

**Proposal:** Partial discharge of Land Use Contract No. 29. Rezone from underlying zone, RF to CCR in order to permit a childcare centre within a single family dwelling for a maximum of 25 children. DVP to relax parking requirements.

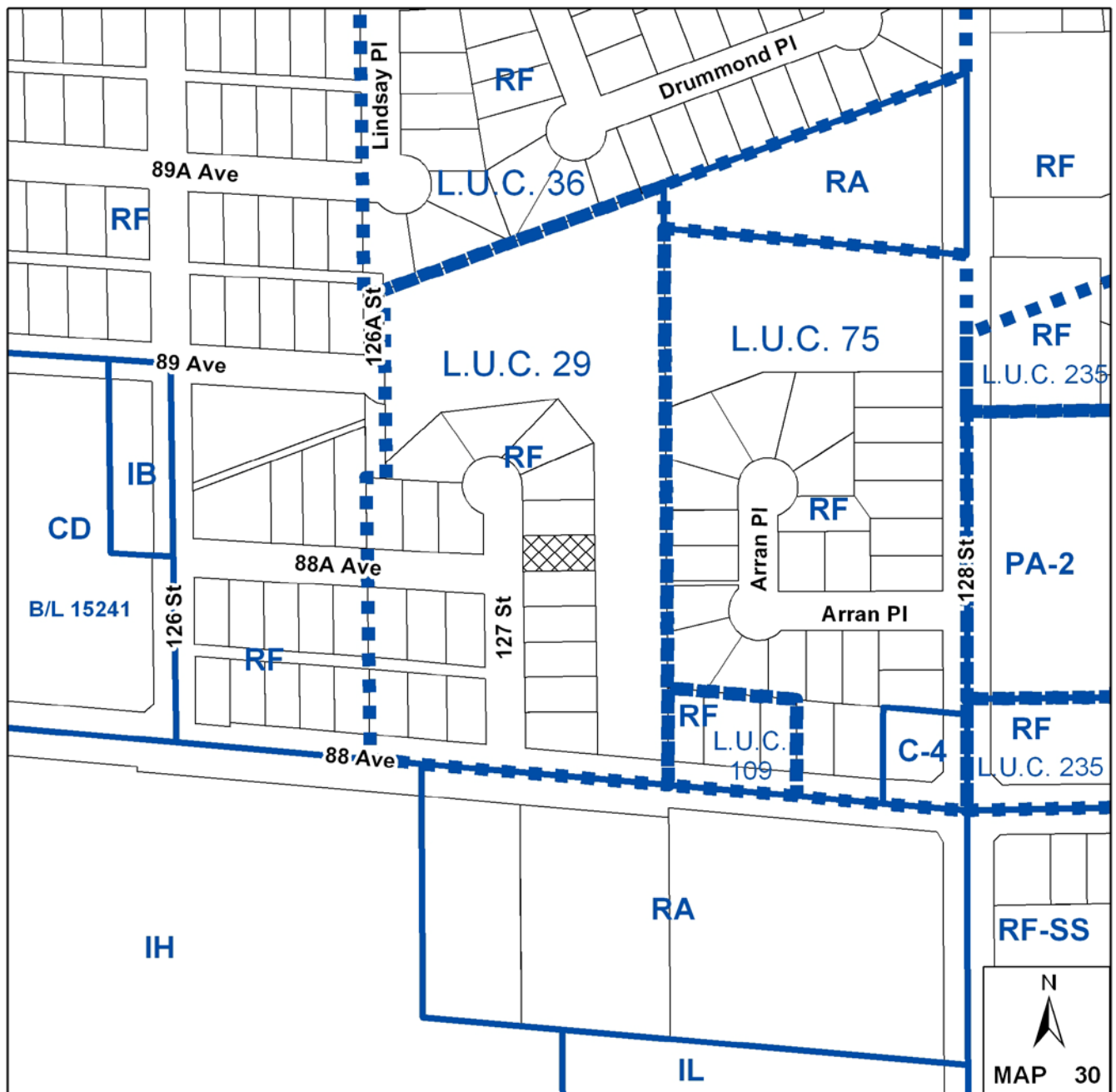
**Recommendation:** Approval to Proceed

**Location:** 8860 – 127 Street

**Zoning:** LUC No. 29 (underlying RF Zone)

**OCP Designation:** Urban

**Owner:** Pritpal Kaur Randhawa



## PROJECT TIMELINE

Completed Application Submission Date: April 28, 2006  
Application Revision & Re-submission Date: December 5, 2006  
Planning Report Date: February 26, 2007

## PROPOSAL

The applicant is proposing:

- a partial Land Use Contract discharge;
- a rezoning from the underlying zone, RF to CCR; and
- a Development Variance Permit to relax the following Zoning By-law regulation:
  - to reduce the minimum number of on-site parking spaces from 7 to 5

in order to permit the development of a childcare centre, within a single family dwelling, for a maximum of 25 children.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to partially discharge Land Use Contract No. 29 and a date be set for Public Hearing.
2. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law 12000) to "Child Care Zone (CCR)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council approve Development Variance Permit No. 7906-0191-00, (Appendix V) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum number of on-site parking spaces required in the Zoning By-law from 7 to 5.
3. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
  - (b) submission of building permit drawings that satisfactorily address Building Code requirements.

## REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix IV).

## SITE CHARACTERISTICS

<b>Existing Land Use</b>	Single family residential dwelling containing a licensed childcare for a maximum of 8 children.
<b>East:</b>	Existing single family residential lots, regulated under Land Use Contract No. 75 (underlying RF Zone), designated Urban.
<b>South:</b>	Existing single family residential lots, regulated under Land Use Contract No. 29 (underlying RF Zone), designated Urban
<b>West:</b>	Across 127 Street, single family residential lots, regulated under Land Use Contract No. 29 (underlying RF Zone), designated Urban.
<b>North:</b>	Existing single family residential lots, regulated under Land Use Contract No. 29 (underlying RF Zone), designated Urban.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

## DEVELOPMENT CONSIDERATIONS

- The subject site is located on the east side of 127 Street north of 88 Avenue in Whalley and is designated Urban in the Official Community Plan (OCP).
- The site is currently regulated under Land Use Contract No. 29 with underlying "Single Family Residential Zone (RF)". The applicant proposes to discharge the Land Use Contract and rezone the property to "Child Care Zone (CCR)" to permit a childcare centre for a maximum of 25 children within a single family dwelling.
- The "Child Care Zone (CCR)" is intended to permit the development of child care centres accommodating a maximum of 25 children, into a residential community, licensed and regulated under the Community Care Facility Act.
- There is an existing single family residence on the site, which will be retained.
- The applicant has operated a licensed group child care for a maximum of eight (8) children from her residence since December 2004. The applicant is proposing to continue to operate her group daycare under the current hours of operation.

- The daycare currently operates from 5:00 a.m. to 6:00 p.m., seven days a week. Group child care accommodates children from the ages of two and half to five years old.
- With group daycare, there are two main times throughout the day wherein parents pick up and drop off their children. The majority of children are dropped off in the morning between 7 a.m. and 8 a.m. with a few drop offs occurring earlier between 5:00 a.m. and 7 a.m. The majority of pick ups take place between 4 p.m. and 5 p.m. in the evening.
- There will be three staff members employed by the centre, including the owner and operator of the proposed child care facility.
- In 1990, the City completed a report entitled "Guidelines for the Location and Siting of Child Care Centres". The following demonstrates how the proposed application adheres to the locational and siting guidelines outlined in the Report:
  - *Locate centres close to child-oriented facilities.*
    - The subject site is located one block away from David Brankin Elementary School. The proposed child care centre is located south of the Wildflower Greenway, which includes a paved multi-use pathway. Two blocks east along the multi-use pathway is Queen Mary Park.
    - There is also a walkway connection to the east, which can be accessed from the rear yard of the subject site, across the hydro right-of-way to Arran Place. The connection through Arran Place will then connect to the proposed Newton Town Centre Greenway.
    - Locating child care facilities close to an elementary school provides caregivers an opportunity to walk with children to outdoor recreation facilities.
  - *Avoid undue concentration of centres.*
    - The Guidelines recommend that child care facilities should be located in areas that are currently under-served by child care, to avoid undue concentration of facilities. There are currently no licensed group daycare facilities within one kilometre of the proposed facility.
  - *Provide adequate on-site parking for employees and parents.*
    - The parking requirements for child care facilities in residential areas are outlined in Surrey Zoning By-law No. 12000. Child care facilities are required to provide one parking space for every employee as required in the Community Care Facility Act and an equal number of parking spaces for pick-up and drop-off, with a minimum of 2 parking spaces. In addition, single family dwellings require two parking spaces for the residents.
    - Based on these requirements, the proposed child care facility and existing residence require seven (7) parking spaces. The residential, employee and pick-up and drop-off parking requirements for the child care facility and single family residence can all be accommodated on-site.

- There are currently three on-site parking spaces to serve the existing facility. One additional parking space can be accommodated along the north property line adjacent to the dwelling and another along the south property line adjacent to the existing driveway. With the two additional parking spaces, five (5) parking spaces can be accommodated on-site. The applicant has requested a variance to the parking requirements (see By-law Variance section.)
- In addition to the five stalls that can be accommodated on-site, four additional stalls can be accommodated by sharing the driveway and a portion of the road right-of-way (Appendix III).
- There is an existing hedge on the north side of the driveway and existing trees on the south side of the driveway that will address the interface and provide screening between the proposed driveway parking and adjacent residential properties.
- *Provide adequate fencing, screening, setbacks and outdoor play areas.*
  - Childcare centres are required to provide appropriate fencing, screening, setbacks and an outdoor play area in accordance with Zoning By-law No. 12000 and the Guidelines Report.
  - There is a grass outdoor play area and playground located in the rear yard which is enclosed by a 6-ft. high cedar fence.
  - The minimum front, rear and side yard setbacks have been provided. The existing screening will be maintained by the existing cedar hedge along the north property line and a row of existing trees along the south property line, both located within the front yard.

### PRE-NOTIFICATION

Pre-notification letters were sent on June 9, 2006 and staff received no comment.

### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum number of on-site parking spaces required in the Zoning By-law from 7 to 5.

Applicant's Reasons:

- There are currently 5 on-site parking spaces and three on-street parking spaces for pick-up and drop-off for the childcare centre.
- Parking is not currently a problem for the existing childcare facility and the staggered pick-up and drop-off times will not affect the current parking situation.

**Staff Comments:**

- There have been no traffic or parking complaints regarding the existing operation.
- Currently, the owner and operator of the childcare facility provides a pick up and drop off service wherein parents can choose to have their child picked up in the morning and dropped off in the evening from their own home. This service will continue to be provided when the existing childcare centre is expanded.
- People who use the facility are also able to walk or take public transit to the facility.
- As a result, the Planning & Development Department can support the requested variance.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Contour Map
Appendix III.	Site Plan
Appendix IV.	Engineering Summary
Appendix V.	Development Variance Permit No. 7906-0191-00

**INFORMATION AVAILABLE ON FILE**

- Detailed Engineering Comments dated January 26, 2007.

How Yin Leung  
Acting General Manager  
Planning and Development

JJ/kms

Information for City Clerk

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

1. (a) Agent:      Name:                    Tina Randhawa  
                         Address:                8860 – 127 Street, Surrey, BC V3V 7A6  
                         Tel:                      778-892-1941
  
2.      Properties involved in the Application
  - (a)      Civic Address:            8860 – 127 Street
  
  - (b)      Civic Address:            8860 – 127 Street  
                 Owner:                    Pritpal Kaur Randhawa  
                 PID:                        002-947-013  
                 Lot 293 Section 31 Township 2 New Westminster District Plan 52167
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Introduce a By-law to partially discharge Land Use Contract No. 29.
  
  - (b)      Introduce a By-law to rezone the property.
  
  - (c)      Proceed with Public Notification for Development Variance Permit No. 7906-0191-00.

CONTOUR MAP FOR SUBJECT SITE

