

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

Application No.: 7920-0078-00

Planning Report Date: June 29, 2020

**PROPOSAL:**

- **Development Variance Permit**

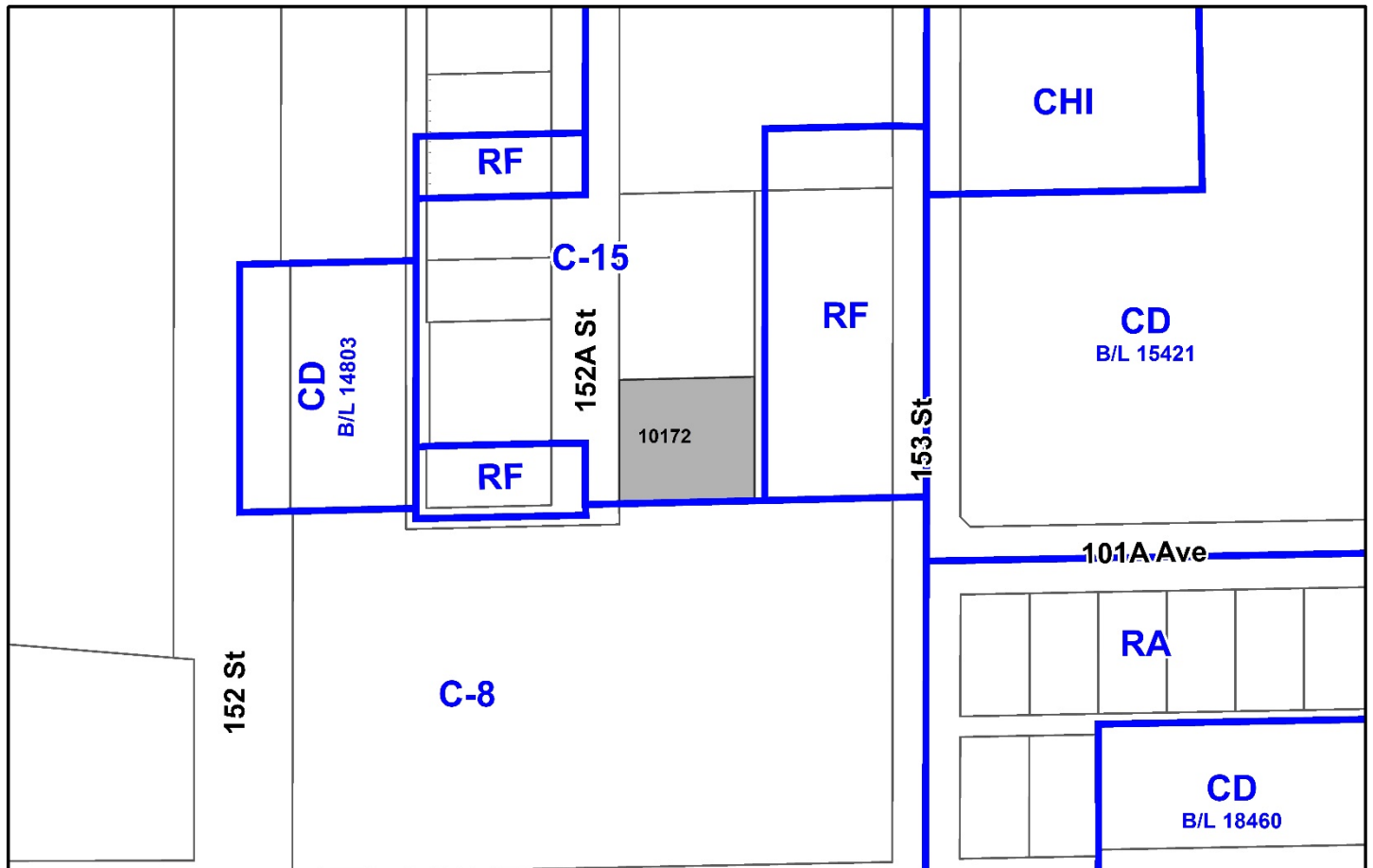
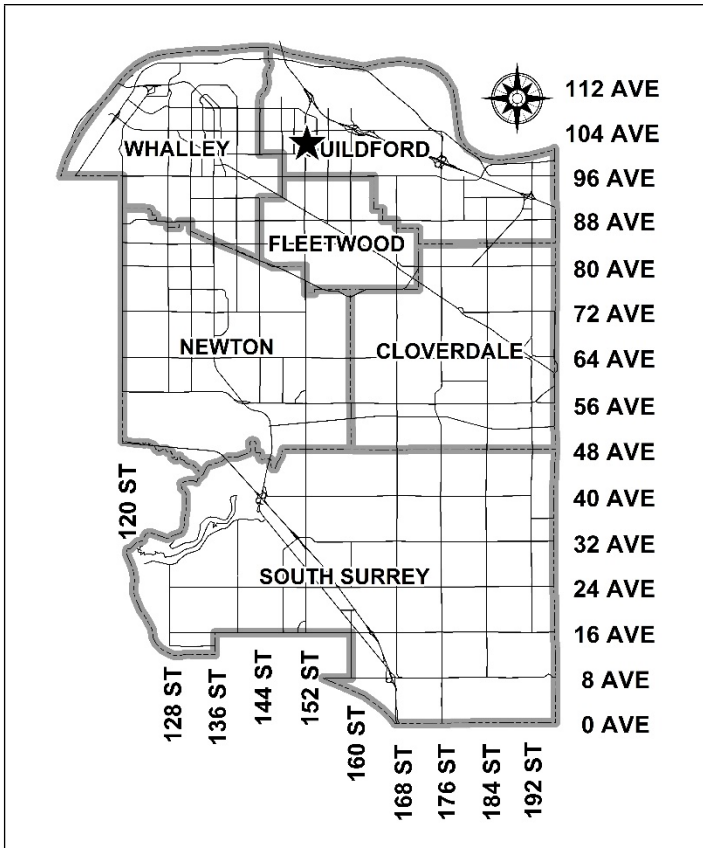
to permit the open space and play area of an existing child care centre to be located on a separate lot (10189 - 153 Street).

**LOCATION:** 10172 - 152A Street

**ZONING:** C-15

**OCP DESIGNATION:** Town Centre

**TCP DESIGNATION:** Low to Mid Rise Mixed Use



## RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to vary the C-15 Zone to permit a child care centre to be located on the subject lot (10172 – 152A Street) with its associated open space and play area located on a separate (neighbouring) lot (10189 – 153 Street).

## RATIONALE OF RECOMMENDATION

- The proposal complies with the Town Centre designation in the Official Community Plan (OCP) and with the "Low to Mid Rise Mixed Use" designation in the Stage 1 Guildford Town Centre & 104 Avenue Corridor Plan.
- A childcare centre is a permitted use under the existing C-15 Zone.
- An existing childcare centre (CEFA) is located within the existing commercial building at 10172 – 152A Street. Due to an oversight by the owner and City staff, the outdoor play area for the childcare centre is located, without permits, on the neighbouring adjacent lot, 10189 – 153 Street. Both lots are owned by the same owner.
- 10189 – 153 Street is currently under Development Application No. 7908-0275-00, which proposes rezoning and a Development Permit to permit a 5-storey office and retail building. The Rezoning By-law (No. 17037) received Third Reading by Council at the November 16, 2009 Regular Council – Public Hearing meeting.
- The redevelopment plans for the office/retail building include reconstructing the outdoor play area for CEFA in roughly the same area as the current unauthorized location.
- In order for the applicant to finalize Development Application No. 7908-0275-00 and redevelop the site, the existing, unauthorized outdoor play area is proposed to be relocated temporarily across the street to 10209 – 152A Street (for the duration of construction). This temporary location is subject to a separate Temporary Use Permit (TUP) Application No. 7920-0043-00, which is proceeding to Council concurrently with the subject DVP application.
- The subject DVP application will allow the outdoor play area to then be relocated back to 10189 – 153 Street upon completion of the new building construction, by allowing the outdoor play area to be located on a separate lot as the child care centre, which is not permitted under the Special Regulations of the C-15 Zone.
- Allowing the outdoor play areas to be located on the neighbouring lot will allow the existing CEFA child care centre to continue to operate, addressing the growing need for child care services in the City.
- Staff support the requested variance.

## RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7920-0078-00 (Appendix III), to vary the C-15 Zone to permit a child care centre to be located on a lot with its associated open space and play area located on a separate lot, to proceed to Public Notification.

## Referrals

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

Fraser Health: Fraser Health has no objection to the project.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/TCP Designation	Existing Zone
Subject Site	Office building with CEFA Daycare	Town Centre in the OCP, Low to Mid Rise Mixed Use in the Guildford TC-104 Avenue Plan.	C-15
North:	Three-storey commercial/retail and office building	Town Centre in the OCP, Low to Mid Rise Mixed Use in the Guildford TC-104 Avenue Plan.	C-15
East:	Unauthorized CEFA Daycare outdoor play area.  Future office and retail building (Development Application 7908-0275-00, at Third Reading).	Town Centre in the OCP, Low to Mid Rise Mixed Use in the Guildford TC-104 Avenue Plan.	RF
South:	One-storey commercial/retail plaza	Town Centre in the OCP, Low to Mid Rise Mixed Use in the Guildford TC-104 Avenue Plan.	C-8
West (Across 152A Street):	Two-storey retail/office building	Town Centre in the OCP, Low to Mid Rise Mixed Use in the Guildford TC-104 Avenue Plan.	C-15
	Surface parking lot		RF

## DEVELOPMENT CONSIDERATIONS

- The subject property is located in Guildford Town Centre, on the east side of 152A Street south of 102A Avenue. The site is designated Town Centre in the Official Community Plan (OCP) and is zoned "Town Centre Commercial Zone (C-15)".
- An existing childcare provider, CEFA is located within the existing commercial building at 10172 – 152A Street. The approved Development Permit for the site (7905-0287-00) does not include an outdoor play area for a child care centre. Due to an oversight by the owner and City staff, CEFA's existing outdoor play area was constructed on the neighbouring adjacent lot (10189 - 153 Street), as both lots are owned by the same owner.
- The C-15 Zone requires that the outdoor play area for a child care centre be located on the same lot as the child care centre itself (Section J Special Regulations).
- The site occupied by CEFA's existing outdoor play area (10189 – 153 Street) is subject to Development Application No. 7908-0275-00, to permit the development of a 5-storey retail and office building. The rezoning by-law was granted Third Reading at the November 16, 2009 Regular Council – Public Hearing meeting (By-law No. 17037) and staff have been authorized by Council to draft the Development Permit.
- At the time of Third Reading of By-law No. 17037, the issue of what will happen with CEFA's existing outdoor play area on the site was not considered, and as such, the applicant has since worked with staff to explore both interim and ultimate solutions to ensure the child care centre can keep operating with a conveniently accessed outdoor play area.
- Development Application No.7908-0275-00 has since been modified to include a permanent location of CEFA's outdoor play area. The outdoor play area will be reconstructed in a location similar to the existing configuration, at the southwest corner of 10189 – 153 Street. The site plan and landscape details of the outdoor play area will be finalized prior to final approval of Development Application No. 7908-0275-00.
- To keep the CEFA daycare operational during construction of the new building at 10189-153 Street, the applicant has proposed to temporarily relocate the outdoor play area across the street to 10209 - 152A Street. This temporary location requires Council approval of a separate Temporary Use Permit (TUP) Application, No. 7920-0043-00, which is proceeding to Council for consideration concurrently with the subject DVP application.
- The subject DVP application will allow the outdoor play area to then be relocated back to 10189 – 153 Street, permanently, upon completion of the new building construction, by varying the C-15 Zone to formally allow the outdoor play area to be located on a separate lot from the child care centre itself, which is not permitted under the Special Regulations of the C-15 Zone.

## BY-LAW VARIANCE AND JUSTICIATION

- (a) Requested Variance:
- To vary the C-15 Zone to permit a child care centre to be located on a lot with its associated open space and play area located on a separate lot.

## Staff Comments:

- Approval of the variance will allow continued operation of the CEFA daycare, addressing the growing need for child care services in the City.
- The layout and configuration of the ultimate outdoor play area at 10189 – 153 Street is generally unchanged from the existing unauthorized siting of the outdoor play area. The location is convenient, and can be safely accessed, by children and staff of the CEFA daycare.
- The site plan and landscape details of the ultimate outdoor play area at 10189 – 153 Street will be finalized prior to final approval of Development Application No. 7908-0275-00.
- Staff support the requested variance.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

Appendix I.	Site Plan
Appendix II.	Site Plan for Temporary Location of the Outdoor Play Area (Development Application No. 7920-0043-00)
Appendix III.	Development Variance Permit No. 7920-0078-00

*approved by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

SC/cm

**GENERAL CONSTRUCTION NOTES:**

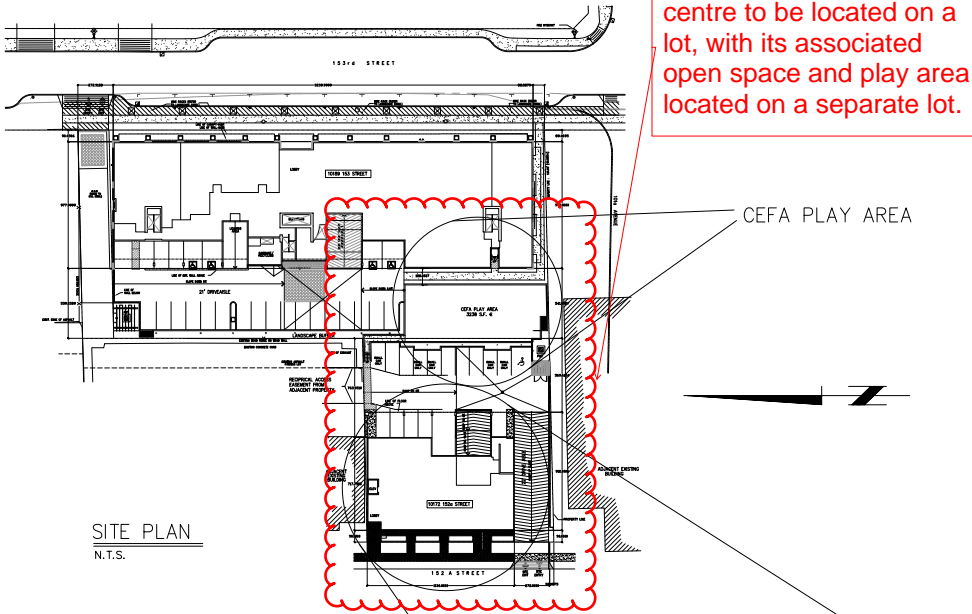
1. THE GENERAL CONTRACTOR SHALL UNDERTAKE ALL WORK IN ACCORDANCE WITH THE LATEST PROVINCIAL BUILDING CODE, LOCAL LAWS AND THE NATIONAL BUILDING CODE.
2. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING PERMITS FOR FIRE PROTECTION, PLUMBING, MECHANICAL AND ELECTRICAL. CONTRACTOR RESPONSIBLE TO HAVE THE PERMITS INSPECTED BY THE LOCAL MUNICIPALITY ONCE THE WORK IS DONE.
3. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL EXTRA COSTS INCURRED FOR CHANGES REQUIRED BY CITY PLAN CHECKERS IF CONSTRUCTION STARTS PRIOR TO BUILDING PERMIT APPROVAL/ISSUE.
4. ALL MATERIAL AND WORKMANSHIP MUST BE WARRANTED FOR ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION.
5. NO CONTRACT REVISIONS OR EXTRAS WILL BE ALLOWED FOR FAILURE TO VERIFY SITE CONDITIONS AND/OR OBTAINING CLARIFICATION BETWEEN DRAWINGS AND/OR SPECIFICATIONS OR FOR REPORT TO PROJECT MANAGER A MINIMUM OF SEVEN (7) DAYS PRIOR TO COMMENCEMENT OF WORK. THE GENERAL CONTRACTOR SHALL AT HIS OWN EXPENSE ALTER ANY COMPLETED WORK TO THE SATISFACTION OF THE PROJECT MANAGER AS A RESULT OF FAILURE TO NOTIFY THE PROJECT MANAGER OF CONFLICTS BETWEEN INDIVIDUAL DRAWINGS AND/OR EXISTING SITE CONDITIONS.
6. THE GENERAL CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE SITE CONDITIONS AND LANDLORD'S CONSTRUCTION REQUIREMENTS, PRIOR TO BID SUBMISSION. THE GENERAL CONTRACTOR SHALL ACCEPT SITE AS IS AND ASSUME ALL COSTS TO ENSURE PREMISES ARE COMPLETED FOR INTENDED USE.
7. THE GENERAL CONTRACTOR SHALL VERIFY FLOOR SLAB CONDITION PRIOR TO BID SUBMISSION.
8. THE GENERAL CONTRACTOR SHALL CONFIRM ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION. DISCREPANCIES IN DRAWINGS SHALL BE REPORTED TO THE PROJECT MANAGER PRIOR TO BID SUBMISSION.
9. THE GENERAL CONTRACTOR SHALL TAKE EXTREME CARE TO ENSURE CONTAMINANTS ARE NOT SPREAD TO ADJACENT TENANT SPACES. CONTRACTOR AND THEIR TRADES SHALL BE RESPONSIBLE TO PROVIDE GARBAGE REMOVAL UNITS, STORE DRAINING.
10. THE GENERAL CONTRACTOR SHALL CONFIRM SIZES OF TENANT'S EQUIPMENT AND APPLIANCES WITH EQUIPMENT SUPPLIER.
11. THE GENERAL CONTRACTOR TO PROVIDE TEMPORARY HOUSING, POWER AND HEATING WHEN REQUIRED OR NOT SUPPLIED BY LANDLORD.
12. THE GENERAL CONTRACTOR TO REPAIR OR REPLACE ANY DAMAGE TO THE BASE BUILDING FINISHES AND/OR STRUCTURE.
13. THE GENERAL CONTRACTOR IS TO VERIFY THE LOCATION OF ALL UTILITIES COMING INTO AND WITH IN THE SPACE.
14. THE GENERAL CONTRACTOR SHALL PATCH AND REPAIR ALL EXISTING WALLS, FLOORS, CEILINGS OR OTHER SURFACES IDENTIFIED TO REMAIN FOR THAT PROJECT.
15. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING THE DELIVERY OF MATERIALS FROM DISTRIBUTION SERVICES AND VENDOR SHIPMENTS. COORDINATE WITH THE PROJECT MANAGER OR VENDORS DIRECTLY FOR LEAD TIMES.
16. FOR THE PURPOSE OF THE DOCUMENTS, TO "INSTALL" SHALL MEAN TO PROVIDE ALL FASTENERS, MISCELLANEOUS HARDWARE, BLOCKING, ELECTRICAL CONNECTIONS, PLUMBING CONNECTIONS, AND OTHER ITEMS REQUIRED FOR A COMPLETE AND OPERATIONAL INSTALL.
17. THE COMPLETE DRAWING SET IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS IN THE SET. SHOP DRAWINGS AND ENGINEER DRAWINGS (WHEN APPLICABLE) ARE PROVIDED FOR THE FULL DESIGN INTENT.
18. THE GENERAL CONTRACTOR IS TO COORDINATE AND OBTAIN ANY REQUIRED SEISMIC APPROVALS, AUTHORIZATIONS AND/OR STAMPED DETAILS/DRAWINGS REQUIRED THIS PROJECT TO MEET ANY ALL LOCAL JURISDICTIONS OR CODES.
19. ALL SHOP DRAWINGS ARE TO BE SENT TO THE PROJECT MANAGER/FRANCHISOR. FAILURE OF THIS IS THE RESPONSIBILITY OF THE CONTRACTOR.

**NOTES:**

1. ALL PENETRATIONS THROUGH FIRE WALLS, WHETHER BY STRUCTURAL, MECHANICAL OR ELECTRICAL, TO BE PACKED WITH MINERAL FIBRE INSULATION AND CALKED TO MAINTAIN INTEGRITY OF SEPARATION.
2. THE GENERAL CONTRACTOR SHALL FURB-OUT ALL EXPOSED COLUMNS, BEAMS AND MECHANICAL LINES NOT INCLUDED ON DRAWINGS. CONFIRM REQUIREMENTS WITH PROJECT MANAGER.
3. THE GENERAL CONTRACTOR TO SUPPLY AND INSTALL ALL WIRING REQUIRED FOR OWNER'S SOUND SYSTEM, PHONE SYSTEM & INTERNET.
4. DOORS SUPPLIED AND INSTALLED BY GENERAL CONTRACTOR TO MEET ALL LOCAL AND NATIONAL BUILDING CODES.
5. THE GENERAL CONTRACTOR TO PROVIDE BLOCKING WITHIN WALL CAVITY AS REQUIRED TO MOUNT SHELVING &/OR MILLWORK ITEMS.
6. ALL WALL MOUNTED MILLWORK TO BE FASTENED WITH 50 IN. METAL BOWTIE WALL ANCHORS. LOCATION TO BE DETERMINED BY GENERAL CONTRACTOR.

**DISCREPANCY NOTE:**

THE GENERAL CONTRACTOR IS RESPONSIBLE TO REPORT AND VERIFY ALL DISCREPANCIES WITH THE PROJECT MANAGER/FRANCHISOR AS SOON AS THEY ARE FOUND.  
ALL EXTRAS DUE TO NON-REPORTED DISCREPANCIES ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.



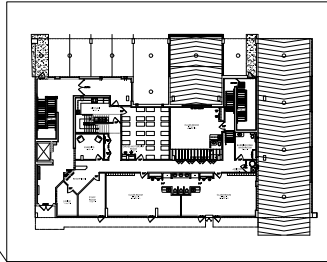
**SITE PLAN**  
N.T.S.

**LEGAL DESCRIPTION**

PARCEL 'A', SECTION 28  
BLOCK 5 NORTH, RANGE 1 WEST  
N.W.D. PLAN BCP26642

THIS FACILITY IS FOR DAY USE ONLY  
NO OVERNIGHT STAYS PERMITTED

To permit a child care centre to be located on a lot, with its associated open space and play area located on a separate lot.



**CEFA JUNIOR KINDERGARTEN**  
SUSAN SASIWA - FRANCHISE DIRECTOR  
CEFA EDUCATIONAL SYSTEMS  
508 SHERRILL RD  
RICHMOND, BC V6X 2E4  
PH: 604-231-8102  
CL: 604-841-2477  
FX: 604-638-0961  
SUSANGASPAR@CEFA.CA

**PROJECT MANAGER/CONSTRUCTION**  
BOB BARTER  
PNG CONSTRUCTION  
2255 SHILL RD  
RICHMOND, BC V6X 2P1  
PH: 604-231-8102  
CL: 604-841-2477  
FX: 604-638-0961  
SUSANGASPAR@CEFA.CA

**PROJECT DRAFTING AND DESIGN**  
BRAD SALTER  
BRAD SALTER DESIGNS LTD.  
508 SHERRILL RD  
RICHMOND, BC V6X 2E4  
PH: 403-729-3277  
CL: 403-606-0521  
BRAD@BSOLD.CA

**SIGNAGE/MENU BROMMURALS**  
RICHARD EASTMAN  
LANDMARK SIGNAGE  
1220 GLENVIEW DRIVE  
VICTORIA, BC V8W 5W7  
PH: 250-478-8610  
CL: 250-732-8540  
FX: 250-732-8540  
RSAL@LANDMARKSIGNAGE.COM

No. Revisions	Date
Project/Construction Management:	
PH: 604-231-8702	
Design/Drafting:	
BRAD SALTER DESIGNS LTD. PH: 403-729-3277 or 403-606-0521 © - 2013 BSO LTD	
Issued For	Date
Approval	-
Permitting/Pricing	-
Construction	-
SCALE: AS NOTED	By Date
Designed	BSD FEB. 2013
Drawn	BMS FEB. 2013
Approved	CEFA FEB. 2013

**INTERIOR TENANT IMPROVEMENT - "DESIGN SET (05)" - DRAWING LEGEND:**

- DS - 1 DRAWING LEGEND, KEY PLAN AND CONTACT LIST
- DS - 2 FLOOR PLANS
- DS - 3 SERVICE/CONNECTION PLAN
- DS - 4 FINISH PLAN AND FINISH SCHEDULE
- DS - 5 PARTITION AND DIMENSION PLAN
- DS - 6 REFLECTED CEILING PLAN
- DS - 7 ELEVATIONS AND DETAILS
- DS - 8 EQUIPMENT SCHEDULE

**NOTES:**

1. IT IS THE GENERAL CONTRACTORS RESPONSIBILITY, AT THE CONTRACT AWARD, TO COORDINATE WITH ALL VENDORS TO COORDINATE DELIVERY AND INSTALLATION SCHEDULES.
2. IT IS THE GENERAL CONTRACTORS RESPONSIBILITY TO NOTIFY THE VENDORS(S) AND COORDINATE ANY RESCHEDULING OF DELIVERY AND OR INSTALLATION SHOULD IT BECOME NECESSARY DURING CONSTRUCTION.
3. GENERAL CONTRACTORS TO READ ALL DRAWINGS IN CONJUNCTION WITH ANY/ALL ENGINEERING DRAWINGS.

THE GENERAL CONTRACTOR SHALL REVIEW THE DOCUMENTS FOR CONFORMANCE OF CODES AND BYLAW AND SHALL ADVISE THE PROJECT MANAGER OF ANY DISCREPANCIES THAT MAY BE NOTED.  
THE GENERAL CONTRACTOR SHALL VERIFY ALL SITE DIMENSIONS, ALL DRAWINGS, ALL DETAILS, SPECIFICATIONS & REPORT ANY DISCREPANCIES TO THE PROJECT MANAGER PRIOR TO THE COMMENCEMENT OF ANY/ALL WORK.  
GENERAL CONTRACTOR OR SIGNAGE CONTRACTOR IS TO OBTAIN THE CORRECT EPS FILE(S) FROM FRANCHISOR TO ENSURE ACCURATE BRANDING/SIGNAGE REQUIREMENTS FOR ALL SIGNS PRODUCED.  
DO NOT SCALE DRAWINGS.  
ALL DS DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE MECHANICAL AND ELECTRICAL ENGINEER'S DRAWINGS.  
ALL RIGHTS RESERVED. PROPRIETY OF BSOLD. USE OF REPRODUCTION IS PROHIBITED WITHOUT PRIOR WRITTEN PERMISSION.

Project No. 12-802

Drawing No. DS-1

Project Name:  
CEFA - GUILFORD  
UNITS 100 & 101  
10172 - 152A STREET  
SURREY, BC

Project/Construction Management:  
  
PH: 604-231-8702

Design/Drafting:  
  
BRAD SALTER DESIGNS LTD.  
PH: 403-729-3277 or 403-606-0521  
© - 2013 BSO LTD

No. Revisions	Date
Project/Construction Management:	
PH: 604-231-8702	
Design/Drafting:	
BRAD SALTER DESIGNS LTD. PH: 403-729-3277 or 403-606-0521 © - 2013 BSO LTD	
Issued For	Date
Approval	-
Permitting/Pricing	-
Construction	-
SCALE: AS NOTED	By Date
Designed	BSD FEB. 2013
Drawn	BMS FEB. 2013
Approved	CEFA FEB. 2013

Interior Tenant Improvements for:

Project Name:  
CEFA - GUILFORD  
UNITS 100 & 101  
10172 - 152A STREET  
SURREY, BC

Project No. 12-802

Drawing No. DS-1

10172 - 152A STREET - Surrey, BC.

**KEY PLAN**

SEAL:

NO. DATE REVISION DESCRIPTION DR.

CLIENT:

PROJECT:

CEFA TEMPORARY PLAYGROUND DESIGN

10209 - 152A STREET SURREY

DRAWING TITLE:

LANDSCAPE PLAN

DATE: 20.FEB.05 DRAWING NUMBER:

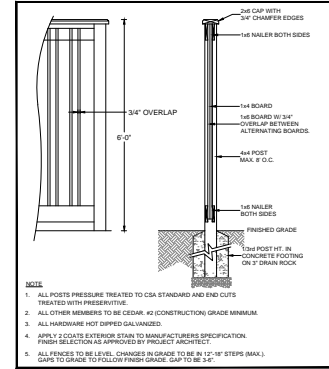
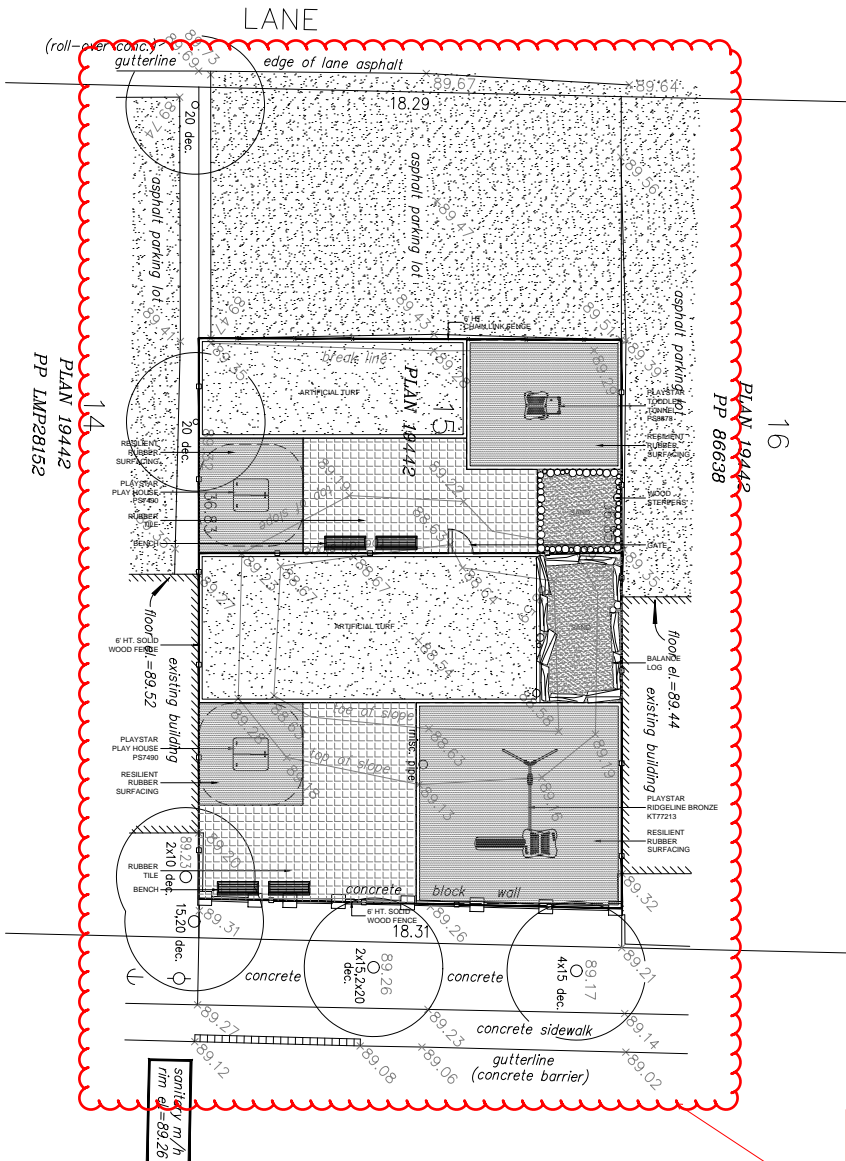
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DRAWN: JR

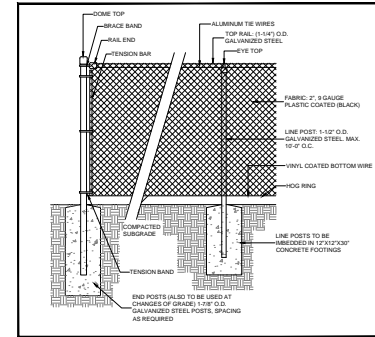
DESIGN: JR

CHKD: MCY

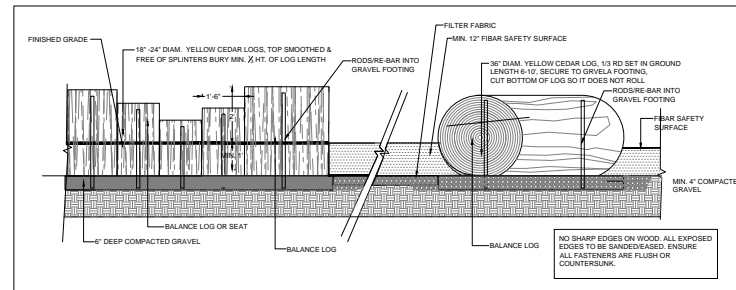
PMG PROJECT NUMBER: 20-021



1 6' HT. SOLID WOOD FENCE



2 6' HT. CHAIN LINK FENCE



3 SAND AREA: LOG EDGING/ENDS



To permit a child care centre to be located on a lot, with its associated open space and play area located on a separate lot.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0078-00

Issued To:

(the "Owner")

Address of Owner:

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 026-855-046

Parcel A Section 28 Block 5 North Range 1 West New Westminster District Plan BCP26642

10172 - 152A Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section J.3 of Part 37 Town Centre Commercial Zone (C-15) the regulation is varied to permit a child care centre to be located on 10172 - 152A Street, with its associated open space and play area located on a separate (neighbouring) lot (10189 - 153 Street).
4. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
5. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.



6. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
  
7. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

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Mayor – Doug McCallum

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City Clerk – Jennifer Ficocelli