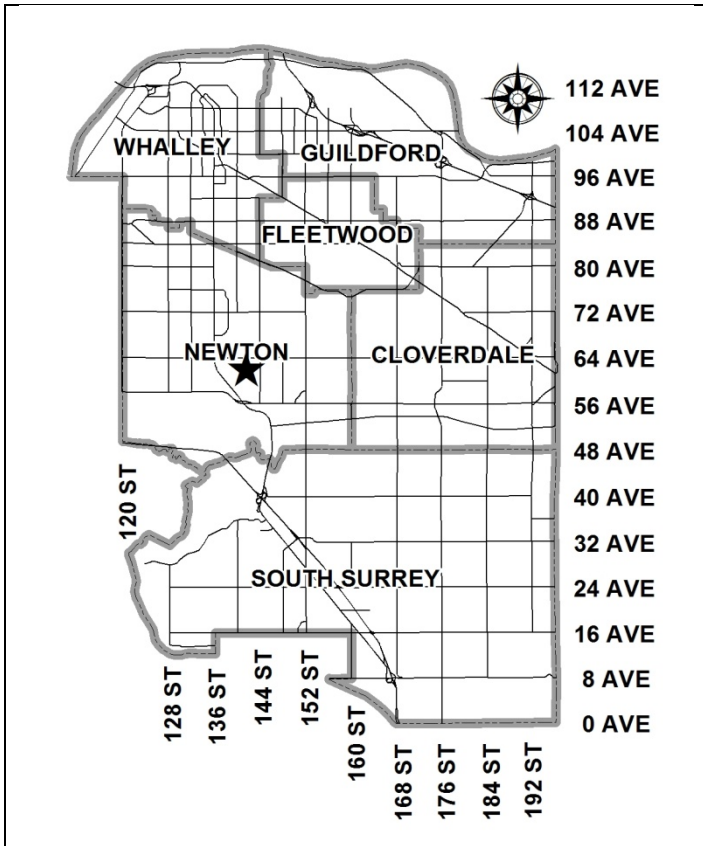


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0024-00

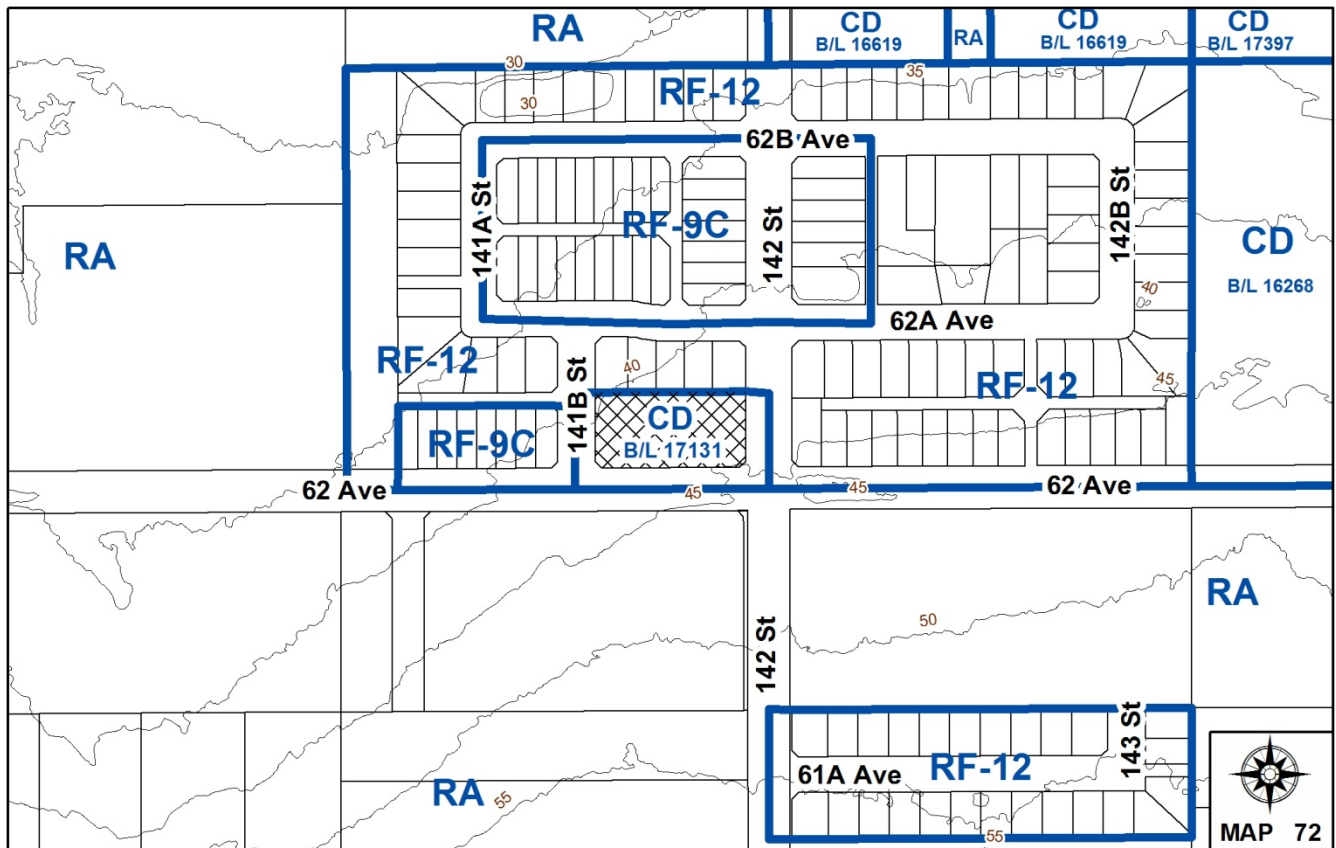
Planning Report Date: March 11, 2013



PROPOSAL:

- Amend CD By-law No. 17131 in order to include "Child Care" as a permitted use on a commercial/residential mixed-use development

LOCATION: 14187 - 62 Avenue
OWNER: 0931151 BC Ltd
ZONING: CD
OCP DESIGNATION: Urban
NCP DESIGNATION: Mixed Commercial-Residential (Townhouses)



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
 - Amending CD By-law No. 17131.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- CD By-law 17131 does not include "Child Care" as a permitted use.

RATIONALE OF RECOMMENDATION

- The commercial component of CD By-law 17131 is based on the "Neighbourhood Commercial Zone (C-5)" which includes "Child Care" as a permitted use. However, CD By-law No. 17131 did not include "Child Care" as a permitted use under application No. 7909-0058-00.
- *Children in the Community: A Proposed Policy for Child Care Centres in Surrey* contains guidelines used to evaluate locational criteria for Child Care Facilities. The proposal satisfies the following locational criteria:
 - Allow Child Care centres where people live, shop, work and recreate;
 - Locate centres close to child-oriented facilities;
 - Avoid undue concentration of centres;
 - Provide adequate on-site parking for employees and parents;
 - Provide adequate fencing, screening, setbacks and outdoor play areas; and
 - Encourage the provision of child care centres in child-oriented multi-family housing projects, in workplaces, in shopping centres and other developments which generate the need for child care.
- The proposed use is compatible with this part of the South Newton NCP; recent development of Single Family Small Lots and Townhouses in accordance with the land use designations in the area has increased residential density. As the number of young families living in the area grows, so does the demand for child care.
- 2 elementary schools are located within 300 metres of the site, and another 5 elementary schools are located within 2 kilometres, for a total of 7 elementary schools located nearby.

RECOMMENDATION

The Planning & Development Department recommends that a By-law be introduced to amend Comprehensive Development By-law No. 17131 and a date be set for Public Hearing.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Mixed-use site with commercial uses at ground level and 4 dwelling units on the second floor.

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Single Family Dwellings	Urban/ Single Family Residential Flex 6-14.5 u.p.a.	RF-12
East (Across 142 Street):	Single Family Dwelling	Urban/Single Family Small Lots	RF-12
South (Across 62 Avenue):	Single Family Dwelling	Urban/Mixed Commercial-Residential (Townhouses)	RA
West (Across 141B Street):	Single Family Dwelling	Urban/Single Family Small Lots	RF-9C

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is located at the northwest corner of 62 Avenue & 142 Street in South Newton. The site is designated "Urban" in the Official Community Plan (OCP) and "Mixed Commercial-Residential (Townhouses)" in the South Newton Neighbourhood Concept Plan (NCP). The subject site is currently zoned "Comprehensive Development Zone (CD) By-law 17131".
- On April 23, 2012, Council approved the rezoning of the site under development application No. 7909-0058-00. The site was rezoned from "One-Acre Residential Zone (RA)" to "Comprehensive Development Zone (CD) By-law 17131" to permit mixed uses consistent with the South Newton NCP: ground-level Commercial Retail Units (CRUs) based on uses permitted in the "Neighbourhood Commercial Zone (C-5)", and residential use based on the "Multiple Residential 15 Zone (RM-15)" above the CRUs.

Proposal

- The applicant is proposing to amend CD By-law 17131 to include "Child Care" as a permitted commercial use in the zone in order to permit a commercial daycare centre to operate on the subject site. The proposed amendment is consistent with the uses currently permitted in the "Neighbourhood Commercial Zone (C-5)".
- Access into the site is located on the 62 Avenue frontage. Available parking on-site is sufficient to accommodate pick-up and drop-off for a daycare facility. All other aspects of CD By-law 17131 will remain unchanged.
- Fraser Health has granted preliminary approval for a child care facility on the site to a potential tenant, provided that the play area is constructed in accordance with the landscape plan attached to this report as Appendix II.

Locational Criteria

- The proposed use is compatible with the following criteria discussed in *Children in the Community: A Proposed Policy for Child Care Centres in Surrey*:
 - Allow Child Care centres where people live, shop, work and recreate.
 - This location meets all 4 of the above criteria.
 - Locate centres close to child-oriented facilities; and
 - Avoid undue concentration of centres.
 - There are 7 elementary schools located within a 2 kilometre radius of the site. Two elementary schools are located within a short walking distance. This location addresses the above criteria and is appropriate for the siting of a daycare facility.
 - Provide adequate on-site parking for employees and parents.
 - 24 parking spaces are available on site, and adequate turn radius for a garbage truck was established under application 7909-0058-00. Access and circulation will be reviewed in detail at Building Permit application stage.
 - Provide adequate fencing, screening, setbacks and outdoor play areas.
 - Appendix II shows a detailed illustration of the proposed landscaping, fencing, and play area enclosure.

Outdoor Play Area

- The landscape plan approved under application No. 7909-0058-00 has been modified to illustrate a children's play area located at the west side of the site. (Appendix II) The play area is located directly across the sidewalk from the westernmost CRU. Placement is convenient to the entry doors and provides the safest place for children to play outside on the site. Fencing and landscaping provides both physical and visual separation between the child care centre and the remaining commercial area on the site.

- The perimeter outside of the play area is heavily landscaped, to obscure a 1.8 metre (6 ft.) high fence from public view. The interior side of the fencing will be decorated with alphabet and animal cut-outs. A wall section inside the play area is shared by the recycling & waste enclosure (Appendix II). The wall inside the children's play area will be painted with chalkboard paint for programming staff and children to use.

PRE-NOTIFICATION

Pre-notification letters were sent out on February 27, 2013 and staff received no response.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Proposed Site Plan and Landscape Plan
Appendix III.	CD By-law No. 17131
Appendix IV.	Proposed CD By-law Amendment

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

NA/da

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. 3/7/13 10:32 AM

Information for City Clerk

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

1. (a) Agent: Name: Sukhi Sanghe

 Address: 15355 - 24 Avenue
 Surrey, BC
 V4A 2H9
 Tel: (604)240-3485
 (604) 575-7410

2. Properties involved in the Application

- (a) Civic Address: 14187 - 62 Avenue

- (b) Civic Address: 14187 - 62 Avenue
 Owner: 0931151 BC Ltd
 Director Information:
 Navdip S. Gill
 Sukhwinder Sanghe
 Dr. Parminder S. Sanghe

No Officer Information Filed

PID: 027-233-367
Lot 61 Section 9 Township 2 New Westminster District Plan BCP32617

3. Summary of Actions for City Clerk's Office

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

PLANT SCHEDULE		
KEY CITY	BOTANICAL NAME	COMMON NAME
SR50		M2 JOB NUMBER: 08-077
SR50	HELLA EDWARD BOUQUER	PLANTED SPEC / REPLACEMENT
SR50	HELLA EDWARD BOUQUER	PK: A251A
SR50		PK: P0150GH

NOTE: * PLANT SIZES IN THIS LIST ARE SPECIFIED ACCORDING TO THE BC LANDSCAPE STANDARDS LATEST EDITION. COMMON SIZES SPECIFIED AS PER CITY STANDARDS. BOTH PLANT SIZES AND COMMON SIZES ARE THE MINIMUM ACCEPTABLE SIZES. * REFER TO SPECIFICATIONS FOR DEFINED COMMONER HEADINGS AND OTHER PLANT MATERIAL REQUIREMENTS. * SEARCH AND REVIEW HAVE PLANT MATERIAL AVAILABLE FOR OPTIONAL REVIEW BY LANDSCAPE ARCHITECT AT SOURCE OF SUPPLY. AREA OF SEARCH TO INCLUDE LOWER MAINLAND AND PRINCE VALLEY. * SUBSTITUTIONS OBTAIN WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO MAKING ANY SUBSTITUTIONS TO THE SPECIFIED MATERIAL. UNAPPROVED SUBSTITUTIONS WILL BE SELECTED. ALLOW A PERIOD OF FIVE DAYS PRIOR TO DELIVERY FOR REQUEST TO SUBSTITUTE. SUBSTITUTIONS ARE SUBJECT TO BC LANDSCAPE STANDARDS - DEFINITION OF CONDITIONS OF AVAILABILITY.

ALL PLANT MATERIAL MUST BE PROVIDED FROM QUALIFIED SUPPLIERS FROM BRITAIN. PROVIDE QUANTITIES UPON REQUEST.

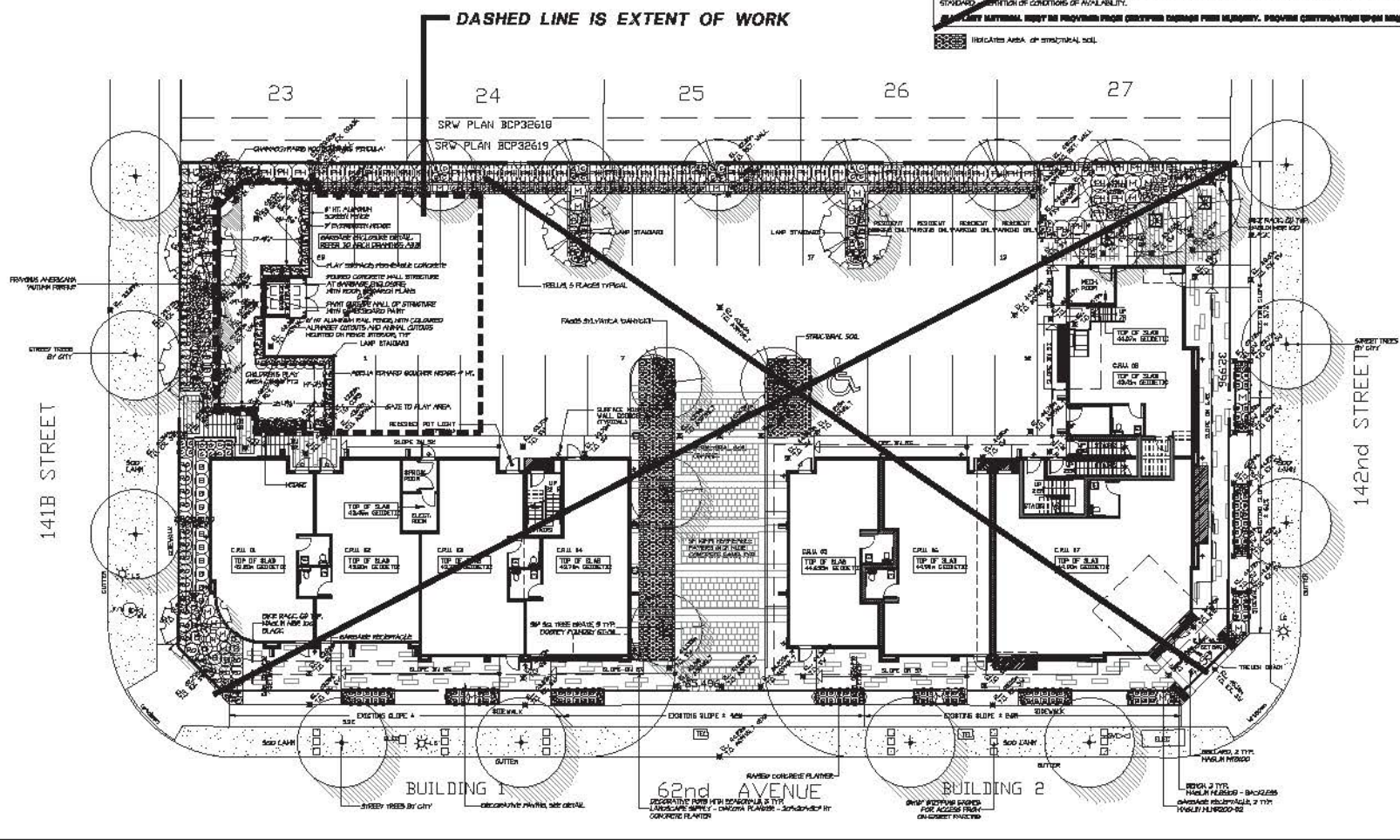
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ALL PLANT MATERIAL MUST BE PROVIDED FROM QUALIFIED SUPPLIERS FROM BRITAIN. PROVIDE QUANTITIES UPON REQUEST.

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#220, 26 Lorne Mews
New Westminster, British Columbia
V3M 3L7
Tel: 604.553.0044
Fax: 604.553.0045



NO.	DATE	REVISION DESCRIPTION	DR.
1			
2			
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8			
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10			

PROJECT:
MIXED USE DEVELOPMENT
for **CB315B/C LTD.**
142ND ST AND 62ND AVE
SURREY, B.C.

DRAWING TITLE:
LANDSCAPE PLAN

DATE: 01/20/20	DRAWING NUMBER:
SCALE: 3/32"=1'-0"	
DRAWN: JDN	L1
DESIGN: JDN	
CHECK: JDN	OF 3

M2LA PROJECT NUMBER: 08-077

CITY OF SURREY

BY-LAW NO. 17131

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: HALF-ACRE RESIDENTIAL ZONE (RH)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 027-233-367
Lot 61 Section 9 Township 2 New Westminister District Plan BCP32617

14187 - 62 Avenue

(hereinafter referred to as the "*Lands*")

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

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of a neighbourhood-scale commercial development with as well as residential uses developed in a comprehensive manner.

B. Permitted Uses

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

1. The following uses are permitted provided that the *gross floor area* of each individual business does not exceed 186 square metres [2,000 sq.ft.):
 - (a) Retail Stores, excluding *adult entertainment stores*, auction houses, and *secondhand stores* and *pawnshops*;
 - (b) *Personal service uses* limited to the following:

- i. Barbershops;
 - ii. Beauty parlours;
 - iii. Cleaning and repair of clothing; and
 - iv. Shoe repair shops;
- (c) Office uses excluding *Social escort services* and *Methadone clinics*;
- (d) *General service uses* excluding funeral parlours, *drive-through banks* and *vehicle rentals*;
- (e) *Community services*.
2. *Eating establishments* excluding *drive-through restaurants* provided that the *gross floor area* of each individual business does not exceed 139 square metres [1500 sq.ft];
3. A maximum of 4 *dwelling units* per lot, provided that each *dwelling unit* is:
- (a) Contained within the *principal* building; and
 - (b) Limited in *gross floor area* to a maximum of 450 square metres [4,844 sq.ft].

C. Lot Area

Not applicable to this Zone.

D. Density

The *floor area ratio* shall not exceed 0.10. If amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended, the *floor area ratio* may be increased to 0.48 for the site.

E. Lot Coverage

The *lot coverage* shall not exceed 45%.

F. Yards and Setbacks

Buildings and structures shall be sited in accordance with the following minimum setbacks:

<i>Setback</i>	Front Yard	Rear Yard	North Side Yard	<i>Side Yard on a Flanking Street</i>
<i>Use</i>				
<i>Principal and Accessory Buildings and Structures</i>	2.0 m [6.5 ft.]	2.0 m [6.5 ft.]	7.0 m [23 ft.]	2.0 m [6.5 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 4.5 metres [15 feet].

H. Off-Street Parking

1. Notwithstanding Table C.2 of Part 4 Off-Street Parking and Loading/Unloading, Surrey Zoning By-law, 1993, No. 12000, as amended, a minimum of twenty-four (24) *parking spaces* shall be provided to serve non-residential uses; and
2. Notwithstanding Table C.6, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, a minimum of four (4) *parking spaces* shall be provided for residential uses.
3. Notwithstanding Sub-section D.1(b) of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, a minimum of 1 required non-residential *parking space* shall be provided for persons with disabilities.

I. Landscaping

1. All developed 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. Garbage containers and *passive recycling containers* shall be screened to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping screen*, a solid decorative fence, or a combination thereof.

J. Special Regulations

1. *Amenity space* shall be provided on the *lot* as follows:
 - (a) Outdoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit* and shall not be located within the required *setbacks*; and
 - (b) Indoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit*.
2. *Balconies* are required for all *dwelling units* and shall be a minimum of 5% of the *dwelling unit* size or 4.6 square metres [50 sq.ft.] per *dwelling unit*, whichever is greater.
3. Garbage containers and *passive recycling containers* shall not be located within 4 metres [13 ft.] of any adjacent *residential lot*.

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>
1,820 sq. m [0.44 acre]	67 metres [221 ft.]	27 metres [88.5 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of the 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 C-5 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. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading, of Surrey Zoning By-law, 1993, No. 12000, as amended.
5. *Sign* regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
7. *Building* permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended.
8. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2008, No. 16494, as may be amended or replaced from time to time, and the development cost charges shall be based on the C-5 Zone.
9. Surrey Tree Protection By-law, 2006, No. 16100, as amended.
10. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
11. 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, 2010, No. 17131."

READ A FIRST AND SECOND TIME on the 1st day of March, 2010.

PUBLIC HEARING HELD thereon on the 22nd day of March, 2010.

READ A THIRD TIME ON THE 22nd day of March, 2010.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 23rd day of April, 2012.

_____ MAYOR

_____ CLERK

BY-LAW NO. _____

A by-law to amend "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17131"

.....

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

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17131" is hereby amended as follows:

(a) Insert new Sub-section 2.B.1.(f), immediately following Sub-section 2.B.1.(e), as follows:

"(f) *Childcare centres.*"

(b) Insert a new Section 2.J.4, immediately following Section 2.J.3, as follows:

"4. *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. This By-law shall be cited for purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17131, Amendment By-law, 2013, No. _____."

PASSED FIRST AND SECOND READING on the _____ th day of _____, 20 .

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

PASSED THIRD READING 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