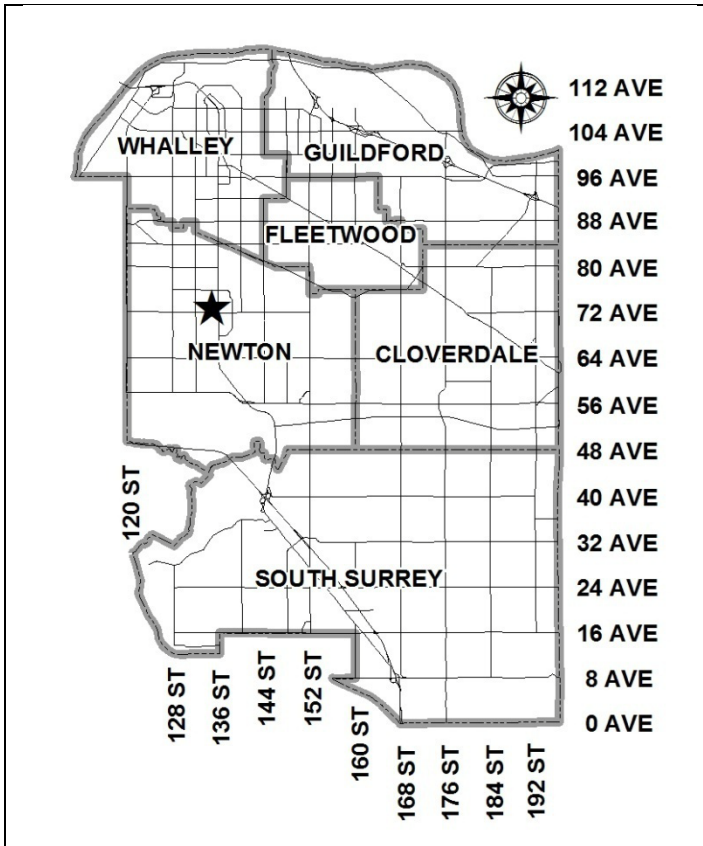


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7912-0146-00

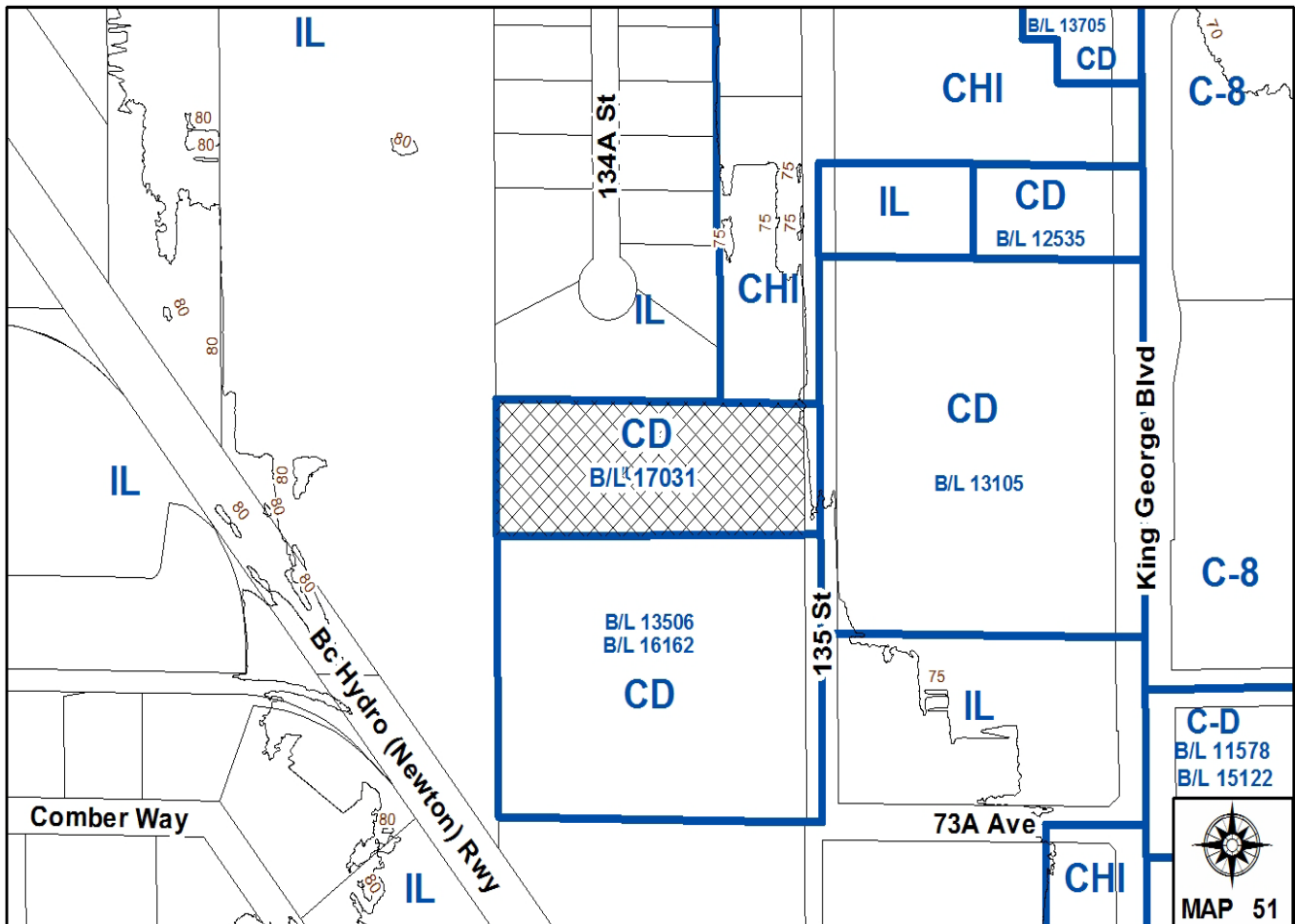
Planning Report Date: July 9, 2012



**PROPOSAL:**

- Amend CD By-law No. 17031 in order to allow an expanded private school use in an existing building.

**LOCATION:** 7475 - 135 Street  
**OWNER:** All Owners Under Strata Plan BCS1684  
**ZONING:** CD (By-law No. 17031)  
**OCP DESIGNATION:** Industrial  
**LAP DESIGNATION:** General Industrial



### RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Amending CD By-law No. 17031.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant proposes to expand the private school use in an existing building.

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Private schools are permitted in the “Assembly Hall 1 Zone (PA-1)” and “Assembly Hall 2 Zone (PA-2)”. Both of these zones are allowed within areas designated “Industrial” in the Official Community Plan. Therefore, the proposed expansion of the private school use in the CD Zone is consistent with the “Industrial” designation in the OCP.
- The proposed expansion will occupy approximately 20% of the total floor area within the existing building, and will therefore remain an accessory use to the principal industrial uses on the site.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Comprehensive Development By-law No. 17031 and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) amend the existing Section 219 Restrictive Covenant (BW375748) which specifies the shared parking arrangement with the Banquet Facility, in order to re-designate nine (9) parking spaces for a play area associated with the proposed private school use.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Existing strata building with multiple units on the ground floor and a banquet hall on the second floor.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Light Industrial and Highway Commercial businesses	Industrial/General Industrial	IL and CHI
East (Across 135 Street):	Costco store	Industrial/General Industrial	CD (By-law No. 13105)
South:	Nav Canada building	Industrial/General Industrial	CD (By-law Nos. 13506, 16162 & 17030)
West:	Vacant land adjacent to BC Hydro Railway	Industrial/High Impact Industrial	IL

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is located on the west side of 135 Street in Central Newton, immediately across 135 Street from Costco. The site is designated “Industrial” in the Official Community Plan (OCP) and “General Industrial” in the Central Newton Local Area Plan (LAP).

- The subject site was rezoned in 2009 under Development Application No. 7909-0178-00, from Comprehensive Development (CD) Zone (By-law Nos. 13506 and 16162) to CD By-law No. 17031. CD Bylaw Nos. 13506 and 16162 remain in place over the neighbouring property to the south, at 7421 135 Street. CD By-law Nos. 13506 and 16162 permit a range of light industrial, service and retail uses, with restricted office uses, such as architectural and landscape architectural offices, engineering and surveying offices, and general contractor offices. Under Development Application No. 7909-0178-00, the subject site was rezoned to CD By-law No. 17031, to allow for office uses more generally, in addition to the range of light industrial, service and retail uses.
- The area surrounding the subject property is considered a transition area between industrial uses to the north and west and commercial uses on the edge of the Newton Town Centre to the south and east. There are a number of similar sites in the area which are regulated by CD Zones, permitting a limited variety of industrial, office, service and retail uses.
- In 2010, CD By-law No. 17031 was amended to include private schools as a permitted use (Amendment By-law No. 17269). However, the CD Zone limits the area permitted for a private school to 265.4 square metres (2,857 sq. ft.).

#### Current Proposal

- The intent of the application is to expand the permitted private school use on the site.
- In 2010, the CD By-law Amendment was required to accommodate an elementary school, for children ages 4 to 12 (Kindergarten to Grade 7). The school was proposed to accommodate approximately 80 to 100 students, in two (2) strata units (units 117 and 118), totalling 264.5 square metres (2,857 sq. ft.) in floor area. Five (5) classrooms were proposed.
- The school currently operating on the site (in the same two strata units – 117 and 118) is the Guru Angad Dev (G.A.D.) Elementary School. The elementary school accommodates children ages 4 to 12 (Kindergarten to Grade 7). The applicant has indicated that there is a demand for a private elementary school in this location, and that more space is needed in order to expand enrollment to meet this demand.
- The applicant has secured nine (9) additional strata units, adjacent to units 117 and 118, for expansion purposes. These include:
  - Strata lots 19, 20, 21 and 22. These units were previously occupied by an adult education institute, which is considered a general service use which is permitted in the CD Zone. These units contain 5 classrooms which meet the needs of the elementary school for their operations;
  - Strata lot 16 is also already set up with 3 classrooms;
  - Strata lots 14 and 15 have large rooms and bathrooms which are to be converted into classrooms; and

- Strata lots 23 and 24 are proposed to be converted into a gymnasium in conjunction with the elementary school.
- Strata lots 117 and 118 are currently being used for the elementary school. There are 5 classrooms in these 2 units. With the expansion, a total of 15 classrooms are proposed.
- In total, the floor area of the school will increase from 265.4 square metres (2,857 sq. ft.), or approximately 4% of the total building floor area, to 1,251.6 square metres (13,472 sq.ft.), or approximately 20% of the total building floor area. The expansion will therefore remain an accessory use to the principal industrial uses on the site.

### Parking

- The applicant was required to provide 305 parking spaces under the development permit issued in 2004 (Development Permit No. 7903-0306-00). This number reflects a shared parking arrangement between the first floor retail / light industrial units and the second floor banquet hall.
- A total of 54 parking spaces are required for the expanded private school. This reflects the Zoning By-law requirement of 1 parking space for every classroom, 9 spaces for parent drop-off and pick-up, 2 parking spaces for the loading and unloading of buses, and 28 parking spaces for the gymnasium (at a ratio of 11 spaces per 100 square metres (1,076 sq. ft.) of floor area).
- The applicant is also proposing to convert nine (9) existing parking spaces into a fenced outdoor play area.
- The applicant has indicated that most of the children who will be attending the school will be picked up and dropped off by school bus. The hours of operation for the school are 8:30 AM to 2:30 PM.
- Using the shared parking provision in the Zoning By-law, which allows for a shared parking arrangement when the different users of the site operate at different times of the day, 295 parking spaces are required. With the nine (9) parking spaces converted into an outdoor play area, there would be a total of 296 parking spaces in the parking lot. This number of parking stalls still meets the parking requirement in the Zoning By-law.
- Because most children are picked up by the school bus, it is expected that the private school use, as opposed to a light industrial, retail or office use, will not generate a higher parking demand. Further, because the school operates until 2:30 PM only, the school and banquet hall will be operating at different hours. There is a Section 219 Restrictive Covenant on title indicating that the banquet hall facility is not to be used for public or private functions between the hours of 7 AM and 7 PM, Monday to Sunday, unless patrons use specified designated parking spaces. Therefore, a shared parking arrangement is reasonable.
- The Section 219 Restrictive Covenant which specifies the shared parking arrangement designates the nine (9) parking stalls proposed to be used for the outdoor play area specifically for banquet hall parking. Therefore, the Restrictive Covenant must be amended to re-designate nine (9) different stalls for banquet hall parking, and allow for

these spaces to be occupied by the outdoor play area. This amendment is required as a condition of Final Adoption.

### PRE-NOTIFICATION

Pre-notification letters were mailed out on June 13, 2012 and staff received no telephone calls or written correspondence in response.

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- |               |  |
|---------------|--|
| Appendix I.   | Lot Owners and Action Summary                                  |
| Appendix II.  | Existing Strata Plan Showing Units Proposed for Private School |
| Appendix III. | Proposed CD By-law Amendment                                   |

*original signed by Nicholas Lai*

Jean Lamontagne  
General Manager  
Planning and Development

HK/kms

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. 7/5/12 9:12 AM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:      Name:                      Jarnail S. Saran  
                                 Address:                    5756 - 125A Street  
   Surrey, BC V3X 3G8  
  
   Tel:                                604-834-4700
  
2.                  Properties involved in the Application
  - (a)                  Civic Address:                  Units #101 to 202, 7475 – 135 Street
  
  - (b)                  Civic Address:                  Units #101 to 202, 7475 – 135 Street  
                                 Owner:                              All Owners under Strata Plan BCS1684  
                                 PID:                                 All PIDs under Strata Plan BCS1684  
                                 Lots 1 to 33, District Lot 20 Township 2 New Westminster District Strata Plan Together  
                                 with an Interest in the Common Property in proportion to the Unit Entitlement of the  
                                 Strata Lots as shown on the Form V.
  
3.                  Summary of Actions for City Clerk's Office
  - (a)                  Introduce a By-law to amend CD By-law No. 17031

# GROUND FLOOR

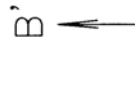
STRATA PLAN BCS

1684

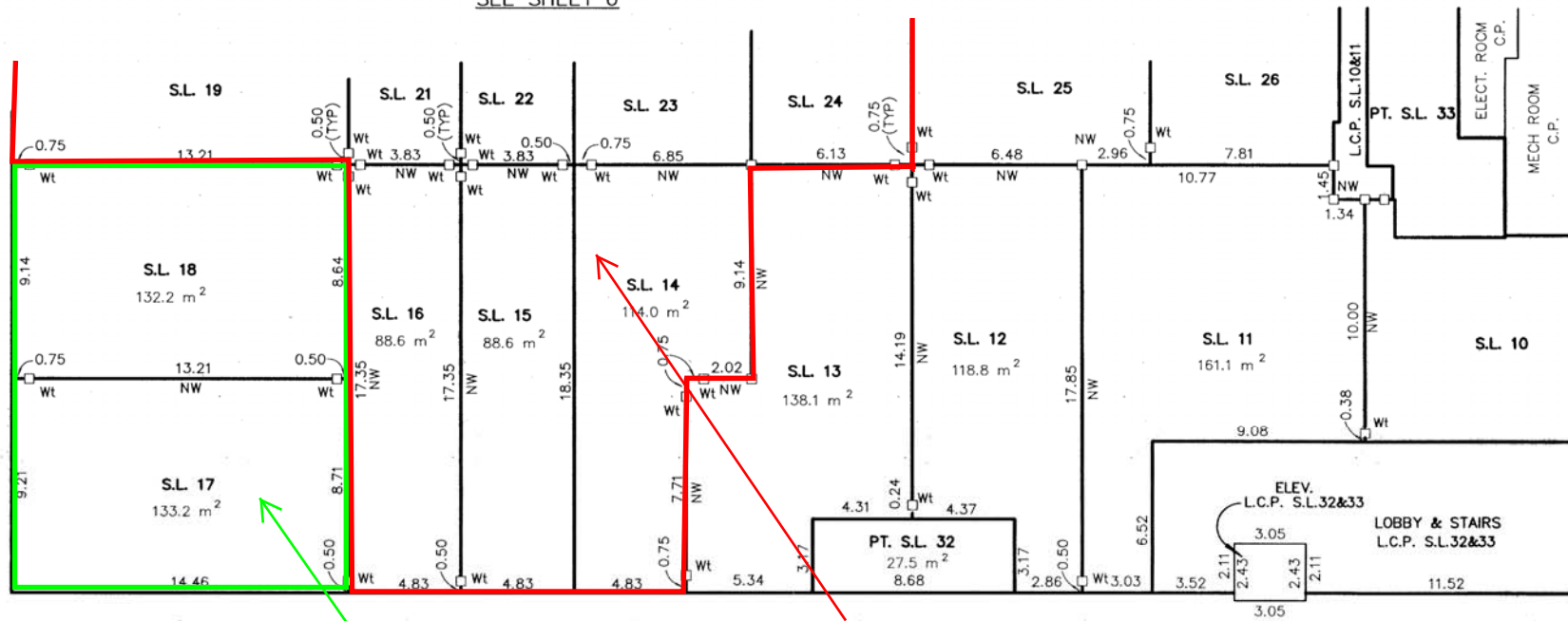
SCALE 1:200



(All distances are in metres)



SEE SHEET 6



SEE SHEET 4

Existing school  
operating in Strata  
lots 17 and 18

Strata lots 14, 15, 16,  
19, 20, 21, 22, 23,  
and 24 proposed to  
be used for expanded  
private school use.

DHALIWAL & ASSOCIATES  
LAND SURVEYING INC.  
121-13140 80th Avenue  
Surrey, B.C. 9.00  
V3W 3B2  
(ph) 501-6188  
(fx) 501-6189  
FILE: 0301083-ST1.FLX

DATE: Nov. 7 2005  
B.C.L.S.



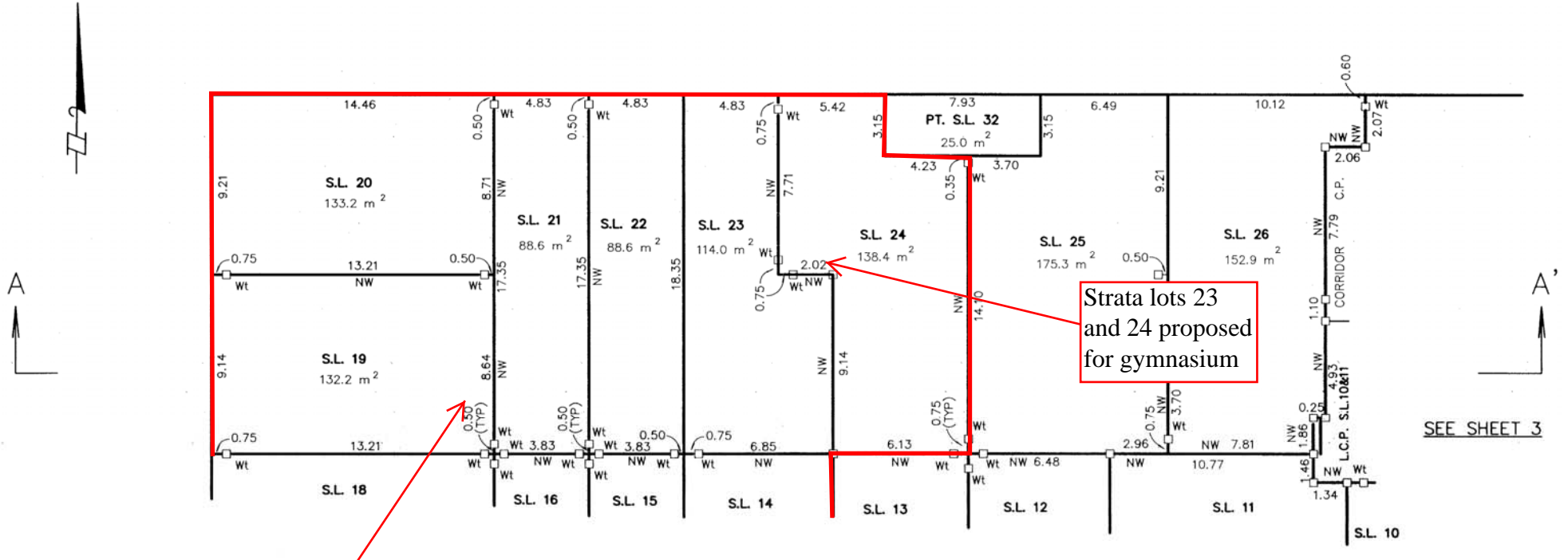
# GROUND FLOOR

STRATA PLAN BCS 1684

SCALE 1:200



(All distances are in metres)



Strata lots 14, 15, 16, 19, 20, 21, 22, 23, and 24 proposed to be used for expanded private school use.

Strata lots 23 and 24 proposed for gymnasium

SEE SHEET 5

SEE SHEET 3

DHALIWAL & ASSOCIATES  
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121-13140 80th Avenue  
Surrey, B.C.  
V3W 3B2  
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(fx) 501-6189  
FILE: 0301083-ST1.FLX

DATE: Nov. 7 2005  
B.C.L.S.  
*[Signature]*

CITY OF SURREY

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

A by-law to amend "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2009, No. 17031, Amendment By-law, 2010, No. 17269"

.....

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, 2009, No. 17031, Amendment By-law, 2010, No. 17269" is hereby further amended as follows:
  - (a) Part 2, Section B. Permitted Uses is amended by deleting Section 2.B.11 and replacing it with a new Section 2.B.11 as follows:
    - "11. *Private Schools* provided that such use is limited in floor area to a maximum of 1,510 square metres [16,254 sq. ft]."
  - (b) Section 2.L Other Regulations is amended in Section 2.L.8 by deleting "2010, No. 17111" and replacing it with "2012, No. 17539".
- 2. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2009, No. 17031, Amendment By-law, 2010, No. 17269, Amendment By-law, 2012, 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