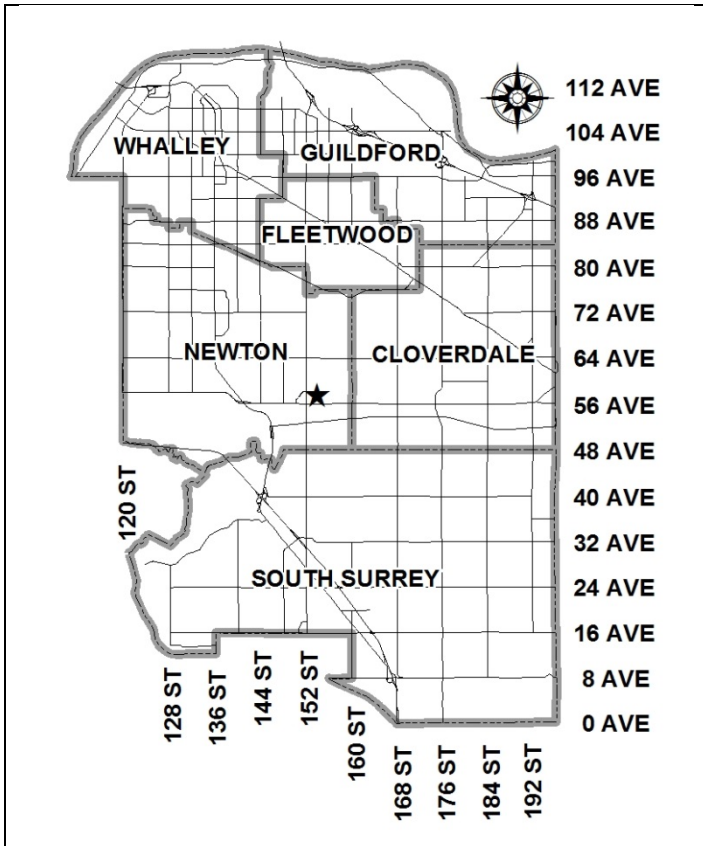


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7914-0140-00

Planning Report Date: July 7, 2014



**PROPOSAL:**

- Amend CD By-law No. 14510 and 17731 in order to allow entertainment uses on-site.

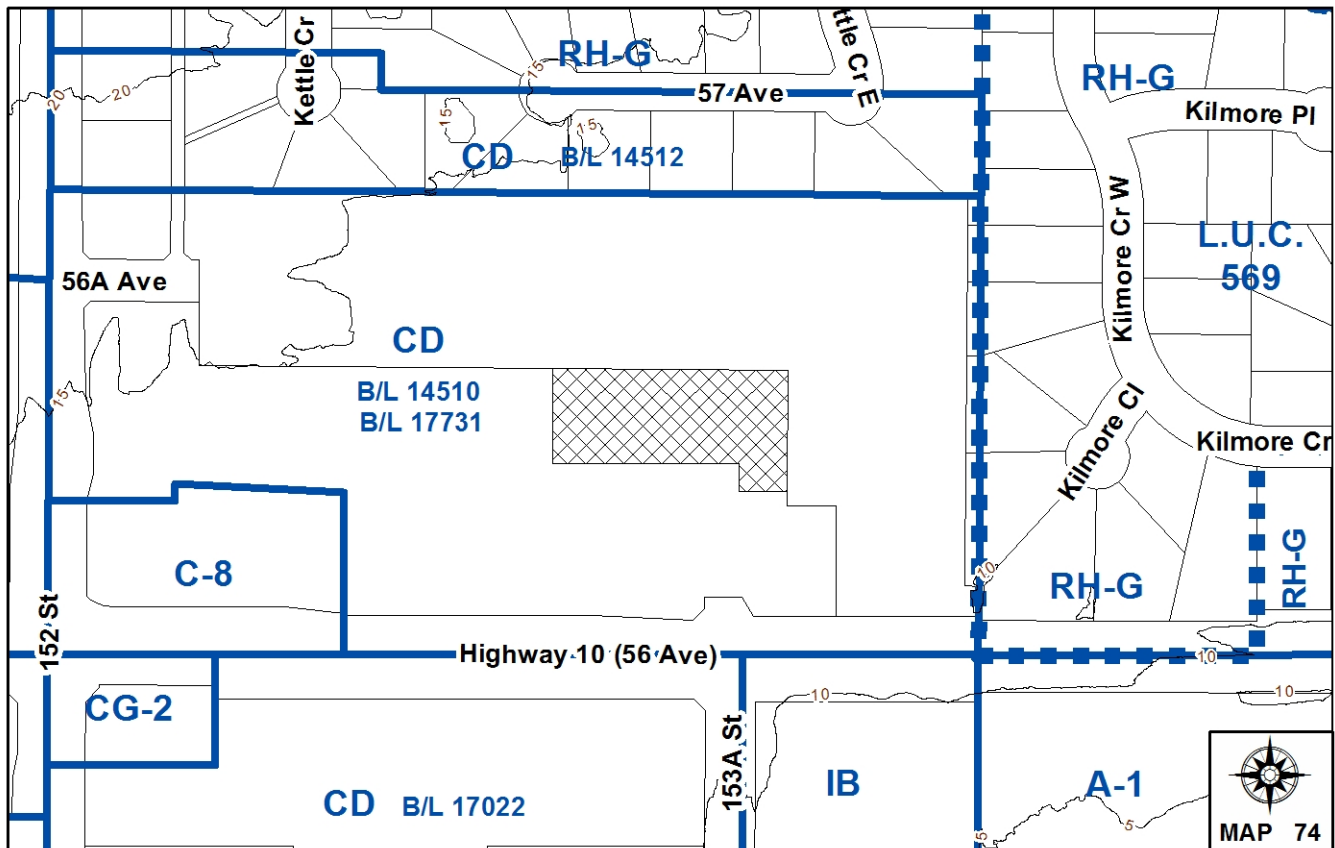
**LOCATION:** 15345 - No. 10 Highway (56 Avenue)

**OWNER:** 559006 B.C. Ltd.  
 606200 B.C. Ltd.  
 Sullivan Station Annex Ltd.

**ZONING:** CD (By-law No. 14510 and 17731)

**OCP DESIGNATION:** Commercial

**LAP DESIGNATION:** Retail Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Amending CD By-law No. 14510 and 17731.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The subject property is regulated under a CD By-law (No. 14510 and 17731) based upon the C-8 Zone. The applicant proposes to amend the CD By-law in order to add entertainment uses as a permitted use at 15345 No. 10 Highway (56 Avenue). The use is consistent with the C-8 Zone and, therefore, it is considered appropriate at this location.
- The entertainment use will be limited to a gross floor area of 324 square metres (3,488 sq. ft.) which reflects the actual size of the unit where entertainment uses will take place. The limit on gross floor area will further reduce the potential for a shortfall of on-site parking since entertainment uses have a higher than average parking ratio under Zoning By-law No. 12000.
- The proposed land-use is fully enclosed within the principal building. As a result, City staff do not anticipate the entertainment use will have a negative impact on adjacent tenants and/or residential property owners.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Comprehensive Development By-law No. 14510 and 17731 and a date for Public Hearing be set.
2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) final approval from the Ministry of Transportation & Infrastructure;
  - (c) submission of acceptable Phase II strata plans or a strata conversion application to stratify and consolidate the subject property with BCS04117 to the satisfaction of the Approving Officer; and
  - (d) registration of a Section 219 Restrictive Covenant to limit the hours of operation for entertainment uses on-site to Monday through Sunday, 6:00 a.m. to 12:00 a.m.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Commercial business complex.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	Single family dwellings and duplexes	Urban/Urban Residential	CD (By-law No. 14510 and 17731)
East:	Single family dwellings and duplexes	Urban/Urban Residential	CD (By-law No. 14510 and 17731)
South:	Multi-tenant commercial buildings	Commercial/Retail Commercial	CD (By-law No. 14510 and 17731)
West:	Multi-tenant commercial buildings	Commercial/Retail Commercial	C-8 and CD (By-law No. 14510 and 17731)

## DEVELOPMENT CONSIDERATIONS

### Background

- The subject property is 0.45 hectare (1.1 acres) in area and located on the north side of No. 10 Highway (56 Avenue) just east of 152 Street.
- The property is designated "Commercial" in the Official Community Plan "OCP" as well as "Retail Commercial" in the Newton Local Area Plan (LAP). The subject property is currently regulated by a "Comprehensive Development Zone (CD)" (By-law No. 14510 and 17731) that allows a broad range of retail, personal service, general service and office uses.
- A Development Permit (No. 7999-0102-00) was issued by Council in June, 2003 for a retail shopping centre with a gross floor area of 7,618 square metres (82,000 sq. ft.). The DP was further amended to permit a Tim Hortons drive-thru restaurant and additional commercial building on Pad #2 (File No. 7903-0365-00 and 7904-0171-00).
- The subject property at 15345 No. 10 Highway (56 Avenue) includes two multi-tenant commercial buildings (Building #3 and Building #4) which provide a combined total floor area of 1,913 square metres (20,562 sq. ft.).

### Proposed Amendment to CD Zone (By-law No. 14510 and 17731)

- The applicant is proposing to further amend the CD Zone (By-law No. 14510 and 17731) in order to permit "entertainment uses" on-site limited to a gross floor area of 324 square metres (3,488 sq. ft.) which reflects the actual size of the unit where entertainment uses will take place. By limiting the gross floor area, the proposed rezoning will further reduce the potential for conflicts over off-street parking between different land-uses on-site which is important given that entertainment uses have higher than average parking ratios under Zoning By-law No. 12000.
- In order to comply with the minimum parking requirement under the zoning by-law, the applicant will formalize the current shared parking arrangement by stratifying and consolidating the subject property at 15345 – 56 Avenue with the adjacent stratified property (BCSo4117). If the stratification cannot be completed before Final Adoption of the rezoning by-law, the applicant will be required to register on title a reciprocal parking agreement between 15345 – 56 Avenue and BCS04117 thereby ensuring customers have access to off-site parking spaces.
- The proposed addition of entertainment uses to the CD By-law will accommodate a prospective tenant called "E-Exit" which currently operates two franchise locations in British Columbia. The business offers customers the opportunity to participate in real-life escape games in one of four themed rooms (e.g. ancient Egypt). The participants are assigned to various teams and must rely upon logic, reasoning and puzzle solving abilities to escape the room with typical game sessions lasting 45 minutes. A maximum of 24 customers can be accommodated on-site at any one time.
- The proposed addition of entertainment uses is considered acceptable given the land-use is allowed within the "Community Commercial (C-8)" Zone which forms the basis for the CD By-law (By-law No. 14510 and 17731) that currently regulates the subject property. Also, several adjacent properties on the north side of No. 10 Highway (56 Avenue) are similarly zoned C-8 or CD (based upon C-8) and, therefore, would allow entertainment uses on-site.

- The proposed land-use is fully enclosed within the principal building. However, several adjacent property owners have expressed concerns regarding the hours of operation as well as potential for noise generated by individuals congregating outside the unit. As a result, the applicant has agreed to register a Section 219 Restrictive Covenant on title to limit the hours of operation from Monday through Sunday, 6:00 a.m. to 12:00 a.m., in order to further mitigate any potential noise impacts on adjacent tenants and/or residential property owners. After at least one year in operation, City staff may consider a Major Restrictive Covenant (RC) Amendment to extend the hours of operation if the tenant can demonstrate the business did not negatively impact adjacent tenants and/or residential property owners. The Major RC Amendment would be subject to a public consultation process.

### PRE-NOTIFICATION

Pre-notification letters were sent out on June 9, 2014 and City staff received nine (9) phone calls as well as two (2) e-mails from adjacent residents who expressed the following concerns:

- Several property owners expressed concerns about insufficient on-site parking at 15345 – 56 Avenue.

*(City staff have visited the property and confirmed the current on-site parking is sufficient to meet the minimum parking requirements under Zoning By-law No. 12000 based upon the broad range of permitted land-uses allowed under the CD Zone [By-law No. 14510 and 17731]. In addition, the applicant will formalize the shared parking arrangement on-site by completing the stratification and consolidation of the subject property at 15345 – 56 Avenue with the adjacent strata property [BCSo4117].)*

- Several property owners expressed concerns regarding the hours of operation and potential for noise generated by individuals congregating outside the proposed business (E-exit) late at night.

*(The applicant has agreed to register a Section 219 Restrictive Covenant (RC) on title to limit the hours of operation from Monday through Sunday, 6:00 a.m. to 12:00 a.m., in order to further reduce the potential for noise generated by customers on adjacent tenants and residential property owners. At present, several businesses on-site [primarily restaurants] operate extended evening hours which include Domino's Pizza, Dairy Queen, Chopsticks on Pho, Spice Kings as well as Tim Hortons which currently operates 24 hours a day, seven days a week.)*

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
- Appendix II. Site Plan
- Appendix III. Engineering Summary
- Appendix IV. CD By-law Amendment

*Original signed by Nicholas Lai*

Jean Lamontagne  
General Manager  
Planning and Development

MRJ/da

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# DEVELOPMENT DATA SHEET

Existing Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total	N/A	4,471 sq. m.
Road Widening area		
Undevelopable area		
Net Total	N/A	N/A
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage	26%	43%
<b>SETBACKS</b> ( in metres)		
North	7.5 m.	7.5 m.
South	7.5 m.	+7.5 m.
East	7.5 m.	+7.5 m.
West	7.5 m.	+7.5 m.
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	8 m.	N/A
Accessory	4 m.	N/A
<b>FLOOR AREA: Residential</b>	N/A	N/A
<b>FLOOR AREA: Commercial</b>	N/A	
Retail		279 sq. m.
Office		1,295.98 sq. m.
Drive-thru Restaurant		542.83 sq. m.
Medical Office		875.97 sq. m.
General Service		470.93 sq. m.
Personal Service		294.18 sq. m.
Childcare facility		362 sq. m.
Eating Establishment		762.72 sq. m.
Indoor Recreational Facility		315.87 sq. m.
Entertainment		323.5 sq. m.
Unknown		1,638.05 sq. m.
Total		7161.03 sq. m.
<b>FLOOR AREA: Industrial</b>	N/A	N/A
<b>FLOOR AREA: Institutional</b>	N/A	N/A
<b>TOTAL BUILDING FLOOR AREA</b>		

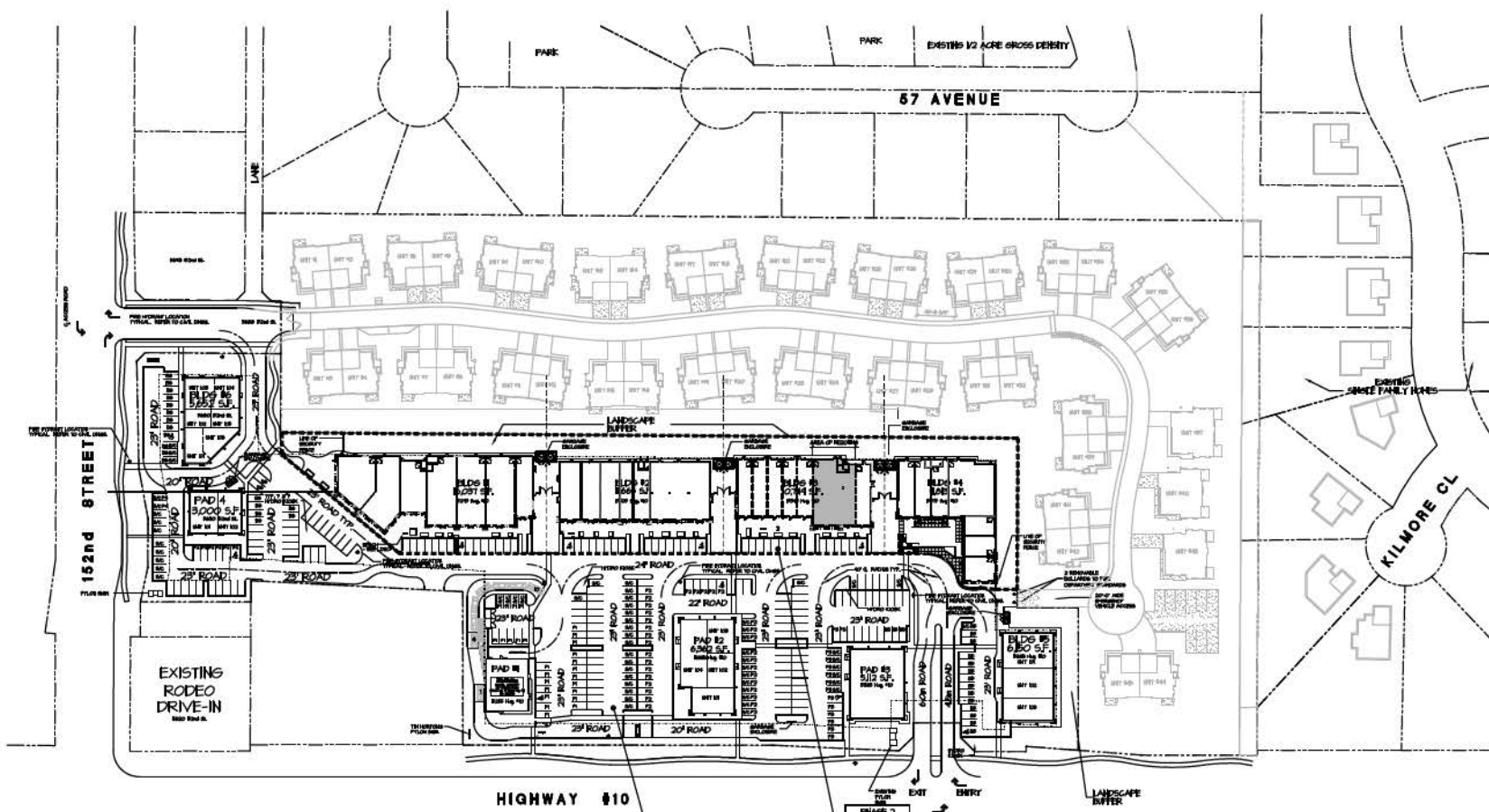
*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site.*



**Development Data Sheet cont'd**

<b>Required Development Data</b>	<b>Minimum Required / Maximum Allowed</b>	<b>Proposed</b>
<b>DENSITY</b>		
# of units/ha /# units/acre (gross)	N/A	N/A
# of units/ha /# units/acre (net)	N/A	N/A
FAR (gross)	0.26	0.43
FAR (net)	N/A	N/A
<b>AMENITY SPACE (area in square metres)</b>	N/A	N/A
Indoor		
Outdoor		
<b>PARKING (number of stalls)</b>		
Commercial	293 spaces	297 spaces
Industrial	N/A	N/A
Residential	N/A	N/A
Institutional	N/A	N/A
Total Number of Parking Spaces	293 spaces	297 spaces
Number of disabled stalls	6 spaces	10 spaces
Number of small cars	25%	19.5%
Tandem Parking Spaces	N/A	N/A
Size of Tandem Parking Spaces	N/A	N/A

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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**SITE PLAN**  
 SCALE: 1" = 60'-0"  
 SITE AREA:

**HIGHWAY #10**  
 PHASE I  
 COMMERCIAL

**DEVELOPMENT DATA**  
 ZONING : CD 14510  
 SITE AREA : 316,034 SF. ( 7.25 ACRES ) ( 2.44 HA )  
 SITE COVERAGE : 24.95% ( 71510 SF. )  
 SITE ADDRESS: #15245, 15325, 15345, 15375 - HIGHWAY No 10 SURREY, B.C.  
 LEGAL ADDRESS:  
 BLDG # 1 & #2: STRATA PLAN OF PART OF LOT 1, SECTION II TOWNSHIP 2 N4D PLAN BCP4111  
 BLDG #3 & #4: REM. OF LOT 1, SECTION II TOWNSHIP 2, N4D PLAN BCP40336, EXC. PH I STRATA PLAN BCP54117

**DEVELOPMENT DATA**  
 ZONING : CD 14510  
 SITE AREA : 316,034 SF. ( 7.25 ACRES ) ( 2.44 HA )  
 SITE COVERAGE : 24.95% ( 71510 SF. )  
**SUMMARY**  
 BUILDING #1 16,091 SF. 44.10 PARKING STALLS REG'D  
 BUILDING #2 11,665 SF. 32.51 PARKING STALLS REG'D  
 BUILDING #3 10,744 SF. 24.96 PARKING STALLS REG'D  
 BUILDING #4 9,013 SF. 27.35 PARKING STALLS REG'D  
 BUILDING #5 6,150 SF. 16.41 PARKING STALLS REG'D  
 BUILDING #6 5,692 SF. 14.51 PARKING STALLS REG'D  
 PAD 1 3,030 SF. 27.71 PARKING STALLS REG'D  
 PAD 2 6,362 SF. 35.00 PARKING STALLS REG'D  
 PAD 3 5,112 SF. 14.13 PARKING STALLS REG'D  
 PAD 4 3,000 SF. 8.13 PARKING STALLS REG'D  
 TOTAL : 71,510 SF. 288.57 PARKING STALLS REG'D  
**PARKING**  
 PROPOSED 224 REGULAR STALLS  
 94 SMALL CAR STALLS (14,878)  
 4 HANDICAP STALLS  
 231 TOTAL STALLS

1	ISSUED FOR REZONING	05/13/14
ISSUE	DESCRIPTION	DATE
CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE. DIMENSIONS SHALL NOT BE SOLOID.		
CONSULTANT		

**P J LOVICK ARCHITECT**  
 L.L.B.

3700 1<sup>st</sup> Floor  
 1100 1<sup>st</sup> Floor  
 (604) 696-3700 FAX: 696-6008  
 S.E.A.

OWNER: 15245, 15325, 15345, AND 15375 HWY 10 SURREY, B.C.  
 DESIGN: APPROVED

PROJECT: SULLIVAN ANNEX

OVERALL SITE PLAN  
 PHASE II  
 FOR REZONING  
 PROJECT NUMBER: 08-01 DRAWING NUMBER: ASI  
 SCALE: 1" = 60'-0"  
 DATE: January, 2008

Appendix II

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TO: **Manager, Area Planning & Development  
- South Surrey Division  
Planning and Development Department**

FROM: **Development Services Manager, Engineering Department**

DATE: **July 2, 2014** PROJECT FILE: **7814-0140-00**

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RE: **Engineering Requirements (Commercial/Industrial)  
Location: 15345 No 10 (56 Ave) Hwy**

**REZONE**

***Property and Right-of-Way Requirements***

- There are no dedication requirements associated with the rezone

***Works and Services***

- There are no engineering requirements required for the rezone.

A Servicing Agreement is not required prior to Rezone.

**DEVELOPMENT VARIANCE PERMIT**

There are no engineering requirements relative to issuance of the Development Variance Permit, however comments related to on-site circulation and access have been provided to the applicant.



Rémi Dubé, P.Eng.  
Development Services Manager

MS

CITY OF SURREY

BY-LAW NO. \_\_\_\_\_

A by-law to amend Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2003, No. 14510, Amendment By-law, 2012, No. 17731  
.....

THE CITY COUNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

- 1. Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 14510, Amendment By-law, 2012, No. 17731 is hereby further amended as follows:
  - (a) Part 2, Section B. Permitted Uses is amended by inserting a new Sub-section B.1.(k) immediately following Sub-section B.1.(j) as follows:
    - "(k) *Entertainment uses* provided that the total *gross floor area* shall not exceed 324 square metres [3,488 sq.ft.]"
- 2. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law 2003, No. 14510, Amendment By-law, 2012, No. 17731, Amendment By-law, \_\_\_\_\_, No. \_\_\_\_\_."

PASSED FIRST AND SECOND READING on the \_\_\_\_\_ th day of \_\_\_\_\_, 20 .

PUBLIC HEARING HELD thereon on the \_\_\_\_\_ th day of \_\_\_\_\_, 20 .

PASSED THIRD READING ON THE \_\_\_\_\_ th day of \_\_\_\_\_, 20 .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the \_\_\_\_\_ th day of \_\_\_\_\_, 20 .

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK