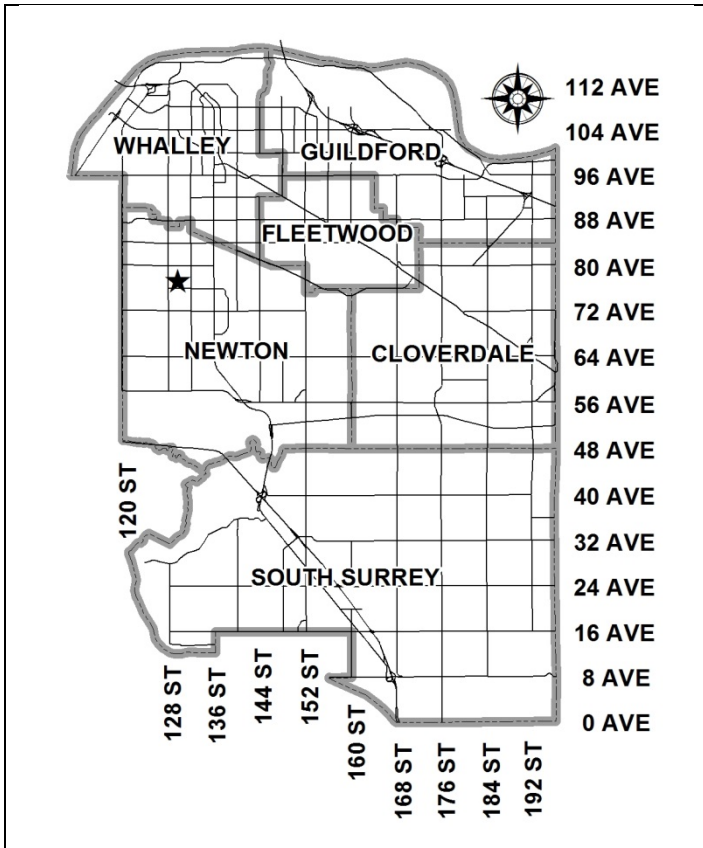


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0284-00

Planning Report Date: September 28, 2015



PROPOSAL:

- **Terminate Land Use Contract No. 339**

to permit the existing underlying IL Zone for the western lots and CHI Zone for the eastern lots, to come into effect.

LOCATION:

7728, 7714, 7680, 7660, 7742,
 7746 - 134 Street and Units 101-104,
 7690 - 134 Street and 13447, 13557
 and 13566 - 77 Avenue

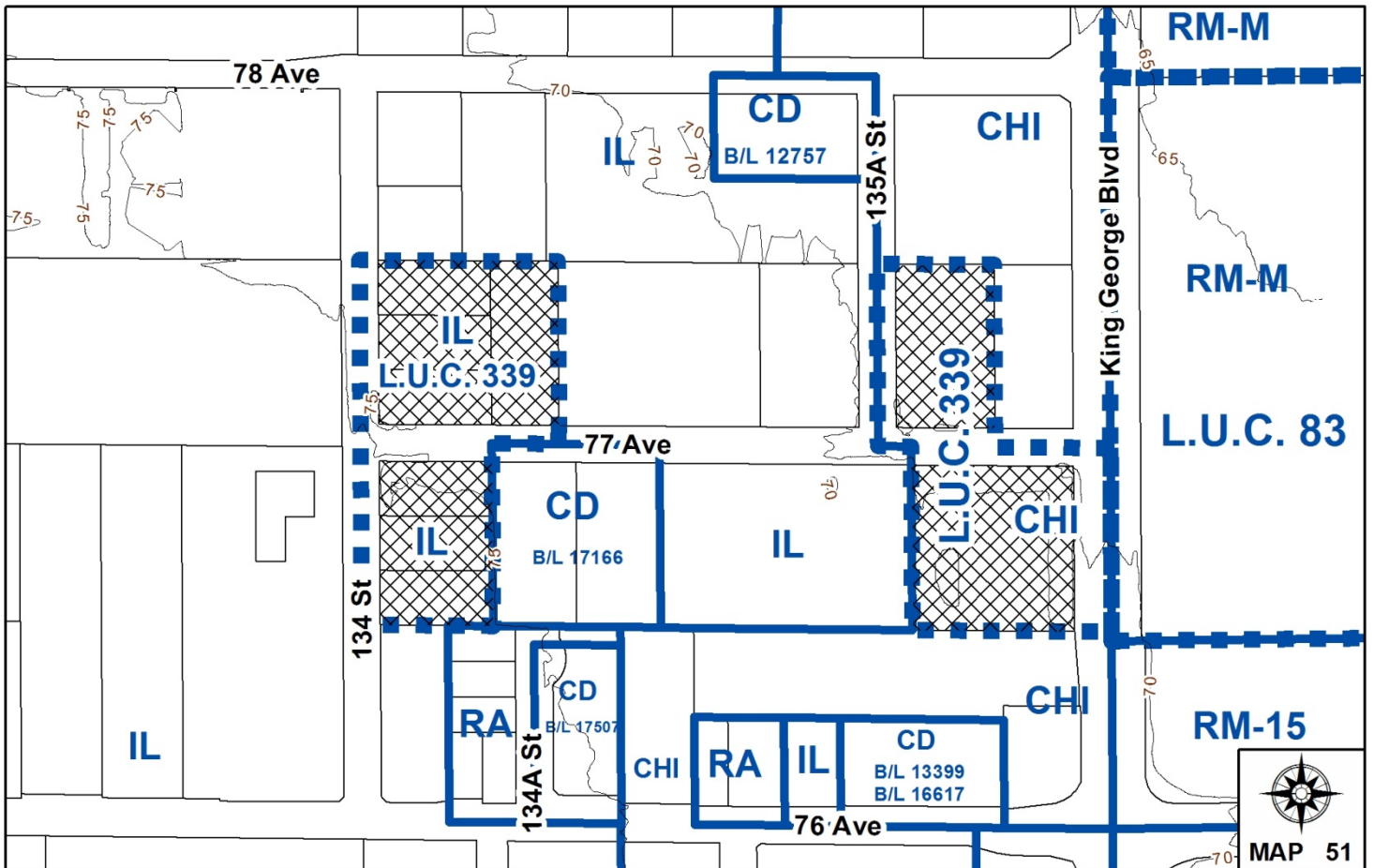
OWNERS:

A-Best Autobody & Frame Ltd
 et. al.

**LUC NO. AND
 UNDERLYING
 ZONING:**

LUC No. 339 (IL Zone and CHI
 Zone underlying)

OCP DESIGNATION: Industrial and Mixed Employment



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing to terminate LUC No. 339.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- In 2014, the Provincial Government adopted changes to the *Local Government Act* that terminate all Land Use Contracts (LUCs) in the Province on June 30, 2024. However, the legislation also permits municipalities to undertake early termination of LUCs in advance of 2024.
- On June 15, 2015, City Council endorsed the recommendations in Corporate Report No. R122, which outlined a process with respect to the early termination of LUCs in Surrey.
- In accordance with recent legislative changes, the LUC Termination By-law must include an effective date that is no less than one year from adoption of the by-law, resulting in a grace period.
- City staff are now moving forward with the first group of LUCs to be terminated, in accordance with the approved process described in Corporate Report No. R122, which prioritizes based on business development or the simplicity of the termination.
- LUC No. 339 was adopted by By-law No. 5237 on November 7, 1977.
- LUC No. 339 permits a variety of warehousing and manufacturing uses in addition to some agricultural uses. The service and warehousing of clothing, garments and textiles are also permitted on a portion of the lots, provided they are associated with a sales outlet.
- Once LUC No. 339 is terminated and the one-year grace period ends, the current underlying IL Zone will come into effect and will regulate the western subject lots, whereas the current underlying CHI Zone will come into effect and will regulate the eastern subject lots.

RECOMMENDATION

The Planning & Development Department recommends that a By-law be introduced to terminate Land Use Contract No. 339 and a date be set for Public Hearing.

BACKGROUND

- In the early 1970s the Provincial Government adopted changes to the *Municipal Act* (now called the *Local Government Act*) that allowed local governments to enter into Land Use Contracts (LUCs) with land owners and/or developers that incorporated zoning, development control and servicing issues into one document. As a result, on lands within an LUC, the LUC became the governing land use control and, in some instances, the subdivision and development control as well.
- Although LUCs are an agreement between the City and land owners/and developers, all LUCs were adopted by By-law. The first LUC in Surrey was adopted by City Council by By-law on August 7, 1972.
- In the late 1970s the Provincial Government adopted changes to the *Municipal Act* (now called the *Local Government Act*), eliminating the ability of municipalities to enter into LUCs.
- Approximately 370 LUCs were adopted in Surrey and the majority of these LUCs remain in effect.
- In 2014, the Provincial Government adopted changes to the *Local Government Act* that terminate all Land Use Contracts (LUCs) in the Province on June 30, 2024. However, the legislation also permits municipalities to undertake early termination of LUCs in advance of 2024, should they choose to do so.
- On June 15, 2015, Council approved the recommendations in Corporate Report No. R122, which outlined a proposed process with respect to the early termination of LUCs in Surrey, which prioritizes based on business development or the simplicity of the termination.
- As a result, City staff are now moving forward with the termination of LUC No. 339 in accordance with the approved process.

PUBLIC NOTIFICATION

Early termination of LUCs is a Council-initiated project that does not require the consent of landowners within the LUC being terminated. A Development Proposal Sign has not been installed and no pre-notification letters have been mailed.

However, the LUC Termination By-law is required to have its own Public Hearing. As a result, the Public Hearing Notice will be delivered to all owners and tenants of properties within LUC No. 339, informing them that Council is considering terminating the LUC. Notice of the Public Hearing will also be delivered to adjoining property owners and tenants within 100 metres (or 3-lot depth, whichever is greater) of the boundaries of LUC No. 339. In addition, the Public Hearing notice will be published in two consecutive issues of either the Surrey Now or the Peace Arch News.

DISCUSSION

- It is now in order for LUC No. 339 to be considered for early termination.
- LUC No. 339 presently regulates thirteen properties within an industrial business park area of Newton. Eleven of the properties are located at the northeast corner and southeast corner of the intersection of 134 Street and 77 Avenue. These properties are designated Industrial in the Official Community Plan (OCP).
- The remaining two properties are located on the north and south side of 77 Avenue, west of King George Boulevard. These properties are designated Mixed Employment in the OCP.
- LUC No. 339 originally regulated two lots and facilitated the subdivision of these into twenty-four lots. Over time and through a number of discharges, the number of properties and resulting area regulated has been reduced to the current nine properties.
- Industrial uses are located to the north, east, south and west of the LUC No. 339 lands located adjacent 134 Street.
- As per the Official Community Plan (OCP), Mixed Employment uses are located to the north, east (portion) and south of the LUC No. 339 lands located west of King George Boulevard, whereas Industrial lands are located to the west and Urban designated lands are located to the east (portion), across King George Boulevard.
- LUC No. 339 was adopted by By-law No. 5237 on November 7, 1977 and permits a variety of warehousing and manufacturing uses in addition to some agricultural uses. It should also be noted that for the site at 7690 134 Street, the service and warehousing of clothing, garments and textiles are permitted, provided this is associated with a sales outlet.
- In reviewing the existing tenants of the buildings, there is one use that would not be permitted under the IL Zone as there is a dry cleaning business operating at 7690 134 Street.
- A dry cleaner is considered a personal service use which is not permitted under the IL Zone. However as the use is existing, it will all be able to continue to operate as a non-conforming use in accordance with legislation.
- In accordance with the recent legislative changes, the LUC Termination By-law must include an effective date that is no less than one year from adoption of the by-law, resulting in a grace period. The subject Termination By-law has a one-year grace period.

- Once LUC No. 339 is terminated and the one-year grace period ends, the current underlying Light Impact Industrial Zone (IL) will come into effect and will regulate the use of the land for the properties adjacent 134 Street. These include the following properties: 7728, 7714, 7680, 7660, 7742, 7746, 7690 134 Street and 13447 77 Avenue.
- Similarly for the eastern properties near King George Boulevard (13557 and 13566 77 Avenue), the current underlying Highway Commercial Industrial Zone (CHI) will come into effect and will regulate the use of the land.
- The IL Zone permits a variety of light impact industrial uses whereas the CHI Zone permits a variety of highway oriented commercial uses and industrial uses.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Legal Descriptions and Owners of Properties within Land Use Contract No. 339 and Action Summary
- Appendix II. Copy of Part 48 Light Impact Industrial Zone (IL) of Surrey Zoning By-law, 1993, No. 12000, as amended
- Appendix III. Copy of Part 39 Highway Commercial Industrial Zone (CHI) of Surrey Zoning By-law, 1993, No. 12000, as amended

INFORMATION AVAILABLE ON FILE

- Land Use Contract No. 339.

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

SML/da

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Information for City Clerk

Legal Description and Owners of all lots that form part of Land Use Contract No. 339:

1. Properties involved:

- (a) Civic Addresses: 7728 - 134 Street
7714 - 134 Street
7680 - 134 Street
7660 - 134 Street
13447 - 77 Avenue
13557 - 77 Avenue
13566 - 77 Avenue
7742 - 134 Street
7746 - 134 Street
7690 - 134 Street, Unit 101
7690 - 134 Street, Unit 102
7690 - 134 Street, Unit 103
7690 - 134 Street, Unit 104
- (b) Civic Address: 7728 - 134 Street
Owner: A-Best Autobody & Frame Ltd
PID: 005-174-422
Lot 110 Section 20 Township 2 New Westminster District Plan 53986
- (c) Civic Address: 7714 - 134 Street
Owner: KBS Holdings Ltd
PID: 005-174-457
Lot 111 Section 20 Township 2 New Westminster District Plan 53986
- (d) Civic Address: 7680 - 134 Street
Owner: Elvin Nelson
Alice M Gregorowich
Catharina Nelson
PID: 005-174-198
Lot 113 Section 20 Township 2 New Westminster District Plan 53986
- (e) Civic Address: 7660 - 134 Street
Owner: Patsons Holdings Inc
PID: 005-174-228
Lot 114 Section 20 Township 2 New Westminster District Plan 53986
- (f) Civic Address: 13447 - 77 Avenue
Owner: Mostad Publications Ltd
PID: 005-174-473
Lot 132 Section 20 Township 2 New Westminster District Plan 53986

- (g) Civic Address: 13557 - 77 Avenue
 Owner: H.Y. Louie Co. Limited
 PID: 005-174-511
 Lot "A" (P88498) Section 20 Township 2 New Westminster District Plan 53986
- (h) Civic Address: 13566 - 77 Avenue
 Owner: 531546 BC Ltd.
Director Information:
 Manjit Singh Jaswal

Officer Information as at November 21, 2014:
 Manjit Singh Jaswal (President, Secretary)
 PID: 005-174-538
 Lot "C" (R43922) Section 20 Township 2 New Westminster District Plan 53986
- (i) Civic Address: 7742 - 134 Street
 Owner: Agility Business Corp
 PID: 000-679-801
 Strata Lot 1 Section 20 Township 2 New Westminster District Strata Plan NW1506
 Together With An Interest In The Common Property In Proportion To The Unit
 Entitlement Of The Strata Lot As Shown On Form 1
- (j) Civic Address: 7746 - 134 Street
 Owner: Jaspal K Chohan
 Sunny K Chohan
 PID: 001-823-850
 Strata Lot 2 Section 20 Township 2 New Westminster District Strata Plan NW1506
 Together With An Interest In The Common Property In Proportion To The Unit
 Entitlement Of The Strata Lot As Shown On Form 1
- (k) Civic Address: 7690 - 134 Street, Unit 101
 Owner: Gurmeet Dhillon
 Daljit S Dhillon
 PID: 001-851-080
 Strata Lot 1 Section 20 Township 2 New Westminster District Strata Plan NW1605
 Together With An Interest In The Common Property In Proportion To The Unit
 Entitlement Of The Strata Lot As Shown On Form 1
- (l) Civic Address: 7690 - 134 Street, Unit 102
 Owner: Gurmeet Dhillon
 Daljit S Dhillon
 PID: 018-858-848
 Strata Lot 3 Section 20 Township 2 New Westminster District Strata Plan NW1605
 Together With An Interest In The Common Property In Proportion To The Unit
 Entitlement Of The Strata Lot As Shown On Form 1

- (m) Civic Address: 7690 - 134 Street, Unit 103
Owner: Gurmeet Dhillon
Daljit S Dhillon
PID: 018-858-856
Strata Lot 4 Section 20 Township 2 New Westminster District Strata Plan NW1605
Together With An Interest In The Common Property In Proportion To The Unit
Entitlement Of The Strata Lot As Shown On Form 1

- (n) Civic Address: 7690 - 134 Street, Unit 104
Owner: Gurmeet Dhillon
Daljit S Dhillon
PID: 018-858-864
Strata Lot 5 Section 20 Township 2 New Westminster District Strata Plan NW1605
Together With An Interest In The Common Property In Proportion To The Unit
Entitlement Of The Strata Lot As Shown On Form 1

2. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to terminate Land Use Contract No. 339.



Part 48 - IL, Light Impact Industrial Zone

Light Impact Industrial Zone

Part 48

IL

A. Intent

Amendments: 16957, 06/29/09

This Zone is intended to accommodate and regulate the development of *light impact industry, transportation industry, warehouses, distribution centres* and limited office and service uses.

B. Permitted Uses

Amendments: 12333, 07/25/94; 12715, 12/04/95; 13201, 09/16/97; 13212, 10/06/97; 13703, 05/17/99; 13970, 04/17/00; 14835, 11/18/02; 15664, 05/18/05; 17704, 07/23/12

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

1. *Light impact industry.*
2. *Recycling depots* provided that:
 - (a) The use is confined to an enclosed *building*, and
 - (b) The storage of used tires is prohibited.
3. *Transportation industry.*
4. *Automotive service uses.*
5. Automobile painting and body work.
6. *Vehicle storage and parking facilities* including truck parking and recreational *vehicle storage*.
7. *Industrial equipment rentals.*
8. *General service uses* limited to the following:
 - (a) Driving schools;

- (b) Taxi dispatch offices;
 - (c) Industrial first aid training; and
 - (d) Trade schools.
9. *Warehouse uses.*
10. *Distribution centres.*
11. Office uses limited to the following:
- (a) Architectural and landscape architectural offices;
 - (b) Engineering and surveying offices;
 - (c) General contractor offices;
 - (d) Government offices; and
 - (e) Utility company offices.
12. *Accessory uses* including the following:
- (a) *Coffee shops* provided that the seating capacity shall not exceed 35 and the said *coffee shop* is not licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended.
 - (b) *Recreation facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - (c) *Community services*;
 - (d) *Assembly halls* limited to *churches*, provided that:
 - (i) the *church* does not exceed a total floor area of 700 square metres (7,500 sq. ft.);
 - (ii) the *church* accommodates a maximum of 300 seats; and
 - (iii) there is not more than one *church* on a *lot*.
 - (e) *Child care centres*; and
 - (f) *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 sq. ft.] in floor area;
 - b. Two *dwelling units* in each *principal building* of 2,800 square metres [30,000 sq. ft.] or greater in floor area; and
 - c. Notwithstanding Sub-sections B.12 (f) 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.
 - iv. Restricted to a maximum floor area of:
 - a. 140 square metres [1,500 sq. ft.] for one (first) *dwelling unit* on a *lot* and where a *lot* has been subdivided by a strata plan then there shall only be one 140-square metre [1,500- sq. ft.] *dwelling unit* within the strata plan;
 - b. 90 square metres [970 sq. ft.] for each additional *dwelling unit*, and
 - c. Notwithstanding Sub-sections B.12 (f) 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.
- (g) Sales of rebuilt *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.* provided that:
- i. it is part of an automobile painting and body work business;
 - ii. the number of rebuilt vehicles ready for sale shall not exceed 5 at any time;
 - iii. the business operator holds a current and valid Motor Dealer's certificate; and

- iv. the business operator is an approved Insurance Corporation of British Columbia Salvage Buyer.

C. Lot Area

Not applicable to this Zone.

D. Density

Amendments: 13155, 02/09/98; 18414, 03/23/15

1. In Neighbourhood Concept Plan and Infill Areas as described and outlined on the maps attached as Schedule F attached to this By-law, the maximum *density* shall not exceed a *floor area ratio* of 0.1 or a *building* area of 300 square metres [3,230 sq. ft.] whichever is smaller. The maximum *density* may be increased to a maximum *floor area ratio* of 1.00 if amenities are provided in accordance with Schedule G of this By-law.
2. In areas other than the ones in Sub-section D.1 of this Zone, the maximum *density* shall not exceed a *floor area ratio* of 1.00.

E. Lot Coverage

The maximum *lot coverage* shall be 60%.

F. Yards and Setbacks

Amendments: 12333, 07/25/94; 17471, 10/03/11

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

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

Measurements to be determined as per Part 1 Definitions, of this By-law.

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

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions, of this By-law:

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

H. Off-Street Parking and Loading/Unloading

Amendments: 13774, 07/26/99;

1. Refer to Table C.3, Part 5 Off-Street Parking and Loading/Unloading of this By-law.
2. *Tandem parking* may be permitted as specified:

For company fleet vehicles in all commercial, industrial and mixed-use developments (where commercial or industrial uses are part of the development) required *parking spaces* may be provided as *tandem parking*.

I. Landscaping

Amendments: 13201, 09/16/97; 17471, 10/03

1. All developed portions of the *lot* not covered by *buildings, structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. Along the developed sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width shall be provided within the *lot*.
3. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*.
4. Screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.] wide, or a solid decorative fence at least 1.5 metres [5 ft.] high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *residential lot*.
5. Loading areas, garbage containers and *passive recycling containers* shall be screened from any adjacent *residential lot*, to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.
6. Open display and storage including the outdoor storage of damaged or *wrecked vehicles* shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fencing and/or substantial *landscaping* strips of not less than 2.5 metres [8 ft.] in height and not less than 1.5 metres [5 ft.] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 ft.] within 5 metres [16 ft.] of the said screen and in no case shall these materials be piled up to the height of more than 3.5 metres [12 ft.].

J. Special Regulations

Amendments: 13657, 03/22/99; 17471, 10/03/11

1. Land and *structures* shall be used for the uses permitted in this Zone only if such uses:
 - (a) Constitute no unusual fire, explosion or safety hazard;

- (b) Do not emit noise in excess of 70 dB(A) 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(A); and
 - (c) Do not produce heat or glare perceptible from any *lot line* of the *lot* on which the use is located.
2. Outdoor storage of any goods, materials or supplies is specifically prohibited between the front of the *principal building* and the *highway*, excluding *vehicles* exceeding 5,000 kilograms [11,023 lbs.] *G.V.W.* which are intended for sale.
 3. The storage of damaged or *wrecked vehicles* shall be completely enclosed within a *building* or approved walled or fenced area; and
 4. *Wrecked vehicles* shall not be visible from outside the *building* or the walled or fenced area in which they are stored.
 5. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
 6. *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.

K. Subdivision

Amendments: 17471, 10/03/11

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>
1,800 sq. m. [0.5 acre]	30 metres [100 ft.]	30 metres [100 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of this By-law.

L. Other Regulations

Amendments: 13201, 09/16/97; 13657, 03/22/99; 13774, 07/26/99; 17181, 06/07/10; 17471, 10/03/11

In addition, land use regulations including the following are applicable:

1. Prior to any use, lands must be serviced as set out in Part 2 Uses Limited, of this By-law and in accordance with the "Surrey Subdivision and Development By-law".
2. General provisions on use are as set out in Part 4 General Provisions, of this By-law.
3. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of this By-law.
4. Sign regulations are as provided in Surrey Sign By-law No. 13656.
5. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of this By-law.
6. Floodproofing regulations are as set out in Part 8 Floodproofing, of this By-law.
7. *Building* permits shall be subject to the "Surrey Building By-law" and the "Surrey Development Cost Charge By-law".
8. Development permits may be required in accordance with the *Official Community Plan*.
9. Safety regulations are as set out in the Health Act R.S.B.C. 1979, c. 161 and the "Surrey Fire Prevention By-law".
10. Permits may be required for the storage of *special wastes* in accordance with the Environmental Management Act, S.B.C. 2003, chapter 53, as amended.
11. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended and the Child Care Licensing Regulation set out under B.C. Reg. 95/2009, as amended.



Highway Commercial Industrial Zone

Part 39 - CHI, Highway Commercial Industrial Zone

Part 39

CHI

A. Intent

Amendments: 13774, 07/26/99

This Zone is intended to accommodate and regulate those commercial and related uses requiring large *lots* and exposure to major *highways*, which generally are not accommodated in *shopping centre*, *Town Centre* or *Surrey City Centre* as shown in Schedule D.1 developments.

B. Permitted Uses

Amendments: 12333, 07/25/94; 12523, 02/13/95; 12715, 12/04/95; 13201, 09/16/97; 13316, 02/09/98; 13251A, 03/16/98; 13497, 09/15/98; 15271, 11/01/04; 15977, 04/24/06; 17462, 09/12/11; 17471, 10/03/11

Land and *structures* outside the sub-area of the *City Centre*, as identified on Map D.1(a), shall be restricted to the uses listed in Sub-sections 1 through 16 only, or for a combination of the uses listed in Sub-sections 1 through 16. Land and *structures* located within the sub-area of the *City Centre*, as identified on Map D.1(a), shall be restricted to any of the uses listed in Sub-section 17 only or for a combination of any of the uses listed in Sub-section 17.

Outside the sub-area of the *City Centre* as shown on Map D.1(a)

1. *Automotive service uses of vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.*
2. *Eating establishments* including *drive-through restaurants*.
3. *General service uses* including *drive-through banks*.
4. *Beverage container return centres* provided that:
 - (a) the use is confined to an enclosed *building* or a part of an enclosed *building*; and
 - (b) the *beverage container return centre* does not exceed a *gross floor area* of 418 sq. metres (4,500 sq.ft.).

5. Indoor *recreational facilities*, including *bingo halls*.
6. *Light impact industry* including retail of products processed or manufactured on the *lot*.
7. *Tourist accommodation*
8. *Parking facilities*.
9. *Retail stores* limited to the following:
 - (a) Animal feed and tack shops;
 - (b) Appliance stores;
 - (c) Auction houses;
 - (d) Automotive parts, new;
 - (e) Building supply stores;
 - (f) *Convenience stores*;
 - (g) Used clothing stores or flea markets, provided that the operation is contained within a *building*;
 - (h) Furniture stores;
 - (i) Garden supply stores;
 - (j) Marine parts, new;
 - (k) *Retail warehouse uses*;
 - (l) Sales and rentals of boats;
 - (m) Sports card shops; and
 - (n) Sporting goods stores.
10. *Warehouse uses*.

11. Sales and rentals of *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.*
12. *Assembly halls.*
13. *Community services.*
14. Office uses limited to:
 - (a) Engineering and surveying offices;
 - (b) General contractor offices;
 - (c) Government offices; and
 - (d) Utility company offices.
15. *Child care centres.*
16. *Accessory uses* including the following:
 - (a) One *dwelling unit* per *lot* provided that the *dwelling unit* is:
 - i. Contained within the *principal building*; and
 - ii. Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the *lot*.
 - (b) Automobile painting and body work provided that:
 - i. it is part of a business selling and renting *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.*;
 - ii. the storage of damaged or *wrecked vehicles* shall be completely enclosed within a *building* or approved walled or fenced area;
 - iii. *wrecked vehicles* shall not be visible from outside the *building* or the walled or fenced area in which they are stored;
 - iv. all automobile painting and body work shall be carried out only in an enclosed *building*; and
 - v. the number of *wrecked vehicles* stored within the walled or fenced area shall not exceed 5 at any time.

Within the sub-area of the City Centre as Shown on Map D.1(a)

17. Land and *structures* located within the sub-area of the *City Centre*, as shown on Map D.1(a), shall be used for the following uses only or for a combination of such uses:
 - (a) *Eating establishments* including *drive-through restaurants*;
 - (b) *General service uses* including *drive-through banks*;

- (c) *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 sq. metres (4,500 sq.ft.);
- (d) *Indoor recreational facilities*, including *bingo halls*;
- (e) *Tourist accommodation*;
- (f) *Parking facilities*;
- (g) *Retail stores* excluding the following:
 - i. *adult entertainment stores*; and
 - ii. *secondhand stores* and *pawnshops*;
- (h) *Assembly halls*;
- (i) *Community services*;
- (j) *Office uses* excluding the following:
 - i. *social escort services*; and
 - ii. *methadone clinics*;
- (k) *Child care centres*; and
- (l) *Accessory uses* including the following:

One *dwelling unit* per *lot* provided that the *dwelling unit* is:

- i. Contained within the *principal building*; and
- ii. Occupied by the owner or the owner's employed, for the protection of the businesses permitted on the *lot*.

C. Lot Area

Not applicable to this Zone.

D. Density

Amendments: 14390, 05/22/01

1. In Neighbourhood Concept Plan and Infill Areas as described and outlined on the maps attached as Schedule F attached to this By-law, the *floor area ratio* shall not exceed 0.1 provided that the *gross floor area* on the *lot* does not exceed 300 square metres [3,230 sq. ft.]. The *floor area ratio* shall not exceed 1.00 if amenities are provided in accordance with Schedule G of this By-law, provided that not more than a *floor area ratio* of 0.50 may be used or intended to be used for *tourist accommodation*.

2. In areas other than those specified in Sub-section D.1 of this Zone, the *floor area ratio* shall not exceed 1.00 provided that not more than a *floor area ratio* of 0.50 may be used or intended to be used for *tourist accommodation*.

E. Lot Coverage

The maximum *lot coverage* shall be 50%.

F. Yards and Setbacks

Amendments: 12333, 07/25/94

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

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

Measurements to be determined as per Part 1 Definitions, of this By-law.

* One (1) *side yard setback* shall be 7.5 metres [25 ft.] or 0.0 metre if the said *side yard* abuts a *commercial* or *industrial lot*.

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions, of this By-law:

1. Principal building: The *height* shall not exceed 9 metres [30 ft.].
2. Accessory buildings and structures: The *height* shall not exceed 9 metres [30 ft.].

H. Off-Street Parking and Loading/Unloading

Amendments: 13774, 07/26/99

1. Refer to Table C.2, Part 5 Off-Street Parking and Loading/Unloading of this By-law.
2. *Tandem parking* may be permitted as specified:

For company fleet vehicles in all commercial, industrial and mixed-use developments (where commercial or industrial uses are part of the development) required *parking spaces* may be provided as *tandem parking*.

I. Landscaping

Amendments: 13201, 09/16/97

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 and storage including the outdoor storage of damaged or *wrecked vehicles* shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fencing and/or substantial *landscaping* strips of not less than 2.5 metres [8 ft.] in height and not less than 1.5 metres [5 ft.] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 ft.] within 5 metres [16 ft.] of the said screen and in no case shall these materials be piled up to the height of more than 3.5 metres [12 ft.].

J. Special Regulations

Amendments: 13201, 09/16/97; 13497, 09/15/98; 15271, 11/01/04

1. Garbage containers and *passive recycling containers* shall not be located along any required *setbacks* adjacent any *residential lot*.
2. *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*.
3. Land and *structures* shall be used for the uses permitted in this Zone only if such uses:
 - (a) Constitute no unusual fire, explosion, or safety hazard;
 - (b) Do not emit noise in excess of 70dB 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 60dB;
 - (c) Do not produce heat or glare perceptible from any *lot line* of the *lot* on which the use is located; and
 - (d) All automobile painting and body work is carried out only in an enclosed *building*.
4. Outdoor storage of any goods, materials, or supplies is specifically prohibited between the front of the *principal building* and the *highway*.
5. The outdoor storage or display of any goods, materials or supplies at *beverage container return centres* is specifically prohibited.
6. For land and *structures* located within the sub-area of the *City Centre*, as shown on Map D.1(a), outdoor storage of any goods, materials or supplies is specifically prohibited.

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>
1,000 sq. m. [10,800 sq.ft.]	25 metres [80 ft.]	30 metres [100 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of this By-law.

L. Other Regulations

Amendments: 13657, 03/22/99; 13774, 07/26/99; 17181, 06/07/10

In addition, land use regulations including the following are applicable:

1. Prior to any use, lands must be serviced as set out in Part 2 Uses Limited, of this By-law and in accordance with the "Surrey Subdivision and Development By-law".
2. General provisions on use are as set out in Part 4 General Provisions, of this By-law.
3. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading /Unloading of this By-law.
4. Sign regulations are as provided in Surrey Sign By-law No. 13656.
5. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of this By-law.
6. *Building* permits shall be subject to the "Surrey Building By-law" and the "Surrey Development Cost Charge By-law".

7. Development permits may be required in accordance with the *Official Community Plan*.
8. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended and the Child Care Licensing Regulation set out under B.C. Reg. 95/2009, as amended.
9. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act R.S.B.C.