

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7912-0239-00

Planning Report Date: January 28, 2013

PROPOSAL:

- OCP amendment from Industrial to Commercial
- **Rezoning** from IB and CD (By-law No. 15241 and 16539) to CD (based upon C-8)
- General **Development Permit**

in order to facilitate the consolidation of a City-owned property and permit the development of two (2) multi-tenant commercial buildings on two proposed new lots.

LOCATION: 12451 – 88 Avenue

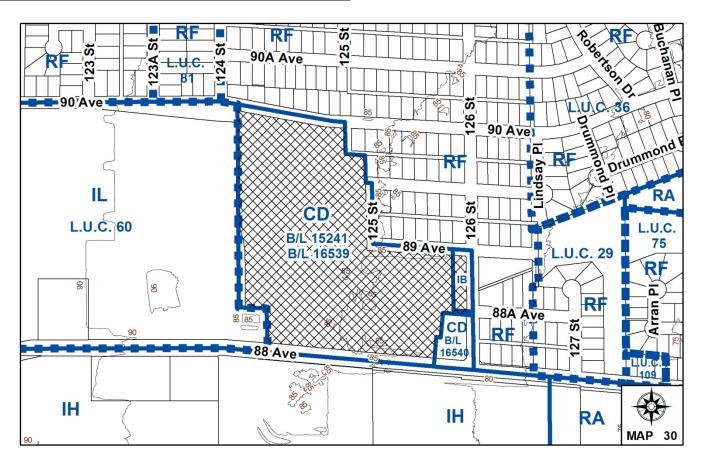
12592 – 89 Avenue

OWNER: Surrey West Shopping Centres Ltd.

City of Surrey

ZONING: CD (By-law No. 15241 and 16539)

OCP DESIGNATION: Commercial and Industrial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
 - o OCP Amendment
 - o Rezoning
- Approval to draft Development Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• The application requires an OCP Amendment from "Industrial" to "Commercial".

RATIONALE OF RECOMMENDATION

- The required OCP amendment from "Industrial" to "Commercial" of the City-owned property at 12592 89 Avenue will facilitate the desired incorporation of this remnant site into the applicant's development which is already designated "Commercial" in the OCP.
- The applicant has reached an agreement in principle with City staff to purchase and consolidate the City-owned property at 12592 89 Avenue thereby avoiding the creation of an orphaned lot with limited future development potential.
- The applicant proposes to further amend Phase 2 and Phase 3 of Development Permit No. 7903-0153-00 in order to allow a 5,128 square metre (55,194 sq. ft.) two-storey multi-tenant retail/office building on Block 3 and 1,375 square metre (14,801 sq. ft.) single-storey multi-tenant retail building on Block 2. The remaining portion of the parent parcel located at 12451 88 Avenue (Block 1) will retain the quality of development that Council originally approved under Development Permit No. 7903-0153-00.
- The overall design and physical appearance of the proposed multi-tenant buildings located on Block 2 and Block 3 are generally consistent with the approved concept for Phase 2 and Phase 3 (File No. 7903-0153-00) and complement the retail centre design.

RECOMMENDATION

The Planning & Development Department recommends that:

- a By-law be introduced to amend the OCP by redesignating the subject property at 12592 – 89 Avenue from Industrial to Commercial and a date for Public Hearing be set (Appendix IV).
- 2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
- a By-law be introduced to rezone the property at 12451 88 Avenue from "Comprehensive Development Zone (CD)" (By-law No. 15241 and 16539) and the property at 12592 89 Avenue from "Business Park Zone (IB)" to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date set for Public Hearing (Appendix V).
- 4. Council authorize staff to draft Development Permit No. 7912-0239-00 generally in accordance with the attached drawings (Appendix II).
- 5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) final approval from Fortis B.C. for the proposed development;
 - (d) final approval from B.C. Hydro for the proposed development; and
 - (e) complete the purchase of the City-owned property at 12592 89 Avenue.

REFERRALS

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing requirements as

outlined in Appendix III.

Parks, Recreation &

Culture:

The Parks, Recreation & Culture Department supports the applicant purchasing the City-owned lot at 12592 – 89 Avenue provided that a statutory right-of-way for public passage is registered on title for the Wildflower Greenway on 126 Street. Furthermore, PRC supports the pedestrian connections extending from Block 2 and Block 3 toward

the intersection of 89 Avenue and 126 Street.

Fortis B.C.:

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Surrey Fire Department: No concerns. Applicant to confirm the turning radius for emergency

vehicles complies with the B.C. Building Code as well as identify the location of the lobby on the site plan at Building Permit stage.

Fortis B.C. has no objection, in principal, to the proposal. However, the applicant is required to confirm whether the DP service header will require relocation. In addition, an engineering assessment may be required to confirm whether upgrades to the existing pipeline are necessary to support the proposed land-use and vehicle crossings of the transmission pipeline. All landscaping within the statutory right-of-way is restricted to low-level planting (maximum 1.8 m. height).

B.C. Hydro: B.C. Hydro has no objection to the OCP amendment and rezoning.

However, final approval will not be given to the subdivision and/or General Development Permit until the applicant has complied with the terms of consent previously issued by B.C. Hydro and installs the required pole protection measures for the parking lot constructed just south of the proposal. In addition, B.C. Hydro will require final detailed plans showing the proposal in relation to B.C. Hydro tower structures on-site which includes vertical and horizontal distances, electrical, wiring and grading plans, details on future civil services as well as proposed landscaping within the B.C. Hydro right-of-way before granting final approval to the General Development Permit.

SITE CHARACTERISTICS

<u>Existing Land Use:</u> Retail shopping centre and vacant City-owned parcel

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North	Single family	Urban/Urban Residential	RF
(Across 89 Avenue & 90 Avenue):	residential		
East	Single family	Urban and Commercial/	RF & CD
(Across 125 Street & 126 Street):	residential, greenbelt,	Urban Residential, Open	(B/L 16540)
	B.C. Hydro/Fortis B.C.	Space & Commercial	
	statutory right-of-way		
	& gas station		
South (Across 88 Avenue):	B.C. Hydro lands	Industrial/High Impact	IH
		Industrial & Open Space	
West:	B.C. Hydro lands	Industrial/Industrial	L.U.C. No. 60

JUSTIFICATION FOR PLAN AMENDMENT

• The City-owned property located at 12592 – 89 Avenue is designated "Industrial" in the Official Community Plan (OCP). The applicant will require an OCP Amendment to re-designate the lot from "Industrial" to "Commercial" in order to facilitate consolidation of the City-owned lot with the adjacent property at 12451 – 88 Avenue, currently designated "Commercial" in the OCP.

• The adjacent property at 12451 – 88 Avenue was re-designated and rezoned from Industrial (IB) to Commercial a number of years ago to accommodate a department store. The re-designation and rezoning of the subject site at 12592 – 89 Avenue will facilitate the desired incorporation of this remnant IB zoned parcel into the existing commercial shopping centre.

DEVELOPMENT CONSIDERATIONS

Background

- As part of this development application, the property at 12451 88 Avenue is 9.42 hectares (23.3 acres) in area and located on the north side of 88 Avenue just west of 126 Street. The property is designated "Commercial" in the Official Community Plan (OCP) and presently zoned "Comprehensive Development Zone (CD)" (By-law No. 15241). The existing CD By-law permits a broad range of retail, personal service, general service, eating establishment and office uses as well as supplemental land-uses consistent with a large format retail centre. The subject property is currently occupied by several big box retailers that include Walmart and Sleep Country as well as smaller retail tenants and eating establishments (Payless Shoe Source, Dollar Giant, Reitmans, La Senza, EB Games, Burger King, etc.). In addition, the property is encumbered by a statutory right-of-way (Fortis B.C. and B.C. Hydro) which restricts future development potential.
- The City-owned parcel at 12592 89 Avenue is designated "Industrial" in the OCP and presently zoned "Business Park Zone (IB)". The City-owned property was originally secured for park purposes but has since been deemed to be surplus lands. It remains vacant, except for a portion of the Wildflower Greenway along 126, Street and is almost 100% encumbered by a statutory right-of-way (Fortis B.C. and B.C. Hydro) which limits future development potential.

Previous Development Applications

- A General Development Permit (No. 7903-0153-00) was previously approved by Council in May, 2004 which included eight retail buildings and associated landscaping to be completed in three phases. The existing Walmart building was completed under Phase 1 and provides roughly 12,310 square metres (135,500 sq. ft.) of retail space and 640 surface parking stalls.
- Subsequent development in Phase 2 and Phase 3 included detailed Development Permits for a Burger King restaurant (7905-0009-00), two multi-tenant commercial buildings (7905-0056-00), a single-storey building occupied by Sleep Country (7907-0112-00) and recent addition of a Tim Hortons restaurant (7912-0019-00). The current build-out provides roughly 17,781 square metres (191,393 sq. ft.) of floor area for retail, personal service, general service and eating establishments.

Current Proposal

OCP Amendment

• The applicant is requesting an OCP Amendment from "Industrial" to "Commercial" for 12592 – 89 Avenue in order to facilitate consolidation of the City-owned parcel with the adjacent property at 12451 – 88 Avenue, presently designated "Commercial" in the OCP.

Rezoning

- The applicant proposes to rezone the property at 12451 88 Avenue from CD (By-law No. 15241 and 16539) as well as rezone the City-owned parcel located at 12592 89 Avenue (zoned IB) to a new CD Zone. The new CD Zone will include three blocks, each with specific land-uses based on the C-8 Zone. Under the new CD Zone, the proposed land-uses in Block 1 will remain unchanged and include the land-uses currently permitted in CD By-law No. 15241. In contrast, the proposed land-uses in Block 2 and Block 3 will allow a similar range of uses as currently permitted in the original CD By-law (By-law No. 15241) but eliminates the limits placed on floor area.
- The current CD Zone allows a minimum gross floor area of 370 square metres (4,000 sq. ft.) for individual businesses. Up to 25% of the total developed gross floor area on-site may be devoted to businesses that individually occupy less than 370 square metres (4,000 sq. ft.) of gross floor area but no more than 60% of these businesses may individually occupy less than 185 square metres (2,000 sq. ft.) of floor area.
- The original intent of placing limits on the maximum permitted floor area was designed to ensure large format retail stores while minimizing competition with existing commercial properties and established small-scale businesses. However, the proposed size of Block 2 and Block 3 will result in smaller parcels that remain significantly encumbered by statutory right-of-ways which City staff consider unsuitable for large format retail stores. Therefore, the proposed rezoning will eliminate the minimum gross floor area requirement for Block 2 and Block 3.
- Under the proposed CD By-law, the maximum allowable density for Block 1 is 0.80 and remains similar to the density permitted in the original CD Zone (By-law No. 15241). In comparison, the maximum allowable density for Block 3 is increased to 0.86 thereby enabling the applicant to achieve a larger gross floor area for the proposed multi-tenant building given the subject site is significantly encumbered by statutory right-of-ways. In exchange, the maximum allowable floor area ratio for Block 2 is reduced to 0.70 to offset the transfer of density.
- The applicant further proposes to amend the definition of "retail" to establish conditions for the operation of a small-scale drug store in Block 3. The conditions are as follows:
 - The small-scale drug store cannot exceed a gross floor area of 112 square metres [1,200 sq. ft.];
 - O The small-scale drug store must be operated in conjunction with offices of medical doctors who are licensed with the College of Physicians and Surgeons, provided that the gross floor area of the medical doctors' offices is a minimum of 112 square metres [1,200 sq. ft.];

The number of small-scale drug stores is limited to one and must be located in Block 3; and

o The small-scale drug store is located in the same principal building as the medical office.

On-site Parking

• The applicant proposes to create roughly two hundred (200) parking spaces on Lot 1 and eighty-one (81) parking stalls on Lot 2 for a total of two hundred eighty-one (281) additional spaces on the subject properties including six (6) accessible parking stalls. The amount of parking meets the minimum requirements under the Zoning By-law based on a combination of ground-floor retail and ground-floor/second-floor office uses.

DESIGN PROPOSAL AND REVIEW

- The applicant is requesting a General Development Permit to further amend the overall layout previously approved for Phase 2 and Phase 3 under Development Permit No. 7903-0153-00. The General Development Permit will regulate the location of future buildings, on-site parking and pedestrian connections currently proposed for the 5,128 square metre (55,194 sq. ft.) two-storey multi-tenant building on Block 3 and 1,375 square metre (14,801 sq. ft.) single-storey multi-tenant building on Block 2.
- The design, form and character of the proposed buildings will necessitate a detailed DP review process, separate development application and approval from Council. While the applicant has provided few design details, the proposed multi-tenant buildings will retain the quality and general design features of existing on-site buildings within the retail shopping centre. City staff will undertake a thorough review of the proposal at detailed DP stage.
- The General Development Permit drawings illustrate the proposed buildings on Block 2 and Block 3 will obtain access from the existing internal north-south drive aisle off 88 Avenue and east-west drive aisle off 126 Street. The building locations are severely restricted by existing statutory right-of-ways (Fortis B.C. and B.C. Hydro) as well as several private on-site detention ponds. While the multi-tenant buildings on Block 2 and Block 3 will utilize the existing vehicle circulation patterns on-site, additional walkways are proposed to improve pedestrian connectivity and will extend from the southern façade of the proposed building on Block 3 toward the intersection of 89 Avenue and 126 Street and includes a separate north-south walkway between the proposed building on Block 3 and Sleep Country. In addition, the applicant has committed to preserving and maintaining the existing landscape buffer along 89 Avenue which provides additional screening for the proposed multi-tenant building located on Block 3 from adjacent residential dwellings.
- Based upon the current proposal, City staff provided the following preliminary comments to the applicant which need to be properly addressed as part of any future detailed DP review process:
 - o The applicant is required to provide a complete sign package for review by City staff. In addition, on-site tenant fascia signage should be restricted to individual channel letters.
 - The applicant should provide a small strip of landscape material parallel to the north-south walkway from Sleep Country to the proposed building on Block 3. Low-level

- planting should be installed between the wheel stop and walkway allowing vehicles to overhang the landscaping.
- The applicant is required to provide a revised site plan with preliminary grading information.
- o A place-making feature should be installed on the southern boundary of Block 2 to identify the entrance to the retail shopping centre.
- An Arborist Report is required to identify by-law sized trees on-site. The applicant should maintain all mature conifers within the landscape buffer on 89 Avenue in order to provide additional screening of the proposed building on Block 3 from adjacent residential dwellings.
- The applicant is required to provide a landscape plan and cost estimate to the satisfaction of City staff. The Parks, Recreation and Culture Department is required to provide comments on the proposed landscaping, particularly in relation to the Wildflower Greenway on 126 Street.

PRE-NOTIFICATION

Following the addition of the City-owned lot at 12592 – 89 Avenue to File No. 7912-0239-00, revised pre-notification letters were sent out on December 19, 2012. City staff received one phone call from an adjacent property owner asking for details about the proposed development. No concerns were expressed regarding the current proposal.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the <u>Local Government Act</u>, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

SUSTAINABLE DEVELOPMENT CHECKLIST

The applicant prepared and submitted a sustainable development checklist for the subject site on August 14, 2012. The table below summarizes the applicable development features of the proposal based on the seven (7) criteria listed in the Surrey Sustainable Development Checklist.

Sustainability Criteria	Sustainable Development Features Summary	
1. Site Context & Location	• The subject property is located within an urban infill area.	
(A1-A2)	• A majority of the proposal is consistent with the OCP designation.	
	The City-owned property at 12592 – 89 Avenue will be re-designated	
	from "Industrial" to Commercial".	
2. Density & Diversity	• N/A	
(B ₁ -B ₇)		

3. Ecology & Stewardship (C1-C4)	• The proposal will retain the existing landscape buffer located between Block 3 and adjacent residential dwellings directly north of 89 Avenue.
	• The applicant will provide low-lying vegetation and trees within plaza
	areas located above the Fortis B.C. statutory right-of-way and provide
	additional landscape islands located within the parking lots.
	• The applicant will provide recycling containers for individual tenants.
4. Sustainable Transport	• The applicant will provide visible/secure all-weather bicycle parking.
& Mobility	The applicant will provide on-site bike racks, lockers, showers and
(D ₁ -D ₂)	change facilities, install pedestrian-specific lighting, provide direct
	linkages to transit stops as well as improve pedestrian connectivity
	from existing/future buildings on the subject property to 88 Avenue.
5. Accessibility & Safety	The proposal includes well-illuminated pedestrian areas and parking
(E1-E3)	lots as well as low-lying vegetation in keeping with CPTED principles.
6. Green Certification	• N/A
(F1)	
7. Education & Awareness	• N/A
(G1-G4)	

ADVISORY DESIGN PANEL

No ADP review is required. The proposal was reviewed internally by City staff and deemed acceptable.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners, Action Summary and Project Data Sheets

Appendix II. Proposed layout

Appendix III. Engineering Summary
Appendix IV. OCP Re-designation Map

Appendix V. Proposed CD By-law (based upon C-8)

Appendix VI. Block Plan

original signed by Nicholas Lai

Jean Lamontagne General Manager Planning and Development

MJ/da

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Dave Major

SmartCentres Management Inc.

Address: 11120 - Horseshoe Way, Unit #201

Richmond, B.C. V7A 5H7

Tel: 604-448-9112

2. Properties involved in the Application

(a) Civic Address: 12451 – 88 Avenue

12592 – 89 Avenue

(b) Civic Address: 12451 – 88 Avenue

Owner: Surrey West Shopping Centres Ltd.

PID: 025-989-367

Lot A Section 31 Township 2 New Westminster District Plan BCP11404 Except Plan

BCP 37899

(c) Civic Address: 12592 – 89 Avenue

Owner: City of Surrey PID: 017-929-253

Lot 1 Section 31 Township 2 New Westminster District Plan LMP5884

- 3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to amend the Official Community Plan to re-designate the property.
 - (b) Introduce a By-law to rezone the property.

DEVELOPMENT DATA SHEET

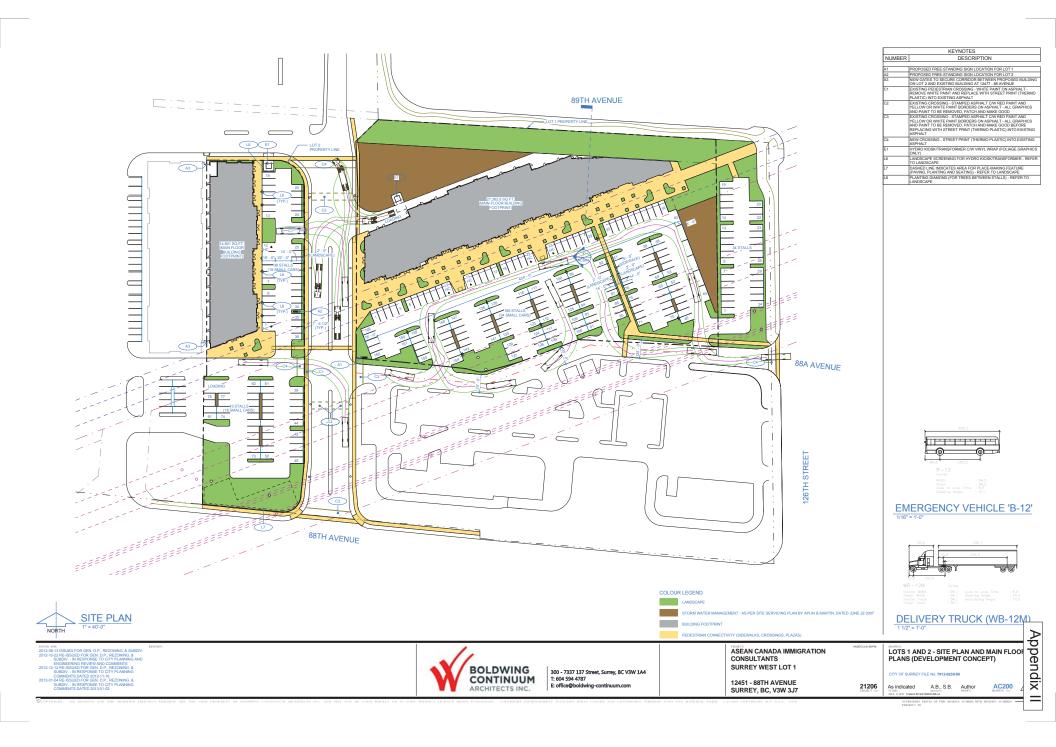
Proposed Zoning: CD

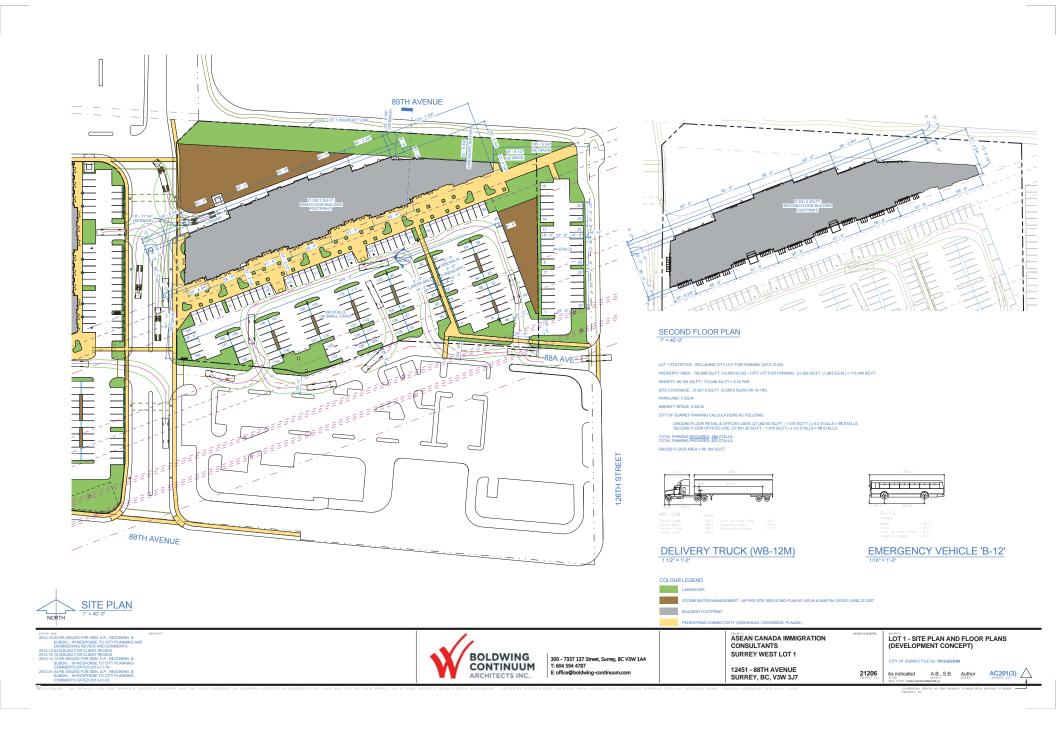
Required Development Data	Minimum Maximum		Prop	osed
LOT AREA* (in square metres)			Lot 1	Lot 2
Gross Total	N/	'A	15,984 m²	5,908 m ²
Road Widening area				
Undevelopable area				
Net Total				
LOT COVERAGE (in % of net lot area)	Lot 1	Lot 2	Lot 1	Lot 2
Buildings & Structures	N/	'A	N/	Ά
Paved & Hard Surfaced Areas	N/	'A	N/	Α
Total Site Coverage	24%	16%	24%	16%
SETBACKS (in metres)	Lot 1	Lot 2	Lot 1	Lot 2
Front	31 m.	65 m.	31 m.	65 m.
Rear	10 m.	o.5 m.	10.2 m.	o.57 m.
Side #1 (E)	39 m.	19 m.	39.8 m.	19.4 m.
Side #2 (W)	3 m.	1 m.	3.3 m.	1.27 m.
BUILDING HEIGHT (in metres/storeys)				
Principal	12	m.	10.67	7 m.
Accessory	4.5	m.	N/	A
NUMBER OF RESIDENTIAL UNITS	N/	'A	N/	'A
Bachelor				
One Bed				
Two Bedroom				
Three Bedroom +				
Total				
FLOOR AREA: Residential	N/	'A	N/	A
FLOOR AREA: Commercial				
Retail	N/	'A	3,533.	3 m²
Office	N/	'A	2,969	
Total	N/	'A	6,502	.7 m²
FLOOR AREA: Industrial	N/	'A	N/	A
FLOOR AREA: Institutional	N/	'A	N/	Ä
TOTAL BUILDING FLOOR AREA	N/	'A	6,502	.7 m²

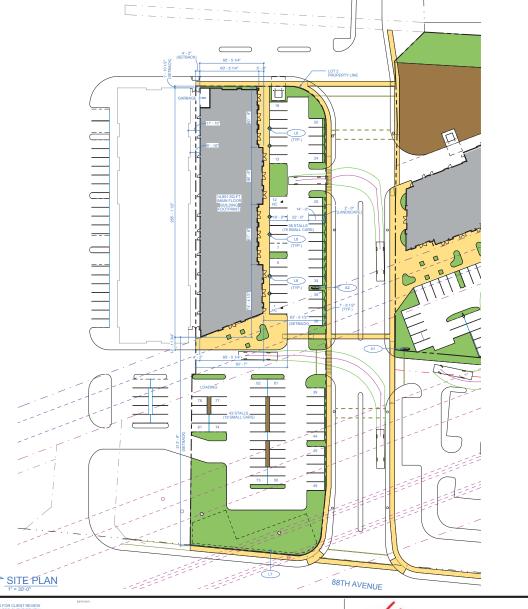
^{*} If the development site consists of more than one lot, lot dimensions pertain to the entire site.

Required Development Data	Minimum Required/ Maximum Allowed		Proposed	
DENSITY	Lot 1	Lot 2	Lot 1	Lot 2
# of units/ha /# units/acre (gross)	N/	A	N/.	A
# of units/ha /# units/acre (net)	N/	A	N/A	
FAR (gross)	0.35	0.25	0.32	0.23
FAR (net)	N/	A	N/.	A
AMENITY SPACE (area in square metres)	N/	A	N/.	A
Indoor				
Outdoor				
PARKING (number of stalls)	Lot 1	Lot 2	Lot 1	Lot 2
Retail	59 stalls	38 stalls		0. 04.11.0
Office	64 stalls	N/A	200 stalls	81 stalls
Industrial	N/	A	N/A	
Residential Bachelor + 1 Bedroom	N/	A	N/A	
2-Bed				
3-Bed				
Residential Visitors				
Institutional	N/	N/A N/A		A
Total Number of Parking Spaces	123 stalls	38 stalls	200 stalls	81 stalls
Number of disabled stalls	3 stalls	o stalls	4 stalls	2 stalls
Number of small cars	50 stalls	20 stalls	34 stalls	18 stalls
Tandem Parking Spaces: Number / % of Total Number of Units	N/A N/A		A	
Size of Tandem Parking Spaces	N/	A	N/.	A

Heritage Site	NO	Tree Survey/Assessment Provided	NO







KEYNOTES		
NUMBER DESCRIPTION		
A1	PROPOSED FREE-STANDING SIGN LOCATION FOR LOT 1	
A2	PROPOSED FREE-STANDING SIGN LOCATION FOR LOT 2	
L7	DASHED LINE INDICATES AREA FOR PLACE-MAKING FEATURE (PAVING, PLANTING AND SEATING) - REFER TO LANDSCAPE	
L8	PLANTING DIAMOND (FOR TREES BETWEEN STALLS) - REFER TO LANDSCAPE	

LOT 2 STATISTICS:

PROPERTY AREA: 63,596.59 SQ.FT. (5,908.32 SQ,M)

DENSITY: 14,801 SQ.FT / 63,596.59 SQ.FT = 0.233 FAR SITE COVERAGE: 14,801 SQ.FT. (1,375.1 SQ.M) OR 23.3%

PARKLAND: 0 SQ.M

AMENITY SPACE: 0 SQ.M

CITY OF SURREY PARKING CALCULATIONS AS FOLLOWS:

RETAIL USES: (14,801 SQ.FT. / 1,075 SQ.FT.) x 3.0 STALLS = 41 STALLS.



EMERGENCY VEHICLE 'B-12'

COLOUR LEGEND

ASEAN CANADA IMMIGRATION CONSULTANTS SURREY WEST LOT 1

12451 - 88TH AVENUE SURREY, BC, V3W 3J7

21206

LOT 2 - SITE PLAN AND MAIN FLOOR PLAN (DEVELOPMENT CONCEPT)

As indicated A.B., S.B. Author



300 - 7337 137 Street, Surrey, BC V3W 1A4 T: 604 594 4787 E: office@boldwing-continuum.com



| Appendix III | INTER-OFFICE MEMO

TO:

Manager, Area Planning & Development

- South Surrey Division

Planning and Development Department

FROM:

Development Services Manager, Engineering Department

DATE:

January 17, 2013

PROJECT FILE:

7812-0239-00

RE:

Engineering Requirements (Commercial/Industrial)

Location: 12451 88 Ave and 12592 89 Ave

OCP AMENDMENT

There are no engineering requirements relative to the OCP Amendment.

REZONE/SUBDIVISION

Property and Right-of-Way Requirements

• Provide approximately 2.0 meter wide Statutory Right of Way on 126 Street for the Wildflower Greenway.

Works and Services

- Service connections must be provided to each lot; and
- Confirm the downstream storm drainage system has adequate capacity for the proposed development; upgrade if required.

A Servicing Agreement is required prior to Rezone/Subdivision.

DEVELOPMENT PERMIT

There are no engineering requirements relative to issuance of the Development Permit.

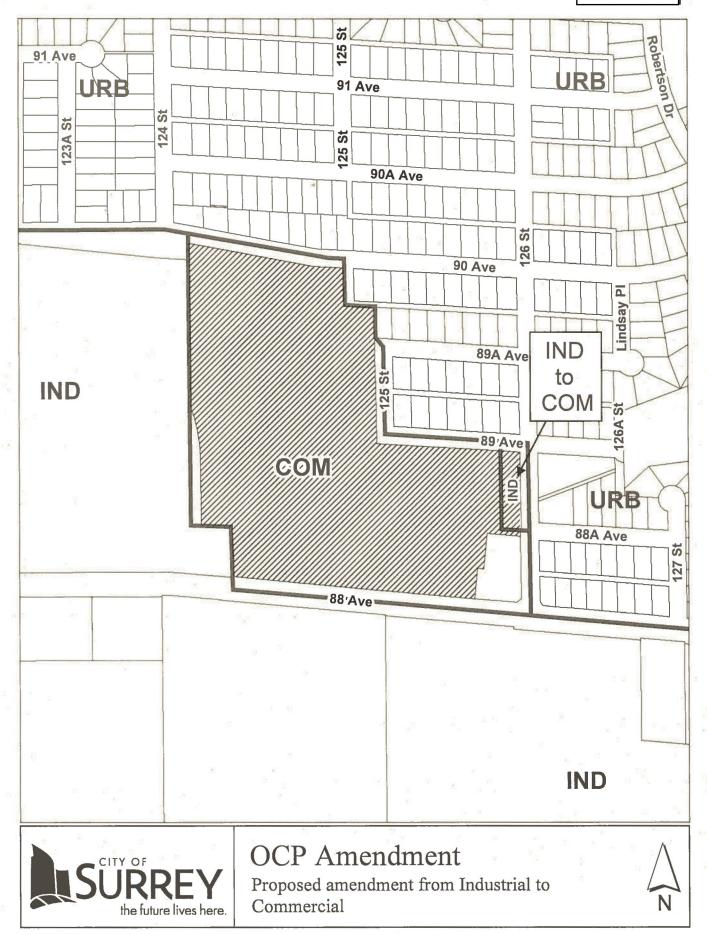
Rémi Dubé, P.Eng.

Development Services Manager

IK₁

NOTE: Detailed Land Development Engineering Review available on file

Appendix IV



CITY OF SURREY

BY-LAW NO.

A by-law to amend Surrey Zoning By-law, 1	1993, No. 12000, as amended

THE CITY COUNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 903 of the <u>Local Government Act</u>, R.S.B.C. 1996 c. 323, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:

(a) FROM: COMPREHENSIVE DEVELOPMENT ZONE (CD) BY-LAW NO. 15241,

AMENDED BY BY-LAW NO. 16539 (SURREY ZONING BY-LAW, 1993, NO. 12000, AMENDMENT BY-LAW, 2004, NO. 15241, AMENDMENT BY-LAW,

2008, NO. 16539)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

(b) FROM: BUSINESS PARK ZONE (IB)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 025-989-367

Lot A Section 31 Township 2 New Westminster District Plan BCP11404 Except Plan BCP37899 as shown in heavy outline on Schedule "A" attached hereto and forming part of this by-law, certified correct by R.H. Janzen, B.C.L.S. on the 22nd day of January, 2013 containing 7.44 hectares and called Block 1, 0.590 hectare and called Block 2 and 1.60 hectares and called Block 3

12451 – 88 Avenue

Parcel Identifier: 017-929-253 Lot 1 Section 31 Township 2 New Westminster District Plan LMP5884

12592 - 89 Avenue

(hereinafter both 1.(a) and 1.(b) shall be referred to as the "Lands")

2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of a large format retail centre.

The *Lands* are divided into Blocks 1, 2 and 3 as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by R.H. Janzen, B.C.L.S. on the 22nd day of January, 2013.

B. Permitted Uses

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

1. Block 1

The following uses are permitted provided that the *gross floor area* of each individual business exceeds 370 square metres [4,000 sq. ft.], except that up to 25% of the total developed *gross floor area* may be used by businesses that individually occupy less than 370 square metres [4,000 sq. ft.] of floor area, but no more than three-fifths of this 25% may be used by businesses that occupy less than 185 square metres [2,000 sq. ft.]:

- (a) Retail stores excluding adult entertainment stores and secondhand stores and pawnshops;
- (b) *Personal service uses* excluding body rub parlours;
- (c) General service uses excluding funeral parlours;
- (d) Beverage container return centres provided that:
 - i. The use is confined to an enclosed *building* or a part of an enclosed *building*; and
 - ii. The beverage container return centre does not exceed a gross floor area of 418 square metres [4,500 sq. ft.].
- (e) Eating establishments;
- (f) Neighbourhood pubs;
- (g) Liquor store;
- (h) Office uses excluding social escort services and methadone clinics;
- (i) Automotive service uses of vehicles less than 5,000 kilograms [11,023 lbs.] G.V.W., provided that such use is associated with a use permitted under Section B.1.(a) of this Zone;
- (j) Indoor recreational facilities;

- (k) Entertainment uses excluding arcades and adult entertainment stores;
- (1) Community services;
- (m) Child care centres; and
- (n) One dwelling unit per lot provided that the dwelling unit is contained within the principal building and occupied by the owner or the owner's employee for the protection of the businesses on the lot and where the lot has been subdivided by a strata plan then there shall only be one dwelling unit within the strata plan.

2. Block 2

- (a) Retail stores excluding adult entertainment stores and secondhand stores and pawnshops;
- (b) Personal service uses excluding body rub parlours;
- (c) General service uses excluding funeral parlours;
- (d) Beverage container return centres provided that:
 - i. The use is confined to an enclosed *building* or a part of an enclosed *building*; and
 - ii. The beverage container return centre does not exceed a gross floor area of 418 square metres [4,500 sq. ft.].
- (e) Eating establishments;
- (f) Neighbourhood pubs;
- (g) Liquor store;
- (h) Office uses excluding social escort services and methadone clinics;
- (i) Automotive service uses of vehicles less than 5,000 kilograms [11,023 lbs.] G.V.W., provided that such use is associated with a use permitted under Section B.2. of this Zone;
- (j) Indoor recreational facilities;
- (k) *Entertainment uses* excluding arcades and adult entertainment stores;
- (1) Community services; and
- (m) Child care centres.

3. Block 3

- (a) Retail stores:
 - i. Including a *small-scale drug store* provided:
 - a. The *small-scale drug store* not exceed a total *gross floor* area of 112 square metres [1,200 sq. ft.];
 - b. The *small-scale drug store* is operated in conjunction with offices of medical doctors who are licensed with the College of Physicians and Surgeons, and the *gross floor area* of the medical doctors' offices is a minimum of 112 square metres [1,200 sq. ft.];
 - c. There is not more than one *small-scale drug store* on the *lot* and where the *lot* has been subdivided by a strata plan then there shall only be one *small-scale drug store* within the strata plan; and
 - d. The *small-scale drug store* is contained in the same *principal building* as the medical doctors' offices.
 - ii. Excluding adult entertainment stores and secondhand stores and pawnshops.
- (b) *Personal service uses* excluding body rub parlours;
- (c) *General service uses* excluding funeral parlours;
- (d) Beverage container return centres provided that:
 - i. The use is confined to an enclosed *building* or a part of an enclosed *building*; and
 - ii. The beverage container return centre does not exceed a gross floor area of 418 square metres [4,500 sq. ft.].
- (e) Eating establishments;
- (f) Neighbourhood pubs;
- (g) Liquor store;
- (h) Office uses excluding social escort services and methadone clinics;
- (i) Automotive service uses of vehicles less than 5,000 kilograms [11,023 lbs.] G.V.W., provided that such use is associated with a use permitted under Section B.3. of this Zone;
- (j) Indoor recreational facilities;

- (k) Entertainment uses excluding arcades and adult entertainment stores;
- (1) Community services; and
- (m) Child care centres.

C. Lot Area

Not applicable to this Zone.

D. Density

The maximum *density* shall be as follows:

1. <u>Block 1</u>: The *floor area ratio* shall not exceed 0.80;

2. Block 2: The floor area ratio shall not exceed 0.70; and

3. <u>Block 3</u>: The *floor area ratio* shall not exceed 0.86.

E. Lot Coverage

The maximum *lot coverage* shall be 50%.

F. Yards and Setbacks

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

Setback	North Yard	South Yard	East Yard	West Yard
Use				
Principal Buildings and				
Accessory Buildings and				
Structures	7.5 m.	7.5 m.	7.5 m.	7.5 m.
Block 1	[25 ft.]	[25 ft.]	[25 ft.]	[25 ft.]
Block 2	o.5 m.	65 m.	19 m.	1 m.
	[1.6 ft.]	[213 ft.]	[62 ft.]	[3 ft.]
Block 3	10 m.	30 m.	39 m.	3 m.
	[33 ft.]	[100 ft.]	[128 ft.]	[10 ft.]

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

G. Height of Buildings

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

- 1. <u>Principal buildings</u>: The building height shall not exceed 12 metres [40 ft.].
- 2. <u>Accessory buildings and structures</u>: The building height shall not exceed 4.5 metres [15 ft.].

H. Off-Street Parking

- 1. Refer to Table C.2 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 2. Tandem parking may be permitted for company fleet vehicles.

I. Landscaping

- 1. All developed portions of the *lot* not covered by *buildings*, *structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
- 2. Along the developed sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width shall be provided within the *lot*.
- 3. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*.
- 4. Except in those portions where a building abuts the lot line, screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.] wide and a solid decorative fence at least 1.5 metres [5 ft.] high shall be provided along all lot lines separating the developed portion of the lot from any residential lot.
- 5. Loading areas, garbage containers and passive recycling containers shall be screened from any adjacent residential lot, to a height of at least 2.5 metres [8 ft.] by buildings, a landscaping screen, a solid decorative fence, or a combination thereof.
- 6. Open display or storage shall be completely screened to a height of at least 2.5 metres [8 ft.] by buildings and/or solid decorative fence and/or substantial landscaping strips of not less than 1.5 metres [5 ft.] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 ft.] within 5 metres [16 ft.] of the said screens and in no case shall these materials be piled up to the height of more than 3.5 metres [11.5 ft.].

J. Special Regulations

- 1. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
- 2. The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone.
- 3. Child care centres shall be located on the lot such that these centres have direct access to an open space and play area within the lot.
- 4. Land and *structures* shall be used for the uses permitted in this Zone only if such uses do not emit noise in excess of 70 dB measured at any point on any boundary of the *lot* on which the use is located, provided that where a *lot* abuts a *lot* other than an industrial lot the noise level shall not exceed 60 dB.

K. Subdivision

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

	Lot Size	Lot Width	Lot Depth
Block 1	7 hectares	195 metres	350 metres
	[17.3 acres]	[640 ft.]	[1,148 ft.]
Block 2	o.59 hectare	30 metres	140 metres
	[1.46 acres]	[100 ft.]	[459 ft.]
Block 3	1.6 hectares	85 metres	135 metres
	[3.9 acres]	[279 ft.]	[443 ft.]

Dimensions shall be measured in accordance with Section E.21 of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000 as amended.

L. Other Regulations

In addition to all statutes, by-laws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in Surrey Zoning By-law, 1993, No. 12000, as amended, the provisions in this Comprehensive Development Zone shall take precedence:

Definitions are as set out in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

- 2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the C-8 Zone as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
- General provisions are as set out in Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 5. Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
- 6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 7. Building permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended.
- 8. Building permits shall be subject to Surrey Development Cost Charge By-law, 2012, No. 17539, as may be amended or replaced from time to time, and the development cost charges shall be based on the C-8 Zone.
- 9. Tree regulations are set out in Surrey Tree Protection By-law, 2006, No. 16100, as amended.
- Development permits may be required in accordance with the Surrey Official Community Plan, 1996, By-law No. 12900, as amended.
- Provincial licensing of *child care centres* is regulated by the <u>Community Care and Assisted Living Act</u> R.S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
- Provincial licensing of *neighbourhood pubs* is regulated by the <u>Liquor Control</u> and <u>Licensing Act</u>, R.S.B.C. 1996, Chapter 267, as amended.

3. This By-law shall be cited for all p Amendment By-law, , No.	ourposes as "Surrey Zoning ."	; By-law, 1993, No. 120	000,
READ A FIRST AND SECOND TIME on	the th day of	, 20 .	
PUBLIC HEARING HELD thereon on the	th day of	, 20 .	
READ A THIRD TIME ON THE	th day of	, 20 .	
RECONSIDERED AND FINALLY ADOPT Corporate Seal on the th day of	TED, signed by the Mayor a	and Clerk, and sealed	l with the
			MAYOR
			CLERK

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