

**PROPOSAL:**

- Amend CD By-law No. 17702

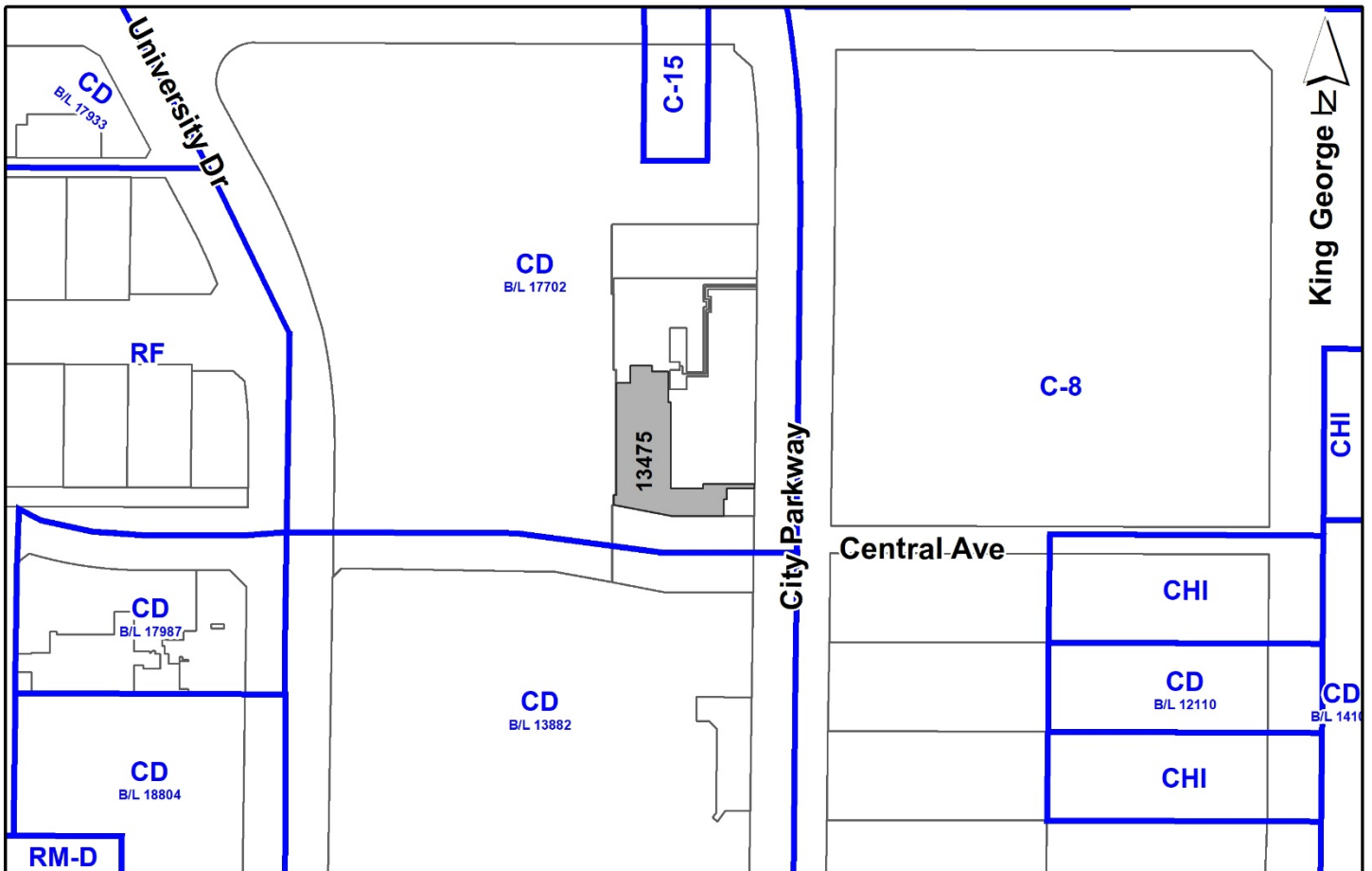
To permit cultural uses within an existing mixed-use high-rise development (3-Civic Plaza).

**LOCATION:** 13475 - Central Avenue

**ZONING:** CD (By-law No. 17702)

**OCP DESIGNATION:** Downtown

**TCP DESIGNATION:** Central Business District – Area 1



**RECOMMENDATION SUMMARY**

- By-law Introduction and set date for Public Hearing for Amending Comprehensive Development (CD) By-law No. 17702.

**DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- None.

**RATIONALE OF RECOMMENDATION**

- The proposal complies with the site's Downtown designation in the Official Community Plan (OCP).
- The applicant is proposing an amendment to CD By-law No. 17702 in order to permit the operation of cultural uses in a ground floor commercial retail unit (CRU) accessible from City Parkway. The proposed tenant is looking to operate a retail store, art gallery, office, and artist studio in Surrey's City Centre. CD By-law No. 17702 currently permits retail and office uses, but does not permit cultural uses (art gallery, artist studio) to be operated on the subject site.
- The proposed CD By-law amendment will allow the proposed tenant to expand their business operations to include art gallery/art studio. Cultural uses add vibrancy to City Centre, and this proposal will help facilitate access to the City's cultural assets, promote collaboration amongst artists and cultural groups, and contribute to building the local creative economy.
- No new additions, exterior alterations or interior renovations to the building are proposed at this time.
- There is no change to the Form and Character, or densities of the development approved under Development Application No. 7911-0334-00 as a result of the proposed zoning amendment.

## RECOMMENDATION

The Planning & Development Department recommends that a By-law be introduced to amend Comprehensive Development By-law No. 17702 and a date be set for Public Hearing.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	CCP Designation	Existing Zone
Subject Site	Mixed-use development including a hotel, small CRUs, university campus, and multi-family residential.	Central Business District – Area 1	CD By-law No. 17702
North:	City Hall and vacant office building.	Central Business District – Area 1	CD By-law No. 17702
East (Across City Parkway):	Bank, pharmacy, and vacant supermarket. (Land under Development Application No. 7922-0321-00)	Central Business District – Area 2	C-8
South (Central Avenue):	Skytrain, small CRUS, and vacant North Surrey Recreation Centre (Land under Development Application No. 7920-0233-00)	Central Business District – Area 1 and Plaza	CD By-law No. 13882
West:	Civic Plaza and City Centre Library	Central Business District – Area 1 and Plaza	CD By-law No. 17702

### Context & Background

- The subject site is designated “Downtown” in the Official Community Plan (OCP), “Central Business District – Area 1” in the Surrey City Centre Plan (CCP) and is currently zoned “Comprehensive Development Zone (CD)” (By-law No. 17702).
- Under Development Application No. 7911-0334-00, which received Final Adoption on April 8, 2013, land including the subject site was rezoned to CD By-law No. 17702 where zoning was intended to accommodate and regulate the development of high density, high-rise institutional, commercial, office, retail, service, recreation, cultural, educational and multiple unit residential buildings.
- A 45-storey mixed-use building was constructed on the subject site, which includes a hotel, a coffee shop, a restaurant, a university campus, resident apartments, and several ground floor small commercial retail units accessible from City Parkway.
- Under CD By-law No. 17702 existing permitted uses include office uses and retail stores.

## DEVELOPMENT PROPOSAL

### Planning Considerations

- The applicant is proposing an amendment to CD By-law No. 17702 in order to permit the operation of cultural uses in a ground floor commercial retail unit (CRU) accessible from City Parkway.
- The proposed tenant, the Black Arts Centre (BLAC), is a black-youth operated enterprise dedicated to supporting multidisciplinary art created by Black artists and BIPOC youth from Surrey, and the wider Metro Vancouver community. BLAC is a cohort of Solid State Community Society, also based in Surrey, which provides a mutually supportive network of worker co-operatives that brings together youth and mentors to work on a common project, build real world skills, develop new mobilities and earn real income.
- With support from community partners and Solid State Community Society, BLAC is looking to operate a retail store, art gallery, office, and artist studio in Surrey's City Centre for established and emerging artists.
- CD By-law No 17702 currently permits the operation of retail and office uses. The applicant is proposing to amend the CD By-law to permit cultural uses in order to expand allowable business operations to include an artist studio and gallery.
- Surrey's Zoning By-law No. 12000 defines cultural uses as a facility which provides for social enlightenment and includes museums, art galleries and artist studios.
- The proposed amendment is intended to create a place that empowers the community to imagine, reimagine and create more inclusive and equitable futures, by hosting exhibits, displaying and selling art, as well as holding cultural appreciation and educational events.
- The subject site is located in a high traffic area, in close proximity to transit.
- No new additions, exterior alterations or interior renovations to the building are proposed at this time. The proposed tenant completed a renovation for the space earlier this year. No physical changes to the spaces are required as a result of the proposed CD By-law Amendment.

### Referrals

Engineering:	The Engineering Department has no objection to the project.
Parks, Recreation & Culture:	The closest active park is Holland Park with amenities that include a playground, open space and paths. The park is 420 metres away. The closest natural area is Royal Kwantlen Park and is 975 metres away.

## POLICY & BY-LAW CONSIDERATIONS

### Regional Growth Strategy

- The proposal complies with the “General Urban” designation of the subject site under the Metro Vancouver Regional Growth Strategy.

### Official Community Plan

#### Land Use Designation

- The proposal complies with the “Downtown” designation of the subject site under the Official Community Plan (OCP).

#### Themes/Policies

- The proposal contributes to the following themes and policies in the OCP:
  - **Policy F7.4:** Develop a range of venues to support cultural expression, education and the enhancement of community life through art galleries, libraries, museums and facilities for performing arts
  - **Policy F7.5:** Create a premier arts and culture node in City Centre including a Cultural Corridor along King George Boulevard.
  - **Policy F7.6:** Use major public art installations, art spaces and cultural facilities within Surrey City Centre to create a distinct Sense of Place and serve as a model for public space design and community development.
  - **Policy F7.7:** Locate arts and culture facilities in each of Surrey’s Town Centres to reinforce a distinct identity and to expand the range of cultural activities and opportunities for all Surrey residents.

### Secondary Plans

#### Land Use Designation

- The proposal complies with the “Central Business District – Area 1” designation of the subject site under the Surrey City Centre Plan (CCP).

#### Themes/Objectives

- The proposal contributes to the object of the City Centre Cultural Corridor by:
  - facilitating ease of access to cultural assets for residents and visitors,
  - promoting collaboration and synergies amongst artists and cultural groups, and
  - adding to creation of an economic hub that draws investment and entrepreneurs to build the local creative economy.
- Corporate Report R063-2022, Update on Delivering the City Centre Plan Vision – Central Business District, identified establishing an Entertainment and Cultural District within the Central Business District. The proposal will contribute by providing additional social opportunities and connections for downtown workers, residents, and visitors.

**PUBLIC ENGAGEMENT**

- Pre-notification letters were sent on November 28, 2022, and the Development Proposal Signs were installed on November 28, 2022. Staff received no responses from residents to date.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

Appendix I. Amended CD Bylaw No. 17702

*approved by Ron Gill*

Jeff Arason  
Acting General Manager  
Planning and Development

SR/ar

CITY OF SURREY

BY-LAW NO. 17702

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: SINGLE FAMILY RESIDENTIAL ZONE (RF), COMMUNITY COMMERCIAL ZONE (C-8), TOWN CENTRE COMMERCIAL ZONE (C-15) AND COMPREHENSIVE DEVELOPMENT ZONE (CD) (SURREY ZONING BY-LAW, 1993, NO. 12000, AMENDMENT BY-LAW, 1999, NO. 13882, AMENDMENT BY-LAW, 2003, NO. 15125)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 028-651-910  
 Lot A Section 27 Block 5 North Range 2 West New Westminster District Plan BCP48957  
 Except Plan BCP51303 and EPP25305

13450 - 104 Avenue

Parcel Identifier: 028-907-973  
 Lot 1 Section 27 Block 5 North Range 2 West New Westminster District Plan BCP51303

13483 - 103 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 high *density*, high-rise institutional, commercial, office, retail, service, recreation, cultural, educational and *multiple unit residential buildings* and related *amenity spaces*, which are to be developed in accordance with 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. Office uses excluding *social escort services* and *methadone clinics*.
2. *Retail stores* excluding *adult entertainment stores*.
3. *Personal service uses* excluding *body rub parlours*.
4. *General service uses* excluding funeral parlours and *drive-through banks*.
5. *Eating establishments* excluding *drive-through restaurants*.
6. *Neighbourhood pubs*.
7. *Liquor store*.
8. *Indoor recreational facilities*.
9. *Entertainment uses* excluding *arcades* and *adult entertainment stores*.
10. *Tourist accommodation*.
11. *Child care centres*.
12. Universities designated as such under the Universities Act, R.S.B.C., 1996, c.468, as amended.
13. Colleges and institutes designated as such under the College and Institute Act, R.S.B.C., 1996, c.52, as amended.
14. *Multiple unit residential buildings*.
15. *Cultural uses*.

## **C. Lot Area**

Not applicable to this Zone.

## **D. Density**

1. For the purpose of *building* construction, the *floor area ratio* shall not exceed 15.0.
2. Notwithstanding an air space subdivision, the air space parcels and the remainder *lot* of the air space subdivision shall be considered as one *lot* for the purpose of application of Section D of this Zone and further provided that the *floor area ratio* calculated from the cumulative floor areas of all the



*buildings* within all of the air space parcels and the remainder *lot* of the air space subdivision shall not exceed the maximum specified in Section D.1.

3. Indoor Amenity Space: The *amenity space* required in Sub-section J.1(b) of this Zone, is excluded from the calculation of *floor area ratio*.

**E. Lot Coverage**

The maximum *lot coverage* shall be 80%, excluding air space parcels which shall have a maximum *lot coverage* of 100%.

**F. Yards and Setbacks**

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

<i>Setback</i>	104 Avenue	City Parkway	103 Avenue	University Drive
<b>Use</b>				
<i>Principal Buildings and Accessory Buildings and Structures Excluding Within Air Space Parcels</i>	2.0 m. [6 ft.]	4.0 m. [13 ft.]	0 m. [0 ft.]	4.0 m. [13 ft.]
<i>Principal Buildings and Accessory Buildings and Structures Within Air Space Parcels</i>	0 m. [0 ft.]	0 m. [0 ft.]	0 m. [0 ft.]	0 m. [0 ft.]

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

2. Notwithstanding Section F.1, the *setback* for *buildings and structures* may be reduced to zero for interior *lot lines*.
3. Notwithstanding the definition of *setback* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, canopies may extend up to the *lot lines*.

**G. Height of Buildings**

Not applicable to this Zone.

**H. Off-Street Parking**

1. Refer to Table C.2, C.4, C.5, C-6 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.

2. Notwithstanding Section H.1, resident *parking spaces* for non-ground-oriented multiple unit residential buildings shall be provided at the rate of 0.85 *parking space* for every *dwelling unit* with one bedroom or fewer and at the rate of 1.0 *parking space* for every *dwelling unit* with two bedrooms or more.
3. All *parking spaces* shall be provided in an *underground parking facility*, as *parking within building envelope*, or within a *parking facility*, but shall not be provided in a *parking lot - at grade*.
4. Notwithstanding Sub-section A.2.(c) of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, residential *parking spaces* and residential visitor *parking spaces* are permitted to be located on a *lot* within 200 metres [655 ft.] of the *multiple unit residential building* they serve.
5. Notwithstanding Sub-section A.2.(c) of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, an *underground parking facility* may extend to all *lot lines*.
6. Notwithstanding Sub-section D.2.(a) of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, the number of required *bicycle spaces* in *multiple unit residential buildings* shall be at a rate of 0.4 *bicycle spaces* per *dwelling unit*.
7. Notwithstanding Sub-section D.2.(a) of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, *bicycle spaces* for all uses other than *multiple unit residential buildings* are not required.

## **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. The boulevard areas of *highways* abutting a *lot* shall be hard surfaced on the side of the *highway* abutting the *lot*.
3. Garbage containers and *passive recycling containers* shall be located underground or within a *building*.

## **J. Special Regulations**

1. *Amenity space* for *multiple unit residential buildings* shall be provided on the *lot* as follows:
  - (a) Outdoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit* and shall not be located within the required *setbacks*; and

- (b) Indoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit*.
- 2. *Child care centres* shall be located on the *lot* such that these centres:
  - (a) Are accessed from a *highway*, independent from the access to the residential uses permitted in Section B of this Zone; and
  - (b) Have direct access to an *open space* and play area within the *lot*.
- 3. *Balconies* are required for all *dwelling units* which are not *ground-oriented* and shall be a minimum of 3.5 square metres [38 sq.ft.] per *dwelling unit*.

**K. Subdivision**

- 1. *Lots* created through subdivision in this Zone, not including air space parcels, 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 Surrey Zoning By-law, 1993, No. 12000 as amended.

- 2. Air space parcels created through subdivision in this Zone are not subject to Section K.1 but shall comply with the provisions in the Land Title Act. R.S.B.C., 1996 chapter 250, 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 C-35 Zone as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
- 3. General provisions are as set out in Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.

4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
  5. Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
  6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
  7. *Building* permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended.
  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 RMC-150 (In City Centre) Zone for the residential portion of the building and the Commercial Zones for all other portions of the building.
  9. Tree regulations are set out in 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.
  12. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act, R.S.B.C. 1996, Chapter 267, as amended.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17702."

READ A FIRST AND SECOND TIME on the 25th day of June, 2012.

PUBLIC HEARING HELD thereon on the 9th day of July, 2012.

READ A THIRD TIME AS AMENDED ON THE 8th day of April, 2013.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 8th day of April, 2013.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK