bingo, where a license has been issued by the British Columbia Gaming Commission to charitable or religious organizations as a licensee, but does not include casinos and casino halls.

"Body Rub" includes the manipulating, touching or stimulating by any means, of a person's body or part of the body, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing these activities.

"Body Rub Parlour" means a premise where a body rub is performed, offered or solicited.

"Body Painting Studio" means a premise where, directly or indirectly, a fee is paid for any activity involving the application of paint, powder, or similar materials to the body of another person.

"Business" means carrying on a commercial or industrial undertaking of any kind or nature, or providing professional, personal or other services for the purpose of gain or profit.

"Business License Inspector" means the Manager - Administration & By-law and any Senior By-law Enforcement Officer who are the designated municipal officers for the purposes of granting, refusing, suspending or cancelling licenses for businesses including, without limitation, exercising the powers of Council under Section 660 of the Municipal Act, R.S.B.C. 1996, c. 323.

"Business School" means a premise used for the business of giving instruction in the learning of a business, trade or occupation.

"Business Services Office" means a business which offers services to a person or another business, including but not limited to typing, answering service and faxing.

"Carnival" includes a carnival or show having a ferris wheel or other mechanical riding device, or game of skill or chance.

"Casino" means premises for which a Host Financial Assistance Agreement between Her Majesty the Queen in Right of the Province of British Columbia and the City has been authorized by resolution of Council and duly executed by the City and the Province which Agreement allows the conduct, management and operation by the British Columbia Lottery Corporation of games of chance or mixed chance and skill including slot machine gaming machines and video lottery gaming machines on which money may be wagered or spent in cash or any other valuable consideration, but does not include bingo halls or casino halls.

"Casino Hall" means a premise used or intended to be used for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered, where a license has been issued by the British Columbia Gaming Commission to charitable or religious organizations as a licensee, but does not include bingo halls or casinos.

"Cheque Cashing Centre" means a premise where the business of cashing cheques or negotiable instruments for a fee charged or chargeable to the payee of the cheque or the payee's agent is carried on, but does not include a bank.

"Chief Constable" means the Chief of Police of the City for the time being or the senior resident member of the Royal Canadian Mounted Police force responsible for the policing of the City.

"City" means the City of Surrey.

"Collection Agent" means a person carrying on the business of collecting debts for others, or a person who offers or undertakes to collect debts for others, or who solicits accounts for collection, or who carries on the business of doing this work either in whole or in part as is ordinarily done by bailiffs.

"Commercial Kennel" means a kennel specifically set up for the boarding, training and keeping of dogs not owned by the kennel operator or the lot owner.

"Community Service" means a use by a non-profit society:

- (a) providing information, referral, counselling, advocacy or physical or mental health services on an out-patient basis;
  - (b) dispensing aid in the nature of food or clothing; or
  - (c) providing drop-in or activity space;
- but does not include churches, residential uses and independent group homes.

"Contractor" includes a person who undertakes to perform construction, building, carpentry, plastering, lathing, shingling or concrete work, or any other work or service at a certain price or rate or for a fixed sum, except where a license fee for the other work or service is specifically imposed elsewhere in this By-law.

"Council" means the City Council of the City of Surrey.

"Drug Paraphernalia" means any product, equipment, thing or material of any kind primarily used to produce, process, package, store, inject, ingest, inhale or otherwise introduce into the human body a controlled substance as defined in the *Controlled Drugs and Substances Act*.

"E-Cigarette" means the following:

- (a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an e-substance for inhalation or release into the air;
- (b) any product or device prescribed as an e-cigarette by regulation under the Tobacco and Vapour Products Control Act, R.S.B.C. c. 451.

"E-Substance" means a solid, liquid or gas:

- (a) that, on being heated, produces a vapour for use in an e-cigarette, regardless of whether the solid, liquid or gas contains nicotine; and
- (b) that is not a controlled substance within the meaning of the Controlled Drugs and Substances Act.

"Exotic Performer" means a person who is in a state of nudity or who removes a majority or all of that person's clothing.

"Farm Produce Sales" means a premise used for the retail sale of agricultural and horticultural products which are grown on the same lot as the premises or in the Province of British Columbia.

"Financial Agent" means a person who carries on the business of lending money, or financing for other persons the sale or purchase of goods or services.

"Firearms Certification" means a business which provides government certified firearms training, using fully deactivated and unfireable firearms, under full supervision of a federally certified instructor.

"Fireworks Vendor" means a person who engages in the business or display, distribution or sale of fireworks to the general public.

"Fitness Centre" means a premise used for the development of physical fitness including health centres, gymnasia, racket and ball courts, and reducing salons if the training or instruction is primarily in group sessions or classes but excludes personal training centres.

"Gaming Facility" means a premise used for any gaming purpose and includes arcades, casino halls, video lottery gaming and slot machine gaming, but does not include bingo halls or casinos and facilities regulated by the British Columbia Racing Commission.

"Hairdressing Salon" means a premise where the primary use is the styling, cutting or chemical treatment of hair.

"Hair Stylist" means a person who styles, cuts or treats hair at the residence of a client or at a place of business or premises other than a hairdressing salon.

"Health Enhancement Centre" means a premise used to enhance health through therapeutic touch techniques including shiatsu, accupressure, reflexology, bio-kinesiology, hellework, polarity, reiki, rolfing, and trager but excludes body rub parlours, fitness centres, beauty and wellness centres, and personal training centres.

"Highway" includes a street, road, lane, bridge, viaduct and any other way open to the use of the public but does not include a private right-of-way on private property.

"Hobby Kennel" means a kennel where no more than 6 dogs over the age of 6 months are kept on the premises for breeding or showing purposes.

"Hotel" means a premise providing temporary accommodation by way of furnished sleeping, housekeeping or dwelling units and includes a motel.

"Housing Agreement" means an agreement between the City of Surrey and the operator of an alcohol and drug recovery house, as authorized by separate bylaw.

"Ice Cream Vendor" means a person who sells or offers to sell ice cream and related food items from a vehicle to the general public for immediate consumption. For the purposes of this definition, vehicle includes, without limitation, carts, wagons, trailers, trucks and bicycles, regardless of the type of motive power employed to move the vehicle from one point to another.

"Inspector" means a person from time to time appointed as License Inspector of the City and includes any By-law Enforcement Officer, Peace Officer and the Business License Inspectors.

"Junk" means a used or old article or thing.

"Junk Yard" means a yard in which junk is stored.

"Laundry" means a premise used for the business of washing clothes or other fabrics or for the business of supplying linen to others.

"Licensed Establishment" means an establishment licensed under the Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267.

"Licensed Premise (Food Primary)" means a licensed establishment holding a food primary license.

"Licensed Premise (Food Primary with Lounge Endorsement)" means a licensed establishment holding a food primary license with a lounge endorsement.

"Licensed Premise (Liquor Primary)" means a licensed establishment holding a liquor primary license.

"Licensed Premise (Liquor Primary Club)" means a licensed establishment holding a liquor primary club license.

"Licensed Premise (Liquor Primary – Cabaret)" means a licensed establishment holding a liquor primary license primarily engaged in providing cabaret entertainment to its patrons.

"Licensed Premise (Liquor Primary – Stadium)" means a licensed establishment holding a liquor primary license operating as a convention centre, sports stadium or concert hall.

"Licensee Retail Store" means a licensed establishment holding a licensee retail store license.

"Mail Drop Service" means a business that collects mail at a premise owned, occupied or used by it on behalf of a person or persons who are not normally occupants of the premises.

"Miscellaneous" means any business for which a license is required under this By-law and for which a license fee is not specifically imposed elsewhere in Schedule "A".

"Model Studio" means a premise where, directly or indirectly, a fee is paid for the furnishing of persons as models who pose in the nude on the premise for the purpose of being sketched, painted, drawn, sculptured, photographed, or otherwise depicted, but does not include a studio which functions as an educational institution authorized under legislation of the Province of British Columbia governing educational institutions, nor to a studio which functions to provide models who are sketched, painted, drawn, sculptured, photographed, or otherwise depicted and the depiction is produced for commercial purposes, or to a studio which is being operated for purely artistic purposes.

"Motion Picture Film" means photographic film, pre-recorded videotapes, pre-recorded video disks and includes any other object or device on which or in which there is recorded, by photographic, electronic or other means, the contents of a motion picture, and from which, by the use of a projector, machine or other appropriate technology, the motion picture may be viewed, exhibited or projected.

"Nudity" means the showing of the post pubertal human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of a post pubertal female breast with less than a fully opaque covering of any portion of the breast below the top of the nipple or the depiction of covered male genitals in a discernibly turgid state.

"Parking Facility" means a building, structure, or land designed or intended for short-term parking of motor vehicles with a licensed gross vehicle weight of 5,000 kilograms (11,023 lbs.) or less.

"Part Time Medical Practitioner" means a chiropractor, dentist, doctor, optometrist, psychiatrist, psychologist or veterinarian who practices at a clinic in the City less than 60 days in any calendar year and who holds a valid and subsisting business license to practice in another municipality.

"Pawnbroker" means a pawnbroker as defined in Surrey Secondhand Dealers and Pawnbrokers By-law, 1997, No. 13183.

"Peace Officer" means any member of the Royal Canadian Mounted Police responsible for the policing of the City.

"Peddle" means peddle, sell, or offer for sale merchandise to be immediately delivered to the customer.

"Pedlar" means a person who peddles by going from door to door, or by appointment and demonstration.

"Pepper Spray" means an article or substance containing oleoresin capsicum spray, also known as pepper spray and o.c. spray.

"Pepper Spray Vendor" means a place of business where pepper spray is retailed to the general public.

"Personal Training Centre" means a premise used for the provision of physical fitness or personal training including yoga, pilates, and weight loss if the exercise or instruction is primarily on a one-to-one basis, and the premises do not exceed 200 m<sup>2</sup> gross floor area.

Pet Store means a retail store where animals are offered for sale or are sold to the public, but does not include:

- (a) the Surrey Animal Resource Centre located at 17944 Colebrook Road or any other animal shelter owned or controlled by the City of Surrey;
- (b) animal shelters or rescues that are registered charities with the Canada Revenue Agency; or
- (c) animal shelters or rescues that are not-for-profit organizations under the Societies Act [SBC 2015] c. 2015, as amended, with the exception of member funded societies.

"Pharmacy" means a premise licensed as a pharmacy under the Pharmacists, Pharmacy Operations and Drug Scheduling Act, R.S.B.C. 1996, c.363.

"Picture Identification" means one or more of the following provided it is integrated with a photograph of the bearer:

- (a) valid driver's license issued by a Canadian province or territory;
- (b) identity card issued by a Canadian province or territory;
- (c) passport issued by the government of origin;
- (d) Certificate of Indian Status issued by the Government of Canada;
- (e) Certificate of Canadian citizenship issued by the Government of Canada; or
- (f) Conditional Release Card issued by Correctional Services Canada.

"Pinball Machine" means a machine that is mechanically, manually, electronically, or otherwise operated for entertainment or amusement and for which a coin or token must be inserted or a fee charged for the use of the machine.

"Point of Sale System" means a digital, electric, manual or mechanical system for calculating and recording sales transactions.

"Portable Food Vendor" means a person who sells or offers to sell food items to the general public for immediate consumption from a premise located in either a commercial or industrial zone.

"Post Box" means a box or other receptacle used or intended to be used for the collection or storage of mail.

"Post Box Rental Agency" means a business that makes available for rent, lease, purchase, possession or use one or more post boxes to persons who are not normally occupants of the premises where the post box or post boxes are located, but does not include Canada Post.

"Proprietor" means the person who ultimately controls, governs or directs the activities carried on in premises referred to in this By-law and includes the person actually in charge of the premises.

"Real Estate Agent" means a person licensed or required to be licensed as real estate agent under the Real Estate Act, R.S.B.C. 1996. c. 397.

"Recreational Facility" means a premise which provides patrons the opportunity to perform physical activity and includes a billiard parlour, bowling alley, skating rink, curling rink, recreation club, health club and batting cage.

"Recycling Depot" means a building which is used or intended to be used for collecting, sorting, refunding and redistributing recyclable materials and specifically excludes the processing of recyclable material, other than the breaking of glass bottles.

"Recycling Plant" means a premise in which recoverable resources, including newspapers, magazines and other paper products, glass and metal cans, are recycled, reprocessed and treated to return the products to a condition in which they may again be used for production.

"Rooming House" means a building not being a hotel containing rooms used exclusively as sleeping units where lodging for three or more persons is provided.

"Sadomasochistic Behavior" means scenes involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving flagellation, torture, fettering, binding, or other physical restraint of any of the persons.

"Salvage Yard" means a premise primarily used for storing, wrecking, crushing, piling and similar handling of vehicles, machinery and other equipment which is otherwise considered unusable and includes a junk yard but does not include a recycling plant or recycling depot.

"Scrap Dealer" means a person whose primary business is the collection and delivery of scrap to a licensed salvage yard, recycling plant or recycling depot.

"Scrap Metal Dealer" means a scrap metal dealer as defined in Scrap Metal Dealer Regulation By-law, 2008, No. 16655.

"Secondhand Dealer" means a secondhand dealer as defined in Surrey Secondhand Dealers and Pawnbrokers By-law, 1997, No. 13183.

"Sexual Conduct" means acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's unclothed genitals, pubic area, buttocks or if the person is a female, her breast.

"Slot Machine Gaming" means a premise containing devices, mechanically, electronically or otherwise operated or intended to be operated for gaming purposes by means of insertion of money or cards or coins equivalent to money, but such devices shall not include an electronic machine programmed to allow personal play whereby a person is able to play bingo against a computer or to play e-tabs or e-scratches generated by a computer.

"Social Escort Service" means the business of providing male or female escorts for social occasions.

"Student Venture Program" means the business of participating in a Student Venture Program, being an employment assistance program sponsored by the Province of British Columbia and administered by the Surrey Chamber of Commerce, commencing May 1st and terminating prior to October 15th in any year.

"Tax Buyer" means a person carrying on the business of purchasing or otherwise acquiring by way of assignment or other method, another person's right to claim and receive a refund of tax paid under the Income Tax Act of Canada which is due to the other person, but does not include a person licensed under any statute to perform that or a similar function.

"Temporary Homeless Shelter" means a building used to provide temporary sleeping accommodation at no cost for persons in need during the period between November 1 and March 31.

"Theatre" means a building used or intended to be used for live theatre or for the projection of motion picture films classified as general, mature, 14 years, or restricted under the Motion Picture Act Regulations, B.C. Reg. 260/86 made under the Motion Picture Act, R.S.B.C. 1996, c. 314.

"Theatre 2" means a building used or intended to be used for the projection of motion picture films classified as restricted under the Motion Picture Act Regulations, B.C. Reg. 260/86 made pursuant to the Motion Picture Act, R.S.B.C. 1996, c. 314 or where there is one or more film viewers made available for use by the public, or both.

"Therapeutic Touch Technique" includes but is not limited to shiatsu, accupressure, reflexology, bio-kinesiology, hellework, polarity, reiki, rolfing, and trager approach.

"Tobacco" means tobacco leaves or products produced from tobacco in any form or for any use.

"Truck Parking Facility" means a building, structure, or land designed or intended for the parking or storage of vehicles exceeding 5,000 kilograms (11,023 lbs.) licensed gross vehicle weight, excluding wrecked vehicles as defined in the Surrey Zoning By-law, 1993, No. 12000.

"Trucking & Cartage" means a business which offers the services of transporting goods or materials.

"Vapour Product" means the following:

- (a) an e-cigarette;

- (b) an e-substance;
- (c) a cartridge for or a component of an e-cigarette.

"Vending Machine" means a machine or device operated by or requiring for its operation the insertion of a coin or slug and, without limitation, includes a machine or device operated mechanically or otherwise for the purpose of selling or disposing of merchandise or for the purpose of providing music, games, amusement or services of any kind, provided however, that a machine or device will be deemed not to be a vending machine when it is situated in a premise where the principal business carried on in that premise is the sale of merchandise or the dispensing of services through the operation of vending machines.

"Video Lottery Gaming" means an activity or game of chance for money or other valuable consideration carried out or played on or through a computer, electronic or other video device or machine, but excludes the following:

- (a) the purchase and sale of lottery tickets pursuant to a government approved lottery scheme administered by the Public Gaming Branch and the British Columbia Lottery Corporation;
- (b) pari-mutuel systems and machines that are duly licensed under regulations pursuant to Section 204 of the Criminal Code and under the Horse Racing Act, R.S.B.C. 1996, c. 198; and
- (c) "pull-tab" machines that are owned and administered by the British Columbia Lottery Corporation.

**"Warehouse"** means a building or structure designed or intended for the storing of large quantities of goods and their distribution.

"Wholesale Dealer" means a person who carries on the business of dealing in a commodity by selling the commodity to retail dealers or to other wholesale dealers or to contractors or to manufacturers for use in their businesses, but does not include a warehouse operator, where the owner of the warehouse does not employ a representative other than the warehouse operator to solicit orders for, or to handle or distribute the commodities.

### **License Required**

3. No person will carry on a business in the City without holding a valid and subsisting license for the business carried on except for those businesses specifically exempted in this By-law.
4. Where a business is carried on in or from more than one premise in the City, the business carried on in or from each premise is deemed to be a separate business.
5. Where a business is carried on as a partnership, it will be sufficient compliance with this By-law if one license is taken out in the name of the partnership or firm and the license fee is paid for the license.
6. No person will in the course of that person's business or otherwise operate or permit to be operated any gaming facility except as otherwise expressly permitted by this By-law or by any other by-law of the City as may be in existence at any time, or from time to time.
7. A business license is required for every business carried on in the City or with respect to

which any work or service is performed in the City whether or not the business is carried on in or from premises in the City.

### **General Exemptions**

8. The organizers of a performance, concert, exhibition or entertainment the entire proceeds of which, above actual expenses, are devoted to a charitable purpose may apply to Council for a refund of the business license fee paid in respect of the performance, concert, exhibition or entertainment, and Council may upon receipt of satisfactory evidence that the entire proceeds, above actual expenses were devoted to charitable purposes, grant a refund.
9. No license is required with respect to a performance, concert, exhibition, entertainment or concession that is held in a licensed theatre or other licensed premises.
10. No license is required for the business of letting or renting rooms if not more than 2 rooms are available for letting or renting.

### **Charitable Exemptions**

11. No license or license fee is required by a Royal Canadian Legion Branch or Army Navy & Air Force Veterans in Canada Branch with respect to a license it may hold under the Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267 or an establishment it may operate with respect to the license, as Council considers the Royal Canadian Legions and Army Navy & Air Force Veterans in Canada to be non-profit, charitable institutions and organizations contributing to the general interest and advantage of the City.
12. Council considers registered, charitable societies or organizations to be contributing to the general interest and advantage of the City. Every registered, charitable society or organization is required to hold a valid and subsisting license under Section 3, but is only required to pay a nominal license fee of \$1.00 per year, notwithstanding Section 21 and Schedule "A".
13. For the purposes of Section 12:
  - (a) "registered society or organization" means a society incorporated and in good standing under the Society Act, R.S.B.C. 1996, c. 433;
  - (b) "charitable society or organization" means a society or organization which is registered as a charitable society or organization under the Income Tax Act of Canada and is qualified to issue tax receipts to its donors; and
  - (c) "registered, charitable society or organization" means one which is both a "registered society or organization" and a "charitable society or organization".

### **Application for License**

14. All applications for licenses under this By-law must be made to the Inspector on the application form provided for that purpose.
- 14.1 An application made online must be accompanied by payment of an application fee of \$50.00. If the business license is issued, the application fee will be applied to the first year's license fee imposed under Section 21 of this By-law. If the business license is refused because the use for which the license is sought is in violation of Surrey Zoning By-law, 1993, No.

12000, then the application fee will be refunded to the applicant. If the business license is refused for any other reason, the application fee is not refundable.

15. Every applicant must make a true and correct statement in writing on the application form disclosing the nature and character of the business to be carried on, the address of the business, and all other facts as are required by the application form.

#### **Form of License**

16. Every license issued under this By-law will state that the holder is licensed to carry on the business stipulated in the license in a lawful manner for the periods specified in the license at the premise specified in the license, subject to the terms and conditions specified on the license.
17. Every license issued under this By-law will be made out in duplicate and one copy will be delivered by the City to the person licensed.

#### **Posting of License**

18. The person licensed must post the license and keep the license posted in a conspicuous place on the premises or on the thing or article in respect of which the license issued.

#### **Period of License**

19. All licenses granted under this By-law will be issued annually to terminate one year from the date of issuance of the license.
20. Notwithstanding Section 19, the period of a license for:
  - (a) a theatre, drive-in theatre, amusement hall, concert hall, music hall, opera house, rink, amusement park or other place of amusement, entertainment, or exhibition may be twelve months, six months, three months, one month or one day;
  - (b) a circus, exhibition or other itinerant show or entertainment, when held elsewhere than in a licensed theatre, or other licensed place, will be for one day; and
  - (c) horse racing will be for one day.

#### **License Fees**

21.
  - (1) The license fees set out in Schedule "A" are hereby imposed and Schedule "A" is made part of this By-law. Every applicant for a license must pay to the City at the time of application, the proper license fees set out in Schedule "A" and no license will be issued until payment of the fee is made.
  - (2) A 5% penalty will be added to gross license fees remaining unpaid 30 days after the due date. An additional 5% penalty will be added to gross license fees remaining unpaid 90 days after the due date.

#### **Refund of License Fees**

22. If an applicant for a business license who has paid a license fee in accordance with Schedule "A" requests a refund of the fee before the business license has been issued, then the City will retain 50% of the fee so paid to a maximum of \$200 plus applicable taxes and the balance paid will be refunded to the applicant provided that the City has made no

inspection with respect to the business license application. If the City has made an inspection with respect to the business license application, then the City will retain 50% of the fee paid to a maximum of \$400.00 plus applicable taxes and the balance paid will be refunded to the applicant.

### **Variable License Fees**

23. Where the license fee for a business is based on the floor area, ground area, number of people regularly employed, number of machines, appliances, rental units or other factors used in the carrying on of the business, an applicant who changes the factors upon which the license fee is based must immediately notify the Inspector in writing, and pay any additional license fee which may be payable under Schedule "A" as a result of the change.

### **Transfer of License**

24. An applicant desiring to obtain a transfer of a license, or interest in a license, issued under this By-law and held by another applicant, must make an application the same as that required to obtain a license under this By-law, and the powers, conditions, requirements, and procedures relating to the granting and refusal of licenses and appeals will apply to the application.
25. An applicant who purchases the interest of, or part of the interest of, an applicant licensed under this By-law must not carry on or continue the business without first obtaining a transfer of license or a new license.
26. An applicant to whom a license has been issued under this By-law who changes the location of the premises in which the business is carried on must first apply to the Inspector to have the license altered, and the powers, conditions, requirements, and procedures relating to the granting or refusal of licenses and appeals will apply to the application.
27. The fee payable for the transfer of a license from one applicant to another under Section 24 or Section 25 is \$25.00 plus applicable taxes.

### **Inspection**

28. Every Inspector and every Medical Health Officer is authorized to enter at all reasonable times, any house, place, premises, vehicle, or other place in respect of which a license has been applied for, granted or may be required under this By-law, to ascertain whether the regulations and provisions of this By-law are being obeyed. No person will prevent, obstruct or attempt to prevent or obstruct the entry of a person authorized entry under this Section.

### **Refusal of a License**

29. (1) An application for a license may be refused by Council or the Business License Inspector in any specific case, provided that:
  - (a) the application must not be unreasonably refused; and
  - (b) Council or the Business License Inspector must give reasons for the refusal.
- (2) If the Business License Inspector has refused to grant a license, the applicant who is subject to the decision is entitled to have Council reconsider the matter.

### **Granting of a License**

30. The Inspector may grant a license under this By-law where the Inspector is satisfied that the applicant has complied with the requirements of this By-law and the City's by-laws regulating building, zoning, health and sanitation.
31. If the application for a license is refused by the Business License Inspector, the Business License Inspector must notify the applicant of the right to a reconsideration by Council.

### **Terms and Conditions of a License**

- 31.1 The Inspector or Council may impose terms and conditions on a license granted under this By-law in addition to the terms and conditions imposed by this By-law.
- 31.2 The terms and conditions imposed on a license may include any one or more of the following:
  - (a) a requirement that the holder comply with a particular provision of a City by-law or any other provincial or federal enactment within a specified period of time;
  - (b) a requirement that the holder provide to the Inspector within a specified period of time evidence satisfactory to the Inspector of compliance with a particular provision of a City by-law or any other provincial or federal enactment.

### **Compliance with Zoning**

32. Before a license is granted under this By-law, the Inspector must be satisfied that the use for which the license is sought is not in violation of Surrey Zoning By-law, 1993, No. 12000 or of any by-law then in force in the City, and no license will be issued if the carrying on of the business in or from the premises applied for would be contrary to any City by-law.

### **Insurance**

33. No license will be granted for the operation of a spectator or sports function, or any public entertainment, including, without limitation, any exhibition, zoo, circus, carnival, rodeo, demolition derbies, automobile or motorcycle races, car rallies, go-cart races, horse races, public animal rides, or other similar function, or the operation of a ferris wheel, merry-go-round or other similar device until the applicant has deposited proof in a form and amount satisfactory to the City that the applicant has comprehensive general liability insurance, which includes a cross-liability clause and specifies the City as an additional insured. The applicant must supply to the City a copy of the current certification from the Elevating Devices Branch showing all carnival rides have been inspected and are approved for use. The applicant must also comply with the provisions of The Control of Special Events By-law, 1975, No. 4682.

### **Suspension or Cancellation of a License**

34.
  - (1) A license may be suspended or cancelled by Council or the Business License Inspector for reasonable cause.
  - (2) Without limiting Subsection (1), any one of the following circumstances may constitute reasonable cause:
    - (a) the holder fails to comply with a term or condition of the license;

- (b) the holder is convicted of an offence indictable in Canada;
  - (c) the holder is convicted of an offence under an Act or municipal by-law in respect of the business for which the holder is licensed or with respect to the premises named in the license;
  - (d) the holder is deemed, under this Act or the Offence Act, R.S.B.C. 1996, c. 338 to have pleaded guilty to an offence referred to in paragraph (c);
  - (e) the holder has ceased to comply with a by-law or has otherwise ceased to meet the lawful requirements to carry on the business for which the holder is licensed or with respect to the premises named in the license;
  - (f) in the opinion of the Council or the Business License Inspector, the holder has engaged in misconduct that warrants the suspension or cancellation of the license, if the misconduct is:
    - (i) in respect of the business,
    - (ii) in or with respect to the premises named in the license, or
    - (iii) in respect of that business or another business, or in or with respect to the premises of that business or other business, carried on by the holder inside or outside the municipality.
35. (1) Before suspending or cancelling a license, the Council must give the license holder notice of the proposed action and an opportunity to be heard.
- (2) A suspension under Section 34 is for the period determined by the Council or the Business License Inspector, and the Council or the Business License Inspector may impose additional conditions on the license that relate to the reasons for the suspension and apply after the period of suspension.
- (3) In the case of a suspension or cancellation of a license by the Business License Inspector, the Business License Inspector must notify the holder of the right to a reconsideration by Council.
- (4) The obligations under Subsections (1) and (3) are satisfied if a reasonable effort was made to mail or otherwise deliver the notices.
36. If the Business License Inspector has suspended or cancelled a license, the license holder who is subject to the decision is entitled to have Council reconsider the matter.

#### **Adult Entertainment Publications**

37. (1) Except where the business is an adult entertainment store licensed under this By-law, no person carrying on any business will display or permit to be displayed an adult publication except as follows:
- (a) all adult publications must be located on a shelf the bottom edge of which is at least 47 inches from the floor; and
  - (b) all adult publications must be placed behind a sheet of opaque plastic or other opaque substance which extends for the full length of the shelf on which the publications are placed and which extends vertically for at least 8 inches from the bottom of the shelf.

#### **Adult Entertainment Stores**

38. (1) No proprietor of an adult entertainment store will permit any person to be on the store premises at any time unless the person is 18 years of age or over.
- (2) No proprietor of an adult entertainment store will exhibit or permit to be exhibited in any window on or about the premises any graphic sexual material or sex paraphernalia.

#### **Alcohol and Drug Recovery Houses**

39. (1) Every applicant for an alcohol and drug recovery house license must submit to a criminal background check.
- (2) Every operator of an alcohol and drug recovery house must keep a register book of all persons provided accommodation, including dates of arrival and departure.
- (3) The operator of an alcohol and drug recovery house must require every person provided accommodation to sign the register.
- (4) The registration records to which this Section refers must be produced for inspection at the request of an Inspector or the Chief Constable.
- (5) Every operator of an alcohol and drug recovery house must complete a Housing Agreement with the City as a condition precedent to the renewal of an existing business license.
- (6) Every applicant for an alcohol and drug recovery house must complete a Housing Agreement with the City as a condition precedent to the issuance of a new business license.

#### **Arcades**

40. (1) Arcades must close at or before 11:30 p.m.
- (2) No person under the age of 16 years is permitted to enter an arcade, unless the person is accompanied by a parent or legal guardian.
- (3) Every proprietor of an arcade must post the regulations and hours of operation specified by this Section in a conspicuous place at the entrance to the premises and inside the premises within one metre of each machine.

#### **Automobile Immobilizing**

41. (1) Every proprietor of an automobile immobilizing business is subject to the regulations in this Section.
- (2) Every proprietor must display in a conspicuous place at all locations where vehicles are, or may be, immobilized, signs made of a reflective material, of a size not less than 35.5 centimetres (14 inches) by 50 centimetres (20 inches), with letters and numbers not less than 5 centimetres (2 inches) in height, containing the following information:
- (a) the conditions under which the parking of a vehicle will be considered unauthorized; and

- (b) the name and the telephone number of the firm responsible for immobilizing vehicles at that location.
- (3) Every proprietor must ensure that once a vehicle has been fitted with an automobile immobilizing device, that a person:
  - (a) having the means and authority to remove the automobile immobilizing device; and
  - (b) carrying proper identification and information showing the authority to immobilize vehicles on the property in question and who must produce that identification and authority on request,

will be on the site at all times until the owner or operator of the vehicle has reclaimed the vehicle.

- (4) No proprietor will immobilize a vehicle by way of an automobile immobilizing device and have the vehicle towed from the premises for the same offence.
- (5) No proprietor will charge more than a total of \$30.00 plus applicable taxes for the combination of installation and removal of an automobile immobilizing device.
- (6) Every proprietor must, prior to immobilizing a vehicle, place a written notice on the windshield of the vehicle, setting out the reasons for, and the authority for, the immobilization.
- (7) Every proprietor must, for enforcement of time limited parking, wait 5 minutes for every 15 minutes of regulated time parking prior to immobilizing a vehicle.
- (8) Every proprietor must maintain, to the satisfaction of the Inspector, a written record of all vehicles which have been immobilized, identifying the vehicle and the times when the vehicle was immobilized and released from immobilization, and the record must be available for inspection during normal business hours.
- (9) Every proprietor must provide evidence, satisfactory to the City, that the person has comprehensive general liability insurance in the amount of \$2,000,000.00 which includes a cross-liability clause and specifies the City as an additional insured.
- (10) No proprietor will use automobile immobilizing devices in parking stalls designated as disabled parking, or in designated fire lanes.

#### **Automobile Wrecking and Salvage**

- 42. (1) Every proprietor of an automobile wrecker, salvage yard, automobile dealer/rebuilder, towing with storage business and towing without storage business is subject to the regulations in this Section.
- (2) Every proprietor must maintain on the premises a permanent building of at least 100 square metres and the building must contain an office together with washroom and cleanup facilities for employees.
- (3) Where open storage is permitted, the storage area must be completely screened to a height of at least 2.5 metres by buildings or a solid decorative type fence or substantial landscaping strips of not less than 1.5 metres in width. The display or storage of materials within 5 metres of the screen must not be piled up to a height

of more than 2.5 metres and otherwise must not be piled up to a height of more than 3.5 metres except where specifically permitted in Surrey Zoning By-law, 1993, No. 12000.

- (4) The premises must be kept by the proprietor in a clean, orderly, uncluttered and unobstructed condition and any building or fence on the premises must be kept in good and sufficient repair and properly painted.
- (5) No by-products or materials of the business may be burned except in a furnace or incinerator designed to trap fly ash and to contain the whole of the fire.
- (6) Advertising or illustrating on fences by words, pictures, signs or other means is prohibited unless a sign permit has been obtained from the City.
- (7) No materials of the business may be kept, stored or piled outside a fence required under this Section or any provision of the Surrey Zoning By-law, 1993, No. 12000.
- (8) Off-street parking and off-street loading spaces must be provided in accordance with Surrey Zoning By-law, 1993, No. 12000.
- (9) Every proprietor must keep on the premises a record of the vehicle identification numbers (V.I.N.) and the serial numbers of all automobiles and equipment bearing these numbers, in accordance with the following:
  - (a) every record must be written in ink in a plain legible hand in the English language;
  - (b) every record must include the precise date and hour of receiving the automobile or equipment for salvage or destruction;
  - (c) every record must include the name, residence, or street address, and description of the person from whom the automobile or equipment was received. The description of the person must include date of birth, height, weight, eye colour, race, gender and the type and number of authorized identification presented. This information must be compared to and recorded from the person's authorized identification by the proprietor;
  - (d) every proprietor must, at all reasonable times during business hours, produce the proprietor's register for the inspection of the Chief Constable or an Inspector;
  - (e) the proprietor's register may be removed at any time by the Chief Constable or an Inspector for inspection at the headquarters of the officer or for use as evidence in court;
  - (f) immediately upon the return of a register to the proprietor, the proprietor must enter in proper sequence each and every transaction involving the receiving of automobiles or equipment made during the absence of the register;
  - (g) the proprietor must not permit any entry in a register to be erased, obliterated, or defaced, or permit any page or other portion of the register to be cut out or removed; and
  - (h) the proprietor must number each record in the register in sequence and number each page of the register in sequence.

### **Bed and Breakfast**

43. (1) Every proprietor of a bed and breakfast must:
- (a) supply the Inspector with the number of bedrooms intended for the operation, the daily rate of charge, and whether meals are to be provided;
  - (b) keep the records of all patrons, including dates of arrival and departure;
  - (c) post the daily rate of charge at an easily visible location in the premises; and
  - (d) request inspection of the premises at the time the business license application is made.
- (2) No proprietor of a bed and breakfast will accommodate more than six people at the premises.

### **Body Rub Parlours, Body Painting Studios and Model Studios**

44. (1) Every proprietor of a body rub parlour, body painting studio or model studio must:
- (a) provide the Chief Constable and Inspector with the name, age, address and description of every person proposed to be employed or engaged in the business together with any additional information as the Inspector may require;
  - (b) notify the Inspector within 24 hours of any change in the personnel employed or engaged in the business; and
  - (c) not employ or engage any person in the business without first receiving the approval of the Inspector.
- (2) No proprietor of a body rub parlour, a body painting studio or a model studio will:
- (a) employ any person on the premises unless the person is 19 years of age or over; or
  - (b) permit any person to be on the premises at any time unless the person is 19 years of age or over.
- (3) Every application for a license for a body rub parlour, body painting studio or model studio must be accompanied by a floor plan of the entire premises in the scale and detail as may be prescribed by the Inspector, and when any alterations are made to the premises, revised plans must be immediately filed with the Inspector.
- (4) Every room used for body rub, body painting or nude photography:
- (a) must not be less than 8 feet by 8 feet;
  - (b) must not be equipped with a locking device on any door to the room;
  - (c) other than a door providing entrance to the room, must not have any means by which a person may view the interior of the room; and
  - (d) must be equipped with lighting of at least 50 foot candle power at all points in the room which must remain "on" when the door is closed.

- (5) No proprietor of a body rub parlour, body painting studio or model studio will permit any person to enter or remain on the premises between the hours of 12:00 midnight and 8:00 a.m.
- (6) No proprietor of a body rub parlour will permit any person engaged in providing a body rub on the premises to perform a body rub unless the person is wearing clean, washable, non-transparent outer garments covering the body between the neck and the top of the knee, the sleeves of which do not reach below the elbows.
- (7) No proprietor of a body rub parlour will exhibit the proprietor's body, or permit other persons to exhibit their bodies, in any window on or about the premises, or exhibit or permit to be exhibited any sign outside of the premises showing any nude male or female body, or any part of a nude body, or any printed words that might indicate that the premises is a place that offers any form of sexual or nude entertainment.

### **Casino**

45. (1) Every proprietor of a Casino must:
  - (a) provide the Chief Constable and Inspector with the name, age, address and description of every person proposed to be employed or engaged in the business together with any additional information as the Inspector may require;
  - (b) notify the Inspector within 24 hours of any change in the personnel employed or engaged in the business; and
  - (c) not employ or engage any person in the business without first receiving the approval of the Inspector.
- (2) No proprietor of a Casino will:
  - (a) employ any person on the premises unless the person is 19 years of age or over; or
  - (b) permit any person to be on the premises at any time unless the person is 19 years of age or over.

### **Christmas Tree Sales**

46. (1) Christmas tree sales may be carried out on any property other than a required parking lot or occupied residential lot under the following conditions:
  - (a) the business must be located so that there is no visual obstruction to vehicular traffic or pedestrians and there is not a nuisance to the community;
  - (b) sales will be permitted from November 15 to December 31 of any given year;
  - (c) if the property being used is not owned by the applicant the applicant must provide to the Inspector written permission from the owner of the property to use the property for this purpose;
  - (d) if a temporary office is required, the applicant must obtain a temporary trailer office permit under Surrey Mobile Homes and Trailer Regulation and Control By-law, 1980, No. 6142; and

- (e) once Christmas tree sales are completed, the site must be left by the proprietor in a clean and presentable condition.
- (2) A person who carries out Christmas tree sales and who is also licensed as a nursery for the same premises is not required to pay an additional license fee for Christmas tree sales.

### **Community Services**

- 46.1 (1) Every applicant or operator of a Community Service within the boundaries of the area shown on Map D.1 Surrey City Centre of Schedule D to Surrey Zoning By-law, 1993, No. 12000, must enter into a good neighbour agreement with the City of Surrey as a condition precedent to the issuance of a new business license or the renewal, transfer or amendment of an existing business license.

### **Contractors**

- 47. (1) Every person licensed as a contractor must, within two weeks of delivery of a written request by an Inspector, provide the Inspector with a list of all subtrades engaged on each specific job, on a form prescribed by the Inspector.

### **Discotheques and Dancehalls**

- 48. (1) The operation of every discotheque and dancehall is subject to the regulations of this Section.
- (2) The permitted hours of operation of a discotheque or dancehall are:
  - (a) School day matinees - 4:00 p.m. to 10:00 p.m.;
  - (b) Non-school day matinees - 1:00 p.m. to 10:00 p.m.; and
  - (c) Evenings - 6:00 p.m. to 11:00 p.m. In cases where the evening session precedes a non-school day the hours of operation for the evening session may be 6:00 p.m. to 12:00 p.m.
- (3) Dance sessions may be attended by the 13 to 18 year age group only.
- (4) If a matinee and evening dance are to be held on the same day, they must be scheduled so as to provide one clear hour between the time the matinee dance session ends and the time the evening dance session begins.
- (5) Except for management personnel, only those persons falling into the age group in Subsection (3) are permitted to enter the discotheque or dancehall.
- (6) No person is permitted to re-enter the discotheque or dance hall during the same dance session.
- (7) No alcoholic beverages are permitted to be consumed or kept on the premises.
- (8) No person is permitted to possess alcoholic beverages on or about the premises.
- (9) No drunkenness or disorderly conduct is permitted on the premises.

- (10) One male and one female adult must be on the premises at all times for the purpose of providing supervision. For the purpose of this subsection an adult is a responsible individual over the age of 21 years.
- (11) The interior and exterior of a discotheque or dancehall must be fully illuminated at all times during its operation.
- (12) The license fee payable by the proprietor of a discotheque or dancehall is in addition to any license fee payable for a restaurant on the same premises.

### **Drug Paraphernalia**

- 48A. (1) No person carrying on a business shall display or permit to be displayed on a street or in any window facing a street, or elsewhere where it can be seen by a person inside or outside the premises, or to the public at large, any drug paraphernalia.
- (2) No person carrying on a business shall sell drug paraphernalia to any person under the age of 19 years except where the premises are licensed as a pharmacy under the *Pharmacists Act*.

### **Employment Agencies, Talent Agencies and Recruiting Services**

- 48.1 (1) Every applicant for a license to operate as an employment agency, talent agency or recruiting service must provide evidence satisfactory to the Inspector that the person has obtained a license as required under the Employment Standards Act, R.S.B.C. 1996, c. 113.
- (2) Every proprietor of an employment agency, talent agency or recruiting service must comply with the requirements of the Employment Standards Act, R.S.B.C. 1996, c. 113 and its regulations.

### **Firearms Certification**

- 48.1A (1) The operator of every firearms certification business is subject to the regulations of this Section.
- (2) All firearms certification training instructors must be federally certified.
- (3) All firearms on the business premise must be fully deactivated and unfireable.
- (4) No ammunition is permitted on the business premise at any time.

### **Fireworks Vendor**

- 48.2 (1) The operation of every fireworks vendor is subject to the regulations of this Section.
- (2) A fireworks vendor must conform to Surrey Fireworks Regulation By-law, 1974, No. 4200, as amended.
- (3) A fireworks vendor must not store or cause to be stored any fireworks adjacent to any heat, flame or other source of ignition.
- (4) A fireworks vendor must not store or cause to be stored any fireworks in a position or area that is readily accessible to customers or prospective customers.
- (5) All fireworks for sale or display must be contained in a glass, plexiglass or other suitable receptacle.
- (6) Two rated fire extinguishers: 2A10BC or 3A10BC are required at any premises from which a fireworks vendor operates.

- (7) A fireworks vendor must ensure that there is no smoking within the building where fireworks are present.
- (8) A fireworks vendor must conform to all other City by-laws and all provincial and federal legislation governing fireworks.
- (9) A fireworks vendor may only operate from lots zoned C-4, C-5, C-8, C-15, C-35 and CHI, all as defined in Surrey Zoning By-law, 1993, No. 12000, as amended.
- (10) A fireworks vendor must not sell, dispose of, give or otherwise distribute fireworks to any person other than a person who holds a valid fireworks supervisor certificate from Natural Resources Canada – Explosive Regulatory Division.
- (11) An Inspector will conduct an inspection of the premises of a fireworks vendor applicant to ensure compliance before a business license is issued.
- (12) A fireworks vendor must not operate until the business license application has been approved.
- (13) A fireworks vendor must not operate from:
  - (a) any vacant property or parking lot; or
  - (b) a trailer, vehicle or temporary structure on any property.

### **Health Enhancement Centre**

- 48.3
- (1) The Inspector will not issue a license for a health enhancement centre unless satisfied that either the applicant for the license or an officer of an applicant demonstrates a knowledge and understanding of the art and practice of shiatsu, accupressure, reflexology, bio-kinesiology, hellework, polarity, reiki, rolfing, and trager approach, or any other therapeutic touch technique, and the Inspector may, in that regard, require the applicant or officer to take and pass an exam. The Inspector may require the applicant to provide proof of membership in a recognized association of practitioners or course documentation prior to approval of the license.
  - (2) Every person carrying on the business of a health enhancement centre shall ensure that all persons hired to administer a therapeutic touch technique are qualified in that respect and have not been convicted of an offence under sections 212 or 213 of the *Criminal Code*.
  - (3) No person carrying on the business of a health enhancement centre shall employ any person to administer a therapeutic touch technique unless that person is at least 19 years of age.
  - (4) No person carrying on the business of a health enhancement centre shall remain open for business or administer therapeutic touch technique between the hours of 12:00 midnight and 8:00 a.m.
  - (5) No person carrying on the business of a health enhancement centre shall allow any employee or other person on the premises to engage in or offer to engage in an act of prostitution.

### **Hotels and Rooming Houses**

- 49.
- (1) Every proprietor of a hotel must provide and keep a guest register and every person provided accommodation must be registered.
  - (2) Every proprietor of a hotel must require every person provided accommodation to sign the register and there must be entered in the register the name and home

address of the guest and of each person with the guest together with the date of arrival, and if the guest is travelling by motor vehicle, the trade name of the vehicle, the license number and the Province or State in which the license plate was issued.

- (3) Upon departure of each guest the proprietor of the hotel must enter the date of departure in the register.
- (4) Every person applying for accommodation must furnish to the proprietor of the hotel the information necessary to complete registration in accordance with this Section and no proprietor of a hotel will provide accommodation until the information has been provided. Picture Identification may be requested by the proprietor of any hotel.
- (5) The registration records provided for in this Section must be produced at all times for inspection at the request of an Inspector.
- (6) For the purposes of this Section, "hotel" includes a rooming house and a premise in which more than two rooms or suites are let or kept for rent.

#### **Ice Cream Vendors**

50. (1) No ice cream vendor will carry on business in a manner which is contrary to Highway and Traffic By-law, 1997, No. 13007, the Motor Vehicle Act, R.S.B.C. 1996, c. 318, the Highway Scenic Improvement Act, R.S.B.C. 1996, c. 190 or any other City by-law or Provincial statute or regulation enacted to regulate traffic and the use of highways in the City.
- (2) No ice cream vendor will post, erect, or display a sign along a highway or on property except in compliance with Surrey Zoning By-law, 1993, No. 12000 and the Highway and Traffic By-law, 1997, No. 13007.
- (3) Every ice cream vendor must comply with the Consumer Protection Act, R.S.B.C. 1996, c. 69.
- (4) Every ice cream vendor must obtain written approval from the provincial agency responsible for health and the safe handling of food products.
- (5) No ice cream vendor will stand or locate within 100 metres of any premises offering for sale the same or similar items as the ice cream vendor.
- (6) Every ice cream vendor must provide a garbage container and must pickup all garbage and debris located within 25 metres of the vehicle which results from the ice cream vendor's operation.
- (7) Every vehicle used by an ice cream vendor must be kept in good repair.
- (8) An ice cream vendor must not operate before 8:00 a.m. or after 9:00 p.m.
- (9) The amplified sound from an ice cream vendor's vehicle must not be played at a higher level than 60 dBA measured at 50 feet in front of the vehicle and the amplified sound system must be set within the unit so that it cannot be adjusted to a higher level than 60 dBA measured at 50 feet in front of the vehicle.
- (10) The amplified sound system in an ice cream vendor's vehicle must be shut off when the vehicle is stopped.

- (11) An ice cream vendor will carry on business in residential areas only and will not sell products in commercial areas, parks, beaches, school grounds or on any truck route. For the purposes of this Section, "truck route" means a highway, a portion of a highway, or a series of connected highways, designated as a truck route in Schedule "C" to Highway and Traffic By-law, 1997, No. 13007.
- (12) An ice cream vendor must only stop the ice cream vendor's vehicle in the course of business while actively engaged in making a sale and must move to another location after all customers have been served.
- (13) No member of the general public will be permitted inside an ice cream vendor's vehicle and all food must be served to customers while they stand at the exterior of the vehicle.
- (14) No ice cream vendor will permit or allow any person other than a driver licensed under the Motor Vehicle Act, R.S.B.C. 1996, c. 318 and employed by the ice cream vendor to operate the vehicle.
- (15) Every applicant for a license to operate an ice cream vendor business must:
  - (a) supply the Chief Constable with the name, age, address, birth date and sex of all persons employed in the business; and
  - (b) provide evidence satisfactory to the City that the applicant has comprehensive general liability insurance coverage in the amount of \$2,000,000.00.

### **Junk and Scrap**

51.
  - (1) Vehicles loaded with scrap or junk must not be parked overnight in a residential zone.
  - (2) Every proprietor of a business which has scrap metal as a by-product and operates in other than an industrial zone (including, without limitation, automotive repair service, gas station, auto body/painting and automobile dealer/rebuilder) must contain its surplus scrap totally in a building or approved walled or fenced area with no surplus scrap being piled higher than the approved wall or fence.

### **Kennels**

52.
  - (1) The operator of a hobby kennel must reside on the lot on which the kennel is located.

### **Licensed Establishments**

53.
  - (1) The proprietor of every licensed establishment must ensure that signs warning of fetal alcohol syndrome are installed as prescribed in Subsection (2).
  - (2) Signs warning of fetal alcohol syndrome must meet the following minimum requirements:

- (a) for every licensed establishment which is permitted to sell alcoholic beverages for off-premises consumption there must be at least one sign located so it is clearly visible from all locations where the sale or dispensing of the alcohol beverages takes place; and
  - (b) for every licensed establishment which permits the consumption of alcoholic beverages on the premises there must be one sign conspicuously displayed at each entrance of the premises and in each public washroom located on the premises intended to be used by females.
- (3) All signs to be displayed must be those supplied by the City, a copy of which is attached to and forms part of this By-law as Schedule "B".
  - (4) Where an outdoor patio of a licensed establishment is located within 100 metres of a residential area, the permitted hours of operation of the outdoor patio are between 11:00 a.m. to 10:00 p.m. every day of the week.
  - (5) Every proprietor of a Licensed Premise (Liquor Primary) and of a Licensed Premise (Food Primary) that offers patron participation entertainment, or liquor service past midnight, or operates a separate lounge area where food service is optional, must enter into a good neighbour agreement with the City, the RCMP and Surrey Fire Services as a condition of receiving a new business license or amending an existing business license.

#### **Mail Drop Services**

- 54. (1) Every proprietor of a mail drop service must:
  - (a) maintain a complete and accurate written record of the name and address of every customer on behalf of whom the proprietor collects mail;
  - (b) obtain from every customer a statement of whether or not the customer intends to use the mail drop service for business purposes and include that statement as part of the record;
  - (c) where the customer referred to is a corporation, firm, or business proprietorship, maintain, as part of the record and in addition to the information referred to in clause (i), an accurate written record of the name and address of at least one natural person authorized to represent the corporation, firm, or business proprietorship;
  - (d) obtain from every person referred to in clause (a) and clause (c) proof of identity by the production of picture identification by the person and include the details of each form of picture identification as part of the record;
  - (e) maintain the record on the premises where mail is collected for the customer; and
  - (f) make the record available for inspection immediately upon the request of an Inspector.
- (2) The address of every natural person whose name and address is required to be recorded under this Section must be that person's current residential address.

### **Pedlars**

55. (1) No person will peddle:
- (a) on or from a highway;
  - (b) from a vehicle that is stopped or parked on a highway or on public or private property;
  - (c) on or from a sidewalk;
  - (d) on or from a parking lot;
  - (e) outside of a building; or
  - (f) on or from City property or a City right-of-way.
- (2) No pedlar will carry on business in a manner which is contrary to the Highway and Traffic By-law, 1997, No. 13007, the Motor Vehicle Act, R.S.B.C. 1996, c. 318, the Highway Scenic Improvement Act, R.S.B.C. 1996, c. 190 or any other City by-law or Provincial statute or regulation enacted to regulate traffic and the use of highways in the City.
- (3) No pedlar will post, erect, or display a sign along a highway or on property except in compliance with Surrey Zoning By-law, 1993, No. 12000 and the Highway and Traffic By-law, 1997, No. 13007.
- (4) Every pedlar, when selling or offering for sale to the public a commodity which is sold by weight or measure, must have a lawful scale or measure capable of weighing or measuring the commodity sold or offered for sale by the pedlar.
- (5) Every pedlar must comply with the Consumer Protection Act, R.S.B.C. 1996, c. 69.
- (6) Every pedlar who peddles food or food products must obtain written approval from the provincial agency responsible for health and the safe handling of food products.

### **Pet Stores**

- 55.1 (1) an owner or operator of a pet store must not sell, offer for sale, or display to the public any animal that:
- (a) is not a domestic animal as defined by the Community Charter; or
  - (b) is a dog, cat, or lagomorpha, such as rabbits, hares, or pikas.

### **Pharmacies**

- 55.2 (1) No pharmacy will offer a client a cash incentive or other inducement for dispensing methadone to the client.

### **Pinball Machines**

56. (1) No person under the age of 16 years is permitted to operate a pinball machine after 10:00 p.m., except Fridays and Saturdays or the night prior to a statutory or school holiday, unless accompanied by a parent or legal guardian.
- (2) Every proprietor of a business operating pinball machines, including an arcade, must post the regulations and hours of operation specified by this Section in a

conspicuous place at the entrance to the premises and inside the premises within one metre of each pinball machine.

### **Portable Food Vendors**

57. (1) Every portable food vending cart must:
- (a) not exceed 4 square metres in area;
  - (b) be capable of being moved on its own wheels without alteration or preparation; and
  - (c) be fully self-contained with no service connection, other than electrical service, provided the portable vending cart is located no more than 2 metres from the point of electrical connection.
- (2) A portable food vending cart may be towed by another vehicle.
- (3) Every portable food vending cart must be located on private property so as not to interfere with or block any exit or walkway.
- (4) Every portable food vending cart must be located in one parking space or on the corner of a landscaped area.
- (5) Every portable food vending cart must be kept in good repair.
- (6) Every portable food vending cart must meet Provincial health regulations.
- (7) No portable food vending cart will be located within 100 metres of any restaurant and any premise which sells alcoholic beverages.
- (8) Every portable food vendor must provide a garbage container and must pick up all garbage and debris within 100 metres of the portable food vending cart which results from the business operation.
- (9) Every portable food vendor must provide to the Inspector written permission from the owner of the property allowing the portable vending cart to be located on the property and allowing the portable food vendor to access the washroom facilities located on the property.
- (10) A portable food vendor must not be located on a vacant property.

### **Post Box Rentals**

58. (1) Every proprietor of a post box rental agency must:
- (a) maintain a complete and accurate written record of the name and address of every proprietor who rents, leases, owns, has possession of, or has the use of a post box into which mail is deposited;
  - (b) obtain from every customer a statement of whether or not the customer intends to use the post box for business purposes, and include that statement as part of the record;

- (c) where the customer is a corporation, firm, or business proprietorship, maintain, as part of the record and in addition to the information referred to in clause (a), an accurate written record of the name and address of at least one natural person authorized to represent the corporation, firm, or business proprietorship;
  - (d) obtain from every person referred to in clause (a) or (c) proof of identity by the production of picture identification by the person and include the details of each form of picture identification as part of the record;
  - (e) maintain the record for each post box at the premises where the post box is located; and
  - (f) make the record available for inspection immediately upon the request of an Inspector.
- (2) The address of every natural person whose name and address is required to be recorded under this Section must be that person's current residential address.

### **Scrap Metal Dealers**

- 58.1 (1) Every Scrap Metal Dealer must comply with the provisions of Scrap Metal Dealer Regulation By-law, 2008, No. 16655.

### **Secondary Suites and Rooming Houses**

59. Deleted (BYL 17310, 01/10/11)

### **Secondhand Dealers and Pawnbrokers**

60. (1) No secondhand dealer will carry on business or display or store merchandise except in an enclosed building.
- (2) No secondhand dealer will carry on business as a pawnbroker without first obtaining a license to operate as a pawnbroker and no pawnbroker will carry on a business as a secondhand dealer without first obtaining a license to operate as a secondhand dealer.
- (3) Every secondhand dealer and every pawnbroker must comply with the provisions of Surrey Secondhand Dealers and Pawnbrokers By-law, 1997, No. 13183.

### **Social Escort Services**

61. (1) Every proprietor of a social escort service must:
- (a) provide the Chief Constable and Inspector with the name, age, address and description of every person proposed to be employed or engaged in the business together with any additional information as the Inspector may require;
  - (b) notify the Inspector within 24 hours of any change in the personnel employed or engaged in the business;

- (c) maintain to the satisfaction of the Inspector a written record of every request to provide or furnish an escort or partner, giving the name and address of the person requesting the service together with the name of the escort or partner recommended and the function attended; and
- (d) not employ or engage any person in the business without first receiving the approval of the Inspector.

### **Tax Buyers**

- 62.
- (1) Where any person assigns the right to an income tax refund to a tax buyer, the amount that person is to receive from the tax buyer must be clearly indicated both as to the gross amount to be received as well as the percentage that the gross amount represents of the original amount of the tax refund.
  - (2) When a tax buyer receives an income tax refund and the amount exceeds the amount assigned by the taxpayer by the sum of \$10.00 or more, the tax buyer must contact the taxpayer, advising of the refund so that the refund may be remitted to the taxpayer.
  - (3) Every tax buyer must clearly state the following information on all forms used by the tax buyer and the information also forms part of the regulations governing the conduct of the tax buyer:
    - (a) This is an outright purchase of the tax refund and is not a loan;
    - (b) There are no fees charged by the tax buyer other than those stated in Subsection (1) for this transaction; and
    - (c) The taxpayer may cancel this transaction within 48 business hours without charge or penalty upon return by the taxpayer of all monies received from the tax buyer.
  - (4) The form used by a tax buyer must clearly state the address of the year-round office of the tax buyer and if no year-round office exists, where the tax buyer is a corporation incorporated under the laws of this Province of British Columbia, must state its registered address for service and where the tax buyer is an individual, must indicate the permanent place of residence of the tax buyer.
  - (5) Every form used by a tax buyer must be dated and signed by both the taxpayer and the tax buyer and must clearly indicate that the taxpayer is over the age of 18 years. A copy of the form must be either handed to or delivered to the taxpayer prior to the time the taxpayer executed the assignment of the tax refund.
  - (6) A copy of Subsection (3) must be posted conspicuously on the premises of the tax buyer together with the business license.

### **Taxi Businesses**

- 63.
- (1) Every person applying for and receiving a license to carry on a taxi business must comply with all regulations of Vehicle for Hire By-law, 1999, No. 13610.

### **Temporary Homeless Shelter**

- 63.1 (1) Temporary homeless shelters only be permitted to operate between November 1 and March 31 of any given winter season.

### **Tobacco and Vapour Product Sales**

64. (1) No proprietor of a retail business which has for sale cigarettes and related tobacco products will permit a person to purchase cigarettes or related tobacco products unless the person presents picture identification showing that the person is 19 years of age or over.
- (2) The proprietor of every retail business which has for sale tobacco or vapour products must not display tobacco or vapour products, or advertise or promote the use of tobacco or vapour products, in any manner by which the tobacco or vapour products or the advertisement or promotion:
- (a) may reasonably be seen or accessed by a person inside the retail premises who is not 19 years of age or over; or
  - (b) are clearly visible to a person outside the retail establishment.
- (3) For the purposes of Subsection (2), "advertise or promote the use of tobacco or vapour products" means to advertise or promote the use of tobacco or vapour products by any means, including by:
- (a) displaying on a sign, video, clothing or other tangible object the name of a brand or manufacturer of tobacco or vapour products, an abbreviation or other thing that would reasonably identify the name of a brand or manufacturer of tobacco or vapour products, or a graphic, design or symbol that is commonly associated with the name of a brand or manufacturer of tobacco or vapour products; or
  - (b) making available any sign, video, clothing or other tangible object that displays any of the things set out in paragraph (a).
- (4) Despite Subsection (3), the proprietor of a retail business which has for sale tobacco or vapour products may advertise within the premises the types of tobacco and vapour products for retail by means of a sign that meets all of the following criteria:
- (a) the sign must not be larger than 968 cm<sup>2</sup>;
  - (b) the background of the sign must be white only;
  - (c) the text of the sign must be black only;
  - (d) the letters in the text of the sign must not be higher than 5 cm;
  - (e) except for the "\$" symbol in front of a price, the sign must not contain any graphic or design, or any symbol that is not an alpha-numeric character;
  - (f) the sign must not include the name of a brand or manufacturer of tobacco or vapour products;
  - (g) the sign must not include any abbreviation, or other thing that would reasonably identify the name of a brand or manufacturer of tobacco or vapour products; and

- (h) the sign may advertise only the types of tobacco and vapour products for sale and the prices of, or a price range for, those types of tobacco and vapour products,

and the proprietor must not have more than 3 signs on the premises, including not more than one sign at each point of sale system.

- (5) The proprietor of a retail business which has for sale tobacco or vapour products must ensure that warning signs as prescribed in Subsections (6), (7) or (8) are displayed in accordance with the following:
  - (a) the decals for purchasers must be displayed in plain view to purchasers at the point and time of sale;
  - (b) the decals for employees must be displayed in plain view to the employee operating the point of sale system on or near the point of sale system at the time of sale; and
  - (c) the decals must not be obscured by any sign, notice or any other thing that could make the decal less than fully visible.
- (6) The proprietor of a retail business which has for sale tobacco, but not vapour products, must do both of the following:
  - (a) display to purchasers the decal set out in Figure 1 of Schedule "C"; and
  - (b) display to employees the decal set out in Figure 2 of Schedule "C".
- (7) The proprietor of a retail business which has for sale vapour products, but not tobacco, must do both of the following:
  - (a) display to purchasers the decal set out in Figure 3 of Schedule "C"; and
  - (b) display to employees the decal set out in Figure 4 of Schedule "C".
- (8) The proprietor of a retail business which has for sale both tobacco and vapour products must do both of the following:
  - (a) display to purchasers the decal set out in Figure 5 of Schedule "C"; and
  - (b) display to employees the decal set out in Figure 6 of Schedule "C".
- (9) A proprietor who operates a vending machine that sells tobacco or vapour products must affix to the front of the vending machine the decal referred to in Figure 1, Figure 3 or Figure 5 of Schedule "C", as applicable.
- (10) The proprietor of a retail business which has for sale vapour products is exempt from the provisions of Subsections (1), (2) and (3) with respect to vapour products that are prescribed by regulation under the Tobacco and Vapour Products Control Act, R.S.B.C. c. 451 as products or devices intended to be used for medical purposes, including to reduce nicotine dependence.

### **Truck Parking Facility**

- 64.1 (1) Every proprietor or property owner(s) of a truck parking facility must provide the City with an annual environmental assessment report, ~~in accordance with the form and content requirements of Part 4 of the Riparian Areas Protection Regulation B.C. Reg. 178/2019, for the truck parking facility~~ satisfactory to the City, prior to issuance of the annual business license, for the truck parking facility, and the assessment report must be dated no earlier than ~~one year~~ 60 days from the date of issuance of the annual business license.
- (2) Every proprietor or property owner(s) of a truck parking facility must comply with the provisions of Surrey Stormwater Drainage Regulation and Charges By-law, 2008, No. 16610.

### **Trucking & Cartage**

- 64.2 (1) Every proprietor of a trucking & cartage business must provide lawful parking for all vehicles used on an exclusive basis for the business, either at the business premises or at another location where such parking is permitted.

### **Vending Machines**

65. (1) No proprietor of a retail business which has for sale tobacco or vapour products will sell, offer for sale, provide or distribute tobacco or vapour products to a person unless the individual is 19 years of age or over and presents picture identification showing that the individual is 19 or over.
- (2) No person, other than the Inspector, will alter, remove, damage, deface or destroy a decal attached to a vending machine.
- (3) No proprietor of a premise will permit the number of vending machines owned or kept upon the premise to be increased without first notifying the Inspector in writing of the increase in number.
- (4) The provisions of this Section also apply to vending machines situated on any highway.

### **Warehouse**

- 65.1 (1) Every proprietor or property owner(s) of a warehouse must provide lawful parking for all vehicles used on an exclusive basis for the business operations of the warehouse, either at the business premises or at another location where such parking is permitted.

### **Offences and Penalties**

66. Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention of this By-law or neglects to do or refrains from doing any act or thing required to be done by this By-law or fails to comply with a term or condition of a license granted under this By-law is guilty of an offence and will be liable upon summary conviction to a penalty of not less than \$50.00 and not more than \$2,000.00 plus the costs of the prosecution.

67. Each day that a violation is permitted to exist will constitute a separate offence under this By-law.

**Commencement**

68. This By-law will come into full force and effect on the first day of April, 1999.

**Repeal**

69. "Business License By-law, 1976, No. 4747", as amended, is hereby repealed.

PASSED THREE READINGS on the 22nd day of March, 1999.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 29th day of March, 1999.

\_\_\_\_\_ "D.W. McCALLUM" \_\_\_\_\_ MAYOR

\_\_\_\_\_ "D.B. KENNY" \_\_\_\_\_ CLERK

As Amended by By-laws 13795, 07/19/99; 13966, 03/13/00; 14011, 05/01/00; 14639, 02/25/02; 14832, 03/10/03; 15343, 04/19/04; 15736, 05/30/05; 16450, 09/17/07; 16521, 01/14/08; 16848, 01/19/09; 17069; 12/14/09; 16668, 05/03/10; 17556, 02/06/12; 17831, 12/17/2012; 18124, 01/13/14; 18348, 01/12/15; 18580, 12/14/15; 18972, 12/19/16; 19418, 12/18/17, 19709, 12/19/19; 19975, 12/16/19; 20028, 03/09/20; 20214, 12/21/20

### Schedule "A"

Category	Fee
Acupuncture	\$233.00 per year
Acupressure	\$233.00 per year
Administration Office	\$233.00 per year
Adult Entertainment Store	\$4,983.25 per year
Advertising	\$233.00 per year
Alcohol and Drug Recovery House	\$924.75 per year
Animal Sitting	\$233.00 per year
Apartment Building/Townhouse Rental	\$65.50 per year for each dwelling
Arcade	\$4,983.25 per year
Auction/Auctioneer	\$409.50 per year
Auto Body/Painting	\$377.50 per year
Automated Teller Machine	\$250.50 per year for each machine
Automobile Cleaning/Car Wash/Detailing	\$250.50 per year
Automobile Dealer/Rebuilder	\$584.25 per year
Automobile Wrecker	\$1,256.75 per year
Automobile/Truck Rental	\$416.75 per year
Automotive Repair Service	\$377.50 per year
Bakery	\$269.25 per year
Bankruptcy Trustee	\$326.00 per year
Bank	\$1,330.25 per year
Bed and Breakfast	\$125.00 per year

Boat Building/Sales/Service/Rental/Marina	\$299.25 per year
Body Rub Parlour/Body Painting Studio	\$4,983.25 per year
Bookkeeping	\$233.00 per year
Bowling Alley	\$1,014.50 per year
Bus Service	\$326.00 per year
Business School	\$219.50 per year
Business Services Office	\$233.00 per year
Carnival	\$40.50 per day for each device or game
Casino	\$4,983.25 per year (plus \$58.00 per machine)
Cat Boarding	\$233.00 per year
Caterer	\$233.00 per year
Catering/Coffee Truck	\$233.00 per year
Cemetery	\$1,651.75 per year (plus \$15.25 per hectare)
Charitable Society/Organization	\$1.50 per year
Cheque Cashing Centre	\$326.25 per year
Christmas Tree Sales	\$107.00 per season
Circus	\$253.50 per day
Collection Agent	\$326.25 per year
Commercial Kennel	\$501.50 per year
Computer Consulting/Repair/Design	\$233.00 per year (plus \$32.00 per employee)
Concession Stand	\$309.50 per year for each stand
Construction Management	\$233.00 per year (plus \$32.00 per employee)
Consultant	\$233.00 per year (plus \$32.00 per employee)
Contractor - Alarm Installation	\$326.25 per year
Contractor - Demolition	\$326.25 per year
Contractor - Electrical	\$326.25 per year
Contractor - Fire Protection	\$326.25 per year

Contractor - General	\$326.25 per year
Contractor - Landscaping/Excavating	\$326.25 per year
Contractor - Masonry/Drywall	\$326.25 per year
Contractor - Miscellaneous	\$326.25 per year
Contractor - Painting	\$326.25 per year
Contractor - Paving	\$326.25 per year
Contractor - Plumbing/Heating/Mechanical	\$326.25 per year
Contractor - Roofing/Insulation	\$326.25 per year
Contractor - Sewer/Septic	\$326.25 per year
Contractor - With Storage	\$326.25 per year (plus \$26.50 for each 100m <sup>2</sup> over 2,000m <sup>2</sup> not including customer parking areas)
Counselling Service	\$233.00 per year
Courier Service	\$166.50 per year
Currency Exchange	\$326.25 per year
Customs Broker	\$358.00 per year (plus \$32.00 per employee)
Dating Service	\$4,983.25 per year
Dental Lab	\$358.00 per year
Denture Clinic	\$358.00 per year
Desktop Publishing	\$233.00 per year (plus \$32.00 per employee)
Discotheque/Dancehall	\$4,983.25 per year
Dog Grooming	\$321.00 per year
Drafting/Design Service	\$233.00 per year (plus \$32.00 per employee)
Dressmaker	\$107.25 per year
Driving School	\$219.50 per year
Dry Cleaner/Laundry	\$162.00 per year
Education Service (assessment, etc.)	\$233.00 per year (plus \$32.00 per employee)
Employment Agency/Recruiting Service	\$233.00 per year (plus \$32.00 per employee)

Employment Consultant	\$233.00 per year (plus \$32.00 per employee)
Esthetician	\$131.25 per year
Farm Produce Sales	\$326.25 per year
Fashion Design	\$233.00 per year (plus \$32.00 per employee)
Financial Agent	\$751.00 per year
Financial Planning/Consultant	\$233.00 per year (plus \$32.00 per employee)
Fireworks Vendor	\$419.75 per year
Fitness Personal Trainer	\$233.00 per year (plus \$32.00 per employee)
Flea Market	\$321.00 per year
Funeral Parlour	\$429.75 per year
Gas Station	\$674.50 per year
General Business Office	\$233.00 per year (plus \$32.00 per employee)
Glass Installation/Sales	\$326.25 per year
Golf Course, Driving Ranges, Par 3 Courses	\$309.50 per year
Hairdressing Salon/Hair Stylist	\$132.25 per year (plus \$66.75 for each chair over one)
Health Care Consultant	\$233.00 per year (plus \$32.00 per employee)
Hobby Kennel - 3 Dogs	\$127.25 per year
Hobby Kennel - 4 to 6 Dogs	\$250.50 per year
Holistic Health Care	\$358.00 per year
Home Crafts	\$107.00 per year
Horse Racing	\$369.50 per day
Hotel/Motel/Rooming House	\$18.50 per year for each room
Ice Cream Vendor	\$299.25 per year
Immigration Consultant	\$233.00 per year (plus \$32.00 per employee)
Import/Export	\$219.50 per year
Income Tax Service	\$233.00 per year
Insurance Adjuster	\$269.25 per year

Insurance Agent	\$233.00 per year (plus \$32.00 per employee)
Interior Decorating/Design	\$233.00 per year (plus \$32.00 per employee)
Internet Services	\$233.00 per year (plus \$32.00 per employee)
Investment Consultant	\$233.00 per year (plus \$32.00 per employee)
Janitorial Service	\$198.75 per year
Land Development	\$326.25 per year
Laundromat	\$501.50 per year
Licensed Premises (Food Primary)	\$418.75 per year
Licensed Premises (Food Primary with	\$833.25 per year
Licensed Premises (Liquor Primary Club)	\$2,505.75 per year
Licensed Premises (Liquor Primary)	\$2,505.75 per year
Licensed Premises (Liquor Primary – Cabaret)	\$4,983.25 per year
Licensed Premises (Liquor Primary – Stadium)	\$4,983.25 per year
Licensee Retail Store	\$833.25 per year
Limousine Service	\$166.75 per year (plus \$86.75 per vehicle)
Locksmith	\$326.25 per year
Lumber Yard/Building Material Yard	\$432.00 per year (plus \$25.50 per 100m <sup>2</sup> over 2000m <sup>2</sup> not including customer parking areas)
Machinery/Heavy Equipment Dealer	\$432.00 per year
Mail Drop Service	\$233.00 per year
Mail Order	\$233.00 per year
Manufacturer's Agent	\$219.50 per year
Manufacturer/Machine Shop	\$317.00 per year (plus \$7.75 per employee)
Massage Therapist (RMT)	\$358.00 per year
Media/Public Relations	\$233.00 per year (plus \$32.00 per employee)
Mediation Services	\$233.00 per year (plus \$32.00 per employee)
Medical Laboratory	\$416.75 per year

Methadone Dispensary	\$4,983.25 per year
Miscellaneous	\$326.25 per year
Mobile Home Park	\$65.50 per year for each unit
Model Studio	\$3,218.00 per year
Nursery	\$326.25 per year
Parking Lot Enforcement (Automobile Immobilizing)	\$451.50 per year
Parking Lot	\$326.25 per year
Party/Wedding Consultant	\$233.00 per year (plus \$32.00 per employee)
Pawnbroker	\$4,983.25 per year
Pedlar	\$299.25 per year
Pepper Spray Vendor	\$418.75 per year
Petroleum Product Distributor	\$535.00 per year
Photographer/Videographer	\$219.50 per year
Planning Consultant	\$233.00 per year (plus \$32.00 per employee)
Portable Food Vendor	\$125.00 per year
Post Box Rental Agency	\$219.50 per year
Printer/Publisher	\$219.50 per year
Private Investigators	\$326.25 per year
Professional Practitioner - Accountant	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner - Architect	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner - Chiropractor	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner - Dentist	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner - Engineer	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner - Land Surveyor	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner - Lawyer	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner - Doctor	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner - Notary	\$498.75 per year (plus \$32.00 per employee)

Professional Practitioner - Optometrist	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner – Part Time	\$166.50 per year
Professional Practitioner - Psychiatrist/Psychologist	\$498.75 per year (plus \$32.00 per employee)
Professional Practitioner - Veterinarian	\$498.75 per year (plus \$32.00 per employee)
Professional Sports	\$107.00 per year
Project Management	\$233.00 per year (plus \$32.00 per employee)
Property Management	\$233.00 per year (plus \$32.00 per employee)
Public Utility Company	\$1,651.75 per year
Real Estate Agent - 0-5 Employees	\$166.50 per year
Real Estate Agent - 6-10 Employees	\$381.00 per year
Real Estate Agent - 11-15 Employees	\$642.50 per year
Real Estate Agent - 16-25 Employees	\$833.25 per year
Real Estate Agent - 26-50 Employees	\$1,152.25 per year
Real Estate Agent - 51-100 Employees	\$1,537.50 per year
Real Estate Agent - 100+ Employees	\$1,537.50 per year (plus \$314.25 for each 50 employees over 100 employees)
Real Estate Appraisal Service/Building Inspector	\$326.25 per year
Recreational Facility	\$309.50 per year
Recycling Depot	\$416.75 per year
Recycling Plant	\$833.25 per year
Reflexology	\$343.50 per year
Rental Service	\$219.50 per year
Repair Service	\$219.50 per year
Restaurant	\$125.00 per year (plus \$3.00 per seat)
Retail Merchant (0-2 Employees)	\$326.25 per year
Retail Merchant (3-5 Employees)	\$326.25 per year (plus \$32.00 per cash register)
Retail Merchant (6-9 Employees)	\$326.25 per year (plus \$78.00 per cash register)

Retail Merchant (10-19 Employees)	\$326.25 per year (plus \$105.00 per cash register)
Retail Merchant (20 or More Employees)	\$326.25 per year (plus \$132.25 per cash register)
Sales/Marketing Office	\$233.00 per year (plus \$32.00 per employee)
Salvage Yard	\$1,252.25 per year
Scrap Dealer	\$326.25 per year
Secondhand Dealer	\$4,983.25 per year
Security Consultant	\$233.00 per year (plus \$32.00 per employee)
Security Service	\$400.00 per year
Seminar	\$83.25 per day
Sharpening Service	\$107.00 per year
Shiatsu Massage	\$358.00 per year
Ship Agency/Chandler	\$233.00 per year (plus \$32.00 per employee)
Sign Painter/Manufacturer/Installation	\$326.25 per year
Social Club	\$233.00 per year
Social Escort Service	\$4,983.25 per year
Software Design/Consultant	\$233.00 per year (plus \$32.00 per employee)
Student Venture Program	\$18.25 per year
Tailor	\$162.00 per year
Tanning Salon	\$398.25 per year
Tattoo Parlour	\$201.25 per year
Taxi Service	\$166.75 per year (plus \$0 per wheelchair accessible vehicle plus \$30 per zero emissions vehicle plus \$150.00 per any other vehicle)
Taxidermist	\$219.50 per year
Telemarketing Office	\$233.00 per year (plus \$32.00 per employee)
Theatre	\$219.50 per year (plus \$2.50 per seat)
Theatre 2	\$4,983.25 per year
Theatre - Drive-in	\$219.50 per year (plus \$5.50 per parking space)

Tour Consultant/Operator	\$233.00 per year (plus \$32.00 per employee)
Tourist Trailer Parks/Campsites	\$233.00 per year (plus \$32.00 per space)
Towing with No Storage	\$416.75 per year
Towing with Storage	\$833.25 per year
Trade School	\$219.50 per year
Traffic Control	\$250.50 per year
Travel Agency	\$233.00 per year (plus \$32.00 per employee)
Trucking & Cartage - one vehicle only	\$166.50 per year
Trucking & Cartage - multiple vehicles	\$326.25 per year
Truck Parking	\$833.25 per year
Tutoring	\$125.00 per year
U-brew/U-vin Premises	\$321.00 per year
Upholstery	\$219.50 per year
Vending Machine/Pinball Machine	\$36.00 per year for each machine
Warehouse	\$309.50 per year
Welding	\$326.25 per year
Wholesale Dealer	\$309.50 per year (plus \$7.75 per employee)

All fees are subject to applicable taxes.

SCHEDULE "B"



CITY OF SURREY



**• WARNING •**

**Drinking Distilled  
Spirits, Beer, Coolers,  
Wine and Other  
Alcoholic Beverages  
During Pregnancy  
Can Cause  
Birth Defects.**

**SCHEDULE "C"**

**Figure 1**



**Figure 2**



Figure 3

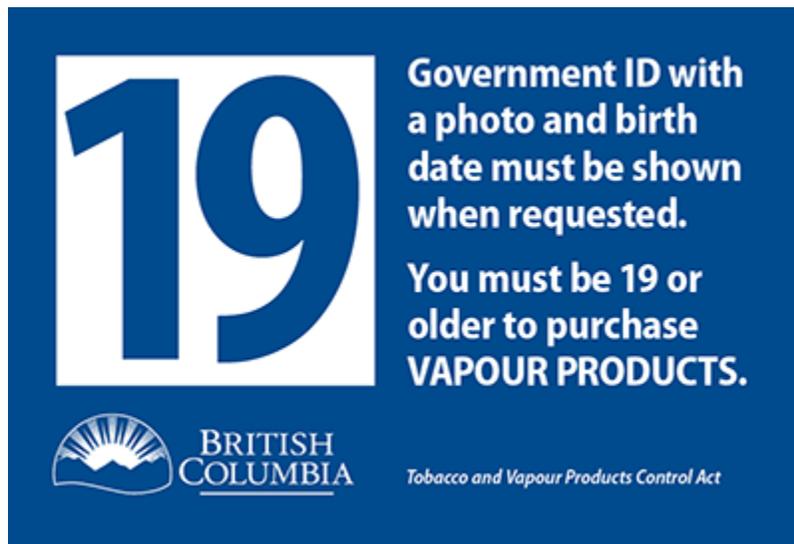


Figure 4



Figure 5



**19**

**Government ID with a photo and birth date must be shown when requested.**

**You must be 19 or older to purchase TOBACCO or VAPOUR PRODUCTS.**

 **BRITISH COLUMBIA**

*Tobacco and Vapour Products Control Act*

Figure 6



**19**

**It is ILLEGAL to give or sell TOBACCO or VAPOUR PRODUCTS to anyone under 19 years of age.**

**Valid photo ID may be required.**

 **BRITISH COLUMBIA**

*Tobacco and Vapour Products Control Act*



## CORPORATE REPORT

No: R007 Council Date: Jan 11 2021

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### REGULAR COUNCIL

TO: Mayor & Council

DATE: January 6, 2021

FROM: General Manager, Engineering  
General Manager, Planning & Development  
General Manager, Corporate Services

FILE: 8630-30 (Trucks)

SUBJECT: Truck Parking Strategy Initiatives Update

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### RECOMMENDATION

The Engineering, Planning & Development, and Corporate Services Departments recommend that Council:

1. Receive this report for information;
2. Direct staff engage with, and send written notices to, existing operators of truck parking facilities regarding the proposed amendments to the *Business License Bylaw, 1999, No. 13680*, and provide them with an opportunity to provide feedback;
3. Direct staff to report back to Council on any written comments received prior to Council considering the proposed amendments to the *Business License Bylaw, 1999, No. 13680*; and
4. Endorse a City cost-sharing to a maximum of \$500,000 towards the Council-initiated Local Area Service Program in the South Westminster pilot area.

### INTENT

The purpose of this report is to provide a year-end status update on the implementation of the Truck Parking Strategy (the "Strategy") developed by the Truck Parking Task Force ("the Task Force") and as authorized by Council in December 2019, and obtain Council approval to commence the final round of engagement of the proposed amendments to the *Business License Bylaw, 1999, No. 13680* (the "Business License Bylaw") prior to bringing forward the necessary Bylaw amendments.

## BACKGROUND

Through a comprehensive public engagement process, the Task Force developed the Strategy, which set forth the following six recommended initiatives to improve truck parking in Surrey that reflect community priorities and address industry needs:

1. Provide locations for on-street truck parking in select industrial areas;
2. Permit parking in low-density (one acre or larger) residential areas;
3. Reduce costs of development for truck parking facilities;
4. Develop a mobile parking app;
5. Increase the parking provision of trucking companies; and
6. Pilot a local area service (“LAS”) program to facilitate truck parking development.

## DISCUSSION

In July 2020, staff provided a status update on the Truck Parking Strategy (Corporate Report No. R116; 2020, attached as Appendix “I”) and Council approved a number of Bylaw amendments to support these initiatives. The following provides a year-end status update on the implementation of the various remaining initiatives within the Strategy.

### **On-Street Truck Parking in Select Industrial Areas**

This initiative is to develop a paid on-street parking permit program to allow for on-street truck parking at all hours in select industrial areas.

#### Current Progress

To facilitate this initiative, an on-street truck parking pilot is planned to be implemented over the duration of one year. This will allow staff to review and assess the pilot with the intent of expanding it to a City-wide program. The following three road segments have been selected for the pilot program:

- 189 Street between 94 Avenue and 96 Avenue in Port Kells;
- 190 Street between 94 Avenue and 96 Avenue in Port Kells; and
- 115 Avenue between Bridgeview Drive and 132 Street in Bridgeview.

Through engagement with fronting business owners, it was identified that some of the businesses have limited on-site parking for employees, and as such, employees are currently relying primarily on available on-street parking. Staff are currently working with individual businesses to determine specific needs and mitigation measures.

Other concerns identified included potential sightline issues at driveways, potential loss of visibility of businesses, narrow travel widths of roads, potential damage to road and curbs, potential increase of littering, and truck drivers performing maintenance on their trucks.

To mitigate these concerns, staff are ensuring that the proposed extents of the on-street permit parking maintains adequate sightlines and travel pavement widths, and that education and Bylaw enforcement are provided where necessary for any prohibited activities on or use of roads which will be clearly identified on the application/permit.

### Action Items

The City will begin implementation of the one-year pilot program in February 2021, which is planned to continue until February 2022. Throughout the duration of the pilot program, staff will gather data about utilization and continue to engage with fronting business owners and pilot participants to gather feedback about the program. Following completion of the pilot program, staff will report back to Council on the outcomes of and feedback gathered from the pilot program with recommendations on expansion of this initiative to additional roads throughout the City's industrial areas.

### **Parking in Low-Density Residential Areas**

This initiative is to allow for truck parking on residential properties that are one acre or larger and have the appropriate zoning and land use designations.

### Current Progress

This initiative is currently being piloted through the City's Temporary Use Permit ("TUP") standard application process. Staff have contacted the owners and occupants of over 143 properties that met the zoning and land use designation requirements to inform them of the TUP process and to contact the City's Planning & Development Department to discuss the individual merits of each property through a pre-application meeting. To date, staff have not received any inquiries from property owners seeking to apply for a TUP under this pilot program.

### Action Items

Following the pilot program, with all TUPs ending by December 31, 2021, staff will evaluate the potential to allow for this initiative on a longer-term basis through amendments to the *Surrey Zoning Bylaw, 1993, No. 12000* (the "Zoning Bylaw").

### **Reduce Costs of Development for Truck Parking Facilities**

This initiative is to remove the requirement to fully pave truck parking sites to reduce costs of developing authorized truck parking facilities.

### Current Progress

As part of Corporate Report No. R116; 2020 (attached as Appendix "I"), Council approved the necessary amendments to the Zoning Bylaw to allow for truck parking facilities to be exempt from the surfacing requirement. Business License Bylaw was also amended at that time to ensure environmental monitoring is performed on an annual basis. As the current environmental monitoring process relies solely on the Provincial regulation, the need for more City-specific guidance has been identified to better inform truck parking facility business owners of this process. To this effect, staff have developed a draft Terms of Reference for Environmental Assessments of Truck Parking Facilities ("Terms of Reference"), as documented in Appendix "II", with guidelines and a reporting process to better streamline the annual environmental monitoring requirement.

### Action Items

The Business License Bylaw is proposed to be amended to provide clarity for truck parking facilities as to the annual environmental reporting requirements, as documented in the Terms of Reference. Staff will proceed to notify the industry of the draft Terms of Reference and any related proposed amendments to the Business License Bylaw, such that all Bylaw amendments are brought forward for Council's consideration by June 2021.

### **Parking App**

This initiative is to facilitate the development of truck parking app to help truck operators find and pay for available truck parking spaces.

### Current Progress

A Request for Information was issued in the Summer 2020, to which nine proponents responded. Staff are currently in process of engaging with several of the proponents in order to determine the specific app parameters and features that would be best suited to Surrey's context.

### Action Items

Staff are aiming to select a proponent by February 2021, with the goal of launching the app for public use by Spring 2021.

### **Increase Parking Provision of Trucking Companies**

This initiative is to require trucking and logistics companies to provide adequate parking on-site for all trucks used on an exclusive basis, in order to ensure that truck parking is available for all trucks operating in Surrey.

### Current Progress

As part of the engagement process, staff have contacted all existing businesses and industry stakeholders to inform them of the necessary amendments to the Business License Bylaw to require provision of on-site parking for all trucks used on an exclusive basis.

Typical practice is to provide a minimum of 14-day notice to businesses regarding proposed changes to the Business License Bylaw. This typically provides adequate time for businesses to make any changes required to be in compliance with the amendments. For the proposed amendments, as part of this initiative, it is anticipated that business owners may need a longer time period in order to find and secure adequate truck parking for their business needs. As such, staff are providing a four-month engagement period, from January to April 2021, prior to bringing forward proposed amendments to the Business License Bylaw in the future for Council's consideration. This will allow staff to mitigate and address any concerns received prior to implementing formal bylaw amendments.

### Action Items

In June 2021, staff will present to Council the engagement results, proposed amendments to the Business License Bylaw, along with the First, Second and Third Readings of the Business License Bylaw. Subsequently, all affected businesses within the City would be provided with a formal written 14-day notice and an opportunity to make written submissions to Council prior to Final Adoption of the Bylaw amendments.

### **Local Area Service Program to Facilitate Truck Parking Development**

This initiative is to utilize the legislative provisions of the LAS to provide a cost-effective approach to construct the infrastructure servicing requirements related to development of authorized truck parking facilities.

### Current Progress

A pilot area has been identified within South Westminster to upgrade the roads and utilities to the City's full industrial road standard servicing requirements through a Council-initiated LAS process, for the following corridors:

- 102 Avenue: Scott Road to 121 Street;
- 121 Street: 102 Avenue to 103 Avenue;
- 122 Street: 102A Avenue to 104 Avenue; and
- 103A Avenue: Scott Road to 123A Street.

The city's Consultant (Web Engineering) has estimated the scope of works and cost estimate to be approximately \$12 million.

Over the past 13 years, the City has contributed a total of \$0.5 million to six transportation-related LAS infrastructure projects such as left turn bays, lane, curb, and sidewalk constructions. The largest transportation related LAS was a 2013 Council initiated LAS for the construction of the new 51B Avenue east of 188 Street, which had a total LAS cost of \$1.03 million with 0% funded by the City.

The proposed 10-Year (2021-2030) Servicing Plan allocates approximately \$0.5 million in the transportation LAS funding program for the next 10 years.

### Action Items

Should Council approve in principle the City cost-sharing to a maximum of \$0.5 million, staff will first contact the property owners in the benefiting area to gauge their level of support for the LAS and subsequent charges.

Staff will develop a preliminary petition and should staff receive a two-thirds support with a minimum of half of all benefitting properties responding, then staff will issue a request for proposals to retain a consultant to prepare the detailed design for the project to refine the estimate for project cost certainty. Once the appropriate scope of works and detailed cost estimate have been determined for the benefitting area, staff will bring forward a Corporate Report requesting Council authorize the LAS.

## SUSTAINABILITY CONSIDERATIONS

The Strategy supports the objectives of the City's Sustainability Charter 2.0. In particular, this initiative supports the Sustainability Charter 2.0 themes of Economic Prosperity and Livelihoods, and Infrastructure. Specifically, the Strategy supports the following Desired Outcomes ("DO") and Strategic Direction ("SD"):

- Jobs and Skills Training DO1: Diverse and meaningful employment and business opportunities are available close to where people live, and provide incomes that can support a high quality of life;
- Economy DO5: Locally owned companies are thriving, creating a robust local economy and retaining wealth and jobs in the community;
- Economy DO6: Efficient land use and well-managed transportation infrastructure are in place to attract businesses and support a thriving economy;
- Economy SD6: Facilitate connections between businesses to support sourcing of local services, expertise, and products; and
- Transportation DO14: Goods movement throughout the city is efficient and minimizes environmental and community impacts.

## CONCLUSION

Implementation of the Strategy initiatives has continued to progress according to updated timelines. Based on the above discussion, final engagement can commence with the operators of truck parking facilities of the proposed amendments to the Business License Bylaw and the Council-initiated LAS in the South Westminster pilot area.

Scott Neuman, P.Eng.  
General Manager, Engineering

Jean Lamontagne  
General Manager, Planning & Development

Rob Costanzo  
General Manager, Corporate Services

SSL/JF/cc

Appendix "I" – Corporate Report No. R116; 2020

Appendix "II" - Environmental Assessments of Truck Parking Facilities – Terms of Reference