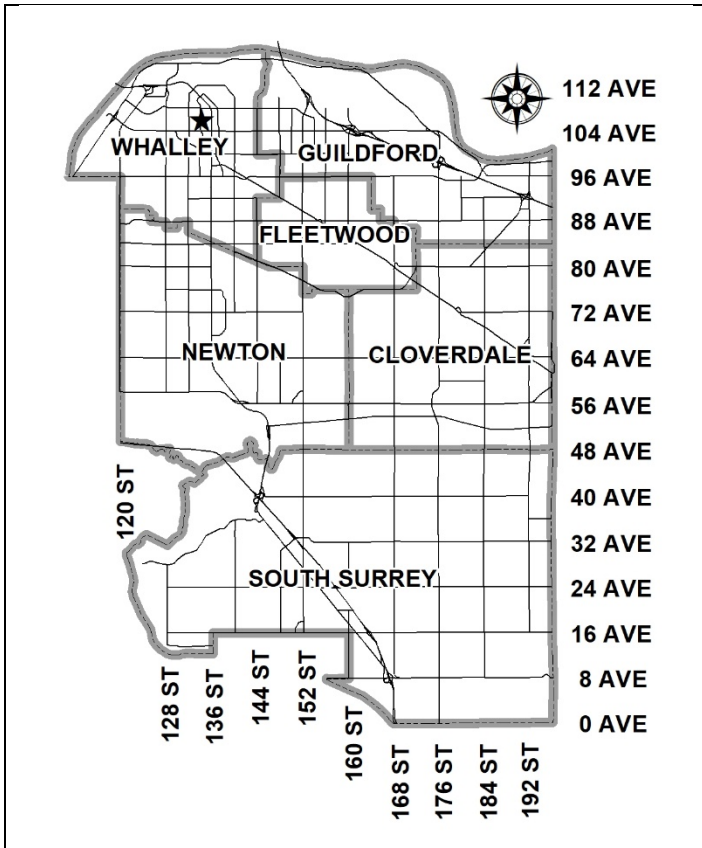


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7919-0206-00

Planning Report Date: October 7, 2019



PROPOSAL:

- **Development Permit**
- **Development Variance Permit**

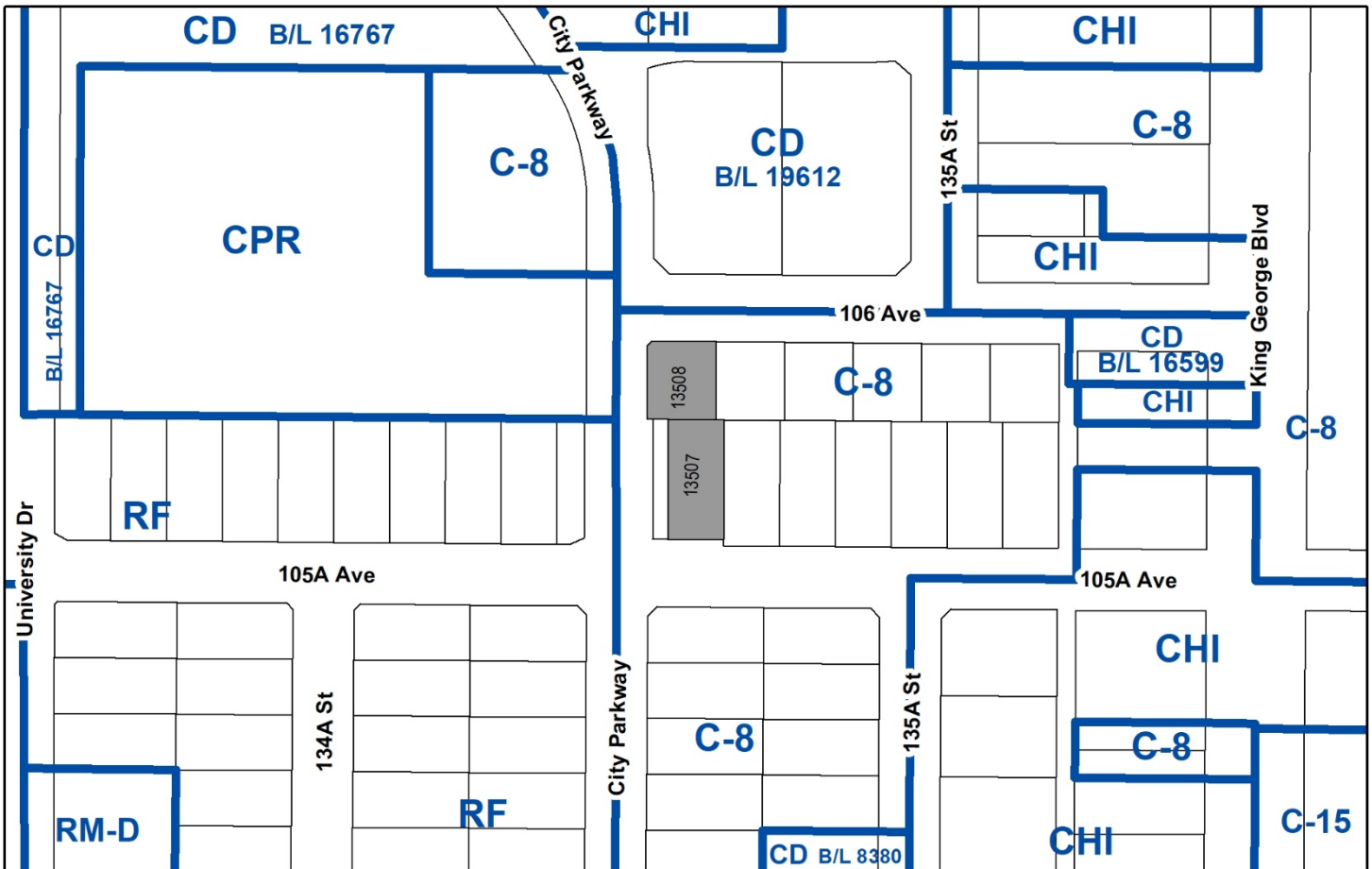
to permit a child care centre with its associated outdoor play area and surface parking on a neighbouring lot.

LOCATION: 13507 - 105A Avenue
 13508 - 106 Avenue

ZONING: C-8

OCP DESIGNATION: Central Business District

CCP DESIGNATION: Residential Mid to High Rise 3.5 FAR



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requesting to vary the C-8 Zone to permit a child care centre to be located on a lot with its associated open space and play area located on the adjacent lot.
- Requesting to vary the Zoning By-law to permit an open space and play area for a neighbouring commercial child care centre use on a lot without a building.

RATIONALE OF RECOMMENDATION

- The proposed child care centre complies with the City's location and siting guidelines for child care centres. The proposed child care centre is located on a local road, in a high density neighbourhood, with adequate parking for employees and parents.
- The proposed child care centre complies with the Central Business District designation in the Official Community Plan (OCP).
- A child care centre is a permitted use under the existing C-8 Zone.
- The proposed child care centre is an interim use until the lands redevelop for higher density as per the OCP and the City Centre Plan.
- Although the subject site is comprised of two separate lots, they will function as a singular site. The outdoor play area is proposed to be located immediately adjacent to the child care building, although on different lots. Both lots subject to the Development Application are owned by the same Owner.
- The proposal revitalizes an existing vacant building in City Centre.
- The application helps address the growing need for child care in Surrey and helps minimize existing gaps in service provision, particularly for children under 3 years of age.
- Staff support the requested variances.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7919-0206-00 generally in accordance with the attached drawings (Appendix I).
2. Council approve Development Variance Permit No. 7919-0206-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to vary the C-8 Zone to permit a child care centre to be located on the north lot at 13508 – 106 Avenue, with its associated open space and play area located on a neighbouring lot at 13507 – 105A Avenue; and
 - (b) to vary Section B.3 of Part 4 General Provisions of the Zoning By-law to permit an open space and play area for a commercial child care centre use on the south lot at 13507 – 105A Avenue without a building.
3. Council instruct staff to resolve the following issue(s) 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) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (d) submission of building permit drawings that satisfactorily address Building Code requirements for the proposed child care centre to the satisfaction of the General Manager, Planning & Development; and
 - (e) registration of a Section 219 Restrictive Covenant / access easement and parking agreement for the outdoor play area and parking areas for the proposed child care centre.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.

Fraser Health Authority: Fraser Health has reviewed the proposed plans to renovate the construct an outdoor play area and parking lot. The proposal appears to meet the requirements of the provincial Child Care Licensing Regulation, subject to Licensing inspection of the space once the Development Permit is issued and Development Variance Permit approved, and subject to any renovations, upgrades, or improvements being completed.

SITE CHARACTERISTICS

Existing Land Use: Vacant

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Vacant commercial building	City Centre	C-8
East:	Vacant	City Centre	C-8
South (Across 105A Avenue):	Vacant	City Centre	C-8
West (Across City Parkway):	Tom Binnie Park Parking Lot	City Centre	RF

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is comprised of two lots located on the north side of 105A Avenue, east of City Parkway, and is designated 'Central Business District' in the OCP and 'Residential Mid to High Rise 3.5 FAR' in the City Centre Plan. The site is currently zoned C-8, which permits child care centre uses.
- The existing commercial building at 13508 – 106 Avenue is vacant, as is the 13507 – 105A Avenue property.

Current Proposal

- The applicant, who owns both lots that comprise the subject site, is proposing interior renovations to retrofit the existing vacant building at 13508 – 106 Avenue as a child care facility. The neighbouring property to the south, 13507 – 105A Avenue, will be developed as an outdoor play area and parking lot to support the proposed child care centre. 13501 – 105A Avenue, also owned by the applicant, will remain as landscaped area (grass) and will provide pedestrian access to the proposed parking lot.

- A child care centre is a permitted use in the C-8 zone. Two variances are required to accommodate the proposal.
 1. The C-8 Zone requires that a child care centre be located on the lot such that the centre has direct access to an open space and play area within the same lot. The applicant is proposing to locate the child care centre in the existing building and parking for child drop off/pick up on the north lot (13508 – 106 Avenue), and the associated open space and play area, as well as a staff parking lot, on the south lot (13507 – 105A Avenue). Although the proposed outdoor play area directly abuts the existing building, they are located on separate lots. As such, the applicant is requesting to vary the requirement that the open space and play area associated with a child care centre be located on the same lot as the child care centre.
 2. Under Part 4 – General Provisions of the Zoning By-law, no use on any commercial or industrial zoned lot shall take place unless there is a building on the lot, which is at least 100 square metres (1,076 sq. ft) in size and contains washroom facilities. The south lot is proposed to be used solely for the outdoor play area and parking lot to support the child care centre, the applicant is seeking a variance to waive the requirement for a building on the lot.
- The proposed child care facility will operate Monday through Friday from 7:30 AM to 5:30 PM, and will provide child care for 12 infants/toddlers (under 36 months) and 24 children aged 30 months to school age. In total, the proposed facility will accommodate 36 children and 5 staff. The child care centre will not be open on weekends or statutory holidays.
- The existing commercial building will undergo interior tenant improvement to ensure the child care centre will meet Building Code requirements, as well as the child care licensing requirements of Fraser Health.
- The outdoor play area is proposed to be protected with high, unscalable fencing and extensive landscaping, and be setback 5 metres (16 ft.) from City Parkway.
- The Zoning By-law requires a minimum of 9 parking spaces for the proposed child care centre, assuming 5 staff for 36 children in care. The site plan demonstrates 5 parking spaces in the north parking lot for child drop off/pick up, and 5 parking spaces in the south parking lot for staff. A total of 10 parking spaces are provided, which exceeds the Zoning By-law requirements.

PRE-NOTIFICATION

- Pre-notification letters were sent on September 16, 2019. A development proposal sign was installed on August 15, 2019. To date, staff have received no correspondence in response to the public notification.

TREES

- Lucian Serban, ISA Certified Arborist of Davey Resource Group prepared an Arborist Assessment for the subject property.
- The Arborist Assessment states that there are no protected trees on the site. All inventoried trees are located on City property. It was determined that all 6 off-site trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.
- Excavation for the new parking lot will be within the Critical Root Zone (CRZ) of some of the off-site, City-owned trees. The proposed tree preservation off-site will require tree protection fencing, root pruning, and supervision by an arborist during construction.
- In summary, no protected off-site protected trees shall be removed by this project. No replacement trees are required to be planted and no contribution to the Green City Fund.

SUSTAINABLE DEVELOPMENT CHECKLIST

The applicant prepared and submitted a sustainable development checklist for the subject site on August 9, 2019. The table below summarizes the applicable development features of the proposal based on the seven (7) criteria listed in the Surrey Sustainable Development Checklist.

Sustainability Criteria	Sustainable Development Features Summary
1. Site Context & Location (A1-A2)	<ul style="list-style-type: none"> • The Site is located within the City Centre Plan and complies with the Central Business District designation in the OCP
2. Density & Diversity (B1-B7)	<ul style="list-style-type: none"> • None proposed
3. Ecology & Stewardship (C1-C4)	<ul style="list-style-type: none"> • The development incorporates Low Impact Development Standards (LIDS) • Extensive landscaping is proposed
4. Sustainable Transport & Mobility (D1-D2)	<ul style="list-style-type: none"> • The site is approximately 500 metres (1,640 ft.) from the Surrey Central Skytrain Station
5. Accessibility & Safety (E1-E3)	<ul style="list-style-type: none"> • The project provides Childcare/Daycare space
6. Green Certification (F1)	<ul style="list-style-type: none"> • None proposed
7. Education & Awareness (G1-G4)	<ul style="list-style-type: none"> • Pre-notification letters were distributed to nearby property owners and a Development Proposal Sign was installed on the subject property to provide development and contact information to the public.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the C-8 Zone to permit a child care centre to be located on the north lot at 13508 – 106 Avenue, with its associated open space and play area located on a neighbouring lot at 13507 – 105A Avenue

Applicant's Reasons:

- The additional (staff) parking and the outdoor play area are required as part of the proposed child care centre.
- The existing building at 13508 – 106 Ave. will undergo internal renovations (Tenant Improvement) to ensure the play area is easily accessible from inside the proposed child care facility.
- The proposed indoor and outdoor components of the child care facility meet Fraser Health requirements in terms of size, design, and accessibility.

Staff Comments:

- The outdoor play area will be located immediately adjacent to the child care centre, despite being on different lots. Interior improvements to the child care centre will allow the outdoor play area to be will be easily accessible from inside the building.
- The lot with the proposed child care centre, 13508 – 106 Avenue, is not large enough to accommodate an outdoor play area and required parking.
- The proposed child care centre, outdoor play area, and surface parking are interim uses until the lands redevelop for higher density uses as per the OCP and City Centre Plan.
- There is a need for additional child care facilities in the City.
- Staff support the requested variance.

(b) Requested Variance:

- To vary Section B.3 of Part 4 – General Provisions of the Zoning By-law to permit an open space and play area for a commercial child care centre use on a lot without a building, for the property 13507 – 105A Avenue.

Applicant's Reasons:

- There is insufficient space for an outdoor play area on the lot containing the existing commercial building, in which the child care centre will be located.

- The Owner owns both lots that comprise the subject site.

Staff Comments:

- The proposed outdoor play area and parking lot on the south lot (13507 – 105A Avenue) will service the child care building on the north lot (13508 – 106 Avenue). Although the site will remain two separate parcels, once completed, the properties will appear and function as one consolidated lot.
- As a condition of final issuance of the Development Variance Permit (DVP), the applicant will be required to register a covenant/access easement and parking agreement for the outdoor play area and parking areas for the proposed child care centre to ensure the child care centre could continue to operate if the other property is sold.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Survey Plan, Site Plan, Landscape Plans
Appendix II.	Engineering Summary
Appendix III.	Development Variance Permit No. 7919-0206-00

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

SC/cm

**TOPOGRAPHIC SITE PLAN OF
LOT 8 EXCEPT; PART DEDICATED ROAD ON
PLAN LMP2580, PLAN 13930
LOT 9 EXCEPT: FIRSTLY: PARCEL "G"
(BYLAW PLAN 65381) SECONDLY: PARCEL
"B" (BYLAW PLAN 66874); THIRDLY: PART
DEDICATED ROAD ON PLAN LMP2580;
PLAN 13930
LOT 9 EXCEPT: PARCEL A (BYLAW PLAN
73255), PLAN 11778
SECTION 22 BLOCK 5 NORTH RANGE 2
WEST NEW WESTMINSTER DISTRICT**

193
PLAN
65684

CIVIC ADDRESSES:

Rem. Lot 8 Plan 13930
13507 105A Avenue, Surrey, BC
P.I.D. 001-440-667

Rem. Lot 9 Plan 13930
13501 105A Avenue, Surrey, BC
P.I.D. 010-013-938

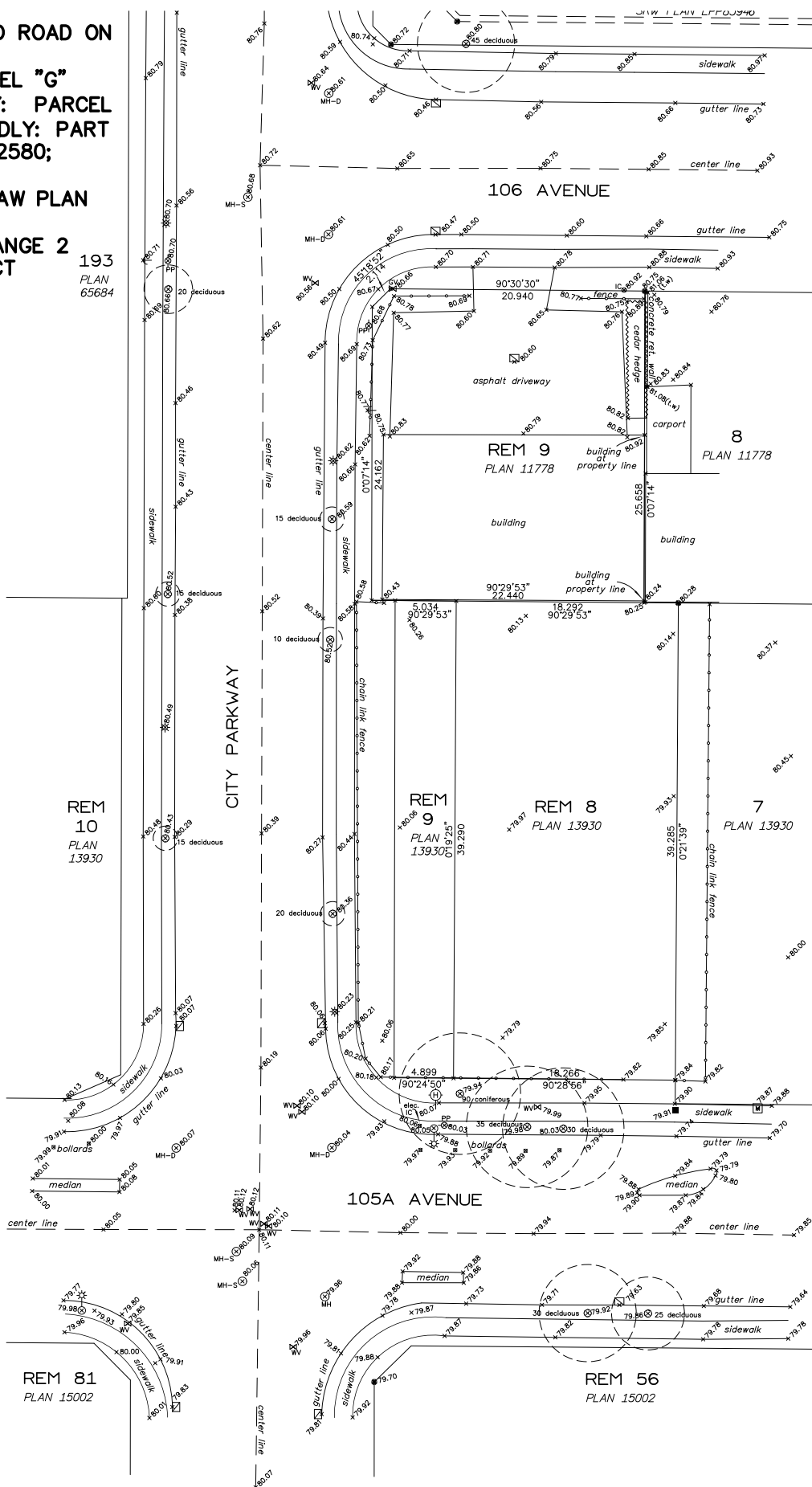
Rem. Lot 9 Plan 11778
13508 106 Avenue, Surrey, BC
P.I.D. 001-440-667

LEGEND

- DENOTES LEAD PLUS FOUND
- DENOTES STANDARD IRON POST FOUND
- ⊕ DENOTES FIRE HYDRANT
- ⊞ DENOTES CATCH BASIN - TOP ENTRY
- ⊕ PP DENOTES UTILITY POLE
- ⊙ DENOTES STREET LIGHT - DAVIT
- ⊙* DENOTES STREET LIGHT - POST TOP
- ⊕ WV DENOTES WATER VALVE
- ⊕ DENOTES WATER METER
- ⊕ GV DENOTES GAS VALVE
- DENOTES GUY WIRE
- MH DENOTES MANHOLE
- MH-S DENOTES SANITARY MANHOLE
- MH-D DENOTES STORM MANHOLE
- IC DENOTES INSPECTION CHAMBER
- ⊙ DENOTES TREE AND CANOPY EXTENT
- × DENOTES GROUND ELEVATION
- (t-w) DENOTES TOP OF RETAINING WALL ELEVATION

SCALE 1 : 250

2.5 0 5 10
ALL DISTANCES ARE IN METRES



Lot dimensions are derived from field survey

Elevations are Geodetic (CVD28 GVRD-2018 - IN METERS)
Derived from Control Monument 84#0579 located in the East
curb of City Parkway at #10630
Elevation = 81.289m

Spot elevations along curb are taken in gutter

If this plan is used in digital form, Target Land Surveying
will only assume responsibility for information content
shown on original unaltered drawing.

Tree diameters are taken at 1.4m above grade and are
shown in cm.

This Plan was prepared for architectural design and permit
purposes, and is for the exclusive use of our client. The
signatory accepts no responsibility or liability for any
damages that may be suffered by a third party as a
result of reproduction, transmission or alteration to this
document without consent of the signatory.

CERTIFIED CORRECT
DATED THIS 29TH DAY OF JANUARY, 2019

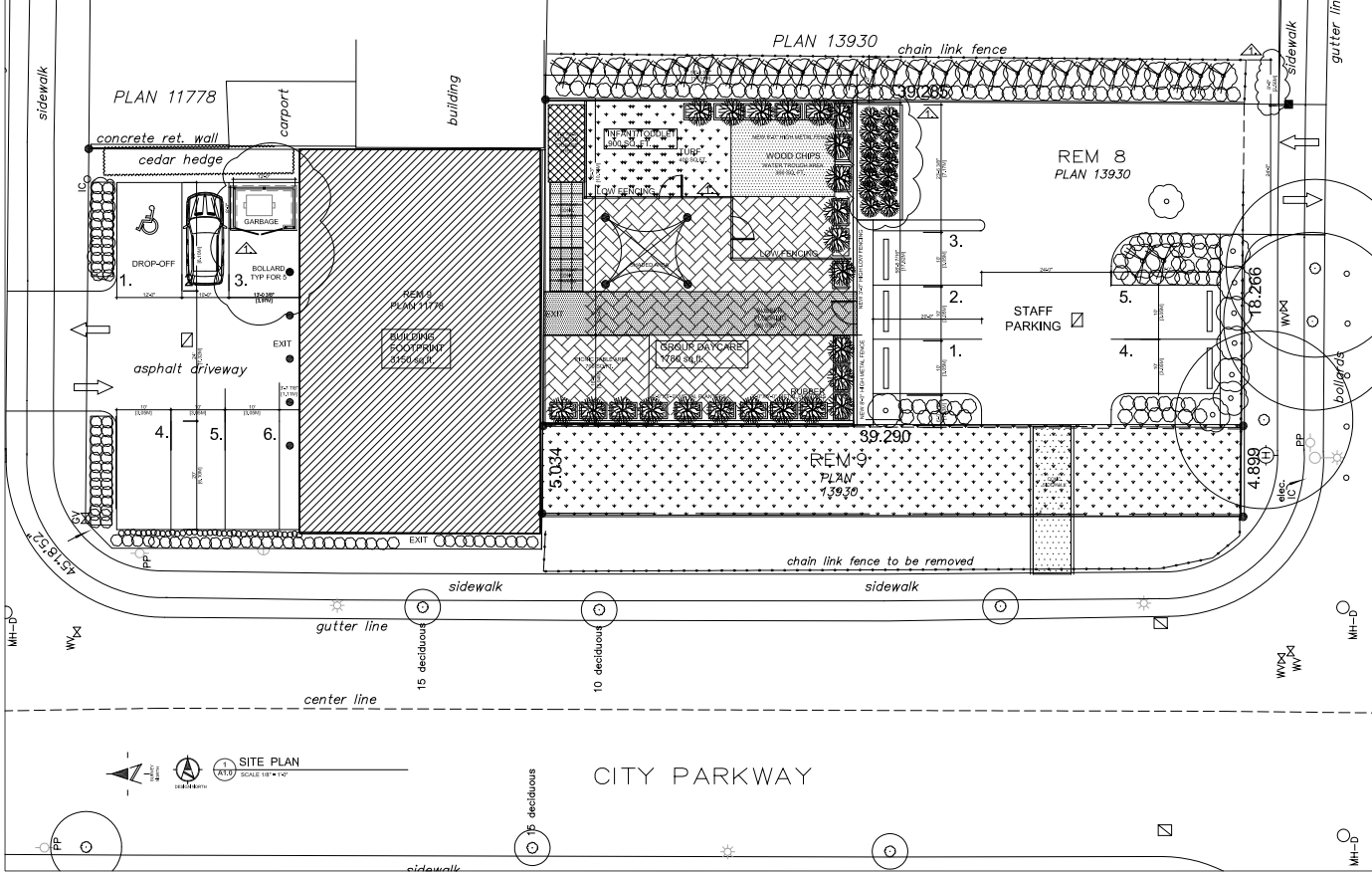
----- B.C.L.S.
Finny Philp



FILE: 9222-SITE

PLAY GROUND AREA CALCULATION				
ALL AREAS SHOWN ARE UNRESTRICTED VALUES				
ROOM TYPE	NO. OF CHILDREN	AREA PER CHILD	AREA REQUIRED	PROVIDED
INFANT/TODDLER	12	65 SQ. FT.	780 SQ. FT.	900 SQ. FT.
GROUP DAYCARE	24	65 SQ. FT.	1560 SQ. FT.	1780 SQ. FT.
TOTAL	36	65 SQ. FT.	2340 SQ. FT.	2680 SQ. FT.

PLAY GROUND MATERIAL LEGEND:			
MATERIAL	INFANT/TODDLER AREA	GROUP DAYCARE AREA	COMMON ACCESS
TURF			400 SQ.FT.
WOOD FIBRE			300 SQ.FT.
RUBBER FLOORING			2075 SQ.FT.
TOTAL			



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projectSUSTAINABLE
Architecture

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architect@csk.ca, 780-858-1832
851-1032 City Parkway, Suite 100
Edmonton, Alberta T6C 0G2
Tel: 780-441-6888 Fax: 780-441-6889
info@projectsustainable.ca

DO NOT SCALE DRAWING

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Project Name
DAY CARE (TENANT IMPROVEMENT)
1204 - 100 AVENUE
SURREY, BC V3T 2G5

SITE PLAN	
Sheet No.	1
Project No.	A1.0rev.1

INTER-OFFICE MEMO

TO: **Manager, Area Planning & Development
- North Surrey Division
Planning and Development Department**

FROM: **Development Services Manager, Engineering Department**

DATE: **Oct 02, 2019** PROJECT FILE: **7819-0206-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 13507 105A Avenue, 13501 & 13507 - 105A Avenue**

DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Variance Permit beyond those noted below.

DEVELOPMENT PERMIT

The following conditions are associated with the Development Permit but can be addressed through Building Permit process prior to issuance of the Building Permit.

- Construct an access along 105A Avenue.
- Modify cycling track, parking pocket, and associated rollover curb, gutter and median along 105A Avenue.
- Complete drainage catchment analysis to determine existing capacity constraints. Resolve downstream constraints, if identified.
- Provide water, storm and sanitary service connections, as applicable.
- Register applicable legal documents as determined through detailed design.

A Servicing Agreement is required prior to issuance of the Building Permit.



Tommy Buchmann, P.Eng.
Development Services Manager
HB4

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0206-00

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: 009-858-415

Lot 8 Except; Part Dedicated Road on Plan LMP2580, Section 22 Block 5 North Range 2 West New Westminster District Plan 13930

13507 - 105A Avenue

Parcel Identifier: 001-440-667

Lot 9: Except: Parcel A (Bylaw Plan 73255), Section 22 Block 5 North Range 2 West New Westminster District Plan 11778

13508 - 106 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section J.3 of Part 36 Community Commercial Zone (C-8) the regulation is varied to permit a child care centre to be located on 13508 - 106 Avenue, with its associated open space and play area located on 13507 - 105A Avenue; and
 - (b) In Section B.3 of Part 4 General Provisions, the building requirement is varied to permit an open space and play area for a commercial child care centre on a lot without a building, for the property at 13507 - 105A Avenue.

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 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli