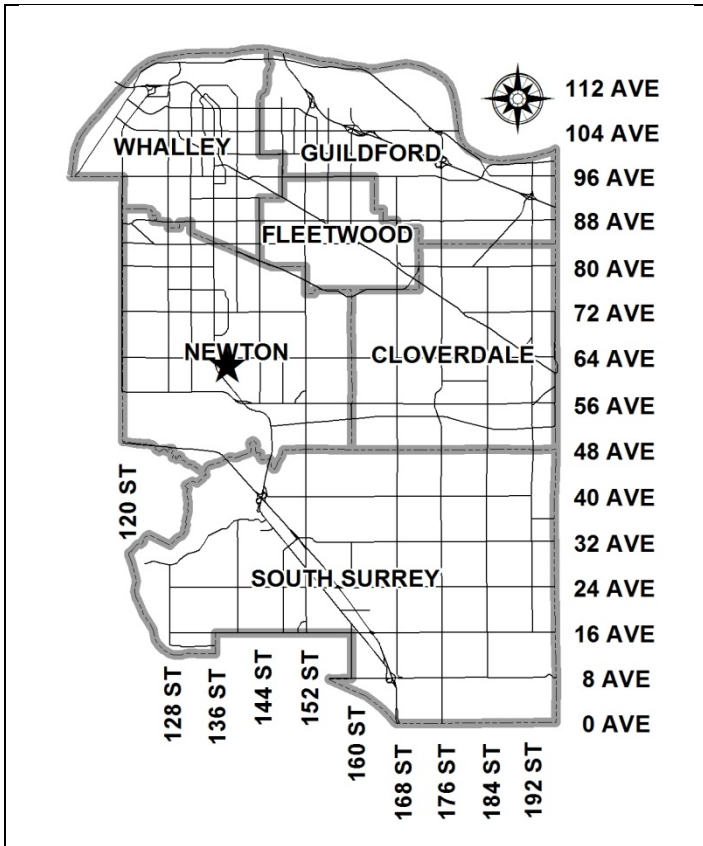


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7913-0137-00

Planning Report Date: March 10, 2014



**PROPOSAL:**

- **Rezoning** from RH-G to CCR.

in order to permit a operation of a child care centre with a maximum capacity of 25 children.

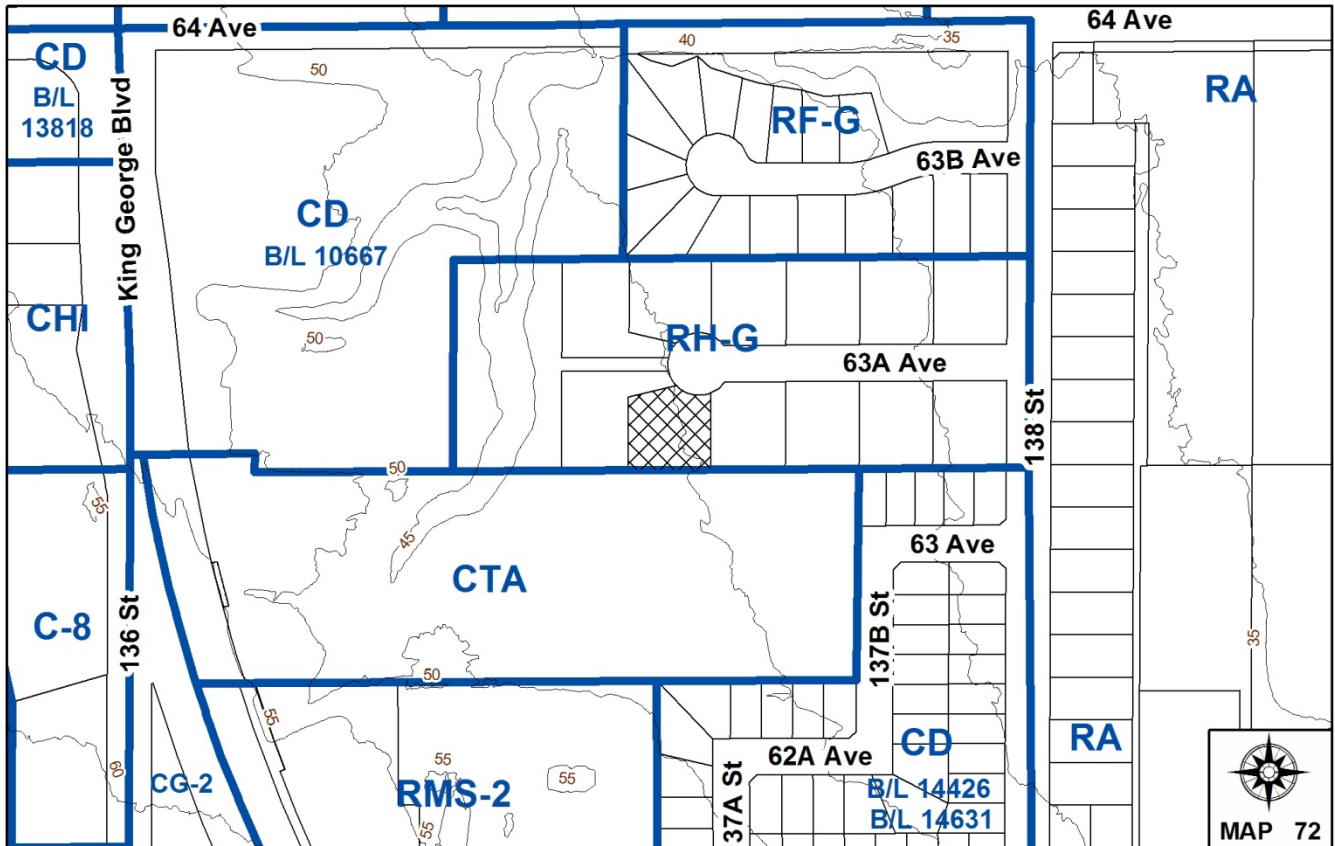
**LOCATION:** 13746 - 63A Avenue

**OWNER:** [REDACTED]

**ZONING:** RH-G

**OCP DESIGNATION:** Urban

**NCP DESIGNATION:** Single Family Residential



### RECOMMENDATION SUMMARY

The Planning and Development Department recommends that this application be denied.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

Does not comply with the City's location and siting criteria for child care centres.

### RATIONALE OF RECOMMENDATION

- The proposed child care centre is located at the end of a cul-de-sac. This is an inappropriate location for a 25 child care centre, due to on-street parking challenges and double the number of vehicle trips for pick-up and drop-off on the street.
- There are pre-existing challenges with on-street parking related to the currently operating 8 child day-care centre.
- The proposed number and arrangement of off-street parking spaces is not satisfactory.
- The applicant has not adequately demonstrated community support for the proposal and the majority of adjacent residents on the cul-de-sac oppose the proposed rezoning.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

If, however, Council is supportive of the application, Council may refer the application back to staff to complete the review and referral process.

REFERRALS

**Engineering:** The Engineering Department does not support the proposal. The required 8 onsite parking stalls have not been adequately met. There is insufficient on street parking to compensate for the shortage. A full review will be completed should the application be supported by Council.

**Fraser Health** Staff have contacted Fraser Health for comments, however no application has been made for increased capacity of the child care centre; Fraser Health can therefore not provide comment. The applicant is waiting on the outcome of the rezoning application prior to making an application to Fraser Health.

SITE CHARACTERISTICS

**Existing Land Use:** Single Family Dwelling containing a licensed child care centre for 8 children.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/NCP Designation</b>	<b>Existing Zone</b>
North (Across 63A Avenue):	Single Family Residential	Urban/Single Family Residential	RH-G
East:	Single Family Residential	Urban/Single Family Residential	RH-G
South:	Mobile Home Park	Urban/Townhouses (15 u.p.a.)	CTA (Tourist Accommodation Zone)
West:	Single Family Residential	Urban/Single Family Residential	RH-G

DEVELOPMENT CONSIDERATIONSSite Description

- The subject site, located on the south side of the 63A Avenue cul-de-sac, west of 138 Street, is a 1,300m<sup>2</sup> (0.32 acre) parcel designated Urban in the Official Community Plan (OCP) and Single Family Residential in the South Newton Neighbourhood Concept Plan.

- The site is currently zoned "Half-Acre Residential Gross Density Zone (RH-G)" and contains a single family residence.
- The applicant has operated a residential daycare centre for up to eight (8) children (ranging in age from 30 months to school age), licensed by Fraser Health, on the subject property since June 2012.
- The daycare currently operates from 6am to 6pm, with a break between 8:30am and 2:30pm. There are currently pick-up and drop off times twice per day, respectively, to accommodate the current care programs.
- The owners do not currently reside in the residence, however are in the process of moving into the dwelling unit in order to occupy it full-time.
- Prior to current ownership, the previous owner operated a licensed residential daycare (for up to ten children, existing non-conforming) from August 1993 to March 2012.

#### Proposal:

- 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 and licensed facilities that accommodate up to eight children or less are permitted in any residential zone. However, to increase the capacity beyond eight children, a rezoning is required.
- The CCR Zone is intended to permit operation of a child care centre accommodating a maximum of 25 children within a residential area. The operation must be licensed and regulated under the *Community Care and Assisted Living Act* and the *Child Care Licensing Regulations*. The CCR Zone on permits a child care centre as a secondary use within a single family dwelling on the site.
- The applicant proposes to increase the capacity of the child care centre to up to 25 children. Fraser Health regulations will require 2 full-time and 1 part-time staff members at the facility.
- In support of the proposal, the applicant has provided a petition signed by neighbouring residents dated March 2012. Signatories of the petition have since contacted City Staff to withdraw their support of the proposal (see "Pre-Notification" section in this report).

#### Evaluation per Current Policy:

- In addition to CCR bylaw compliance, staff have evaluated the proposed CCR Rezoning based upon the below criteria, as identified in the report "Children in the Community: A Proposed Policy for Child Care Centres" (adopted by Council in 1990). A description of compliance (or lack thereof) with each criteria is provided.
- *Located close to Arterial Routes, and not on a Cul-de-sac:*
  - Access to arterial routes is convenient, with King George Boulevard and 64<sup>th</sup> Avenue being located nearby.

- The subject site is, however, located at the end of the 63A avenue cul-de-sac, contrary to the criteria.
- *Proximity to child-oriented facilities (for example schools and parks):*
  - The applicant intends to serve Woodward Hill Elementary School and McLeod Road Traditional Elementary School, which are both 1.5 kilometres away to the east.
  - There are no child-oriented facilities or parks/playgrounds within 1 km (0.6 mile) (approximately a 10 - 15 minute walk).
- *Avoid undue concentration of Child Care Centres*
  - A map of existing Child Care Centres within a 3 km radius is contained in Appendix III.
  - There are 83 licensed Child Care Centres within a 3 km (2 mile) radius of the subject site. The siting of the rezoning proposal is consistent with the dispersion of existing licensed child care facilities and corresponding existing CCR Zones.
- *Provides adequate on-site parking for employees and parents:*
  - The City of Surrey Zoning Bylaw (No. 12000) requires 2 parking spaces for the on-site dwelling. In addition, 1 parking space for each employee, as well as an equal number of spaces for pick-up and drop-off are required. The total parking spaces required for the subject site is 8, based upon 25 children and 3 employees.
  - The applicant has provided a site-plan showing 8 on-site parking spaces (Appendix II). However, this site plan is not supported by the Engineering Department. 2 parking stalls encroach into the City right-of-way, and the stalls do not meet the minimum dimensional standards required by by-law. Furthermore, four (4) of the proposed parking stalls are in a tandem arrangement, which is impractical for pick-up and drop-off. The garage is partially used for the child care centre and is not currently available for parking.
- *Provides adequate fencing, screening, setbacks and outdoor play areas:*
  - The applicant has provided a site plan and building plans which include a fenced and gated outdoor play area. Screening is proposed to be provided by existing trees along the site perimeter.
  - Should the application be supported, the applicant will be required to apply for a building permit in order to facilitate a review of the outdoor play area and indoor facilities for Building Code compliance.

#### PRE-NOTIFICATION

Pre-notification letters were mailed on August 1<sup>st</sup>, 2013, to 73 properties within 100 metres (330 ft.) of the subject site. To date, staff have received 5 phone calls and 5 letters of correspondence from

the owners of 10 properties opposing the proposal. 9 of these are from residents of the 63A Avenue cul-de-sac (Appendix IV). The residents' concerns are summarized as follows:

- *Volume and Speed of Traffic:* Neighbours expressed significant concerns with the potential increase in the volume of traffic travelling both ways on 63A Avenue. A 25 child facility represents the potential for more than 100 vehicle trips on the street per day.

Residents expressed concern over repetitious speeding of traffic travelling along 63A Avenue, from users of the existing child care facility. It was noted that there are no sidewalks on 63A Avenue, and that pedestrian safety is also a concern of residents.

- *Pick-up and Drop-off Parking:* Adjacent residents of the subject site expressed frustration from continually having their driveways blocked by current facility users' for pick-up and drop-off parking.
- *Response to Neighbour Concerns:* The 9 residents of 63A Avenue expressed frustration over any lack of effort on the part of the property owners to mitigate existing issues. Residents advised that they have communicated directly with the property owners in an attempt to have their concerns resolved, however the issues already described continue to persist.
- *House Vacancy:* Residents expressed concerns that there is no one living in dwelling and that the property is vacant in the evenings, and furthermore the potential safety and security issues that may arise as result.
- *Change of Ownership:* Residents have iterated that their opposition to the proposal is based upon the recent change of ownership. All 9 residents of 63A Avenue who corresponded with City Staff stated that their concerns began once ownership of the property changed.
- *Misrepresentation of Petition:* A petition in support of the proposed rezoning, signed by the residents of 63A Avenue, was provided to the City along with the application. The nine residents of 63A Avenue who provided comment have since recanted their support of the proposal, citing false representation by the current owners. Residents of 63A Avenue signed the petition prior to the recent change in ownership of the subject property (March 2012) and were under the impression that the previous property owner would continue the child care centre operation.

## PROJECT EVALUATION

- During the course of the application process, the applicant has been unable to reconcile the numerous concerns raised by the residents of 63A Avenue.
- Residents of 63A Avenue were invited to 2 open houses (on separate occasions), hosted by the applicant at the subject site child care centre, as an attempt to address some of the aforementioned concerns. None of the residents of 63A Avenue attended the event.

- In comparison to a child care facility located on a thru-street, a location at the end of a cul-de-sac effectively doubles the number of vehicle trips per day, as travel both up and down the street is required. Care programs held before and after school would further increase the number of vehicle trips on the street, by requiring mid-day pick-up and drop off in addition to mornings and afternoons.
- The number of vehicle trips along 63A Avenue can vary with the scheduling of care programs offered by the applicant. (For example, before and after school care, versus midday preschool care, versus all day care). The current maximum capacity of 8 children represents a potential range of 16 – 48 vehicle trips on 63A Avenue per day, depending on the combination of programs offered throughout the day. While the CCR Zone stipulates a maximum number of children, it does not regulate scheduling of programs.
- An increase to 25 children potentially represents over 100 vehicle trips on 63A Avenue per day.

#### Advantages of Proposal:

- The proposed rezoning complies with some of the locational criteria for the siting of a child care centre, including proximity to several elementary schools and easy access to arterial routes.
- The applicant has indicated there is a growing demand for child care in the area. Ongoing development and increasing densification nearby to the subject site supports this claim.

#### Disadvantages of Proposal:

- The subject site is located at the end of a cul-de-sac.
- The majority of residents on 63A Avenue oppose the proposal.
- The required amount of onsite parking has not been demonstrated. Furthermore, using the front yard for parking is not desirable as this would require removal of lawn and landscaping. The resulting parking area would occupy much of the front yard, and would not be in keeping with the single family character of the area.

#### CONCLUSION

- Staff have encouraged the applicant to address the concerns raised by residents, and suggest to neighbouring residents that they contact City Staff should the issues be resolved. To this date, staff have not received any indication of resolution from neighbouring residents or notions of support.
- Given that these concerns raised by neighbouring residents are pre-existing, any increase in capacity and vehicle trips will exacerbate these existing issues.
- Staff recognize that there is increasing demand for child-care centres in the City. However, given the negative impacts of the proposal, including the ongoing concerns raised by

neighbouring residents, the insufficient supply of on-site parking, and the inability to resolve the cul-de-sac situation, staff do not support the proposed rezoning.

- Should Council find merit in the proposal, it should be referred back to staff to complete the referral process prior to consideration of First and Second Reading. The following will be required:
  - Completion by the owner of an application to Fraser Health for an increase in capacity;
  - Referral to Fraser Health and subsequent comments on the application;
  - Modification of the site plan to accommodate the required parking spaces entirely on the subject site; and
  - Preliminary review of the Building Plans for Building Code adherence.
  - Review by the Engineering Department to define other servicing requirements such as fire flow requirements and storm water management features.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary.
Appendix II.	Site Plan.
Appendix III.	Map of existing licensed Child Care Centres within 3km of subject site.
Appendix IV.	Map of opposition to rezoning.

#### INFORMATION AVAILABLE ON FILE

The following information is available on file:

Letter from Applicant to Staff.	(Date: January 9 <sup>th</sup> , 2014)
Letter from Applicant to City Council.	(Date: January 7 <sup>th</sup> , 2014)
Building Plans – 13746 63A Avenue	
Petition in support of application	(Date: March 20 <sup>th</sup> , 2012)

*original signed by Nicholas Lai*

Jean Lamontagne  
General Manager  
Planning and Development

DS/da



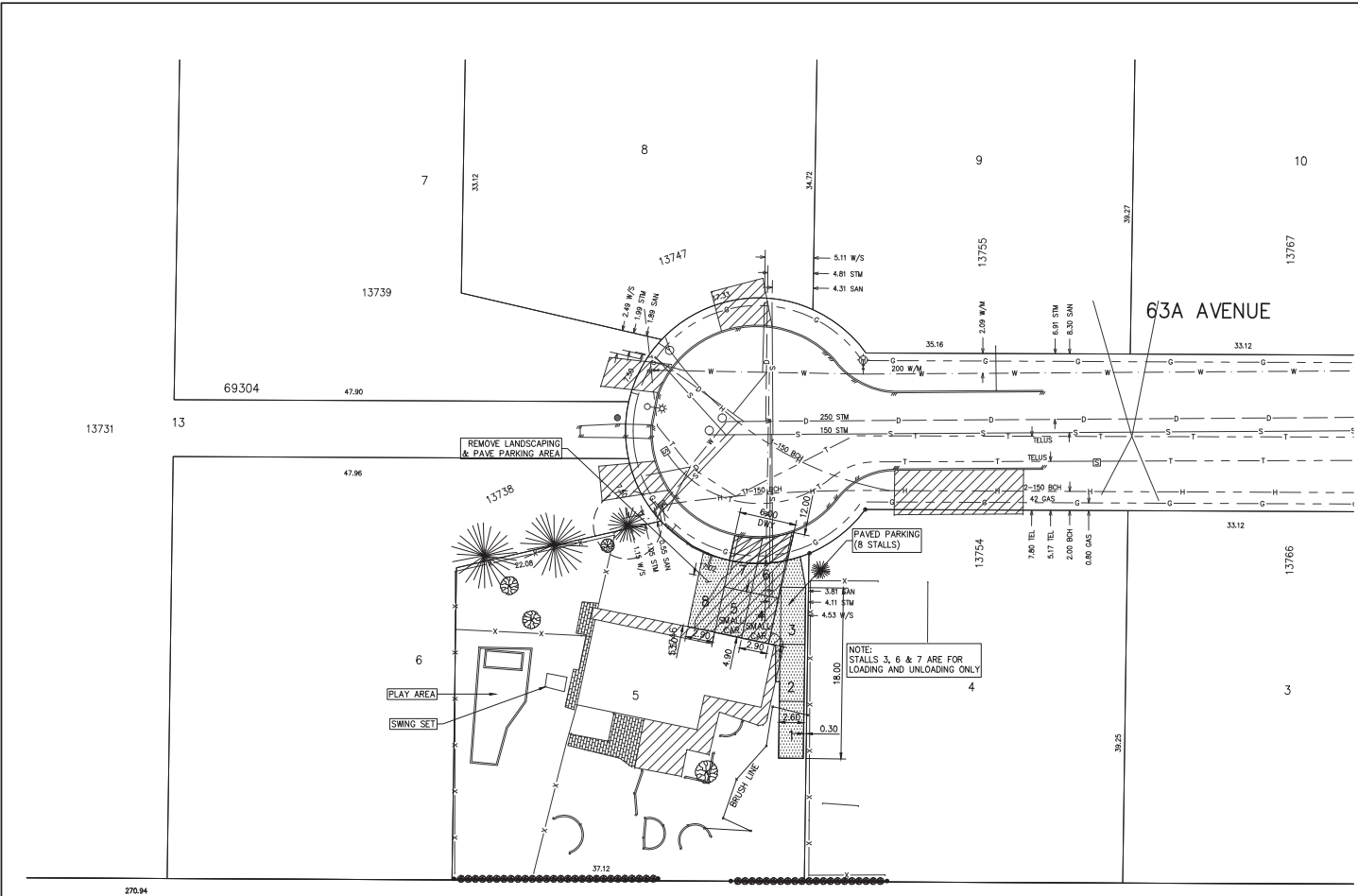




**BENCHMARK & CONTROL**  
 ALL ELEV. ARE GEODETIC AND REFER TO MON.  
 INTERSECTION OF 64 AVENUE AND 138 STREET  
 ELEV. 34.400

**APPENDIX II**

**LEGAL DESCRIPTION OF PROPERTY**  
 LOT 5, SEC 9, TWP 2, NWD PLAN 69304



**NOTES:**

1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.

No	Date	Revision	Dr	Ch

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 E-MAIL: office@citiwest.com



HAPPY CARE CHILD CARE  
 13746 - 63A AVENUE, SURREY, BC V3X 1E6 TEL: 604-591-6465

**SITE PLAN**

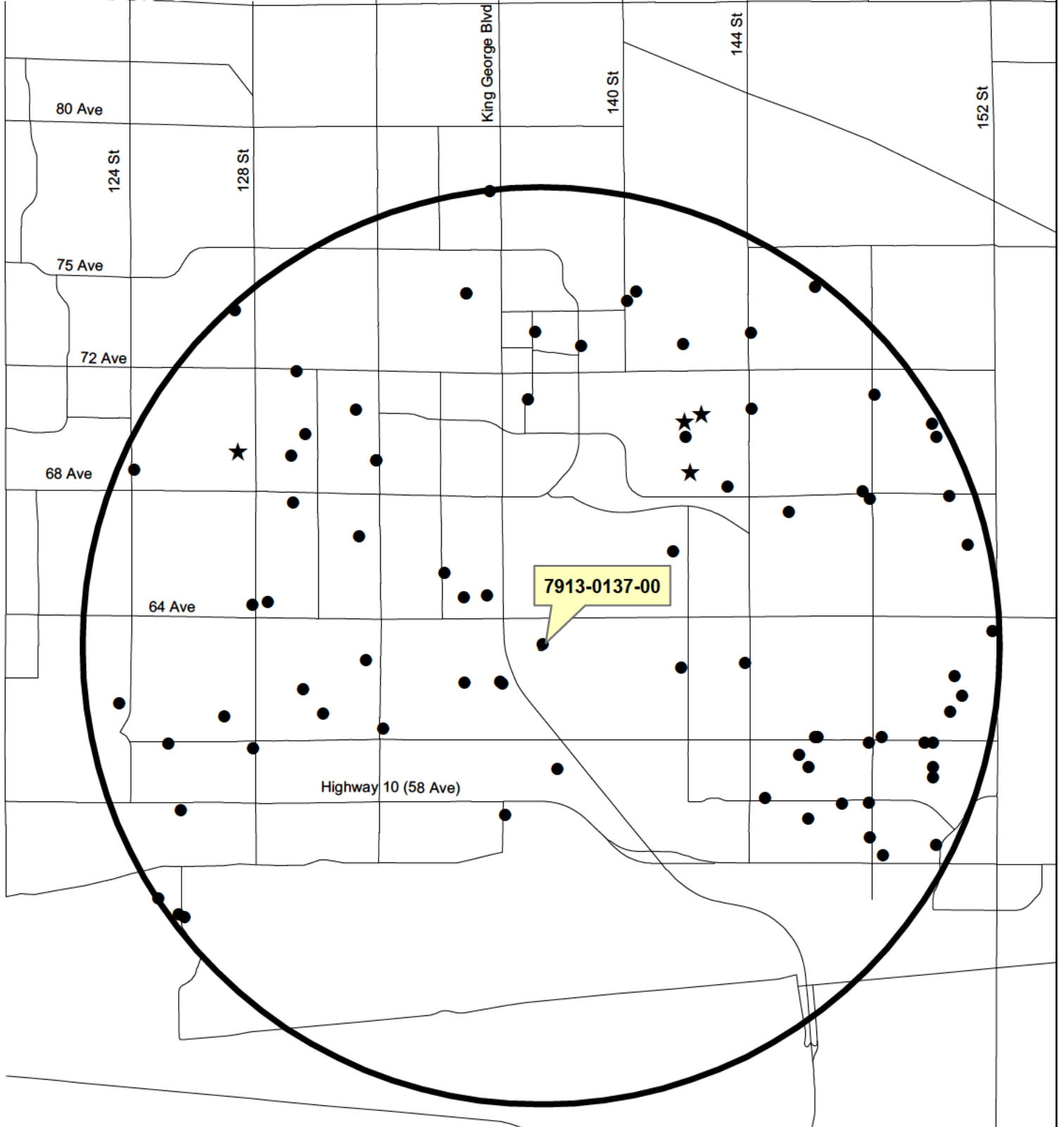
SITE LOCATED AT 13746 - 63 A AVENUE, SURREY, BC

Scale: 1:250	Mun. Proj. No.	Dwg. No.
Drawn: JC	Mun. Dwg. No.	1
Designed: DC	Job No. 13-3045	Of 1
P.W. P.U.	Date JUL/13	Revision
Approved:		

This drawing and design is the property of CITIWEST CONSULTING LTD. and cannot be used, reused or reprinted without the written consent of said company.

13746-63A AVENUE, SURREY, BC V3X 1E6 TEL: 604-591-6465

# Licensed Child Care Facilities

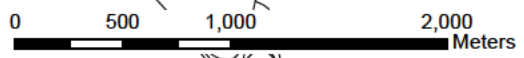


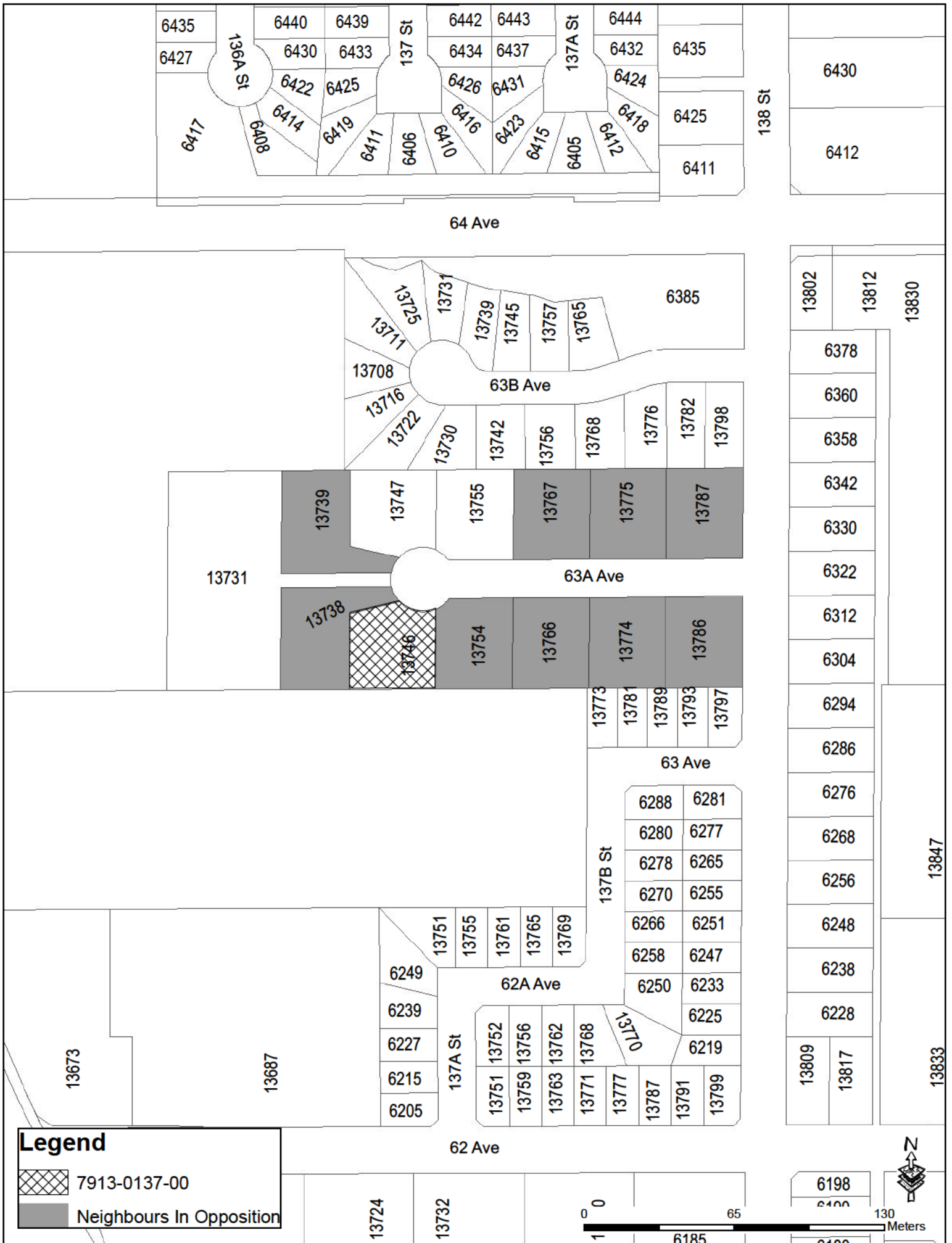
**Legend**

**Child Care Facilities = 83**



- ZONED OTHER
- ★ ZONED CCR

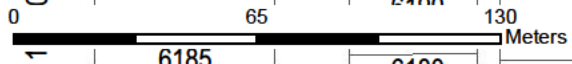
□ Buffer 3km





**Legend**

-  7913-0137-00
-  Neighbours In Opposition



Map addresses include: 6435, 6427, 6440, 6439, 6442, 6443, 6444, 6430, 6433, 6434, 6437, 6432, 6435, 6422, 6425, 6426, 6431, 6424, 6417, 6408, 6414, 6419, 6411, 6406, 6410, 6416, 6423, 6415, 6405, 6412, 6418, 6411, 136A St, 137 St, 137A St, 138 St, 64 Ave, 6385, 13725, 13731, 13739, 13745, 13757, 13765, 13708, 63B Ave, 13711, 13716, 13722, 13730, 13742, 13756, 13768, 13776, 13782, 13798, 13739, 13747, 13755, 13767, 13775, 13787, 13731, 63A Ave, 13738, 13746, 13754, 13766, 13774, 13786, 13773, 13781, 13789, 13793, 13797, 63 Ave, 6288, 6281, 6280, 6277, 6278, 6265, 6270, 6255, 6266, 6251, 6258, 6247, 6250, 6233, 6225, 6219, 13751, 13755, 13761, 13765, 13769, 137B St, 6249, 6239, 6227, 6215, 6205, 137A St, 13751, 13752, 13759, 13756, 13763, 13762, 13771, 13768, 13770, 13777, 13787, 13791, 13799, 13673, 13687, 62 Ave, 13724, 13732, 6198, 6195, 6190, 13802, 13812, 13830, 6378, 6360, 6358, 6342, 6330, 6322, 6312, 6304, 6294, 6286, 6276, 6268, 6256, 6248, 6238, 6228, 13809, 13817, 13847, 13833