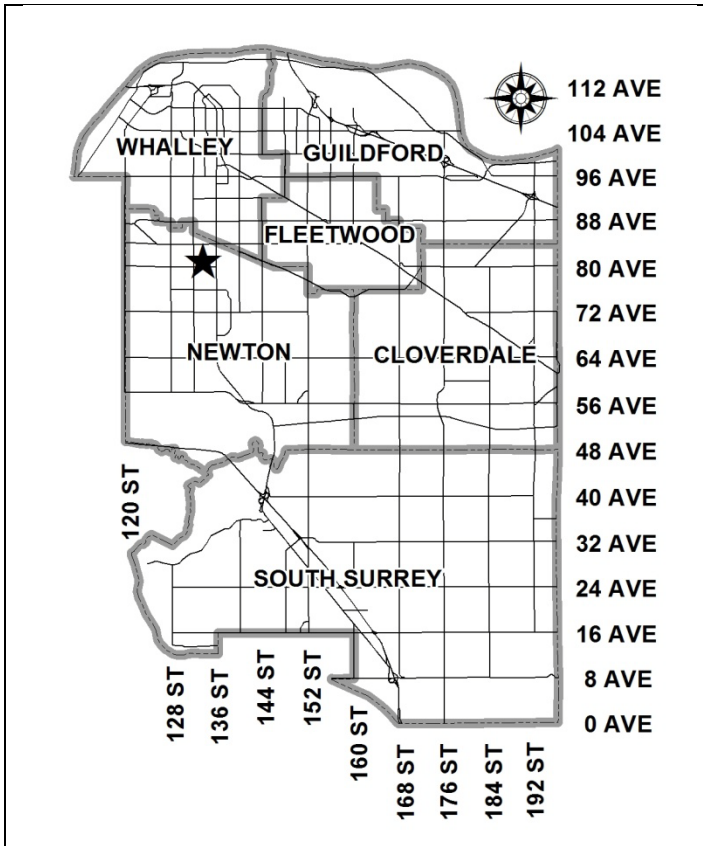


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0025-00

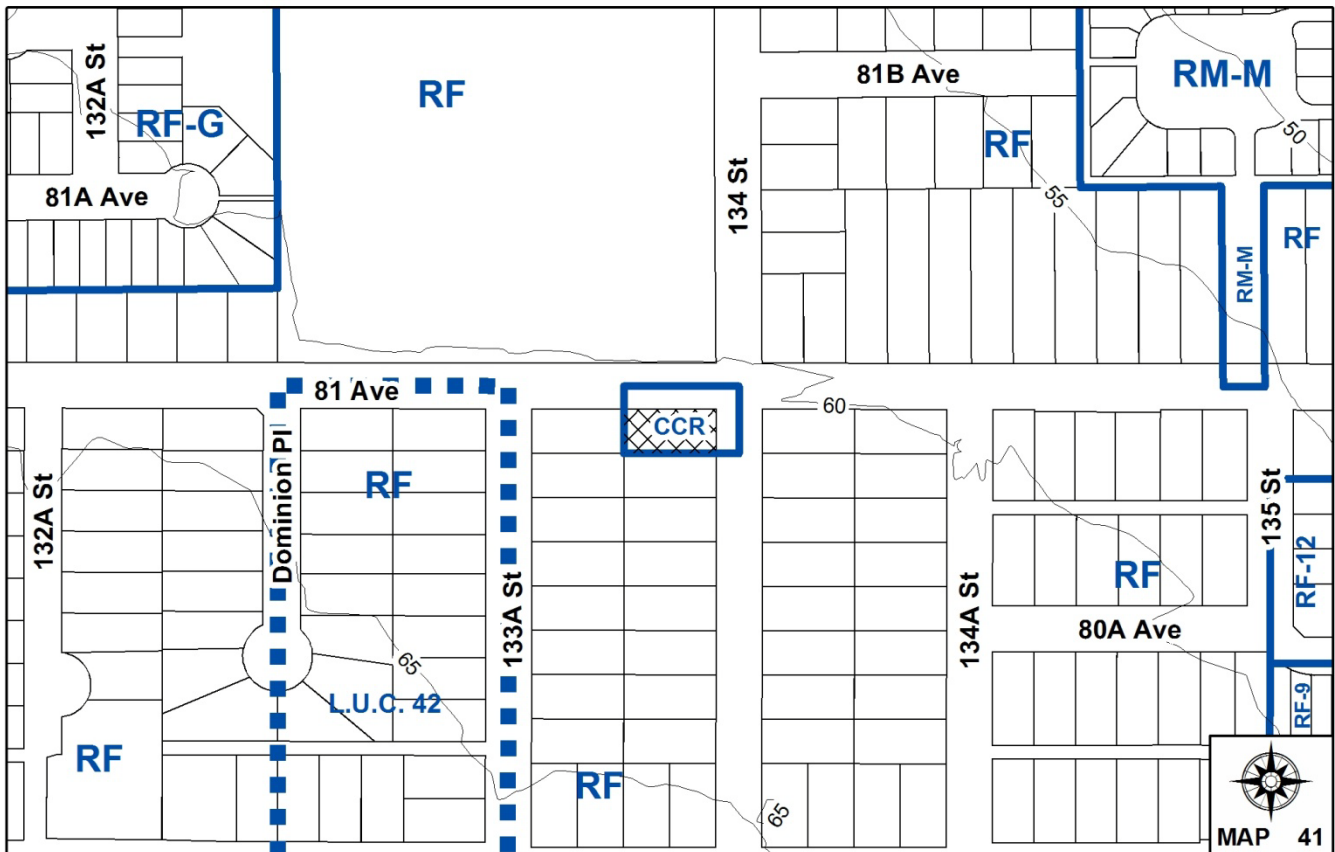
Planning Report Date: February 20, 2012



PROPOSAL:

- **Rezoning** from CCR to CD (based on CCR) in order to increase the number of children permitted in a daycare operation from 25 to 37.

LOCATION: 8097 - 134 Street
OWNER: Sanjay Sharma and Sara Sharma
ZONING: CCR
OCP DESIGNATION: Urban
LAP DESIGNATION: Urban Residential



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to rezone the subject site from Child Care Zone (CCR) to Comprehensive Development Zone (CD), in order to increase the permitted number of children under care on the site from 25 to 37.

RATIONALE OF RECOMMENDATION

- Complies with the City's location and siting guidelines for child care centres.
- The applicant has demonstrated community support for the proposal; the applicant conducted a survey of the neighbouring properties and gathered 50 signatures in support of this application.
- The applicants provided a wait list of 12 families seeking to place infants aged 6 to 24 months in daycare, demonstrating a need for infant care in the neighbourhood.
- The residence and daycare business on site has the capacity to add space for the purpose of providing infant care in an area separate from the daycare operations provided to older children.
- Staff has determined that the on-site parking is sufficient to meet the pick-up and drop-off needs of the daycare business.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from Child Care Zone (CCR) (By-law No. 12000) to Comprehensive Development Zone (CD) (By-law No. 12000) 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; 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 outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling and child care centre.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North (Across 81 Avenue):	Newton Elementary School	Urban/School	RF
East & South:	Single Family Dwellings	Urban/Urban Residential	RF
West (Across 134 Street):	Single Family Dwelling	Urban/Urban Residential	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is located on the southwest corner of 134 Street and 81 Avenue in Newton, designated Urban in the OCP, and currently zoned Child Care Zone (CCR). Little Newton Day Care Centre is located on the site.
- Under a previous application (7997-0298-00), the site was rezoned from Single Family Residential Zone (RF) to Child Care Zone (CCR) to permit a daycare facility for 25 children within a single family residence. At that time, a Development Permit was also approved

for the subject property in order to ensure appropriate form and character for the Child Care Zone.

Proposal

- The applicant proposes to rezone the property from Child Care Zone (CCR) to Comprehensive Development Zone (CD) to permit a child care centre for a maximum of 37 children within a single family dwelling.
- The CCR Zone permits a Child Care Centre licensed to accommodate a maximum of 25 children at any one time provided that such centre does not constitute a singular use on the lot.
- The proposed CD Zone would permit an additional 12 infants on the site for daycare and reduce the on-site parking requirements from 14 to 8.

Discussion

Compliance of City of Surrey Child Care Policy

Compliance of the proposed development with “Guidelines for the Location and Siting of Child Care Centres” as outlined in the City’s *Children in the Community* Policy are outlined below.

1. *Avoid sites on arterial streets and cul-de-sacs.*

- The subject site is located at the corner of 81 Avenue and 134 Street, which are classified as local roads. The main access will be from 81 Avenue.

2. *Locate centres close to child oriented facilities.*

- The subject site is located across the street from Newton Elementary School and Dominion Park to the north.
- The proximity of the park space provides extra outdoor activity opportunities for the children in the facility. Day care facilities which are located close to schools provide parents and caregivers with an opportunity to walk children from school to the daycare, and limits traffic impacts arising from the daycare. This also allows for one stop for both children of school age and pre-school to be dropped off.

3. *Avoid undue concentration of centres – generally no more than each type of daycare per block.*

- The guidelines recommend that child care facilities should be located in areas which are currently under-served by child care, to avoid undue concentration of facilities. Underserved areas are those with no existing centres within an 800 metre radius (half-mile).
- There are 5 existing child care facilities (including the subject facility) within an 800 metre (half-mile) radius (Appendix IV). Licensed daycare facilities within one block of the subject site are located as follows:

Location	Zoning	Type of License and	Age Groups	Capacity
13435 85 Avenue	RF (School Site)	Multiple License Preschool located within Newton Elementary (Bright Minds Children's Centre)	Preschool (age 36 months by Dec. 31 of enrolment year)	22
13276 81A Avenue	RF-G	Licensed Family Child Care in a private residence (Tailor Tots Daycare)	Before & After School (school age) Kindergarten Toddler 3 (25 - 35 months of age)	7

- Of the above noted Child Care facilities in the table, no facilities offer care for infants 0 - 12 months. Bright Minds Children's Centre operates a Preschool inside Newton Elementary School across the street from the subject site. The Preschool has a maximum capacity of 22 children, who must be 36 months of age by December 31st of their enrolment year.
 - Tailor Tots Daycare is located at 13276 81A Avenue approximately one block west of the subject site, has a maximum capacity of 7 children and does not offer infant care.
 - Two facilities offer infant care within the Newton Elementary School Catchment area:
 - Blooming Blossoms Child Care is located at 13435 85 Avenue, and has a maximum capacity of 8 children. It is located approximately 800 metres north of the subject site.
 - First Steps Daycare Centre #2 is located at 7475 135 Street, and has a maximum capacity of 12 infants. It is located approximately 1.3 kilometres south of the subject site. Both facilities are located far enough away from the subject site to meet the location criteria set in the Guidelines.
 - During the application review process, the applicant provided a list of 12 families waiting to place their infants at Little Newton Day Care Centre. The applicant advised that the wait list is cut off at 12 due to the *Child Care Licensing Regulation* requirement that no more than 12 infants may be enrolled in Group Child Care at one time. The applicants also noted they have received additional requests for infant care that exceed their 12 family wait list.
4. *Provide adequate on-site parking for employees and parents*
- The Zoning By-law requires 1 parking space for each employee and an equal number of parking spaces for pick up/drop off. Since the facility also serves as a single family dwelling, another two parking spaces are required.
 - According to the Community Care and Assisted Living Act, 6 employees are needed for the proposed operation.

- According to the Zoning By-law, a total of 14 spaces are required for the proposed facility. The applicant proposed to provide 8 parking spaces.
 - The proposed reduction in parking spaces are acceptable because of the following:
 - Two of the employees reside on the property.
 - The applicant provided data regarding pick-up and drop-off times and volumes to Transportation Engineering to show their peak times for pick-up and drop-off do not interfere with pick-up and drop-off times at Newton Elementary School across the street. Transportation Engineering is satisfied that the proposed 8 parking spaces are adequate.
5. *Provide adequate fencing, screening, setbacks and outdoor play areas.*
- Child care 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 established in the City's Children in the Community policy. As the site plan in Appendix II shows, the children's play area is located to the west of the residence.
 - The outdoor play area is directly accessible from the residence and the proposed childcare facility. Appropriate fencing and screening is on the site in accordance with Development Permit No. 7997-0298-00. The setbacks meet the requirements of the Zoning By-law.

CD Zone

- The proposed CD Zone deviates from the Child Care Zone (CCR) in the following ways:
 - The number of children permitted is increased from 25 to 37.
 - The number of pick-up/drop-off spaces are reduced from 12 to 8.
- The main concerns with the increase in children and resultant increase in parking requirements have been discussed with Engineering staff extensively, and the parking, pick-up, and drop-off spaces provided by the applicant are satisfactory to Transportation Engineering.

PRE-NOTIFICATION

- Pre-notification letters were sent on June 10, 2011 and Planning received no response.

CONCLUSION

- Based on the demonstrated need for infant care in the area, and projected on-site parking needs determined by Transportation Engineering, Staff supports the proposed rezoning.

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. Proposed Site Plan
- Appendix III. Engineering Summary
- Appendix IV. Location Map of Nearby Daycare Centres
- Appendix V. Proposed CD By-law

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

NA/kms

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Information for City Clerk

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

1. (a) Agent: Name: Sanjay Sharma
 Address: 8097 - 134 Street
 Surrey BC
 V3W 4T7

 Tel: 778-887-7265

2. Properties involved in the Application
 - (a) Civic Address: 8097 - 134 Street

 - (b) Civic Address: 8097 - 134 Street
 Owner: Sara Sharma
 Sanjay Sharma
 PID: 010-006-681
 Lot 10 Section 29 Township 2 New Westminster District Plan 14662

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to rezone the property.

DEVELOPMENT DATA SHEET

Proposed/Existing Zoning: CCR/CD

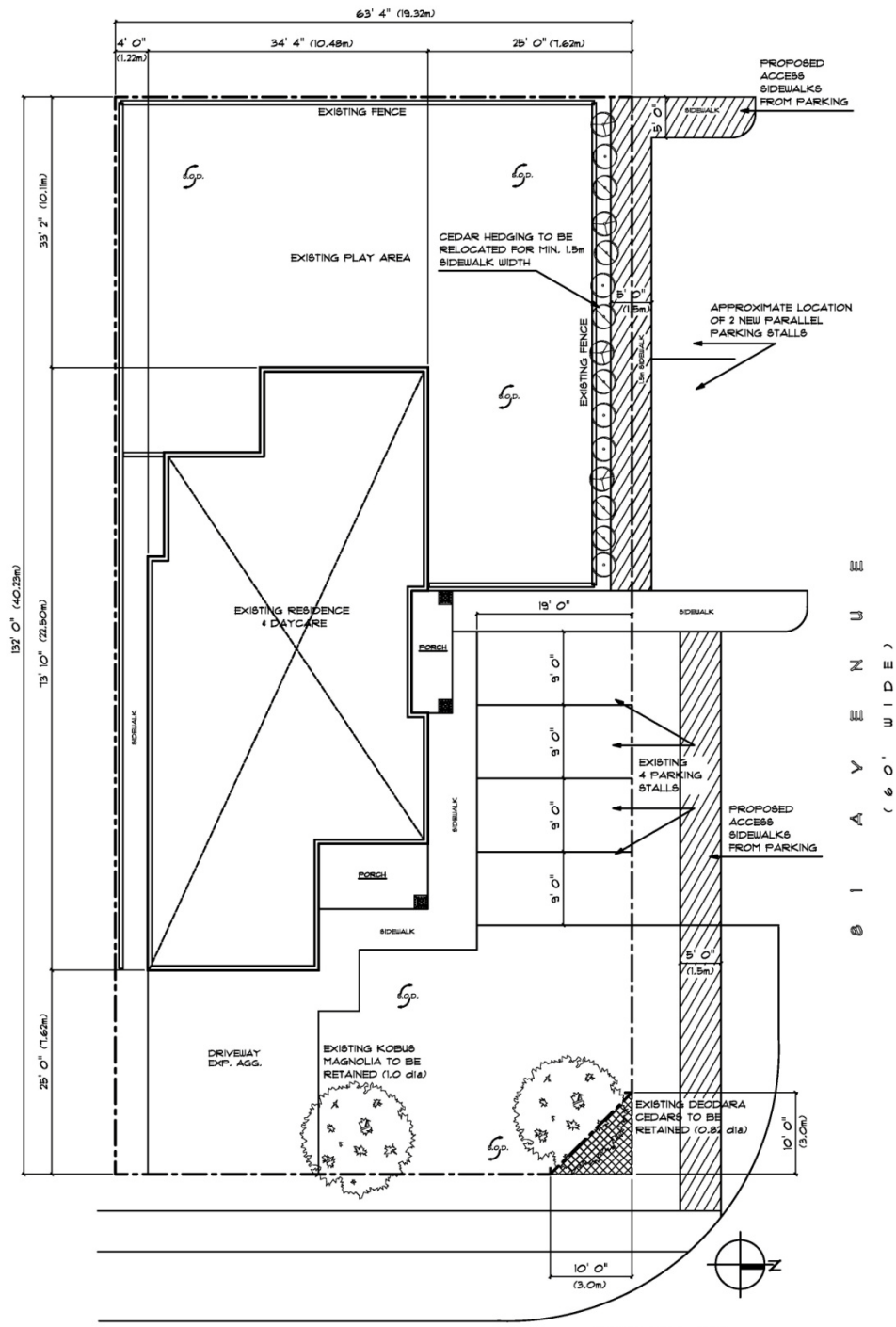
Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	Min. 560	776.5
Road Widening area		
Undevelopable area		
Net Total	560	776.5
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	40	26
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5	7.5
Rear	7.5	7.5
Side #1 (N,S,E, or W)	7.5	7.5
Side #2 (N,S,E, or W)	1.8	1.8
BUILDING HEIGHT (in metres/storeys)		
Principal	9.0	9.0
Accessory	4.0	4.0
NUMBER OF RESIDENTIAL UNITS		
Three Bedroom +	1	1
Total	1	1
FLOOR AREA: Residential		
FLOOR AREA: Commercial	n/a	n/a
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	Max. 373	368.2

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY	n/a	n/a
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)	0.48	0.46
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor		
PARKING (number of stalls)		
Commercial	n/a	n/a
Industrial	n/a	n/a
One Single Family Dwelling	2	2
Child Care	12	6
Total Number of Parking Spaces	14	8
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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1 3 4 8 T 2 3 3 T
SITE PLAN
 SCALE: 1/8" = 1'-0"

S I A V E N U E
 (6 0 ' W I D E)

INTER-OFFICE MEMO

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

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

DATE: **February 14, 2012** PROJECT FILE: **7811-0025-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 8097 134 St**

REZONE

Property and Right-of-Way Requirements

- Dedicate 3.0m x 3.0m corner cut at the intersection of 134 Street and 81 Avenue

Works and Services

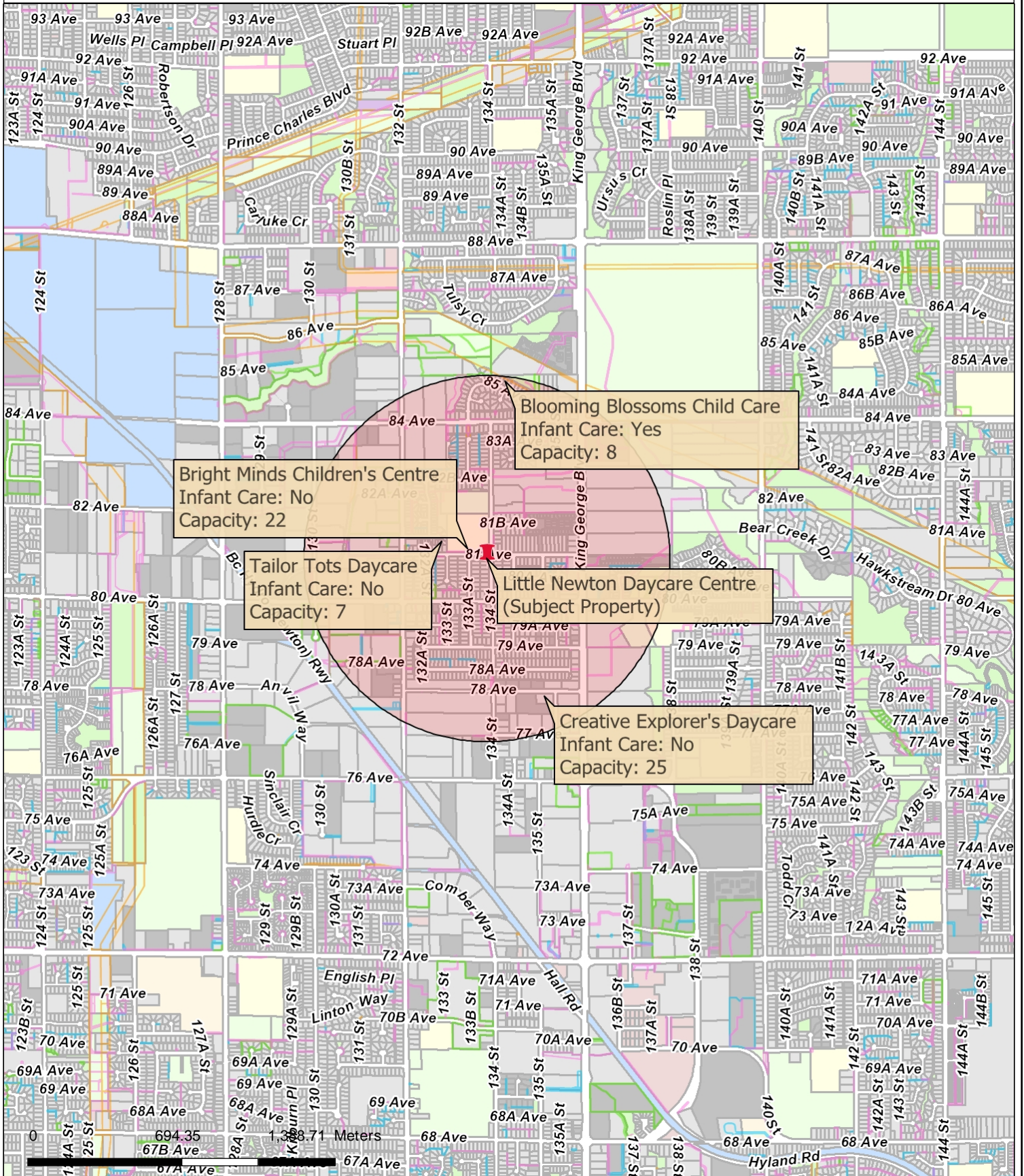
- Construct south side of 81 Avenue to Through Local standard;
- Extend 81 Avenue roadwork's with Development Coordinated Works (DCW) funding.

A Servicing Agreement is required prior to Rezone.



Rémi Dubé, P.Eng.
Development Services Manager

HB



The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca.

Enter Map Description



Scale: 1: 23,145

Map created on: Wednesday, 15 February 2012

CITY OF SURREY

BY-LAW NO. _____

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

THE CITY COUNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

- 1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 903 of the Local Government Act, R.S.B.C. 1996 c. 323, 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: CHILD CARE ZONE (CCR)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 010-006-681
 Lot 10 Section 29 Township 2 New Westminster District Plan 14662
 8097 - 134 Street
 (hereinafter referred to as the "*Lands*")

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

A. Intent

This Zone is intended to accommodate and regulate the development of *child care centres* accommodating a maximum of 37 children into a residential community, subject to the Community Care and Assisted Living Act, S.B.C., 2002, c.75, as amended.

B. Permitted Uses

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

- 1. *Child care centre* licensed to accommodate a maximum of 37 children, at any one time provided that such centre does not constitute a singular use on the *lot*.
- 2. *One single family dwelling*.

C. Lot Area

Not applicable to this Zone.

D. Density

1. For the purpose of this Section and notwithstanding the definition of *floor area ratio* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, all covered areas used for parking shall be included in the calculation of *floor area ratio*; and
2. For *building* construction within a *lot*, The *floor area ratio* shall not exceed 0.48, provided that, of the resulting allowable floor area, 45 square metres [480 sq.ft.] shall be reserved for use only as a garage or carport, and 10 square metres [105 sq.ft.] shall be reserved for use only as *accessory buildings and structures*.

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*:

Use	Setback	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Building</i>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	1.8 m. [6 ft.]	6.0 m. [20 ft.]
<i>Accessory Buildings and Structures</i>		18.0 m. [59 ft.]	1.5 m. [5 ft.]	1.0 m. [3 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 feet].
2. *Accessory buildings and structures*: The *building height* shall not exceed 4 metres [13 feet].

H. Off-Street Parking

1. Refer to Part 5 Off-Street Parking and Loading/Unloading, of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Notwithstanding Section H.1, where a *child care centre* is in operation, a maximum of 8 *parking spaces* shall be provided on the *lot* for both the *child care centre* and the *single family dwelling*.

I. Landscaping

1. All 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. 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*.

J. Special Regulations

1. *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*.
2. All designated outdoor play areas for the *child care centre* shall be fenced to a height of 1.8 metres [6 ft.] and should be non-climbable and strong. If the fence is not solid, the spacings should not allow a child's head through.

K. Subdivision

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

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
775 sq. m. [8342 sq. ft.]	18 metres [60 ft.]	38 metres [125 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, by-laws, 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 CCR 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. Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
5. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
6. *Building* permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended.
7. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2011, No. 17330, as may be amended or replaced from time to time, and the development cost charges shall be based on the CCR Zone.
8. Tree regulations are set out in Surrey Tree Protection By-law, 2006, No. 16100, as amended.
9. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.

10. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act R.S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, _____, No. _____."

READ A FIRST AND SECOND TIME on the _____ th day of _____, 20 .

PUBLIC HEARING HELD thereon on the _____ th day of _____, 20 .

READ A THIRD TIME ON THE _____ th day of _____, 20 .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ th day of _____, 20 .

_____ MAYOR

_____ CLERK

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