

NO: R235

COUNCIL DATE: November 18, 2024

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **November 14, 2024**

FROM: **Acting General Manager, Planning & Development**

FILE: **3900-30**

SUBJECT: **Proposed Zoning By-law Amendments for Temporary Real Estate Sales Centres**

RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this report for information;
2. Approve the proposed amendments to *Surrey Zoning By-law, 1993, No. 12000*, as described in this report and as documented in Appendix "I"; and
3. Authorize the City Clerk to bring forward the related amendment bylaw for the required readings and set a date for the related public hearing.

INTENT

The intent of this report is to seek Council approval for proposed text amendments to *Surrey Zoning By-law, 1993, No. 12000*. The amendments would allow temporary real estate sales centre buildings in all zones for a specified duration and under certain conditions, and to delegate minor variances for these uses to a delegated official.

BACKGROUND

This report responds to Council Motion RES.R24-1392 from the July 8, 2024 Council meeting, which directed staff to:

“ . . .put in place a procedure that provides staff the authority to approve temporary use permits for temporary real estate sales centres without requiring Council's approval.”

Temporary buildings for real estate centres are essential for marketing new residential developments and are currently only permitted in Commercial Zones that permit retail sales as a use. Allowing these centres in other zones requires Council approval of a Temporary Use Permit (“TUP”)

A TUP enables properties to be used for non-conforming purposes under *Surrey Zoning By-law, 1993, No. 12000* (the “Zoning By-law”) for a limited time, with specific conditions. TUPs can last up to three years, with a possible extension of up to three additional years.

DISCUSSION

With numerous developments underway in Surrey, there is a need for an efficient approval process for temporary real estate sales centres. The proposed Zoning By-law amendments provided in this report would allow these real estate sales centres to be built and operate without requiring Council authorization, speeding up approval times and processes.

The amendments would, under certain conditions, permit real estate marketing centres as a temporary use in all zones. The General Manager of Planning & Development and/or their designate or Approving Officer would be permitted to approve minor variances related to off-street parking requirements and siting of these buildings.

Proposed Zoning By-law Amendments:

The Zoning By-law amendments proposed to allow temporary real estate centres are outlined in Appendix "I", and include:

- Temporary real estate sales centers may be constructed and operated on lands that have received third reading rezoning approval for multiple-unit residential buildings, or on off-site lands associated as real estate sales centres for those sites.
- Their operation is limited to the earlier of when the first occupant moves in (if located on-site) or after a maximum of six years.

To establish temporary real estate sales center buildings and structures, the following requirements must be met:

- A building permit must be obtained from the General Manager of Planning & Development or their designate.
- Temporary buildings and structures must be removed when they are no longer permitted under the bylaw.

The General Manager of Planning & Development or an Approving Officer is authorized to approve amendments to the Zoning By-law for real estate sales centres, including minor variances related to siting and off-street parking.

Next Steps

If Council approves the recommendation of this report, the proposed Zoning By-law amendments will proceed to notification and required readings, and a public hearing will be scheduled.

Legal Services Review

Legal Services has reviewed this report.

CONCLUSION

It is recommended that Council approve the proposed Zoning By-law amendments to permit temporary real estate sales centres in all zones for a specified duration and under certain conditions, delegate minor variances for these uses to a delegated official, and direct the City Clerk to initiate the necessary readings.

Original signed by

Ron Gill, MA, MCIP, RPP

Acting General Manager, Planning & Development

Appendix "1" Proposed Temporary Real Estate Centre Building Zoning By-law Amendments

[https://surreybc.sharepoint.com/sites/pdgmadministration/document library/corporate reports/future/proposed zoning by-law amendment for temporary real estate sales centres/cr & app 1 proposed zoning by-law amendments for temporary real estate sales centres.docx](https://surreybc.sharepoint.com/sites/pdgmadministration/document%20library/corporate%20reports/future/proposed%20zoning%20by-law%20amendment%20for%20temporary%20real%20estate%20sales%20centres/cr%20&%20app%201%20proposed%20zoning%20by-law%20amendments%20for%20temporary%20real%20estate%20sales%20centres.docx)

CITY OF SURREY

BYLAW NO. ~~XXXXX~~

A bylaw to amend the provisions of Surrey Zoning
By-law, 1993, No. 12000, as amended.

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The Council of the City of Surrey ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended as follows:
 - b. In Part 4, General Provisions, section B. insert a new section B.36 immediately after B.35 as follows:

"36. Temporary Buildings:

 - (a) Temporary *buildings* may only be erected or placed on lands for the following purposes and for the following time periods:
 - i. for a real estate sales centre:
 - a) on lands with a development application to rezone to permit a *multiple unit residential building*, on site; or
 - b) on other lands, to be used for the purposes of a real estate sales centre for the *multiple unit residential building* in Sub-section B.36.(a)i.a), off site;
 - provided that:
 - c) third reading of the rezoning bylaw for the development application in Sub-section B.36.(a)i.a) has been granted;
 - d) a completed permit application for the real estate sales centre is approved by the General Manager of Planning & Development, or designate;
 - e) the marketing of the development complies with the *Real Estate Development Marketing Act*; and
 - f) the real estate sales centre is for a period not to exceed the earlier of the first occupant moving in if on site, or 6 years after the date of third reading in Sub-section B.36.(a)i.c).
 - (b) The off-street parking requirements of a temporary real estate sales centre is based on a *retail store* as specified in Part 5 of this Bylaw.
 - (c) Other than Sub-sections B.36.(a) and B.36.(b), the provisions of the Zone of the lands where the temporary real estate sales centre is to be placed are applicable.
 - (d) The General Manager, Planning & Development, or an Approving Officer is authorized on behalf of Council under Section 154 of the *Community Charter*, SBC 2003, Chapter 26, to approve minor amendments to siting and off-street vehicle parking requirements of this Bylaw for a temporary *building*.
 - (e) A temporary *building* shall not be used as a *dwelling unit*."

2. This Bylaw shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment Bylaw, 2024, No. XXXXXX".

PASSED FIRST READING on the th day of 2024.

PASSED SECOND READING on the th day of 2024.

PUBLIC HEARING HELD thereon on the th day of 2024.

PASSED THIRD READING, on the th day of 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of 2024.

_____MAYOR

_____CLERK