



# Corporate Report

NO: R075

COUNCIL DATE: May 4, 2009

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## REGULAR COUNCIL

TO: Mayor & Council DATE: May 4, 2009  
FROM: General Manager, Planning and Development FILE: 3900-30  
SUBJECT: Proposed Zoning By-law Amendment to the Highway Commercial Industrial (CHI) Zone for Surrey City Centre

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## RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information;
2. Approve an amendment, as illustrated on Appendix I, to Map D.1(a) of Schedule D of Surrey Zoning By-law, 1993, No. 12000, as amended (the "Zoning By-law"), that will redefine the boundaries of the Highway Commercial Industrial Zone (CHI) sub-area of the City Centre; and
3. Authorize the City Clerk to bring forward the necessary amendment by-law for the required readings and to set a date for the related public hearing.

## INTENT

The purpose of this report is to obtain Council approval of an amendment to the Zoning By-law to modify Map D.1(a) of Schedule D to redefine the boundaries of the CHI Zone sub-area of the City Centre.

## BACKGROUND

At its January 12, 2004, Regular Council Meeting, Council considered Corporate Report No. R003 regarding an amendment to the CHI Zone and, subsequently, approved "Zoning By-law Amendment By-law, 2004, No. 15271" on November 1, 2004. The amendment to the CHI Zone, was related to a sub-area of the City Centre, and acted to eliminate automobile-oriented and light impact industrial land uses and added a new list of permitted uses that would better fit the vision for City Centre. The current sub-area of

the City Centre pertaining to the CHI Zone is shown on Map D.1(a) of Schedule D of the Zoning By-law (Appendix II).

## **DISCUSSION**

The sub-area of the City Centre, based on the 2004 amendment to the CHI Zone, generally lies within the inner ring roads in City Centre, being the East and West Whalley Ring Roads (Appendix II).

On the east side of the East Whalley Ring Road, along 104 Avenue, there are a number of CHI-zoned properties, which were not included in the City Centre CHI sub-area in 2004. The reason was that in 2004, at least one CHI-zoned property was the subject of an in-stream development application that proposed uses that complied with the original CHI Zone but not with the proposed CHI Zone amendments. As a result, it was decided, at that time, not to include those properties east of the East Whalley Ring Road in the CHI sub-area of the City Centre.

On November 19, 2007, a Development Permit for proposed building modifications to a building on a site at 13805 – 104 Avenue (Development Permit No. 7907-0120-00) was issued by Council. The Development Permit was to allow for a medical/legal office use on the site. This property is outside of the current CHI sub-area of the City Centre. Due to an oversight, the subject property was mistakenly identified as being within the City Centre CHI sub-area. The owner of the property has now applied for a building permit to undertake modifications to an existing commercial building to convert it to a medical/legal office building. Since medical/legal office is not a permitted use in the CHI Zone outside of the City Centre sub-area, staff is not able to issue such a Building Permit. Similarly, staff will also not be able to issue a business license for the proposed office uses based on the current zoning on the property.

Notwithstanding the current zoning, the proposed use is consistent with the City's vision for this area of City Centre. Replacing the former automobile-oriented use with a medical/legal office use will result in a more urban character in this area. City staff considers the medical/legal office to be an appropriate, desirable use for this location.

The proposed amendment to Map D.1(a) if approved will allow the proposed medical/legal office use on the subject site. The existing uses on the other properties affected by the proposed amendment will also conform to the uses permitted in the CHI Zone within the sub-area of City Centre.

While there remain a number of CHI-zoned lots on the south side of 104 Avenue, at 138A Street, the proposed amendment to Map D.1(a) does not include these properties as the existing CHI uses (i.e., car dealership, car wash, and mini-storage) would be rendered legally non-conforming if the City Centre sub-area was to be extended to include these lots.

As the boundaries of the CHI sub-area need to be amended to accommodate the in-stream application noted above, it was deemed appropriate to take this opportunity to review all of the boundaries of the City Centre sub-area and to adjust the boundaries to more accurately reflect the location of CHI-zoned lots within City Centre. Appendix I shows proposed modifications to Map D.1(a), which more accurately reflect the location of existing CHI-zoned properties in City Centre.

## CONCLUSION

To more accurately reflect the actual location of CHI zoned properties in the City Centre, and to allow the issuance of a Building Permit for an office building approved under Development Permit No. 7907-0120-00, which supports the character and form of development envisioned for Surrey City Centre, it is recommended that Council:

- Approve an amendment, as illustrated on Appendix I, to Map D.1(a) of Schedule D of the Zoning By-law that will redefine the boundaries of the Highway Commercial Industrial Zone (CHI) sub-area of the City Centre; and
- Authorize the City Clerk to bring forward the necessary amendment by-law for the required readings and to set a date for the related public hearing.

*Original signed by*  
Jean Lamontagne  
General Manager  
Planning and Development

CA/kms/saw

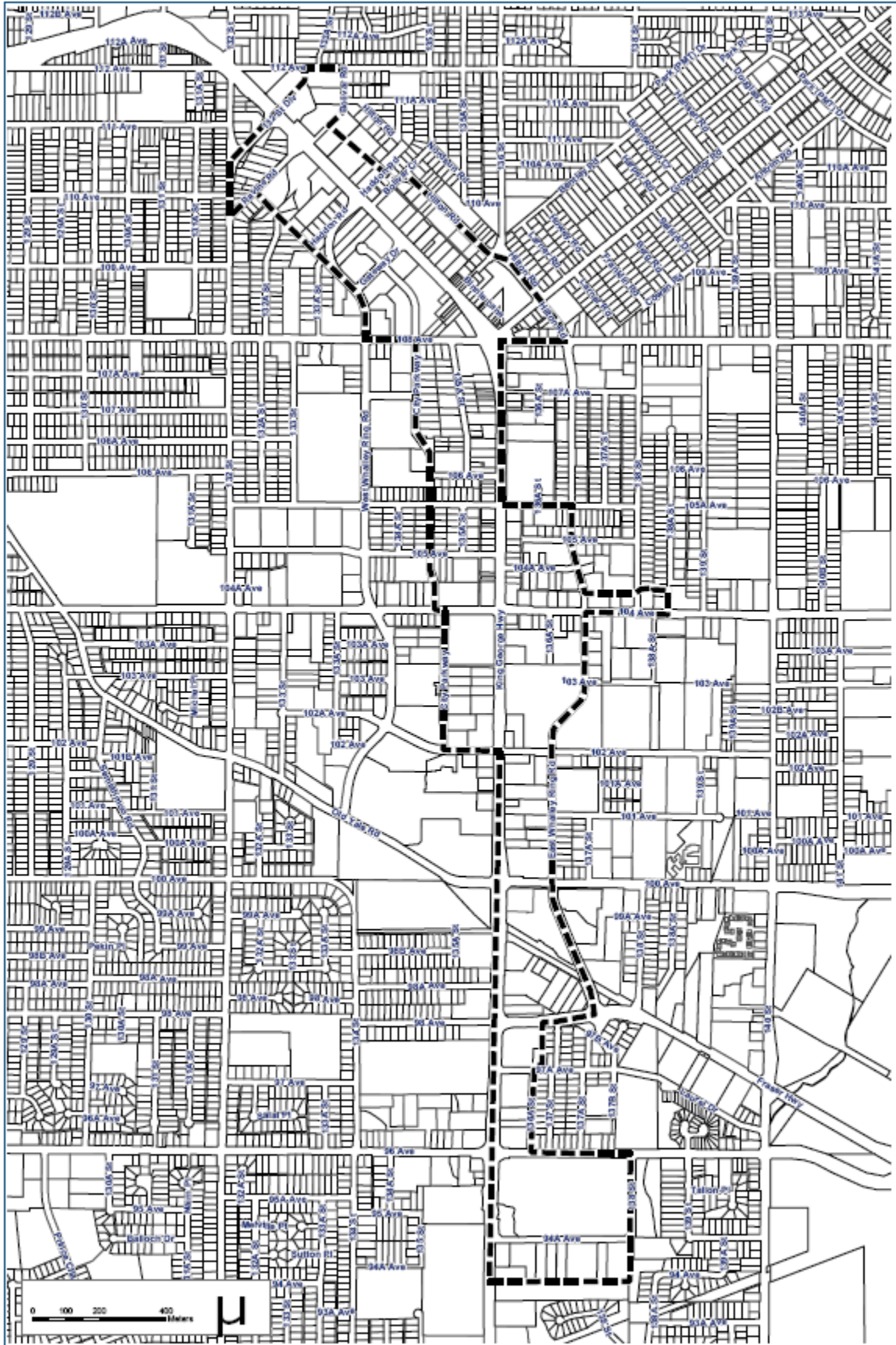
Attachments:

Appendix I Proposed Map D.1(a)

Appendix II Current Map D.1(a)

### Proposed Map D.1(a) Sub-Area of the City Centre

Map D.1(a) Sub-Area of the City Centre



Current Map D.1(a) Sub-Area of the City Centre

Map D.1(a) Sub-Area of the City Centre

