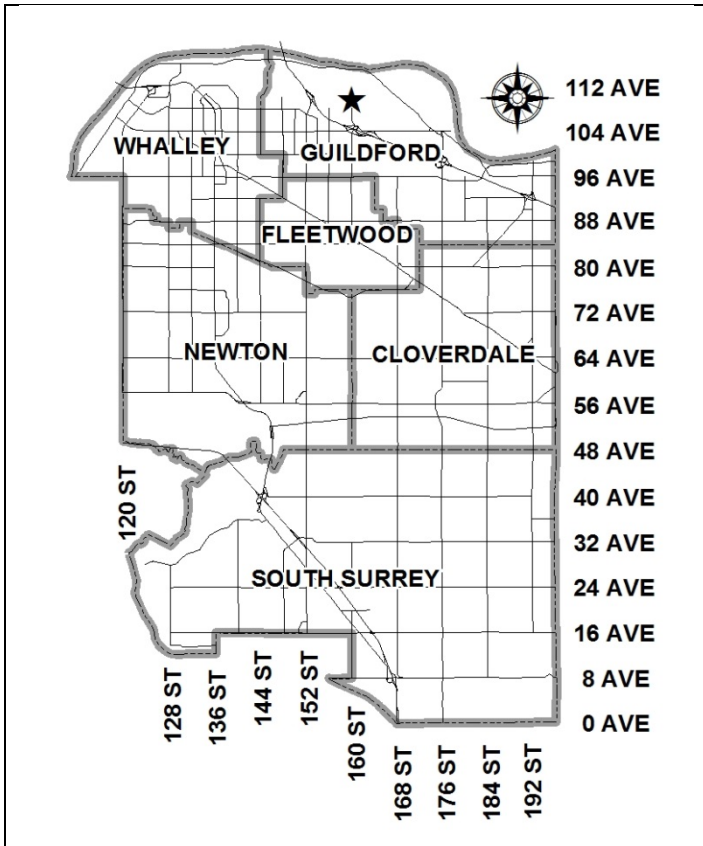


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0100-00

Planning Report Date: June 23, 2014



PROPOSAL:

- **Development Variance Permit**

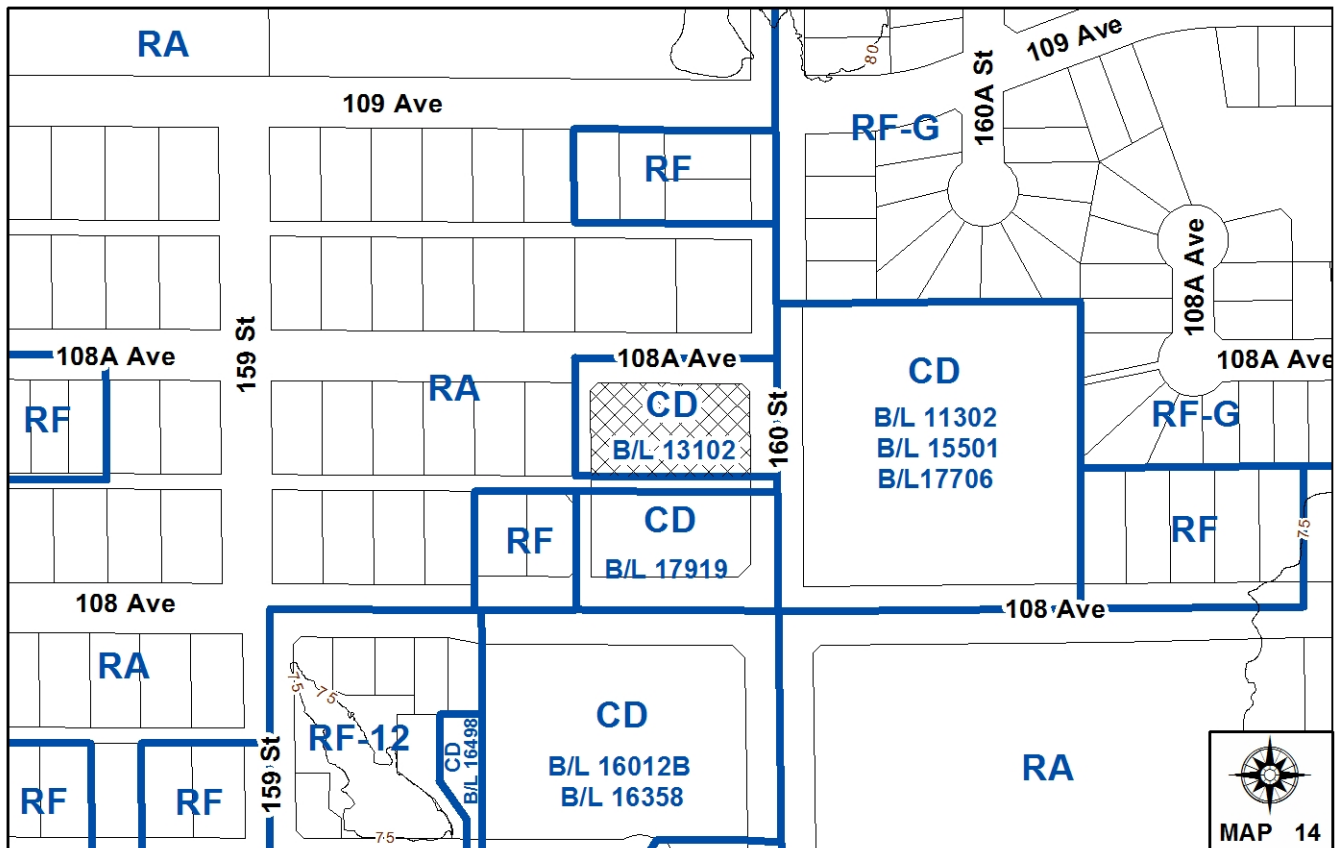
in order to allow the open space and play area associated with a child care centre to be located off-site.

LOCATION: 10833 - 160 Street

OWNER: 10833 Fraser Heights 3 Holdings Ltd.

ZONING: CD (By-law No. 13102)

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to locate the required open space and play area associated with a child care centre off-site.

RATIONALE OF RECOMMENDATION

- Complies with the Urban designation in the OCP.
- Facilitates a new child care centre in Fraser Heights.
- Child care centres have become increasingly important as Surrey's population continues to grow, and will provide a tangible benefit for residents of Surrey.
- The proposed location of the outdoor play area at Erma Stephenson Elementary School and park is a short walk away and no busy arterial roads need to be crossed. Fraser Health supports the proposed location of the outdoor play area.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7914-0100-00 (Appendix II) varying the following, to proceed to Public Notification:

- (a) to vary the Special Regulations of CD By-law No. 13102 to allow the open space and play area associated with a child care centre to be located off-site.

REFERRALS

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

Fraser Health Authority: The Fraser Health Authority supports the away from facility play area as proposed.

SITE CHARACTERISTICS

Existing Land Use: Two-storey, multi-tenant retail/office building.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 108A Avenue):	Single family lots (1 vacant).	Urban	RF
East (Across 160 Street):	Single-storey shopping centre.	Commercial	CD By-law No. 11302, amended by By-law Nos. 15501 and 17706
South:	Mixed-use commercial building including gas station.	Commercial	CD By-law No. 17919
West (Across lane):	Vacant single family lot.	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The 2,335-square metre (0.6-acre) subject site at 10833 – 160Street is located on the southwest corner of 108A Avenue and 160 Street in Fraser Heights and is designated Urban in the Official Community Plan (OCP) and is zoned "Comprehensive Development Zone (CD)" (By-law No. 13102).
- The subject site has been developed with a two-storey, multi-tenant, retail/office building.

- The current building siting, design and landscaping plans were approved under Development Permit No. 7996-0237-00 on July 28, 1998.

Current Proposal

- The applicant is proposing to locate a "Little Friends Learning Centre" child care centre on the second floor of the existing building, in a vacant unit in the northwest corner of the building.
- The proposed centre would accommodate 25 children, aged 3-5 years old for full day group daycare. The centre would operate Monday-Friday, 7:00 am - 6:00 pm and would be closed on weekends and statutory holidays.
- The applicant currently owns and operates three other licensed "Little Friends Learning Centre" child care centres in Fraser Heights and one in Fleetwood. The proposed centre will be the fourth location in Fraser Heights.
- The applicant currently has a wait list for group daycare for children between the ages of 3 and 5 years, as well as a lot of interest in infant/toddler care.
- The proposed child care centre is a permitted use under CD By-law No. 13102, which governs the subject site. However, a child care centre is to be located on the lot such that the centre has direct access to an open space and play area within the lot.
- Since the centre is proposed to be located on the second floor of an existing building there is no potential for direct access to an on-site play area.
- The applicant is proposing to use the playground and field at Erma Stephenson Elementary School located at 10929 - 160 Street during non-peak hours (i.e. not during recess and lunch hour). These facilities are approximately 340 metres (1,100 ft.) from the subject site.
- There is also a water park at Erma Stephenson Park located at 15920 - 110 Avenue, next door to the elementary school.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary Section J.3, Special Regulations of CD (By-law No. 13102) to allow the open space and play area associated with a child care centre to be located off-site.

Applicant's Reasons:

- The proposed variance allows the applicant to utilize an existing A2 Assembly Occupancy space in a neighbourhood with child care needs.
- The proposal also facilitates shared use of an existing outdoor community amenity space located at a nearby neighbourhood school, encouraging neighbourhood interaction and positive community building.

Staff Comments:

- CD By-law No. 13102 requires child care centres to be located on the lot such that the centre has direct access to an open space and play area within the lot.
- By allowing the open space and play area to be located off-site, at Erma Stephenson Elementary School, the applicant can move into a space that already has A2 assembly occupancy in a neighbourhood where there is an expressed need for child care.
- The outdoor play facilities at Erma Stephenson Elementary School and Park are a short walk from the subject site and no busy arterial roads need to be crossed.
- Fraser Health supports the location of the outdoor play area.
- Staff support the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
Appendix II. Development Variance Permit No. 7914-0100-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JLM/da

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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0100-00

Issued To: 10833 FRASER HEIGHTS 3 HOLDINGS LTD.
("the Owner")

Address of Owner: 5831 - Cedarbridge Way
Richmond, BC V6X 2A8

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 024-466-182
Lot 1 Section 15 Block 5 North Range 1 West New Westminster District Plan LMP41465
10833 - 160 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1997, No. 13102 as amended is varied as follows:
 - (a) Section J.3 Special Regulations is varied to allow the open space and play area associated with a child care centre to be located off-site.
4. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
5. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
6. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

7. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan