

City of Surrey PLANNING & DEVELOPMENT REPORT Application No.: 7922-0344-00

Planning Report Date: February 26, 2024

PROPOSAL:

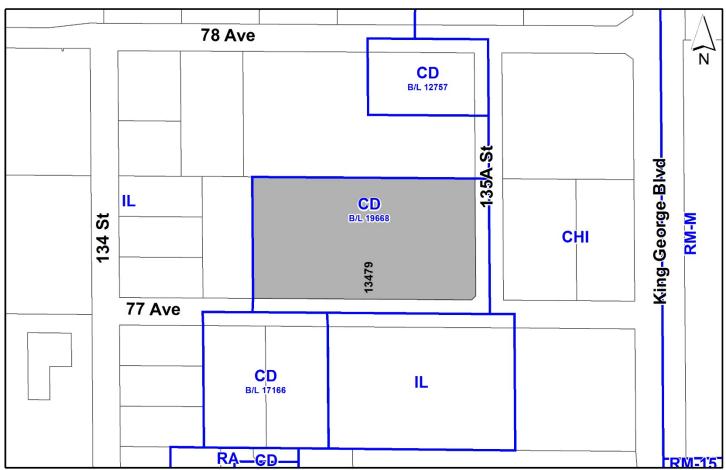
• Amend CD Bylaw No. 19668

to increase the permitted number of child care spaces from 20 to 100 and number of school classrooms from 32 to 37.

LOCATION: 13479 - 77 Ave

ZONING: CD

OCP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

• By-law Introduction and set date for Public Hearing for Rezoning.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

None.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Industrial designation in the Official Community Plan (OCP), which permits public facilities.
- The proposal complies with the Industrial designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The private school has been in operation for 10 years in its current location. The applicant has indicated that the demand for educational facilities has increased, and more space is needed to accommodate rising student populations and prevent overcrowding in existing schools.
- Expanding the child care services will provide convenience to families with siblings attending the school and will provide additional child care spaces for the community and for those employed in the surrounding industrial area.
- The child care facility expansion has been reviewed by Fraser Health for compliance with physical space requirements and was found acceptable.
- There was no opposition submitted to the City from the surrounding neighbourhood to the proposal.
- The child care centre and private school fulfill a need in the community and are an amenity.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. A By-law be introduced to amend Comprehensive Development By-law No. 19668 and a date be set for Public Hearing.
- 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) Discharge of the Section 219 Restrictive Covenant preventing use of the warehouse space in Building 1 until parking is provided in accordance with Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended;
 - (c) Registration of a new Section 219 Restrictive Covenant prohibiting the use of the remaining warehouse space in Building 1 unless parking is provided in accordance with Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended; and
 - (d) Discharge of the Section 219 Restrictive Covenant limiting student enrollment until parking is provided in accordance with Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Private School	Industrial	CD (Bylaw No. 19668
North:	Industrial buildings	Industrial	IL
East (Across 135A Street):	Retail industrial building	Mixed Employment	СНІ
South (Across 77 Avenue):	Industrial buildings	Industrial	IL and CD (By-law No. 17166)
West:	Industrial building	Industrial	IL

Context & Background

• The site is located at the north-west corner of 77 Avenue and 135A Street (one block west of King George Boulevard) in the Central Newton area. The site is designated "Industrial" in the Official Community Plan (OCP).

- The site consists of two existing buildings, which were built in the late-1970's by Douglas College, as part of Douglas College's Newton Centre Vocational Institute. In 1981, Douglas College was split into two colleges Douglas College and Kwantlen College, and the site was then used as part of the Kwantlen College Newton Campus. In 2007, Kwantlen relocated from the Newton campus to the current Cloverdale campus, after which various other tenants, including the Surrey School District, used the site.
- In 2012, the applicant made a Temporary Use Permit (TUP) application (No. 7912-0268-00) to allow for the operation of a private elementary school (the Guru Angad Dev (GAD) Elementary School) with a maximum of 450 students on the site, while the school continued to search for a permanent site location. At the time, the school was moving from its previous location at 7475 135 Street, where it had a smaller space that the school was quickly outgrowing. The school began operating on the subject site in September 2013. TUP No. 7912-0268-00 was issued on July 29, 2013, and expired on July 29, 2016.
- The TUP was renewed two more times under TUP No. 7917-0173-00, issued on July 24, 2017 and expired on July 24, 2018, and TUP No. 7918-0218-00 issued on July 23, 2018 and expired on July 23, 2019. The *Local Government Act* R.S.B.C. 2015 (LGA) grants municipalities with the authority to issue TUPs with a maximum term of three (3) years, and the permit may be renewed for up to an additional three (3) years.
- After 5 years operating under a TUP, the applicant applied for rezoning under Development Application 7917-0020-00 to allow the school as a permitted use. The rezoning to Comprehensive Development Zone (CD) (Bylaw No. 19668) received final adoption on July 22, 2019.
- The GAD Elementary School continues to operate on the site and is a faith-based independent school. The school currently accommodates children ages 4 to 13 (Kindergarten to Grade 8), and contains a child care centre with 20 spaces. The hours of child care operation are Monday to Friday, from 8:00 AM to 4:30 PM (GAD student hours are 8:15 AM to 2:30 PM).
- The site consists of two existing buildings separated by a parking lot, with the outdoor play area for the child care centre and a sports field located on the east side of the site adjacent to 135A Street. The school currently occupies the east building (Building 2), with classrooms and the gymnasium, and half of the west building with classrooms (Building 1). The additional classrooms and child care centre are proposed to be located on the second floor of a currently vacant warehouse unit in Building 1.

DEVELOPMENT PROPOSAL

Planning Considerations

• The applicant is proposing to amend "Comprehensive Development Zone (CD)" (Bylaw No. 19668) in order to increase the number classrooms from 32 to 37, with an increase in the maximum number of school children from 650 to 780, and increase the number of child care spaces from 20 to 100.

- The private school has been in operation for 10 years in its current location and the applicant has indicated that the demand for educational facilities has increased, and more space is needed to accommodate rising student populations and prevent overcrowding in existing schools.
- The application proposes to expand the school and child care centre into the existing vacant warehouse unit in Building 1 on the west side of the site. The proposed additional classrooms and child care centre will be located on the second floor of the warehouse unit. The ground floor level of the warehouse unit will remain unused except for the proposed bicycle storage. No changes are proposed to Building 2.
- Under CD Bylaw No. 19668, the parking rate is 3.09 parking spaces per classroom, which was recommended in a parking study prepared by Acuere Consulting Inc. and accepted by Transportation Engineering staff. Because of the parking limitations on the site, the warehouse space was not permitted to be converted to classroom space and a Section 219 Restrictive Covenant was registered to restrict any use of the existing vacant warehouse space in Building 1 until parking is in accordance with the Zoning Bylaw. In the time since CD Bylaw No. 19668 was approved, the off-street parking requirements in Part 5 of the Zoning Bylaw have changed to 1.75 parking spaces per classroom for elementary schools. Therefore, under the current Zoning Bylaw provisions, there is sufficient parking on site to accommodate the proposed school and child care expansion.
- The proposed expansion requires 104 parking stalls total, and 125 parking stalls are existing on site, exceeding the minimum parking requirements for the proposed uses.
- The child care centre will be connected to the outdoor play area by a walkway through the parking lot and along the north side of Building 2.
- The proposed child care facility expansion has been reviewed by Fraser Health for compliance with physical space requirements and was found acceptable.

Referrals

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing requirements as

outlined in Appendix III.

Surrey Fire Department: No concerns

Transportation Considerations

- The site has two driveways for access: one at the northeast end of the site off 135A Street, and another driveway on 77 Avenue to the south.
- The school offers a bus service that transports approximately 44% of the students to and from school.

- The nearest bus stop is located on King George Boulevard, north of 77 Avenue, approximately 170 metres walking distance from the subject site, and is serviced by the 321 route between Surrey Central Station and White Rock Centre via Newton Exchange.
- The applicant is proposing 148 bicycle parking stalls based on 4 stalls per classroom for 37 classrooms, which meets the Zoning Bylaw requirements for bicycle parking.

Child Care Centre

- The proposed child care centre will have 7 classrooms consisting of an infant/toddler program and an age 3-5 program, with a total of 100 children.
- The proposed child care centre complies with the City's location and siting guidelines (see Policy & By-law Considerations below) for child care centres and is supported by Fraser Health.
- The application helps address the growing need for child care in Surrey and helps minimize existing gaps in service.
- The provision of the expanded child care centre within the school building will provide convenient child care options for families with siblings attending the school, and to workers in the surrounding industrial area, as well as the greater community.

Outdoor Play Area

- The Zoning By-law requires that Child Care Centres have direct access to an open space and play area within the lot. The size of the outdoor play area and design criteria are regulated by Fraser Health as the licensing authority for Child Care Centres in Surrey.
- The applicant is proposing to use the existing outdoor play area on the east side of the school property. Fraser Health has reviewed the drawings and found this acceptable. No changes are proposed to the outdoor play area or landscaping.

Sustainability Considerations

• The applicant has met all of the typical sustainable development criteria, as indicated in the Sustainable Development Checklist.

POLICY & BY-LAW CONSIDERATIONS

Regional Growth Strategy

• The proposal complies with the Industrial designation in the Metro Vancouver Regional Growth Strategy (RGS).

Official Community Plan

Land Use Designation

• The proposal complies with the Industrial designation in the Official Community Plan (OCP).

Themes/Policies

- The Industrial designation supports public facilities which includes schools and child care.
- There is a long history of this site being used by educational facilities, dating back to the 1970s.
- The expansion of the school and child care centre supports the needs of the growing community and acts as an accessory use and amenity to the surrounding industrial area.

CD By-law

- The applicant is proposing to amend "Comprehensive Development Zone (CD)" (Bylaw No. 19668) to increase the number classrooms from 32 to 37, with an increase in the maximum number of school children from 650 to 780, and increase the number of child care spaces from 20 to 100.
- Section H. Off-Street Parking will also be amended to be in accordance with Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended.

Surrey Child Care Guidelines

- In June, 2023, the City established the Surrey Child Care Guidelines which are intended to provide direction for City staff and operators looking to set up a licenced child care facility in Surrey. The following analysis illustrates how the proposed application adheres to the general policies and regulations pertaining to location, outdoor spaces, and parking related of Child Care Centres:
 - Location in Community
 - The property is away from major traffic routes and high-impact industrial uses. It is located on a local road.
 - Adjacent Uses & Safety Considerations
 - The proposal will not result in significant changes to privacy, lighting or visual impacts; and
 - Arterial Roads not applicable
 - Access & Parking
 - The facility will include covered and secure bicycle parking;
 - Vehicle parking and drop-off spaces are located close to the entrances to the building; and
 - There will be elevator access to the child care centre, located on the second floor.
 - o Trees & Landscaping
 - No changes are proposed to the existing landscaping.
 - o Purpose-Built Child Care Facilities not applicable

- Fencing & Screening
 - No changes to the existing outdoor play area. 6 metre non-climbable and secure fencing is required adjacent to industrial uses.
- Relationship to Grade
 - The site is relatively flat and the two-storey building is at grade, with no steps or ramps required. There are internal elevators and stairs to reach the second floor.
- Natural Light & Views
 - The facility is located at grade with plenty of windows to provide natural light.
- Outdoor Play Areas
 - The applicant has confirmed that the proposal complies with the Fraser Health licencing requirements; and
 - The outdoor play area has direct access to the indoor care area, provides weather protection and soft surfaces (grass, sand, wood chips), is one large space to allow for efficient supervision, and is located towards the northeast corner of the site, away from busy streets.

PUBLIC ENGAGEMENT

• Pre-notification letters were sent on September 27, 2023, and the Development Proposal Signs were installed on January 23, 2024. Staff have received no responses.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

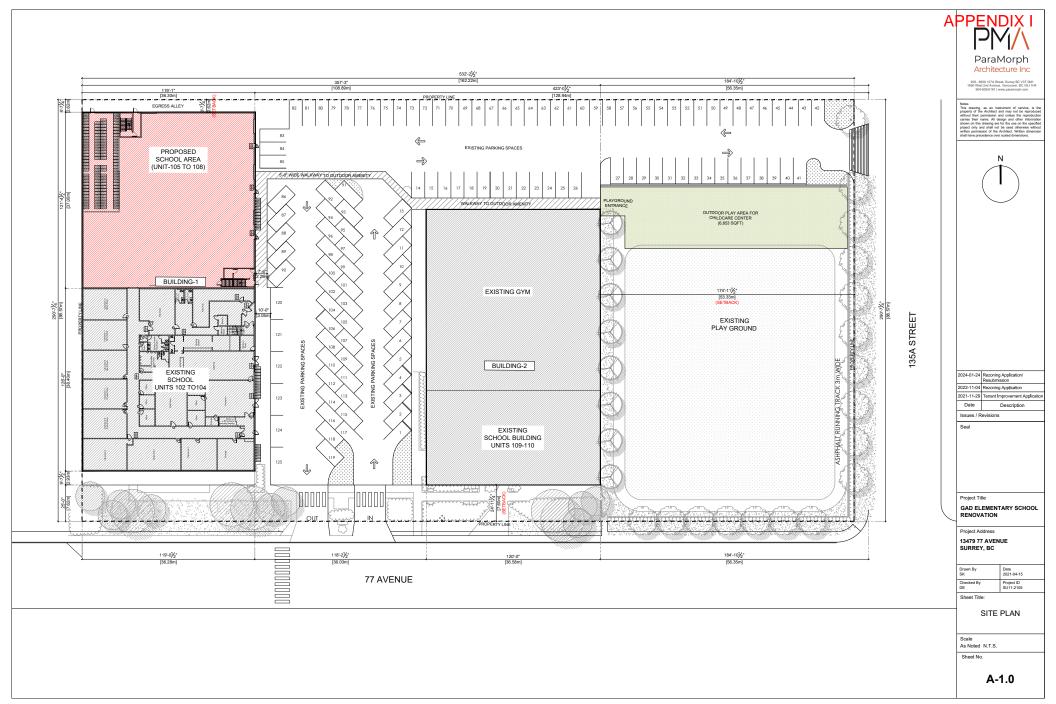
Appendix I. Site Plan, Floor Plans, Building Elevations

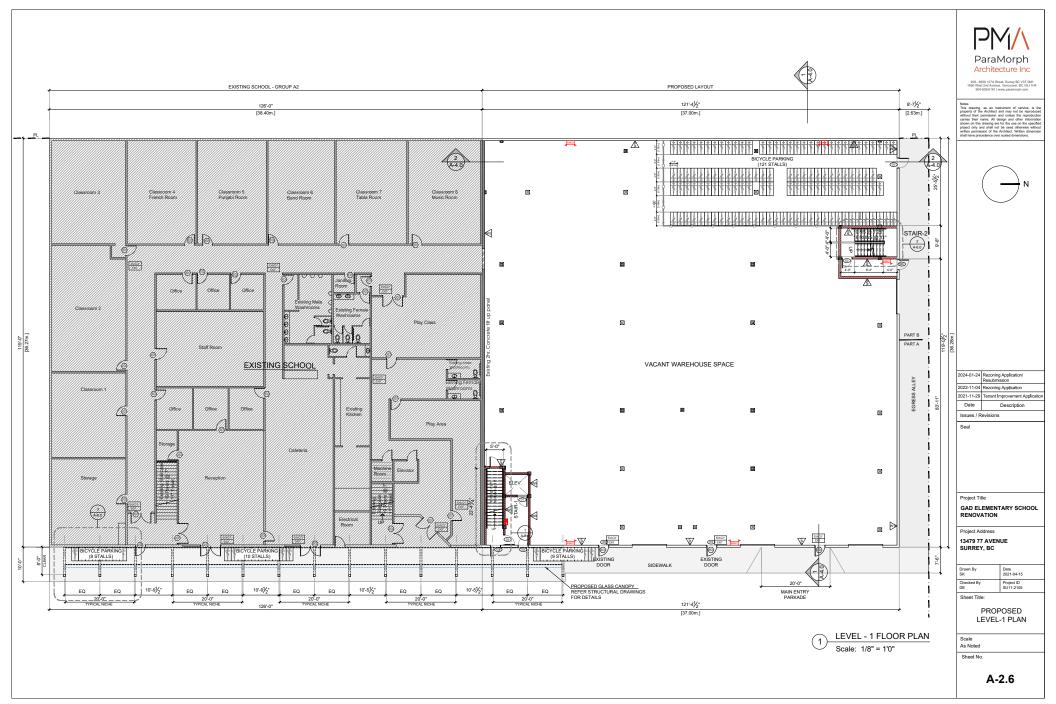
Appendix II. Engineering Summary

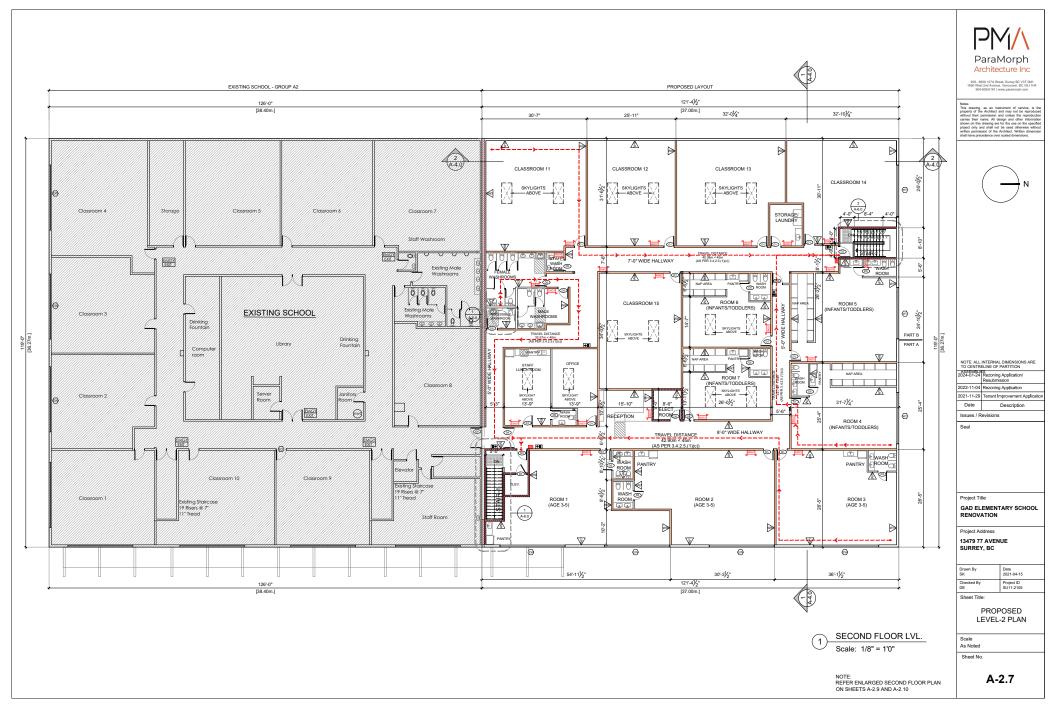
Appendix III. Proposed Amendments for CD Bylaw No. 19668

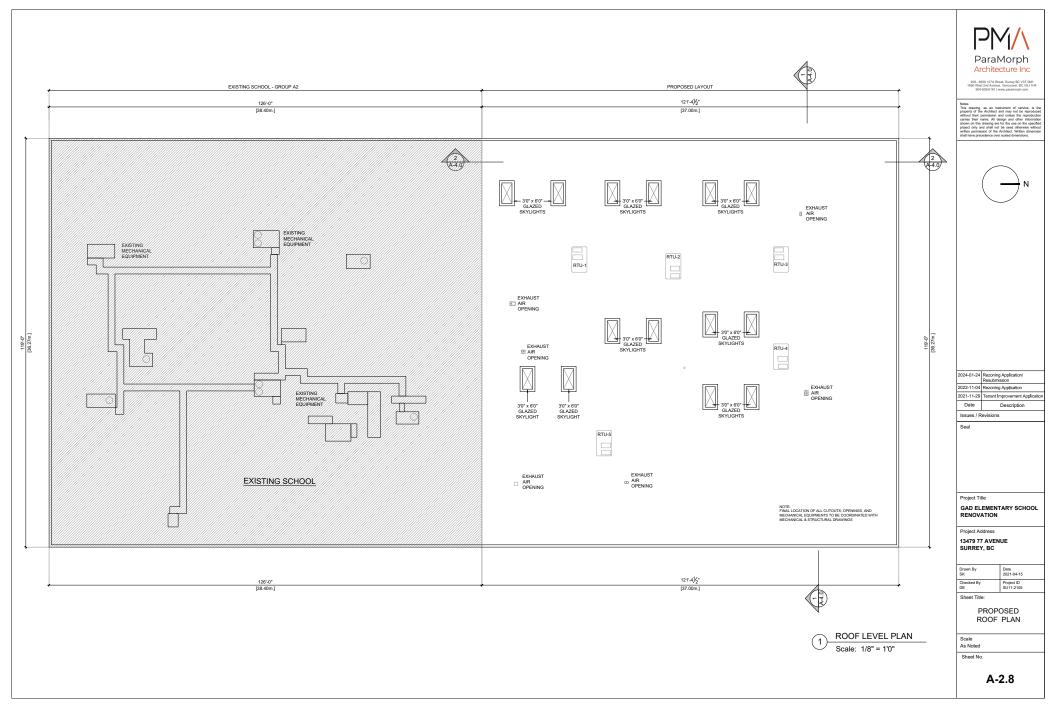
approved by Shawn Low

Don Luymes General Manager Planning and Development

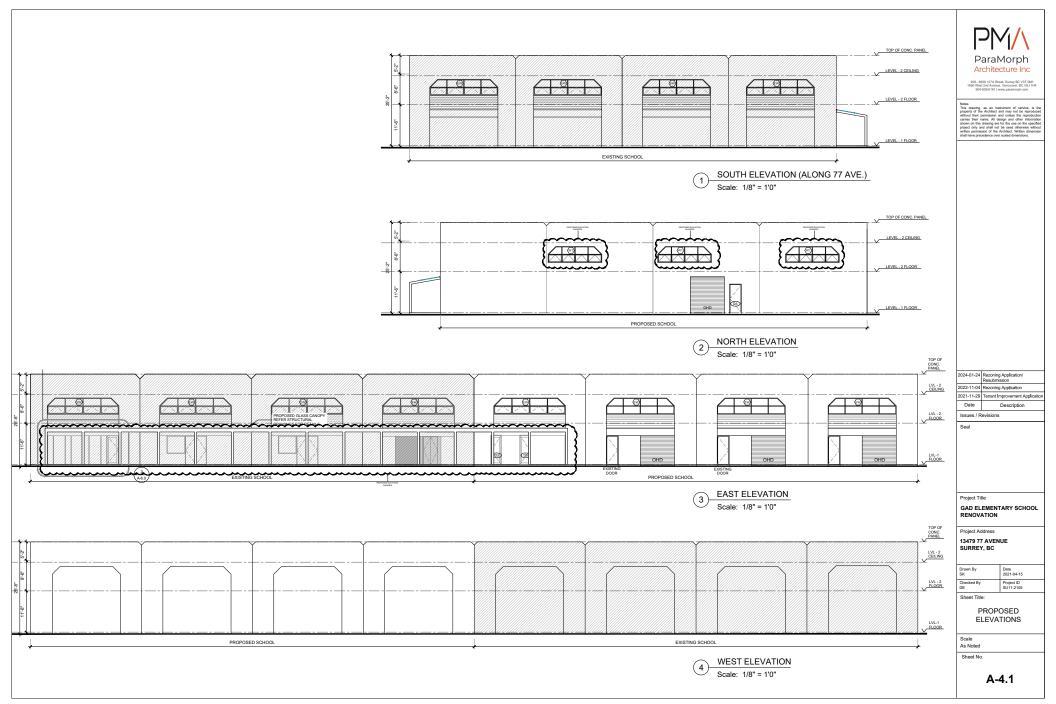














INTER-OFFICE MEMO

TO: Director, Area Planning & Development

- South Surrey Division

Planning and Development Department

FROM: Development Services Manager, Engineering Department

DATE: October 04, 2023 PROJECT FILE: 7822-0344-00

RE: Engineering Requirements (Commercial/Industrial)

Location: 13479 77 Ave

REZONE

Works and Services

- Submit a fire-flow analysis to the City to confirm that the existing 150 mm water mains are sufficient to provide on-site fire protection for the buildings as per building code requirement and may require upsizing the existing watermains. The extent of the upsizing requirements will be determined by the analysis results.
- Confirm adequacy of existing water, storm and sanitary service connections (size, age and condition); replace if required.
- Register applicable legal documents as determined through detailed design.

A Servicing Agreement may be required subject to staff's review of submissions above.

Jeff Pang, P.Eng.

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Development Services Manager

BD

CITY OF SURREY

BYLAW NO. 19668

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

THE COUNCIL of the City of Surrey ENACTS AS FOLLOWS:

1. "Surrey Zoning By-law, 1993, No. 12000", as amended, is hereby further amended, pursuant to the provisions of Section 479 of the <u>Local Government Act</u>, R.S.B.C. 2015 c. 1, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of "Surrey Zoning By-law, 1993, No. 12000", as amended as follows:

FROM: LIGHT IMPACT INDUSTRIAL ZONE (IL)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 027-176-088 Lot 1 Section 20 Township 2 New Westminster District Plan BCP31511

(13479 - 77 Avenue)

Parcel Identifier: 027-176-096 Lot 2 Section 20 Township 2 New Westminster District Plan BCP31511

(13535 - 77 Avenue)

(hereinafter referred to as the "Lands")

2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of a *private school* and *child care centre* subject to the Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.

B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

- 1. *Private school* for students from Kindergarten to Grade 8, with a maximum of 32-37 classrooms and 650 780 students; and
- 2. *Child care centre* provided that enrollment at any one time is limited to 20 100 children.

C. Lot Area

Not applicable to this Zone.

D. Density

The *floor area ratio* shall not exceed 0.50.

E. Lot Coverage

The *lot coverage* shall not exceed 40%.

F. Yards and Setbacks

Buildings and *structures* shall be sited in accordance with the following minimum *setbacks*:

Setback Use	Front Yard	Rear Yard	Side Yard	Side Yard on Flanking Street
Principal Buildings Accessory Buildings and Structures	7.5 m [25 ft.]	o.o m [o ft.]	2.5 m [8 ft.]	7.5 m [25 ft.]

Measurements to be determined as per Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000", as amended.

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000", as amended.

- 1. *Principal buildings*: The *building height* shall not exceed 9 metres [30 ft.]
- 2. <u>Accessory buildings and structures</u>: The building height shall not exceed 4 metres [13 ft.].

H. Off-Street Parking

- 1. Notwithstanding Table C.4 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, the minimum number of off-street parking spaces for an Elementary Private School shall be 3.09 parking spaces per classroom.
- 2. Parking spaces required for the Child care centre shall be provided as stated in Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
- Parking Calculations:
 Refer to Table D.1 of Part 5 Off-Street Parking and Loading/Unloading.
- 2. <u>Tandem Parking</u>: *Tandem parking* is permitted for company fleet *vehicles*.

I. Landscaping

- 1. All developed portions of the *lot* not covered by *buildings*, *structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
- 2. Along the developed sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width shall be provided within the *lot*.
- 3. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*.
- 4. Garbage containers and *passive recycling containers* shall be screened to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

J. Special Regulations

Child care centres shall be located on the lot such that these centres:

- (1) Are accessed from a *highway*, independent from the access to the residential uses permitted in Section B of this Zone; and
- (2) Have access to an open space and play area within the lot.

Child care centres shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.

K. Subdivision

Lots created through subdivision in this Zone shall conform to the following minimum standards:

Lot Size	Lot Width	Lot Depth	
14,000 sq.m.	80 metres	160 metres	
[3.5 acre]	[262 ft.]	[524 ft.]	

Dimensions shall be measured in accordance with Section E.21 of Part 4 General Provisions of "Surrey Zoning By-law, 1993, No. 12000", as amended.

L. Other Regulations

In addition to all statutes, bylaws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in "Surrey Zoning By-law, 1993, No. 12000", as amended, the provisions in this Comprehensive Development Zone shall take precedence:

- 1. Definitions are as set out in Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000", as amended.
- 2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of "Surrey Zoning By-law, 1993, No. 12000", as amended and in accordance with the servicing requirements for the PA-2 Zone as set forth in the "Surrey Subdivision and Development By-law, 1986, No. 8830", as amended.
- 3. General provisions are as set out in Part 4 General Provisions of "Surrey Zoning By-law, 1993, No. 12000", as amended.
- 4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended.
- 5. Sign regulations are as set out in "Surrey Sign By-law, 1999, No. 13656", as amended.
- 6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 7. *Building* permits shall be subject to the "Surrey Building Bylaw, 2012, No. 17850", as amended.
- 8. *Building* permits shall be subject to "Surrey Development Cost Charge Bylaw, 2018, No. 19478", as may be amended or replaced from time to time, and the development cost charges shall be based on the PA-2 Zone.
- 9. Tree regulations are set out in "Surrey Tree Protection Bylaw, 2006, No. 16100", as amended.

- 10. Development permits may be required in accordance with the "Surrey *Official Community Plan* Bylaw, 2013, No. 18020", as amended.
- 11. Provincial licensing of *child care centres* is regulated by the <u>Community Care and Assisted Living Act</u> S.B.C. 2002, c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
- 3. This Bylaw shall be cited for all purposes as "Surrey Zoning Bylaw, 1993, No. 12000, Amendment Bylaw, 2018, No. 19668"

PASSED FIRST READING on the 17th day of September, 2018.

PASSED SECOND READING on the 17th day of September, 2018.

PUBLIC HEARING HELD thereon on the 1st day of October, 2018.

PASSED THIRD READING on the 1st day of October, 2018.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 22nd day of July, 2019.

	 MAYOR
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