

**PROPOSAL:**

- **Temporary Use Permit**

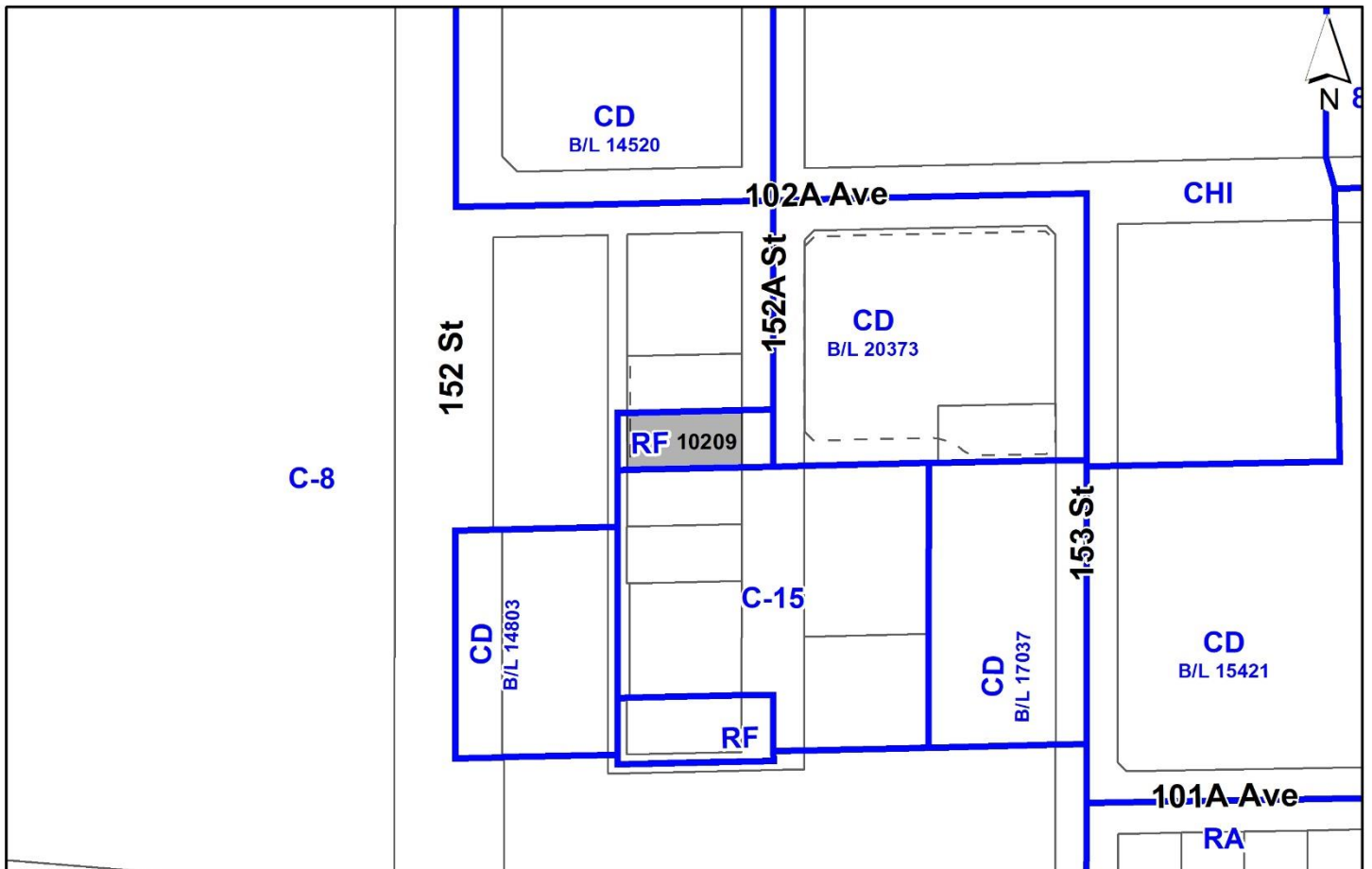
to allow an outdoor play area for an existing childcare centre, located at 10172 – 152A Street, to continue to be located on the subject lot for a period not to exceed three (3) years.

**LOCATION:** 10209 – 152A Street

**ZONING:** RF

**OCP DESIGNATION:** Town Centre

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



## RECOMMENDATION SUMMARY

- Approval for Temporary Use Permit to proceed to Public Notification.

## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

## RATIONALE OF RECOMMENDATION

- The proposed Temporary Use Permit (TUP) will allow the continued use of the subject property for a temporary outdoor play area for an existing childcare facility located on a separate nearby property at 10172 – 152A Street.
- The childcare facility is located within an existing commercial building at 10172 – 152A Street. Prior to 2020, the childcare outdoor play area was located on a neighbouring lot, at 10189 – 153 Street, which is owned by the same owner as 10172 – 152A Street. The site of this previous outdoor play area is currently under development. To facilitate this development, the play area was relocated onto a portion of the subject site at 10209 – 152 A Street.
- The original TUP was previously issued in November 2020 (Application No. 7920-0043-00) and will expire in November 2023. As more time is needed to complete the construction of the development (including a new outdoor play area) at 10189 – 153 Street, a TUP extension is requested to permit a temporary outdoor play area on the subject site for a further three years.
- The subject property at 10209 – 152A Street is currently zoned "Single Family Residential Zone (RF)". This zone does not permit an outdoor play area as a principal use and as such, the applicant submitted a TUP application in 2020 to accommodate the use on an interim basis.
- Ultimately, the permanent outdoor play area is intended to be constructed as part of a new office/retail building under Development Application No. 7908-0275-00, which received final approval in October 2021, in roughly the same area as the previous location. An easement is registered on title allowing the childcare operator access to the play area.
- Allowing the outdoor play area to be located on a portion of the subject lot on an interim basis will allow the existing childcare to continue to operate, addressing the growing need for childcare services in the City, while still retaining the property for potential higher density redevelopment opportunities in the shorter term.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7923-0082-00 (Appendix III) to proceed to Public Notification.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/TCP Designation	Existing Zone
Subject Site	Surface parking lot	Town Centre in the OCP, Mid to High Rise Mixed Use in the Guildford TC-104 Avenue Plan.	RF
North:	Two-storey commercial/office building	Town Centre in the OCP, Mid to High Rise Mixed Use in the Guildford TC-104 Avenue Plan.	C-8
East (Across 152A Street):	Three-storey retail/office building	Town Centre in the OCP, Low to Mid Rise Mixed Use in the Guildford TC-104 Avenue Plan.	CD (Bylaw No. 20373)
South:	Two-storey office/clinic building	Town Centre in the OCP, Mid to High Rise Mixed Use in the Guildford TC-104 Avenue Plan.	C-15
West:	Two-storey commercial building	Town Centre in the OCP, Mid to High Rise Mixed Use in the Guildford TC-104 Avenue Plan.	C-8

## Context & Background

- The subject property is located on the west side of 152A Street, south of 102A Avenue, in Guildford. The site is designated "Town Centre" in the Official Community Plan (OCP) and "Mid to High Rise Mixed Use" in the Stage 1 Guildford Town Centre – 104 Avenue Corridor Plan (Stage 1). Stage 1 of the Guildford Town Centre – 104 Avenue Corridor Plan was approved by Council on July 8, 2019, which outlined the expected land use and densities for the Guildford Town Centre/104 Avenue Corridor area.
- Staff will undertake a comprehensive review of land uses, engineering servicing and community amenities as part of the Stage 2 planning process for Guildford Town Centre. The Stage 2 review is not anticipated to have major impacts on the subject site.

- The property is approximately 674 square metres in size and is zoned "Single Family Residential (RF) Zone". The outdoor play area is located on the east portion of the site. The west portion of the site is a surface parking lot with approximately eight (8) stalls. The parking stalls are currently used by the dental practice to the north of the subject site, 10215 – 152A Street, as both lots are owned by the same owner.
- An existing childcare provider is located across the street from, and to the south of, the subject site, within a three-storey commercial and office building at 10172 – 152A Street (see Appendix II). The approved Development Permit for the commercial/office building (Application No. 7905-0287-00) does not account for an outdoor play area. The childcare operator previously had an approved DVP (Application No. 7920-0078-00) to use the neighbouring lot at 10189 – 153 Street for their outdoor play area. That site is now under redevelopment.
- The redevelopment at 10189 – 152 Street will include the permanent outdoor play area, which will be roughly the same area as the previous location. The redevelopment also includes a 5-storey office and retail building. The Rezoning By-law to accommodate this redevelopment (By-law No. 17037) received Final Adoption by Council at the October 18, 2021 meeting.
- In order for the property owner to redevelop the site, the outdoor play area was relocated temporarily across the street to 10209 – 152A Street (for the duration of construction).
- Since the "Single Family Residential Zone (RF)" does not permit an outdoor play area for a nearby childcare centre, the applicant submitted a Temporary Use Permit (TUP) application to accommodate the use on an interim basis. The TUP was issued in November 2020 (Application No. 7920-0043-00). More time is needed for the construction of the building and future outdoor space, therefore the applicant is seeking a renewal of the TUP, for another three years.
- A TUP may only be renewed once. The outdoor play area will be relocated back to 10189 – 153 Street upon completion of the new building construction.
- Allowing the outdoor play area to be located on the subject lot on an interim basis will allow the existing childcare to continue to operate, addressing the growing need for child care services in the City, while still retaining the property for potential higher density redevelopment opportunities in the shorter term.

## **DEVELOPMENT PROPOSAL**

### **Planning Considerations**

- The applicant is proposing to renew the TUP to continue use of the temporary outdoor play area on a portion of the site for an existing childcare provider located at 10172 – 152A Street.
- The outdoor play area is already constructed, as part of the previously approved TUP. The play area consists of artificial turf, rubber tile, sand playboxes, and wood play structures. The play area is protected by a concrete block wall/fence and a 1.2 metre high chain link fence. No design changes are proposed as part of the TUP renewal.

- The required parking spaces for the childcare provider are provided at the daycare site, 10172 - 152A Street. The existing surface parking stalls at the west portion of the subject site are currently utilized by the dental office to the north, at 10251 – 152A Street, as both lots are owned by the same owner. This arrangement is proposed to remain for the duration of the TUP.

### Referrals

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

Fraser Health Authority: Fraser Health has no concerns.

### POLICY & BY-LAW CONSIDERATIONS

- The proposed temporary use, which is permitted for a maximum of three (3) years, is an appropriate interim use of the lands until the permanent outdoor play area is constructed as part of Development Application No. 7908-0275-00 and authorized through Development Variance Permit No. 7920-0078-00.

### PUBLIC ENGAGEMENT

- Pre-notification letters were sent on May 16, 2023 and the Development Proposal Signs were installed on September 12, 2023. To date, staff have received no responses from neighbours.

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

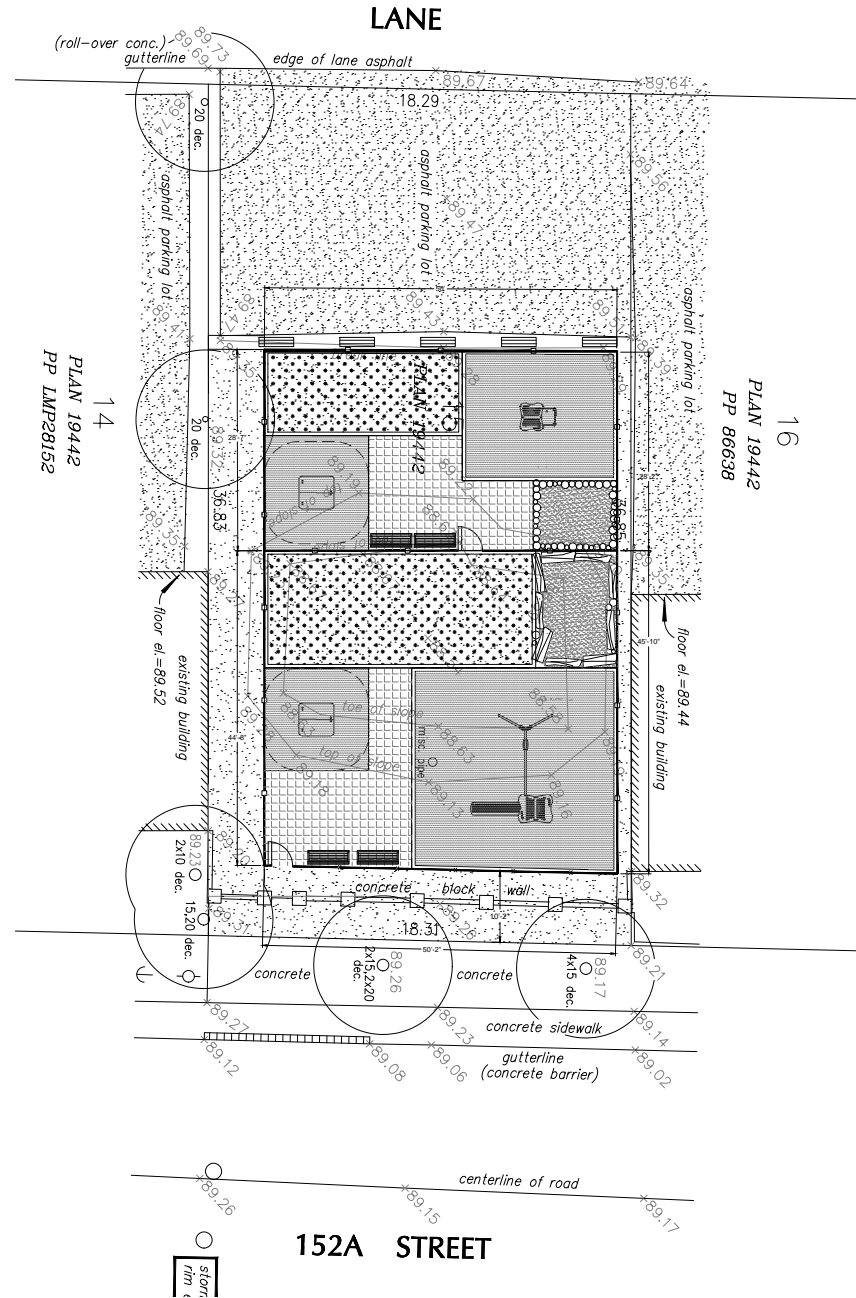
Appendix I. Site Plan  
Appendix II. Aerial Photo  
Appendix III. Temporary Use Permit No. 7923-0082-00

*approved by Ron Gill*

Don Luymes  
General Manager  
Planning and Development

MS/ar

SEAL:



PLAN 19442  
PP 86638

PLAN 19442  
PP LMP28152

NO.	DATE	REVISION DESCRIPTION	DR.
1	25 MAR 03	ADD LABEL	JR
2	20 NOV 12	REVISE DETAIL	JR
3	20 DEC 18	REVISED FORM	JR

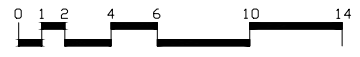
CLIENT:

PROJECT:  
**CEFA - JUNIOR KINDERGARTEN  
TEMPORARY  
PLAYGROUND DESIGN**  
10209 - 152A STREET  
SURREY

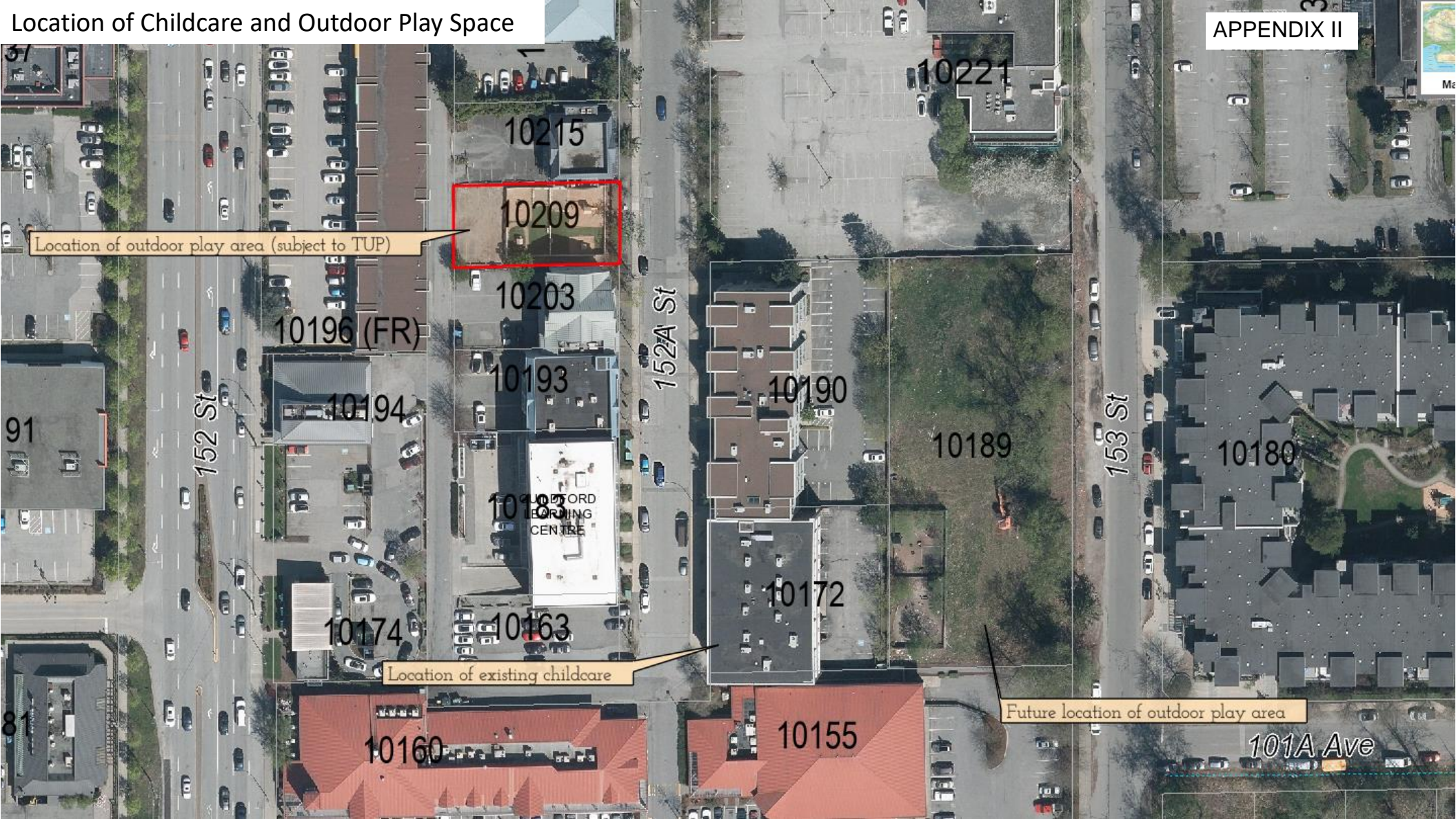
DRAWING TITLE:  
**SITE PLAN**

DATE: 20 FEB 19 DRAWING NUMBER:  
SCALE: 1:100  
DRAWN: JR  
DESIGN: JR  
CHKD: MCY

**L2**  
OF 4



# Location of Childcare and Outdoor Play Space



10215

10209

10203

10196 (FR)

10194

10193

10183  
STURD  
BORING  
CENTRE

10190

10189

10180

10174

10163

10172

10160

10155

10221

Location of outdoor play area (subject to TUP)

Location of existing childcare

Future location of outdoor play area

152 St

152A St

153 St

101A Ave



## CITY OF SURREY

(the "City")

## TEMPORARY USE PERMIT

NO.: 7923-0082-00

Issued To:

("the Owner")

Address of Owner:

1. This temporary use permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this temporary use permit.
2. This temporary use 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: 010-487-085

Lot 15 Section 28 Block 5 North range 1 West New Westminster District Plan 19442

10209 – 152A St

("the Land")

3. The authority to issue Temporary Use Permits is granted to municipalities under Sections 492 and 493 of the *Local Government Act* R.S.B.C. 2015, c.1. Pursuant to Implementation, II(c) Implementation Instruments, Temporary Use Permits of Surrey Official Community Plan, 2013, No. 18020, as amended, the entire City of Surrey is designated a Temporary Use Permit area.
4. The temporary use permitted on the Land shall be for an outdoor play area, as shown in Schedule A, associated with an existing childcare service provider at 10172 – 152A Street.
5. The temporary use permitted on the Land shall be in accordance with:
  - (a) The appearance and location of the outdoor play area, parking, and landscaping, as shown on Schedule A, which is attached hereto and forms part of this permit.



6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this temporary use permit. This temporary use permit is not a building permit.
7. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.
8. This temporary use permit is not transferable.
9. This temporary use permit shall lapse on or before three years from date of issuance.

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

ISSUED THIS      DAY OF      , 20 .

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Mayor – Brenda Locke

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City Clerk – Jennifer Ficocelli

IN CONSIDERATION OF COUNCIL'S APPROVAL OF THIS TEMPORARY USE PERMIT AND OTHER GOOD AND VALUABLE CONSIDERATION, I/WE THE UNDERSIGNED AGREED TO THE TERMS AND CONDITIONS OF THIS TEMPORARY USE PERMIT AND ACKNOWLEDGE THAT WE HAVE READ AND UNDERSTOOD IT.

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Authorized Agent: Signature

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Name (Please Print)

TO THE CITY OF SURREY:

I, \_\_\_\_\_ (Name of Owner)

being the owner of \_\_\_\_\_

(Legal Description)

known as \_\_\_\_\_

(Civic Address)

hereby undertake as a condition of issuance of my temporary use permit to:

- (a) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to the temporary use permit issued to me; and
- (b) restore the land described on the temporary use permit to a condition specified in that permit;

all of which shall be done not later than the termination date set out on the temporary use permit.

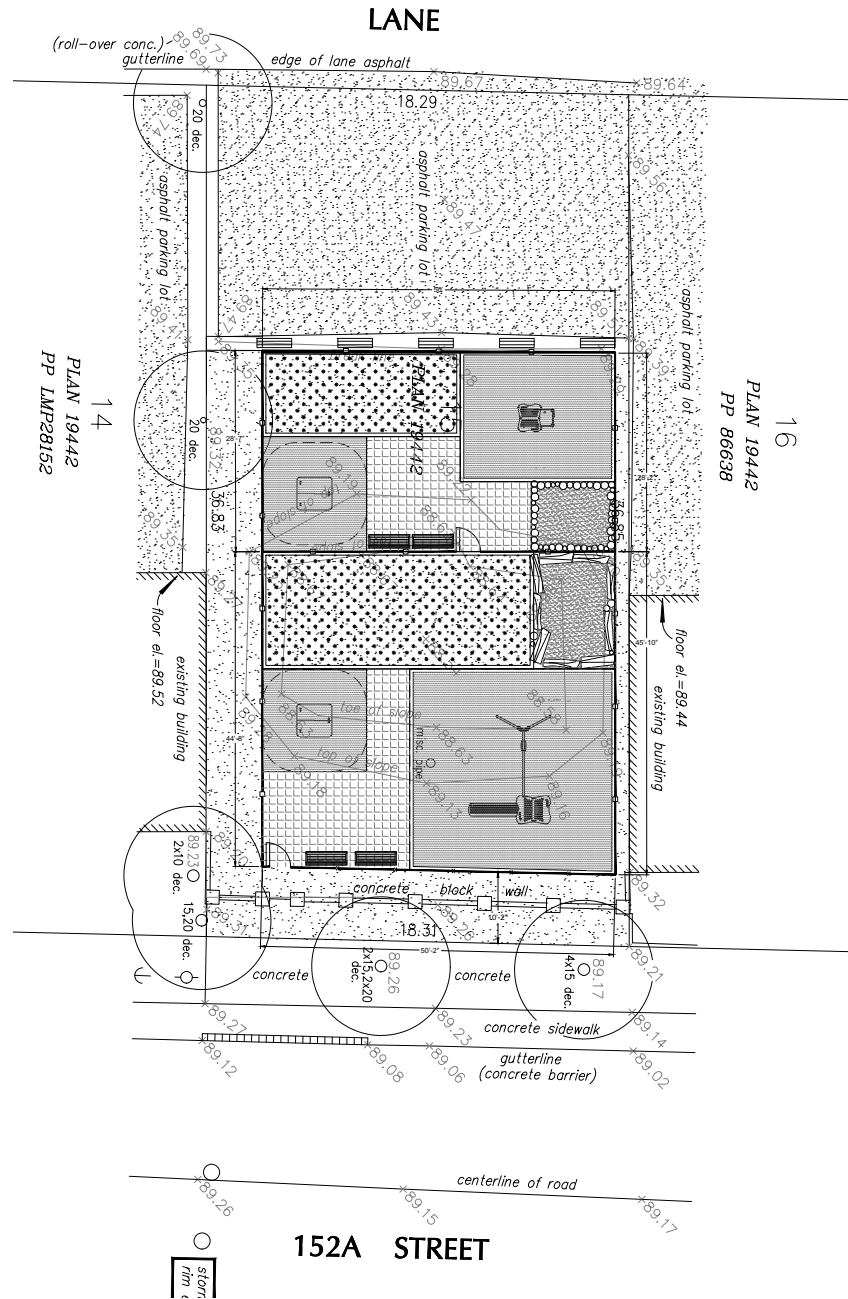
I further understand that should I not fulfill the undertaking described herein, the City or its agents may enter upon the land described on the temporary use permit and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the land in compliance with Surrey Zoning By-law, 1993, No. 12000, as amended, and that any securities submitted by me to the City pursuant to the temporary use permit shall be forfeited and applied to the cost of restoration of my land as herein set out.

This undertaking is attached hereto and forms part of the temporary use permit.

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Witness)

SEAL:



NO.	DATE	REVISION DESCRIPTION	DR.
3	20 DEC 18	ISSUED FOR BPP	
2	20 NOV 17	REVISE DETAIL	JR
1	25 MAR 03	ADD LABEL	JR

CLIENT:

PROJECT:  
**CEFA - JUNIOR KINDERGARTEN  
TEMPORARY  
PLAYGROUND DESIGN**  
10209 - 152A STREET  
SURREY

DRAWING TITLE:

**SITE PLAN**

DATE: 20.FEB.19 DRAWING NUMBER:  
SCALE: 1:100  
DRAWN: JR **L2**  
DESIGN: JR  
CHKD: MCY **OF 4**