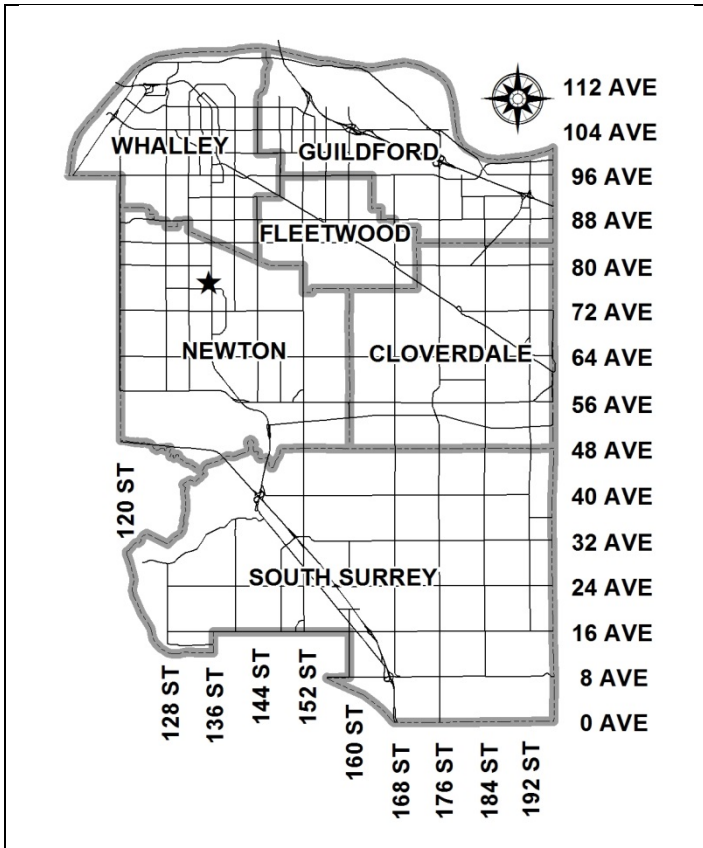


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0173-00

Planning Report Date: July 10, 2017



PROPOSAL:

- **Temporary Use Permit**

to permit the continued operation of a private elementary school for a maximum of 22 classrooms and 550 students.

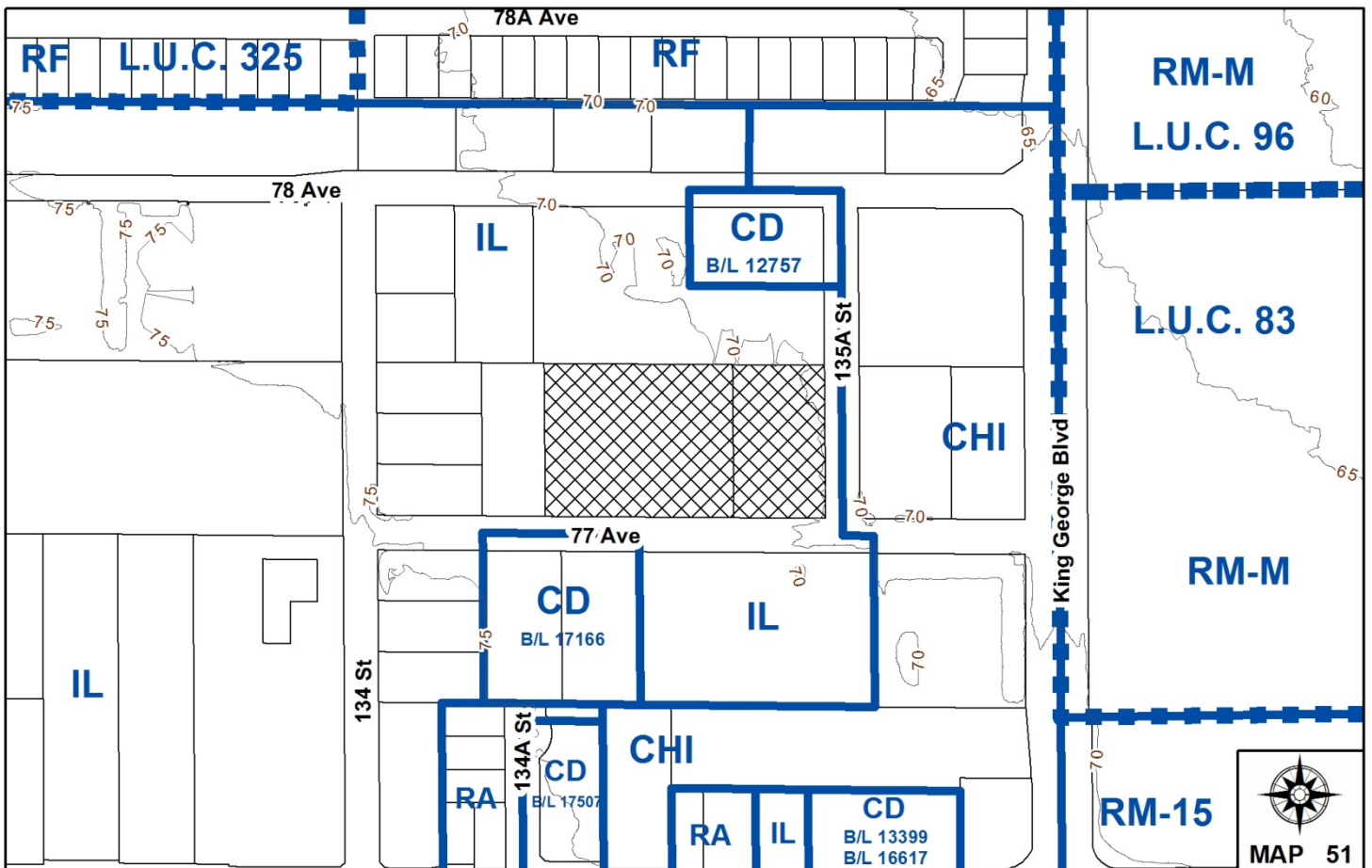
LOCATION: 13479 - 77 Avenue

13535 - 77 Avenue

OWNER: 0939090 B.C. Ltd.

ZONING: IL

OCP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- Temporary Use Permit No. 7912-0268-00, which allowed for a private elementary school with a gymnasium and an outdoor play area for a maximum of 450 students, expired on July 29, 2016. The school has been operating on the subject site since September 2013.
- The applicant has made an application for rezoning and lot consolidation (Development Application No. 7917-0020-00), to allow for the school to permanently locate on the site, and also to allow for some school expansion. The proposed Temporary use Permit (No. 7917-0173-00) is to allow for the continued operation of the school while the rezoning application is in process.
- The increase in the number of students permitted in the TUP, from 450 students to 550 students, is to reflect the school's current enrollment.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Temporary Use Permit No. 7917-0173-00 (Appendix II) to proceed to Public Notification.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Guru Angad Dev (GAD) Elementary School

Adjacent Area:

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

DEVELOPMENT CONSIDERATIONSBackground

- The subject site consists of two (2) properties and is located on the north side of 77 Avenue in the Central Newton area. The site is designated "Industrial" in the Official Community Plan (OCP).
- There are two (2) existing industrial buildings on the property at 13479 - 77 Avenue. The property at 13535 - 77 Avenue is vacant. The existing buildings 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 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 they continued to search for a permanent site location for the school. TUP No. 7912-0268-00 was issued on July 29, 2013, and expired on July 29, 2016. The school began operating on the subject site in September 2013.

- The GAD Elementary School is a faith-based independent school. The school currently accommodates children ages 4 to 12 (Kindergarten to Grade 7). In 2012, the school was operating at 7475 – 135 Street with an enrollment of approximately 200. In 2013, they relocated to the subject site. Current enrolment is 521 students.
- In 2012, there were other tenants using the site as well, including the Surrey School District, who operated the North Surrey Learning Centre on the site, and a warehouse user. These tenants are no longer operating on the site; the GAD Elementary School is the sole operation on the site.
- In January 2017, the applicant made a rezoning and subdivision (consolidation) application in order to allow for a permanent and expanded school use on the site. The applicant has indicated that their future plans include increasing the number of grades offered from Kindergarten to Grade 7, to Grade 9, and a maximum enrolment of 1200 students.
- Staff's main concern with the proposed expansion of the school is insufficient on-site parking. Staff requested that the applicant hire a consultant to prepare a parking study. In response, the applicant hired Acuere Consulting Inc. to prepare a parking study, which was submitted on June 21, 2017.
- Staff are working with the applicant on their rezoning application, to determine what level of expansion can be accommodated on the site, taking into consideration the limited amount of parking available on-site.

Proposed TUP

- The proposed TUP is attached as Appendix II.
- In order to allow for the continued operation of the school in the interim, while the rezoning is in process, the applicant has made a separate TUP application (No. 7917-0173-00). The proposed TUP is to permit the continued operation of a private elementary school with a maximum of 22 classrooms and 550 students, for a period not to exceed one (1) year. A one (1) year period is proposed to allow the applicant and staff sufficient time to work through the issues associated with the applicant's rezoning application.
- The increased number of students permitted, from 450 in the previous TUP to 550 in the proposed TUP, is in order to accommodate the current school enrolment and current number of classrooms.
- The applicant requested further expansion to 24 classrooms in the TUP, to allow for an increase from 22 to 24 classrooms in the 2017-2018 school year. Staff reviewed this request and determined that it would be premature to allow expansion to 24 classrooms as part of the TUP application, and that any further expansion should be dealt with through the rezoning application process (Development Application No. 7917-0020-00). While the applicant does have adequate parking to accommodate 24 classrooms, this expansion would require expansion into the vacant space in Building 1 that was previously occupied by the North Surrey Learning Centre, which has a total of 15 classrooms. Staff feel that expansion into this space should only occur after the rezoning is approved, and after careful consideration has been given to the extent of expansion that can be accommodated on-site given the parking limitations.

- Staff also have some reservations that any approval for increased school space could lead to further expansion given that the GAD Elementary School has been operating in excess of the approved 450 students that was permitted under the previous TUP.

PRE-NOTIFICATION

Pre-notification letters were mailed on May 2, 2017. A development proposal sign was erected on the property on April 27, 2017. Staff have received no responses to the pre-notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Temporary Use Permit No. 7917-0173-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

HK/da

Information for City Clerk

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

1. (a) Agent: Name: 0939090 B.C. Ltd.
 Address: 7016 - 155 Street
 Surrey, BC V3S 3P4

2. Properties involved in the Application

- (a) Civic Address: 13479 - 77 Avenue
 13535 - 77 Avenue

- (b) Civic Address: 13479 - 77 Avenue
 Owner: 0939090 B.C. Ltd.
 Director Information:
 Bhupinder Singh Ajula
 Malkiat Sandhu
 Nirmal Takhar

Officer Information as at May 13, 2016:

Gurupdesch Singh (Secretary)

PID: 027-176-088

Lot 1 Section 20 Township 2 New Westminster District Plan BCP31511

- (c) Civic Address: 13535 - 77 Avenue
 Owner: 0939090 B.C. Ltd.
 Director Information:
 Bhupinder Singh Ajula
 Malkiat Sandhu
 Nirmal Takhar

Officer Information as at May 13, 2016:

Gurupdesch Singh (Secretary)

PID: 027-176-096

Lot 2 Section 20 Township 2 New Westminster District Plan BCP31511

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Temporary Use Permit No. 7917-0173-00 and bring the Temporary Use Permit forward for issuance and execution by the Mayor and City Clerk.
- (b) Remove Notice of Temporary Use Permit No. 7912-0268-00 from title.

CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7917-0173-00

Issued To: 0939090 B.C. LTD.
(the "Owner")

Address of Owner: 7016 - 155 Street
Surrey, BC V3S 3P4

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: 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

(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 a private elementary school with a gymnasium and an outdoor play area for a maximum of 22 classrooms and 550 students, for a period not to exceed one year.

5. The temporary use permitted on the Land shall be in accordance with:
 - (a) The parking lot layout and landscaping shall conform to the drawings shown on Schedule A and numbered 7917-0173-00 (1) through to and including 7917-0173-00 (3) which is attached hereto and forms part of this permit.

6. The temporary use shall be carried out according to the following conditions:
 - (a) The school gymnasium space shall not be used as an assembly hall as defined in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, or for other assembly purposes, except for assemblies of students and staff only, for school related activities.

7. As a condition of the issuance of this temporary use permit, Council is holding security set out below (the "Security") to ensure that the temporary use is carried out in accordance with the terms and conditions of this temporary use permit. Should the Owner fail to comply with the terms and conditions of this temporary use permit within the time provided, the amount of the Security shall be forfeited to the City. The City has the option of using the Security to enter upon the Land and perform such works as is necessary to eliminate the temporary use and bring the use and occupancy of the Land into compliance with Surrey Zoning By-law, 1993, No. 12000, as amended (the "Works"). The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Works. There is submitted accordingly:

Cash or an Irrevocable Letter of Credit, in a form acceptable to the City, in the amount of \$20,000.00

8. 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.

9. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.

10. This temporary use permit is not transferable.

11. This temporary use permit shall lapse on or before one year from date of issuance

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

Mayor – Linda Hepner

City Clerk – Jane Sullivan

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.

Authorized Agent: Signature

Name (Please Print)

OR

Owner: Signature

Name: (Please Print)

TO THE CITY OF SURREY:

We, 0939090 B.C. Ltd. (Name of Owner)

being the owner of Lot 1 and Lot 2 Section 20 Township 2 New Westminster District Plan BCP31511
(Legal Description)

known as 13479 - 77 Avenue and 13535 - 77 Avenue
(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;

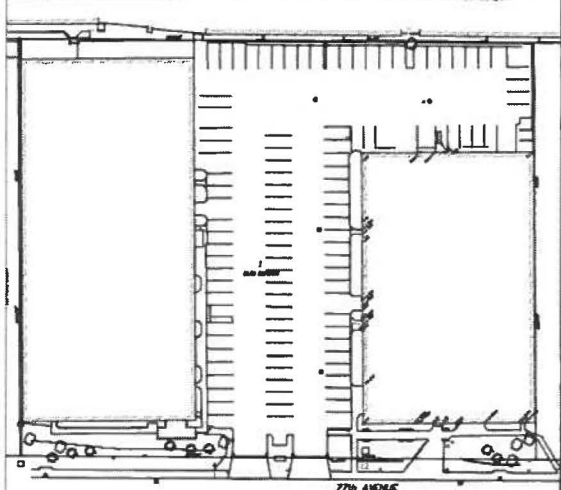
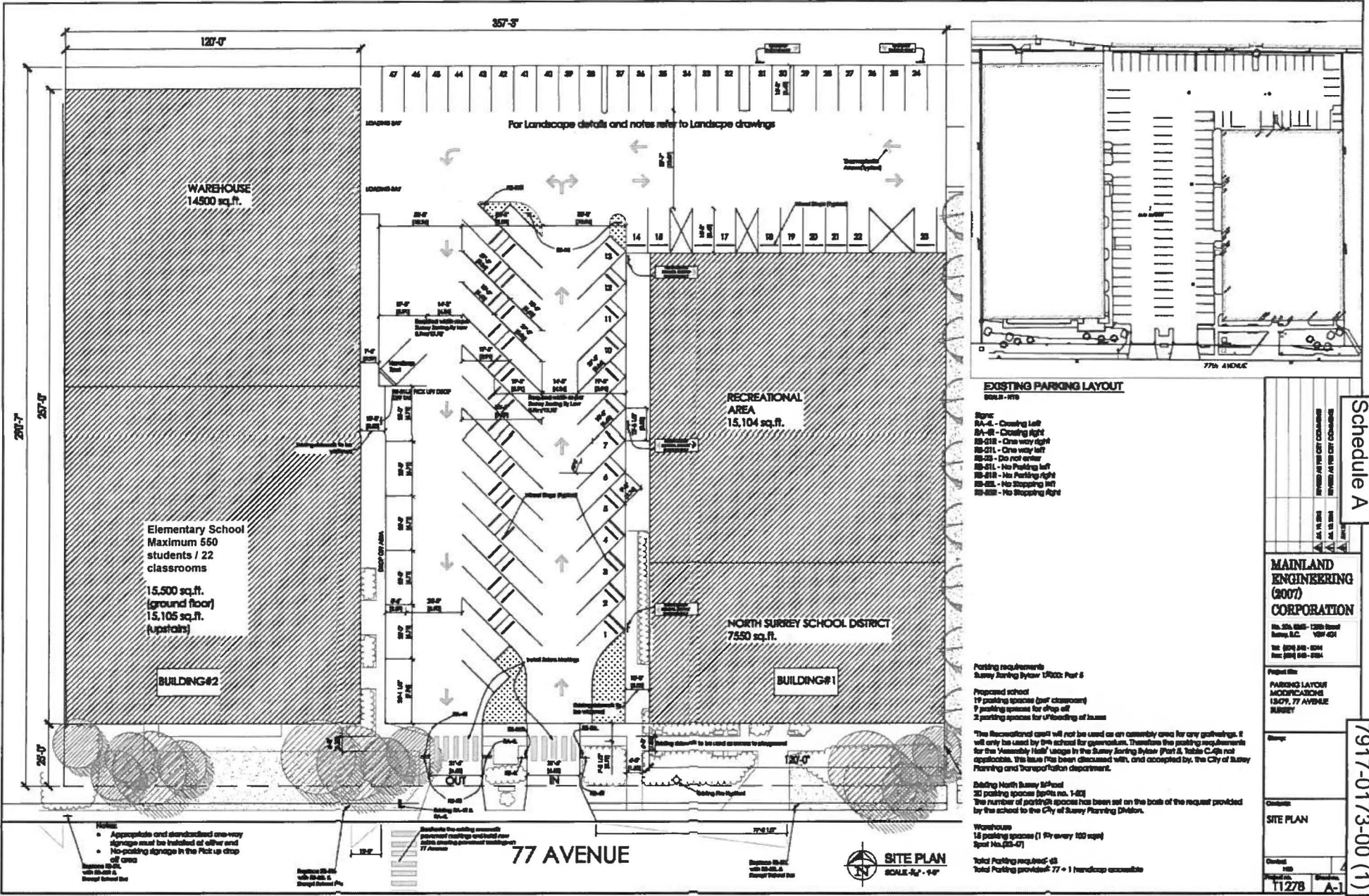
all of which shall be done not later than the termination date set out on the temporary use permit.

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)



EXISTING PARKING LAYOUT

- Signs:
- SA-4 - Crossing left
 - SA-4L - Crossing right
 - SB-21B - One way right
 - SB-21L - One way left
 - SB-23 - Do not enter
 - SB-21L - No Parking left
 - SB-21B - No Parking right
 - SB-22L - No Stopping left
 - SB-22B - No Stopping right

MAINLAND ENGINEERING (2007) CORPORATION
 No. 251, 885 - 1250 Street
 Surrey, B.C. V3P 4Z1
 Tel: (604) 416 - 8244
 Fax: (604) 416 - 8244

Project file:
PARKING LAYOUT MODIFICATIONS
 1547V, 77 AVENUE
 SURREY

SITE PLAN

Client: **MSD**
 Project No: **11278** Scale: **A-1**

Schedule A

7917-0173-00 (1)



77 AVENUE

For Landscape details and notes refer to Landscape drawings

- Notes:
- Appropriate and standardized one-way signage must be installed at all end
 - No parking signage in the Pick up/drop off zone

Parking requirements: Surrey Signage Bylaw 17000: Part 6

Proposed school:
 19 parking spaces (per classroom)
 9 parking spaces for drop off
 2 parking spaces for up-loading of buses

The Recreational area will not be used as an assembly area for any gatherings. It will only be used by the school for government. Therefore the parking requirements for the 'Assembly Hall' lounge in the Surrey Signage Bylaw (Part 6, Table C.6) is not applicable. This issue has been discussed with, and accepted by, the City of Surrey Planning and Transportation department.

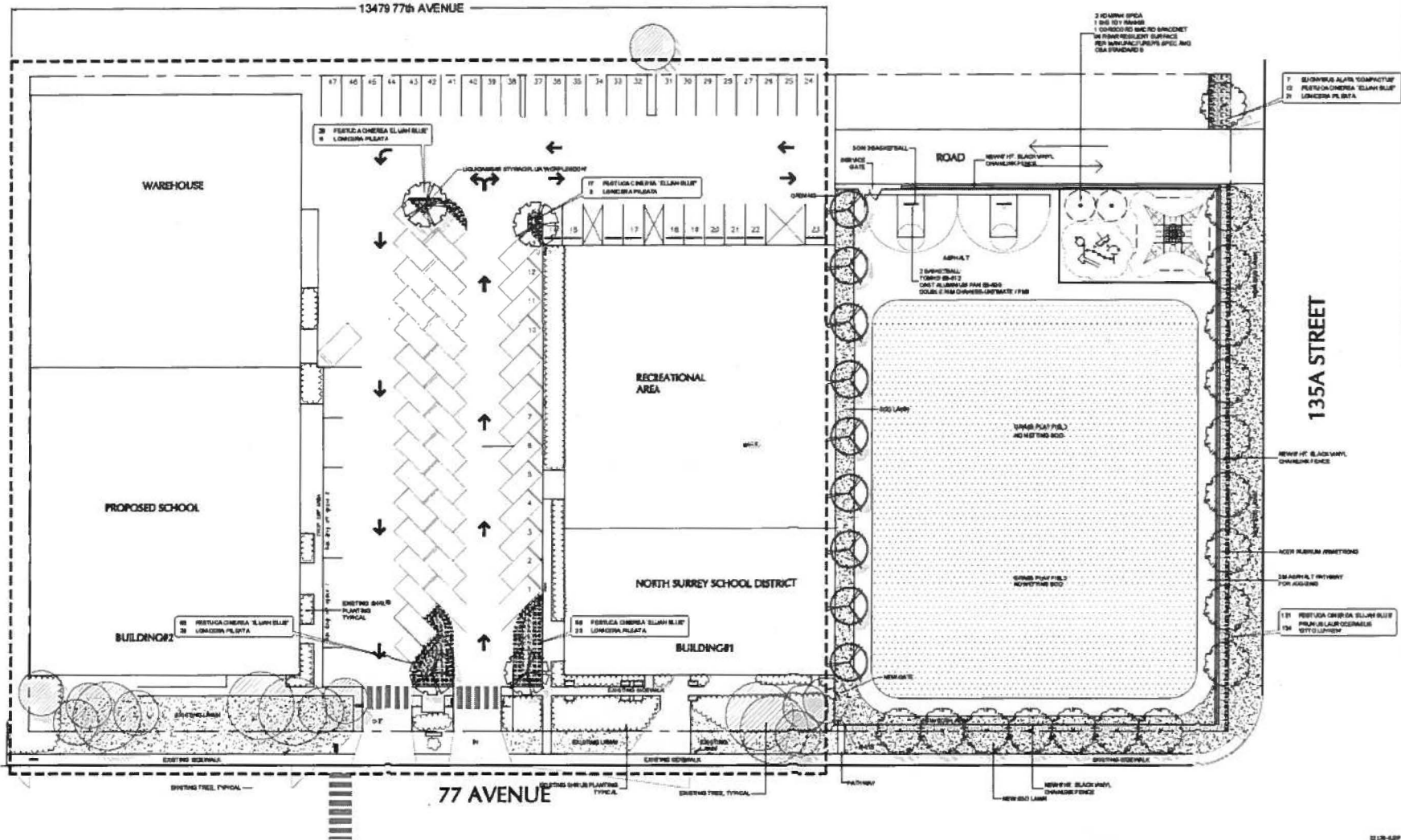
Building North Surrey School
 20 parking spaces (per table no. 1-42)
 The number of parking spaces has been set on the basis of the request provided by the school to the City of Surrey Planning Division.

Warehouse
 18 parking spaces (1 for every 100 sqm)
 (per No. 22-07)

Total Parking required: 48
 Total Parking provided: 77 + 1 handicap accessible

PLANT SCHEDULE		13479 77th AVENUE	PMG JOB NUMBER: 13-019
KEY	QTY	SPEC. NAME	PLANT SIZE / HEIGHT
4		ULMOMBIAN STRYMONIA UNOPLEROSY	MINIPLANT W/SHRUB CLIP
1		SLYMONIA ALATA COMPACTUM	30W GAL. 20 HITS BAR
1		FRAXILUS LAURO-CORMIS 1075 LAYEM	20 POT. 20CM
22		FERTUCA OMBRICA ELLAH BLUE	61 POT.
28		LONGICORNIA PLIATA	42 POT.

NOTES: * PLANT SIZES IN THIS LIST ARE SPECIFIED ACCORDING TO THE 10' LANDSCAPE STANDARD LAYOUT. CONTAINER SIZES SPECIFIED AS PER CONTAINER. DO NOT PLANT SIZE AND CONTAINER SIZE ARE THE MINIMUM ACCEPTABLE SIZES. * REFER TO SPECIFICATIONS FOR DETAILED CONTAINER REQUIREMENTS AND OTHER PLANT MATERIAL INFORMATION. * SEARCH AND REVIEW ALL PLANT MATERIAL AVAILABLE FOR OPTIMAL REVIEW BY LANDSCAPE ARCHITECT AT SOURCE OF SUPPLY. * AREA OF SEARCH TO INCLUDE: LINDSEY HALL AND MOUNTAIN VALLEY. * SUBJECT TO THE OCCURRENCE OF APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO ANY SUBSTITUTION. TO THE EXTENT OF MATERIAL, UNAPPROVED SUBSTITUTIONS WILL BE ELIMINATED. * PLANT A NUMBER OF 1000 IN THIS SCHEDULE IS FOR USE TO SUBMIT THE SAME SPECIFICATIONS AND SUBJECT TO LANDSCAPE ARCHITECT. * SET OUT OF CONDITIONS OF AVAILABILITY ALL LANDSCAPE MATERIAL, AND NOT SHOWN BUT BEST ON EXISTING LANDSCAPE IF AVAILABLE. * OTHER SET OUT ALL PLANT MATERIAL MUST BE PROVIDED FROM CONTRACTOR'S SOURCE. * SEE SCHEDULE.



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pmg
LANDSCAPE ARCHITECTS

Suite C108 - 4185 BIRCH Creek Drive
Burnaby, British Columbia, V5C 6Z8
P: 604-236-1001 | F: 604-236-8022

NO.	DATE	REVISION / DESCRIPTION	BY
1	13.03.13	ISSUED FOR PERMIT	MEY
2	13.03.13	REVISION: ADD LAMP	MEY
3	13.03.13	REVISION: CHANGE S	MEY
4	13.03.13	REVISION: CHANGE S	MEY
5	13.03.13	REVISION: CHANGE S	MEY
6	13.03.13	REVISION: CHANGE S	MEY
7	13.03.13	REVISION: CHANGE S	MEY
8	13.03.13	REVISION: CHANGE S	MEY
9	13.03.13	REVISION: CHANGE S	MEY
10	13.03.13	REVISION: CHANGE S	MEY

CLIENT:

PROJECT:
PROPOSED SCHOOL
13479 77th AVENUE
SURREY, BC

DRAWING TITLE:
LANDSCAPE PLAN

DATE: 13.03.13
SCALE: 1"=20' @
DRAWN: DD
DESIGN: DD
CHECK: MEY

13-019-001 PMG PROJECT NUMBER

7917-0173-00 (2)

