



# **Corporate** NO: R059

# **Report** COUNCIL DATE: March 13, 2000\_

## **REGULAR COUNCIL**

**TO: Mayor & Council**    **DATE: March 9, 2000**

**FROM: General Manager, Planning & Development**    **FILE: 5591-046/ 5591-047**

**SUBJECT: Zoning By-law Amendments For Churches in IB and IL Zones**

## **RECOMMENDATION**

It is recommended that Council:

1. Receive this report as information;
2. Approve text amendments to Part 47 and Part 48 of Surrey Zoning By-law, 1993, 12000, as amended, to clarify the maximum seating and floor area provisions for churches in the Business Park (IB) and Light Impact Industrial (IL) Zones, all as described in Appendix I;
3. Approve a text amendment to Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, to revise the definition for "church" as described in Appendix II; and
4. Instruct the City Clerk to introduce the necessary Zoning Amendment By-law.

## **BACKGROUND**

In 1995, in response to significant demand for church accommodation, Council approved amendments to the City's Zoning By-law to allow religious organizations to locate in multi-tenant industrial buildings. As a result "assembly hall uses, limited to churches" are permitted uses in the Business Park (IB) and Light Impact Industrial (IL) Zones, provided such uses are not the primary use on a lot, and provided that such uses do not exceed "a maximum of 300 seats or 700 square metres (7,500 sq.ft.) whichever is less".

Recently, concerns have been raised that the provisions, as currently set out in the IB and IL Zones, inadvertently permit larger than expected religious facilities. Some religious organizations when applying to

the City for permits have advised that they intend to limit seating to 300 patrons and have legally established such facilities with a floor area far exceeding the City's intended maximum size of 700 sq. m. (7,500 sq. ft.). As a result, although the church may legally only seat 300 people, much larger crowds can in fact be accommodated within the larger spaces within which some churches are located. These larger crowds result in unexpectedly high traffic and noise impacts in the area of the church.

## DISCUSSION

The Zoning By-law defines churches to "mean building[s] providing for the assembly of persons for religious purposes and includes buildings in which the religious services of any denomination are held." To ensure that churches which choose to locate within multi-tenant industrial buildings in Surrey, remain at a local (smaller) scale, the current text in the IB and IL Industrial Zones of the Zoning By-law needs to be modified. The modification relates to making it clear that the physical size of churches in multi-tenant industrial buildings must not in any case exceed 700 sq. m. (7500 sq. ft.) in floor area and must contain no more than 300 seats. The exact wording of the proposed amendments is documented in Appendix I. If such an amendment is made to the Zoning By-law, existing churches which are located in multi-tenant industrial buildings which have a floor area of greater than 700 sq. m. (7,500 sq. ft.) will be "grand fathered" under the provisions of the Municipal Act.

The definition of "church" contained within the Zoning By-law also needs to be modified by adding the words "or portion thereof" after the word "building" because churches located in multi-tenant industrial developments occupy only a part of a building. The proposed text amendments to the Definitions Section of Surrey's Zoning By-law, 1993, No. 12000, are described in Appendices I and II, respectively.

The zoning amendments discussed above will not change the requirements for churches occupying space in industrial buildings in relation to the building code regulations for public assembly uses. These regulations include, but are not limited to, additional washroom facilities, upgrades for exiting and upgrading partitions with adjacent occupancies to a two-hour fire resistance rating.

## CONCLUSION

Due to the current wording in the Zoning By-law, larger than expected churches have located in multi-tenant industrial buildings. To ensure that churches locating in Business Park and Light Impact Industrial zones in the future are limited to "local" scale churches, it is recommended that Council approve two text amendments to Surrey's Zoning By-law. These amendments clarify, firstly, the maximum seating and floor area provisions for churches in such zones and, secondly, revise the definition of "church" to refer to both "buildings" and "portions of buildings". The proposed text amendments have been reviewed by Legal Services and are contained in Appendices I and II.

Murray D. Dinwoodie

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BB/kms

c.c. - City Solicitor

Appendix I - Proposed Text Amendment to the IB and IL Zones

Appendix II - Proposed Text Amendment to the Definition of Churches

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