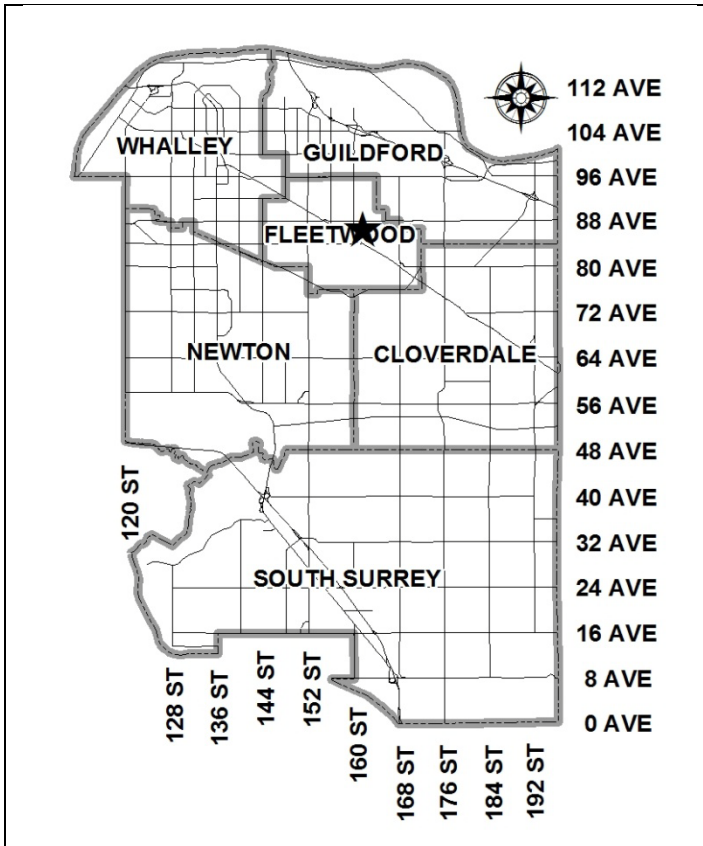


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0260-00

Planning Report Date: February 20, 2012

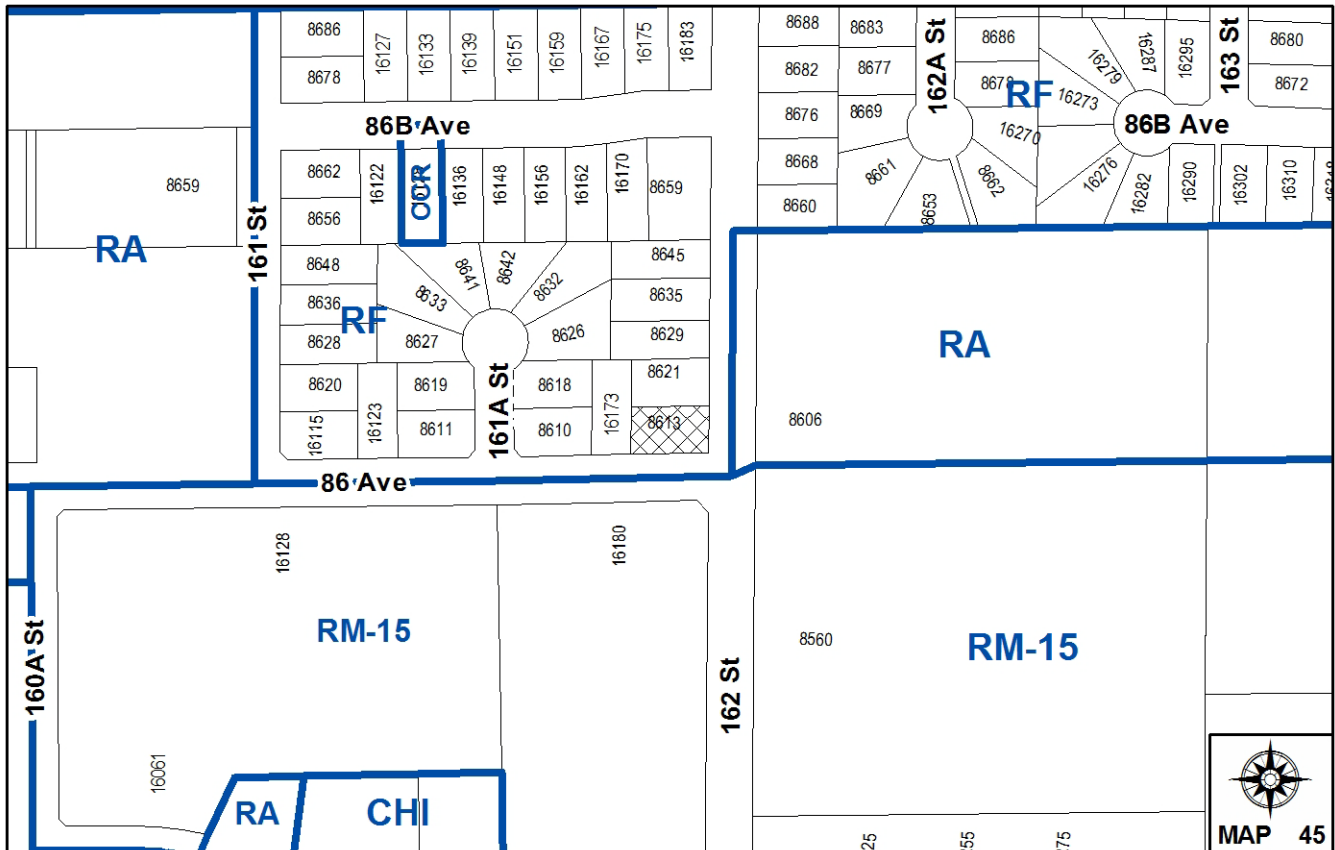


PROPOSAL:

- **Rezoning** from RF to CCR

in order to permit a child care centre within a single family dwelling, for a maximum of 25 children.

LOCATION: 8613 - 162 Street
OWNER: Beena Shah and Yatin Shah
ZONING: RF
OCP DESIGNATION: Urban
TCP DESIGNATION: Single Family Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- Complies with the OCP designation
- Complies with the City's location and siting guidelines for child care centres.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from Single Family Residential Zone (RF) (By-law No. 12000) to Child Care Zone (CCR) (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) submission of building permit drawings that satisfactorily address Building Code requirement; and
 - (b) the applicant enter into a Good Neighbour Agreement to ensure that the operation of the child care centre is done in a safe and attractive manner.

REFERRALS

Engineering: There are no engineering requirements related to the proposed rezoning.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling, which will remain, currently with a licensed day care for 8 children.

Adjacent Area:

Direction	Existing Use	TCP Designation	Existing Zone
North:	Single family dwelling.	Single Family Urban	RF
East (Across 162 Street):	Frost Road Elementary School.	Institutional	RA
South (Across 86 Avenue):	Townhouses.	Low Density Townhouses	RM-15
West:	Single family dwelling.	Single Family Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject site, located on the northwest corner of 162 Street and 86 Avenue in Fleetwood, is designated Urban in the Official Community Plan (OCP), and Single Family Urban in the Fleetwood Town Centre Plan.

- The site is currently zoned Single Family Residential Zone (RF). The applicant proposes to rezone the site to Child Care Zone (CCR) to permit a child care centre for a maximum of 25 children within a single family dwelling.
- Child care centres that are provincially regulated, licensed facilities and accommodate up to eight children or less, are permitted in any residential zone. However, to increase the capacity beyond eight children, a zone designed specifically to accommodate such a child care facility is required.
- The CCR Zone is intended to permit the development of a child care centre accommodating a maximum of 25 children, into a residential community, which is licensed and regulated under the Community Care and Assisted Living Act and the Child Care Licensing Regulations.
- The applicant has operated a licensed residential daycare for up to eight (8) children ranging in age from 30 months to 5 years at 8613 – 162 Street (the subject property of this report) since September 2006. This location is the owner's primary residence.
- Due to the demand for additional child care spaces, the applicant opened additional child care facilities in the vicinity of the subject site. A summary of the nearby child care facilities managed or operated by the applicant is summarized below, and illustrated in Appendix II:

Address	In operation since	Type of facility	No. of children	Age range of children	Zone
8613 162 Street (subject site)	September 2006	Multi-age childcare	8	30 Months to 5 Years	RF (subject site)
8621 162 Street (renting basement space)	November 2009	Multi-age childcare	8	30 Months to 5 Years	RF
16128 86B Avenue	March 2008	Group Childcare (under 36 months)	24	6 Months to 36 Months	CCR (approved under Development Application No. 7908-0236-00)

- The applicant claims there is still a demand for additional child care spaces and is proposing to expand the child care at the applicant's home (subject site) under the current hours of operation.
- The child care currently operates from 7:00 a.m. to 6:00 p.m., Monday through Friday.
- The proposed child care would accommodate twenty-four (24) children ranging in age from 5 years to 12 years, and will have two staff members employed by the centre.
- Should the rezoning for the subject site be approved, the applicant intends to close the facility at 8621-162 Street. They have a rental agreement with the owner of this property until October 2012.

- The children aged 30 months to 5 years who are currently accommodated in the existing facilities at 8613 and 8621-162 Street will be moved to other facilities operated by the applicant. Children at existing facilities that will be entering into the 5-to 12-year age range will be accommodated at the subject site.
- 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.*
 - Locating child care facilities close to an elementary school provides caregivers an opportunity to walk with children to outdoor recreation facilities.
 - The subject site is located immediately across the street from Frost Road Elementary School with Frost Road Park further to the east. In addition, there are lands on the west side of 161 Street designated as a future park site in the Fleetwood Town Centre Plan (refer to Appendix II.)
 - *Avoiding siting along arterial streets.*
 - The subject site is located on the corner of 162 Street and 86 Avenue, which are both local roads.
 - *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.
 - Based on the information provided by the Surrey Community Resource Maps, there are currently 5 facilities within 0.5 km of the subject site, including the subject site. Three of these 5 facilities are owned by the applicant, and one will be closed if the subject application is approved.
 - The five facilities accommodate 87 child care spaces. Of the five facilities, one is in a commercial space, which accounts for 20 child care spaces. The other four facilities are located within single family dwellings and account for 47 child care spaces.
 - With approval of the subject application, 9 additional children can be accommodated.
 - *Provide adequate on-site parking for employees and parents.*
 - The parking requirements for child care facilities are prescribed in the Zoning By-law. Child care facilities are required to provide one parking space for every employee 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 six (6) 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.
- The parking requirements for the proposed, expanded child care are satisfied by the three parking spaces in the three-car garage and three parking spaces in the driveway located in front of the garage (Appendix III).
- *Provide adequate fencing, screening, setbacks and outdoor play areas.*
 - As the attached aerial photo illustrates (Appendix III), the dwelling is oriented toward 162 Street creating a spacious rear (west) yard, which can accommodate an outdoor play area.
 - The rear yard is enclosed with a wooden fence.
 - The minimum front, rear and side yard setbacks have been provided.
 - The CCR Zone requires a minimum 7.5-metre (25 ft.) side yard setback on a flanking street. However, the RF Zone requires a minimum 3.6-metre (12 ft.) side yard setback on a flanking street.
 - The existing 4.01-metre (13 ft.) side yard setback on a flanking street although non-conforming to the CCR Zone, is acceptable since the applicant is not proposing any exterior changes to the building and no variance is required.

PRE-NOTIFICATION

- At the time of application, the applicant submitted 1 letter of support from a resident in the neighbourhood and a letter of support from the local Member of the Legislative Assembly (MLA). In January 2012, the applicant submitted 17 additional letters of support from area residents or parents of children currently attending the day care.
- Pre-notification letters were sent on November 15, 2011 and staff received 7 comments (3 letters, and 4 phone calls). The comments are summarized below (*staff comments in italics*)
 - One respondent was concerned about the noise (children playing) coming from the existing two child care facilities located on 162 Street. The caller was concerned that the increase in number of children would result in increased noise.

(The applicant currently rents space in the basement of 8621-162 Street, which is a licensed child care centre for 8 children. The applicant commented that this rented space would no longer be necessary and that those children will be accommodated in another of their licensed daycares if the rezoning is approved. Effectively, the increase in number of children is from 16 to a maximum of 25, and the increase in noise will be marginal. The applicant

also indicates that the children are often taken to play at Frost Road Park, located behind Frost Road Elementary School.)

- The remaining respondents were concerned about traffic safety. They were concerned that traffic volume would increase, that parking availability is a concern, and that there is no crosswalk at the intersection of 86 Avenue and 162 Street.

(The parking requirement for the proposed use will be met on site. In addition, 162 Street is a local road with a parking pocket along the west side.

Drivers are supposed to yield to pedestrians at intersections. If a crosswalk were to be marked at the intersection of 86 Avenue and 162 Street, the appropriate location would be at the south side of 86 Avenue, where there is the appropriate pedestrian infrastructure such as sidewalks and curb let-downs (see Appendix III). Because the subject site is located at the northeast corner of the intersection, the child care facility would likely not make use of the crosswalk because it would not be a direct route to the school and park.

Because the applicant confirms that the children attending this child care facility will be students at Frost Road Elementary, increased traffic is not a concern.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Location of Nearby Parks, Schools, and Licensed Child Care Facilities
- Appendix III. Aerial Photo of the Subject Site

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

SAL/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: Yatin Shah
 Address: 8613 - 162 Street
 Surrey, BC V4N 1A9

 Telephone: 604-598-9273

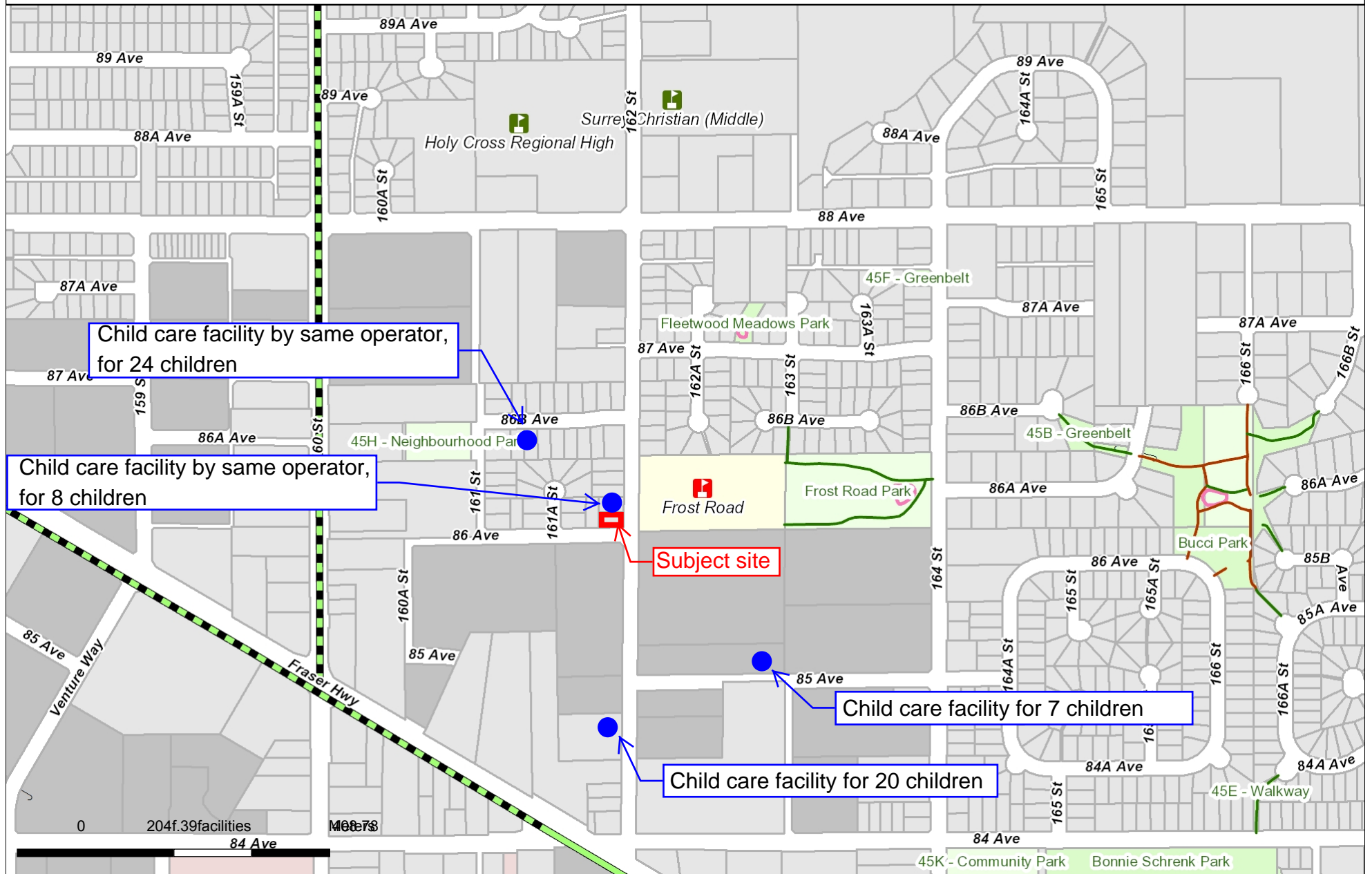
2. Properties involved in the Application

- (a) Civic Address: 8613 - 162 Street

- (b) Civic Address: 8613 - 162 Street
 Owners: Yatin Shah
 Beena Shah
 PID: 018-851-533
 Lot 10 Section 25 Township 2 New Westminster District Plan LMP16279

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to rezone the property.



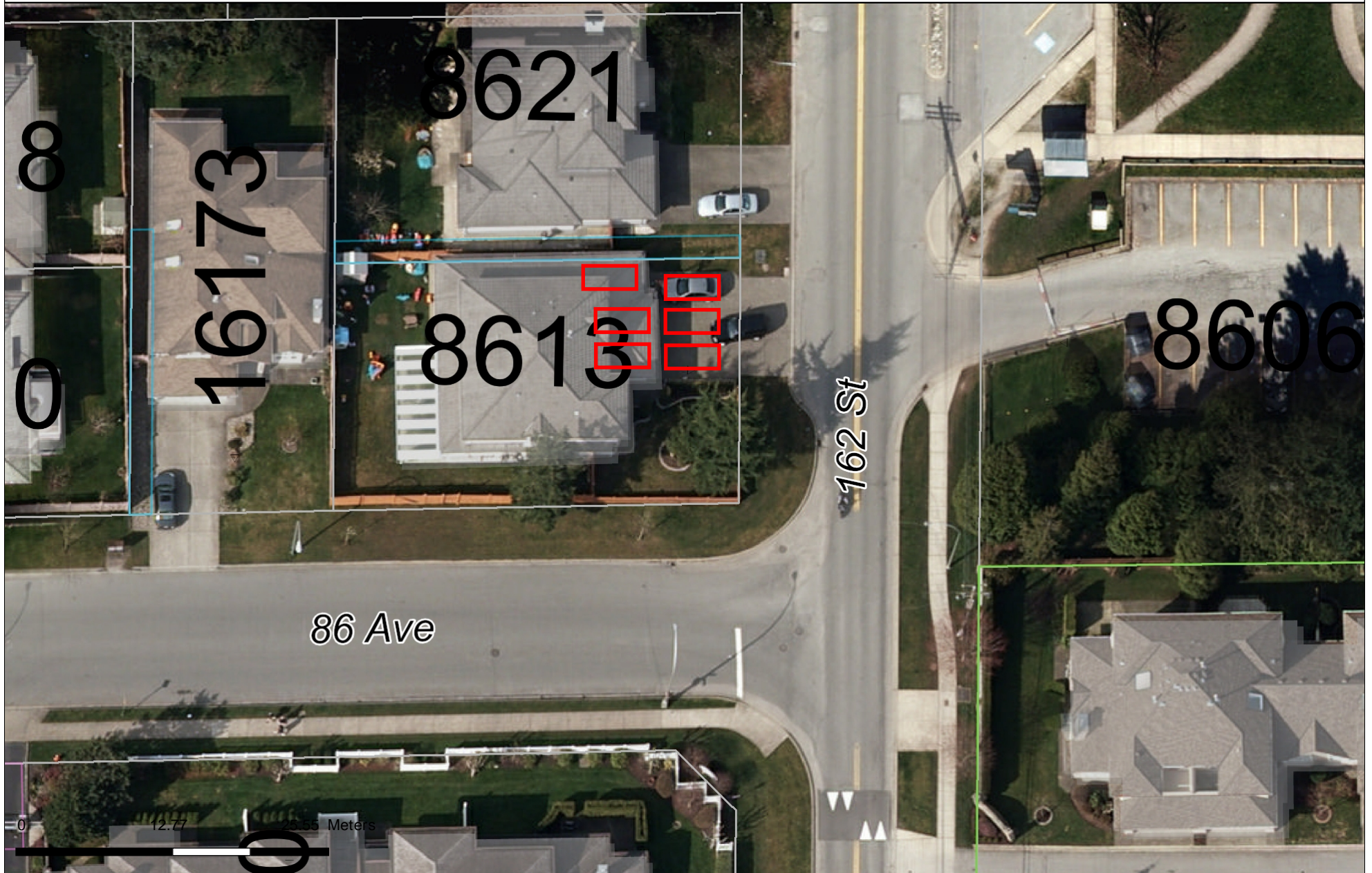
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Enter Map Description



Scale: 1: 6,813

Map created on: Tuesday, 24 January 2012



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Scale: 1: 426

Map created on: Tuesday, 31 January 2012