

CITY OF SURREY

BY-LAW NO. 17146

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended
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THE CITY COUNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

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

FROM: GENERAL AGRICULTURE ZONE (A-1)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 028-138-813
Lot 1 Section 28 Township 7 New Westminster District Plan BCP43682

19101-32 Avenue

Parcel Identifier: 028-138-821
Lot 2 Section 28 Township 7 New Westminster District Plan BCP43682

18899-32 Avenue

Parcel Identifier: 028-138-830
Lot 3 Section 28 Township 7 New Westminster District Plan BCP43682

3515-192 Street

Parcel Identifier: 028-138-848
Lot 4 Section 28 Township 7 New Westminster District Plan BCP43682

3733-192 Street

Parcel Identifier: 028-138-856
Lot 5 Section 28 Township 7 New Westminster District Plan BCP43682

19118-40 Avenue

(hereinafter referred to as the "*Lands*")

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

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of *light impact industry, warehouse uses, distribution centres, limited office uses, limited transportation industry* and limited ancillary uses, forming part of a *comprehensive design*.

B. Permitted Uses

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

1. *Light impact industry.*
2. *Warehouse uses.*
3. *Distribution centres.*
4. *Transportation industry* limited to the storage and service of buses provided that a research and training facility is an integral part of the operation and provided that:
 - (a) The *gross floor area* of the *principal building* is a minimum of 16,725 square metres [180,000 sq.ft.]; and
 - (b) No more than 30 buses are stored or parked outside a fully enclosed *building*.
5. Office uses excluding:
 - (a) *Social escort services;*
 - (b) *Methadone clinics;* and
 - (c) *Offices of professionals* including without limitation, accountants, lawyers, doctors, dentists, chiropractors, physiotherapists, massage therapists and related health care practitioners and notary publics, and the offices of real estate, advertising and insurance.
6. *Accessory uses* limited to the following:
 - (a) *Eating establishments* excluding *drive-through restaurants* and each *eating establishment* limited to a maximum of 200 seats and;
 - (b) *General service uses* excluding *drive-through banks* and each *general service use* limited to a *gross floor area* of 465 square metres [5,000 sq.ft.];
 - (c) *Child care centres;* and
 - (d) *Dwelling unit(s)* provided that the *dwelling unit(s)* is (are):

- i. Contained within the *principal building*;
- ii. Occupied by the owner or a caretaker, for the protection of the businesses permitted;
- iii. Restricted to a maximum number of:
 - a. One *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 square feet] in floor area;
 - b. Two *dwelling units* in each *principal building* of 2,800 square metres [30,000 square feet] or greater in floor area; and
 - c. Notwithstanding Sub-sections B.6 (d) iii.a. and iii.b., the maximum number shall be two *dwelling units* for *lots* less than 4.0 hectares [10 acres] in area; and three *dwelling units* for *lots* equal to or greater than 4.0 hectares [10 acres] in area, and where a *lot* has been subdivided by a strata plan then there shall only be one 140 square metre [1,500 square feet] *dwelling unit* within the strata plan; and
- iv. Restricted to a maximum floor area of:
 - a. 140 square metres [1,500 square feet] for one (first) *dwelling unit* on a *lot*;
 - b. 90 square metres [970 square feet] for each additional *dwelling unit*; and
 - c. Notwithstanding Sub-sections B.6(d) iv.a. and iv.b., the maximum floor area shall not exceed 33% of the total floor area of the *principal building* within which the *dwelling unit* is contained.

C. Lot Area

Not applicable to this Zone.

D. Density

- 1. The maximum *floor area ratio* shall not exceed 0.1 or a *gross floor area* of 300 square metres [3,230 square feet] whichever is smaller. The maximum *density* may be increased to that prescribed in Section D.2 of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 2. The *floor area ratio* shall not exceed 1.00.

E. Lot Coverage

The *lot coverage* shall not exceed 60%.

F. Yards and Setbacks

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

<i>Use</i>	<i>Setback</i>	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Buildings and Accessory Structures</i>		16 m* [52 ft.]	7.5 m [25 ft.]	7.5 m** [25 ft.]	9.0 m*** [30 ft.]

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

* The *front yard setback* may be reduced to 7.5 metres [25 feet] if the area between the front face of any *building or structure* and a *highway* is not used for parking and is landscaped.

** One (1) *side yard setback* shall be 7.5 metres [25 feet] or 0.0 metre if the said *side yard* abuts land which is *commercial or industrial*.

*** The *side yard setback* on a *flanking street* may be reduced to 7.5 metres [25 feet] if the area between the *flanking street* face of any *building or structure* and a *highway* is not used for parking and is landscaped.

2. Notwithstanding Section F.1 of this Zone, *buildings and structures* shall be sited in accordance with the following minimum *setbacks*:

- (a) The minimum *setback* from the *lot line* adjacent 40 Avenue shall be 15 metres [50 ft.];
- (b) The minimum *setback* from the boundary of any land within the *Agricultural Land Reserve* shall be 30 metres [100 ft.]; and
- (c) The minimum *setback* from the *lot line* as shown in a heavy line on the Explanatory Sketch Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Dave Dyck, B.C.L.S. on the 31st day of March, 2010 shall be 5 metres [16 ft.].

G. Height of Buildings

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

1. Principal buildings: The *building height* shall not exceed 14 metres [45 feet].
2. Accessory buildings and structures: The *building height* shall not exceed 6 metres [20 feet].
3. Notwithstanding Section G.1 of this Zone, the *building height* of the *principal building* for uses permitted under Sub-section B.4(a) shall not exceed 20 metres [66 ft.].

H. Off-Street Parking and Loading/Unloading

1. Refer to Table C.3 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Notwithstanding Sub-section D.3(a)i of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, additional areas for parking of trucks and trailers associated with the uses and operations allowed on the *lot* may be permitted provided that:
 - (a) The number of *parking spaces* shall not exceed the number of loading spaces and/or shipping/receiving doors; and
 - (b) The *parking spaces* shall not be visible from the *highways* abutting the *lot*.

I. Landscaping

1. All developed portions of the *lot* not covered by *buildings, structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. Along the developed sides of the *lot* which abut a Major Road, as shown in the *Official Community Plan*, a continuous *landscaping* strip of not less than 6.0 metres [30 feet] in width shall be provided within the *lot*.
3. Along the developed sides of the *lot* which abut all *highways* other than a Major Road, as shown in the *Official Community Plan*, a continuous *landscape* strip of not less than 3.0 metres [10 feet] shall be provided within the *lot*.
4. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*.
5. A continuous *landscaping* strip of not less than 1.5 metres [5 feet] in width shall be provided along all *side lot lines* between a *highway* and 3.0 metres [10 feet] back from the front face of the closest *principal building* fronting a *highway*.

6. A continuous *landscaping* strip of not less than 15 metres [50 feet] shall be provided along 40 Avenue.
7. Loading areas, garbage containers and *passive recycling containers* shall be screened to a height of at least 2.5 metres [8 feet] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

J. Special Regulations

1. *Lands* and *structures* shall be used for the uses permitted in this Zone only if such uses:
 - (a) Constitute no unusual fire, explosion or safety hazard;
 - (b) Do not emit noise in excess of 70 dB measured at any point on any boundary of the *lot* on which the use is located, provided that where a *lot* abuts a *lot* other than an *industrial lot* the noise level shall not exceed 60 dB; and
 - (c) Do not produce heat or glare perceptible from any *lot line* of the *lot* on which the use is located.
2. Loading areas shall not be located within any required *front yard setback* or *flanking street setback* or within any required *setback* from 40 Avenue.
3. Garbage containers and *passive recycling containers* shall not be located within any required *front yard setback* or *flanking street setback*, or any required *setback* from 40 Avenue.
4. *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.
5. Parking, storage or service of trucks and trailers on any portion of the *lot* not associated with the uses or operations permitted in Section B shall be specifically prohibited.
6. Outdoor storage is restricted on the *Lands* which are divided into Outdoor Storage Area A and Outdoor Storage Area B as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule B, certified correct by Dave Dyck, B.C.L.S. on the 1st day of April, 2010, as follows:
 - (a) For *Lands* within Outdoor Storage Area A:
 - i. The outdoor storage of any goods, materials or supplies is specifically prohibited within 80 metres [262 ft.] from the *lot line* adjacent to 40 Avenue, 192 Street and 32 Avenue;
 - ii. 80 metres [262 ft.] or more from the *lot line* adjacent to 40 Avenue, 192 Street and 32 Avenue, area for outdoor display and storage of any goods, materials or supplies, and areas for parking of trucks and trailers associated with the uses

and operations allowed on the *lot* other than the loading spaces in front of loading doors shall:

- a. Not be located within any *front* or *side yard*;
- b. Not exceed a total area greater than the *lot* area covered by the *principal building*; and
- c. Be completely screened to a height of at least 2.5 metres [8 feet] by *buildings* and/or solid decorative fencing and/or substantial *landscaping* strips of not less than 2.5 metres [8 feet] in height and not less than 1.5 metres [5 feet] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 feet] within 5 metres [16 feet] of the said screen and in no case shall these materials be piled up to the height of more than 3.5 metres [12 feet].

(b) For *Lands* within Outdoor Storage Area B:

- i. Area for outdoor display and storage of any containers, goods, materials or supplies shall:
 - a. Not exceed a total area greater than 1.5 times the lot area covered by the *principal building* up to a maximum of 40% *lot coverage* of the *lot*;
 - b. Not be used for storage of trucks weighing more than 5,000 kilograms [11,023 lbs.] *G.V.W.* or trailers that are not associated with the business on the *lot*;
 - c. Not be located within any *front yard* or *side yard*;
 - d. Be completely screened to a height of at least 2.5 metres [8 feet] by *buildings* and/or solid decorative fencing and/or substantial *landscaping* strips of not less than 2.5 metres [8 feet] in height and not less than 1.5 metres [5 feet] in width. No display or storage of any material shall be piled to a height exceeding 2.5 metres [8 feet] within 5 metres [16 feet] of the said screen. In no case any material, except cargo containers, shall be piled to a height of more than 3.5 metres [12 feet]; and
 - e. No display or storage of cargo containers shall be piled to a height of more than 7.0 metres [24 feet] or the height of two stacked containers, whichever is less.

K. Subdivision

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

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
2,000 sq. m. [0.5 acre]	30 metres [100 ft]	30 metres [100 ft.]

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

L. Other Regulations

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

1. Definitions are as set out in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the IB-2 Zone as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
3. General provisions are as set out in Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking, of Surrey Zoning By-law, 1993, No. 12000, as amended.
5. *Sign* regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
6. *Special building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
7. *Building* permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended.
8. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2010, No. 17111, as may be amended or replaced from time to time, and the development cost charges shall be based on the IB-2 Zone.
9. Surrey Tree Protection By-law, 2006, No. 16100, as amended.
10. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.

11. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act R.S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17146."

READ A FIRST AND SECOND TIME on the 12th day of April, 2010.

PUBLIC HEARING HELD thereon on the 3rd day of May, 2010.

READ A THIRD TIME ON THE 3rd day of May, 2010.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 7th day of June, 2010.

DIANNE L. WATTS, MAYOR

MAYOR

Jane Sullivan, City Clerk

CLERK

**B.C. LAND SURVEYOR'S EXPLANATORY SKETCH PLAN SHOWING 5 METRE SETBACK
ON LOTS 3, 4 AND 5 SECTION 28 TOWNSHIP 7
NEW WESTMINSTER DISTRICT PLAN BCP43682**

SCHEDULE A

CITY OF SURREY
B.C.G.S. 92G.007

SCALE = 1:4000
80M 0 100 200M

"ALL DISTANCES ARE IN METRES"

P.L.D. 028-138-830 (LOT 3)
CIVIC ADDRESS: #3515 - 192nd STREET
P.L.D. 028-138-848 (LOT 4)
CIVIC ADDRESS: #3733 - 192nd STREET
P.L.D. 028-138-856 (LOT 5)
CIVIC ADDRESS: #3003 - 192nd STREET

Rem N. 1/2
NW 1/4
Sec 28 Tp 7

1
PLAN
LMP8573

REF. PLAN LMP8574

2

Rem S. 1/2
Sec 28 Tp 7

**SECTION 28
TOWNSHIP 7**

40th AVENUE

PARK

192nd STREET

32nd AVENUE

SOUTH FRASER LAND SURVEYING LTD.
B.C. LAND SURVEYORS
SUITE 101 - 7485 130th STREET
SURREY, B.C. V3W 1H9
TELEPHONE: 604 599-1886
FILE: 10629_BCL.S_EXPL_SKETCH

THIS PLAN LIES WITHIN THE
GREATER VANCOUVER REGIONAL DISTRICT

CERTIFIED CORRECT ACCORDING TO
LAND TITLE OFFICE RECORDS DATED
THIS 31st DAY OF MARCH, 2010

[Signature]
SIGNATURE OF B.C.L.S.

10629_BCL.S_EXPL_SKETCH

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY ZONING BYLAW No. _____
OF LOTS 1, 2, 3, 4 AND 5 SECTION 28 TOWNSHIP 7
NEW WESTMINSTER DISTRICT PLAN BCP43682**

SCHEDULE B

CITY OF SURREY
B.C.G.S. 926.007
SCALE - 1:4000
80M 0 100 200M
"ALL DISTANCES ARE IN METRES"

BOOK OF REFERENCE				
LOT	DESCRIPTION	PLAN	AREA	BLOCK
PART OF LOTS 1, 2, 3, 4 & 5	SECTION 28 TOWNSHIP 7	BCP43682	75.904 ha	OUTDOOR STORAGE AREA "A"
PART OF LOTS 2, 3 & 4	SECTION 28 TOWNSHIP 7	BCP43682	22.979 ha	OUTDOOR STORAGE AREA "B"

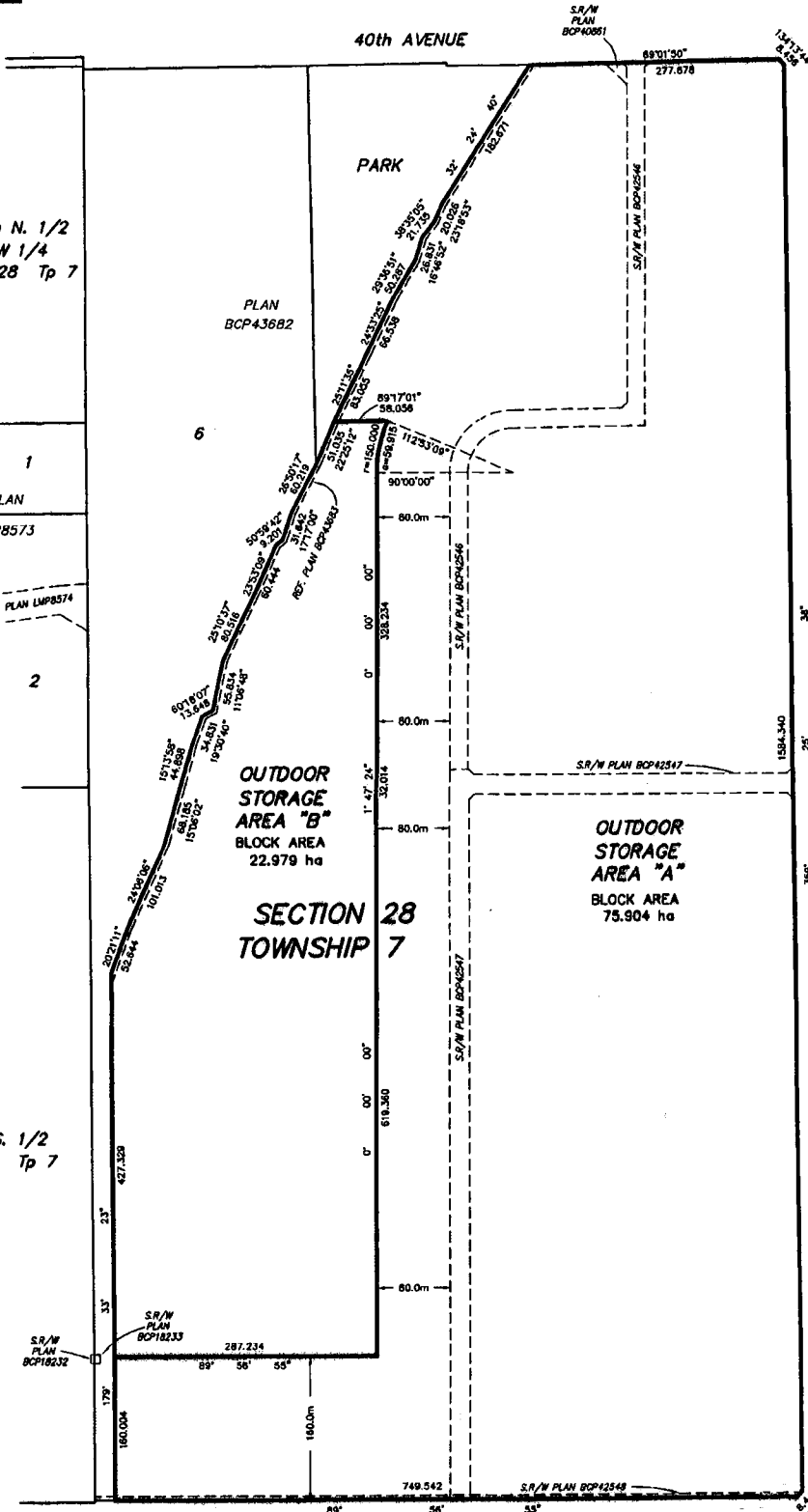
P.L.D. 028-138-813 (LOT 1)
CIVIC ADDRESS: #19101 - 32nd AVENUE
P.L.D. 028-138-821 (LOT 2)
CIVIC ADDRESS: #18899 - 32nd AVENUE
P.L.D. 028-138-830 (LOT 3)
CIVIC ADDRESS: #3315 - 192nd STREET
P.L.D. 028-138-848 (LOT 4)
CIVIC ADDRESS: #3733 - 192nd STREET
P.L.D. 028-138-856 (LOT 5)
CIVIC ADDRESS: #3903 - 192nd STREET

Rem N. 1/2
NW 1/4
Sec 28 Tp 7

PLAN
LMP8573

REF. PLAN LMP8574

Rem S. 1/2
Sec 28 Tp 7



SOUTH FRASER LAND SURVEYING LTD.
B.C. LAND SURVEYORS
SUITE 101 - 7485 130th STREET
SURREY, B.C. V3W 1H8
TELEPHONE: 604 599-1886
FILE: 10629_OUTDOOR STORAGE AREAS

THIS PLAN LIES WITHIN THE
GREATER VANCOUVER REGIONAL DISTRICT

CERTIFIED CORRECT ACCORDING TO
LAND TITLE OFFICE RECORDS DATED
THIS 1st DAY OF APRIL, 2010

[Signature]
SIGNATURE OF B.C.L.S.

10629_OUTDOOR STORAGE AREAS