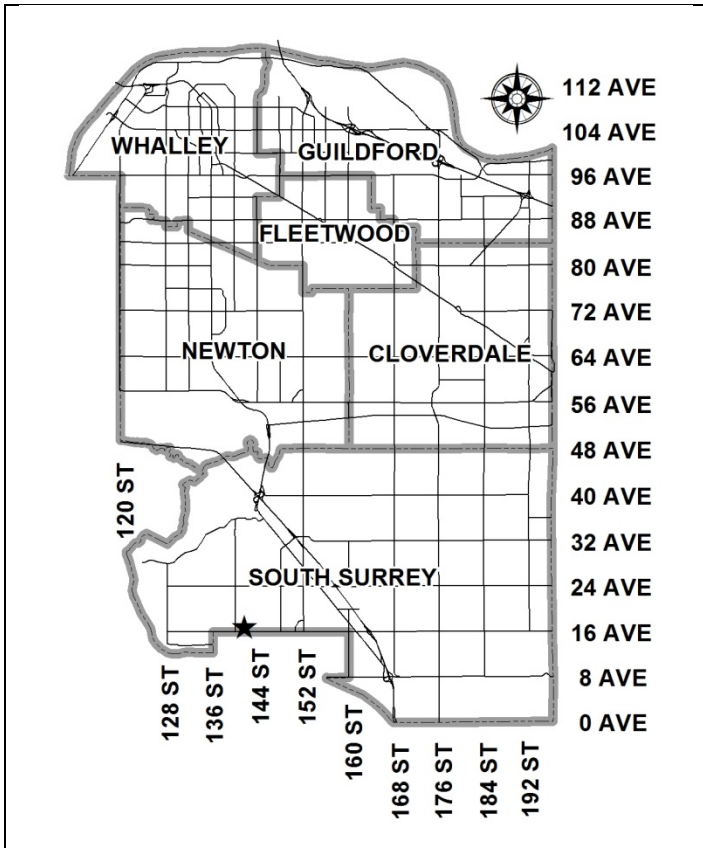


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0542-00

Planning Report Date: September 17, 2018



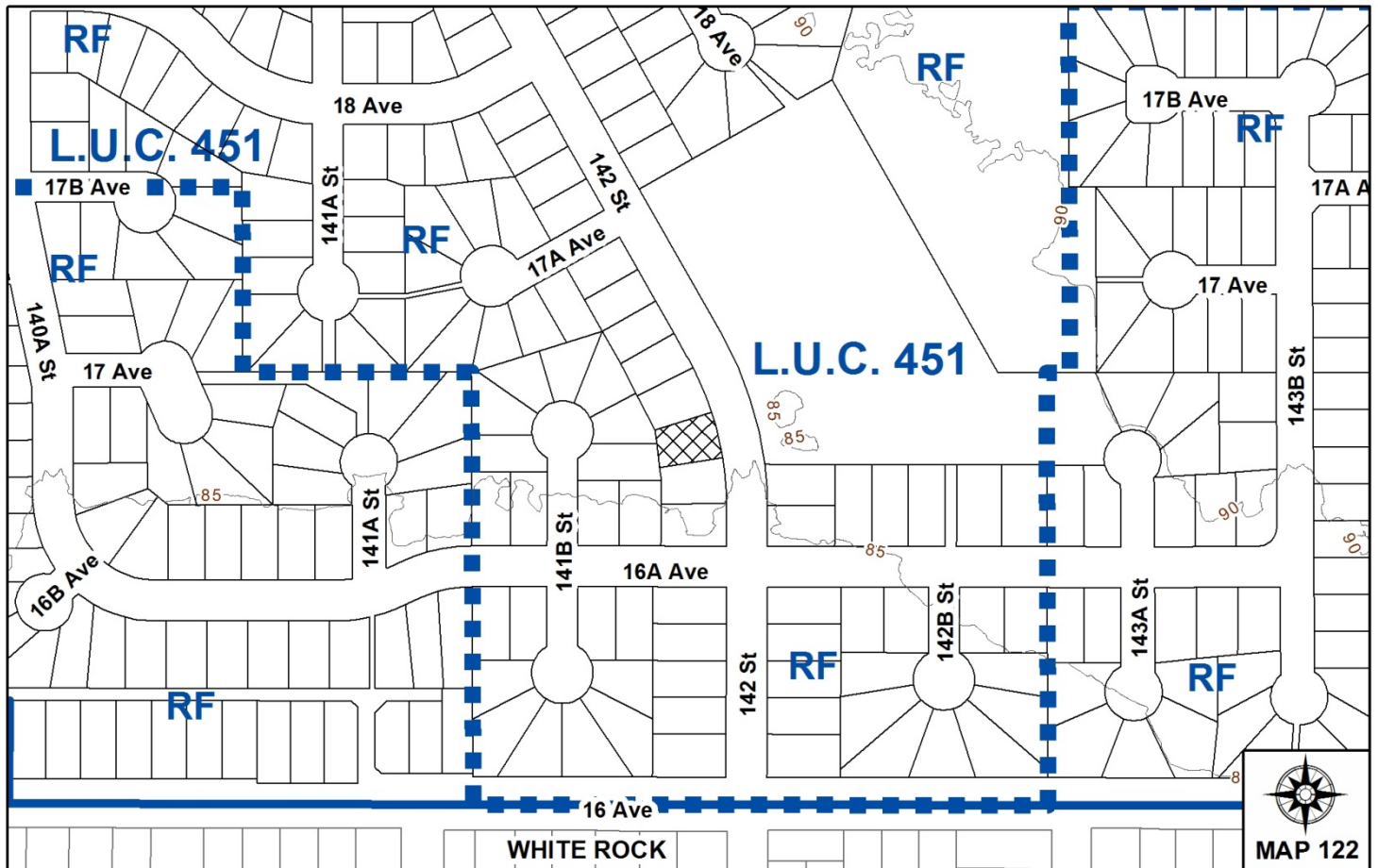
PROPOSAL:

- Rezoning from RF to CD (based on CCR and RF) to permit a child care centre within a single family dwelling, for a maximum of 16 children.

LOCATION: 1693 - 142 Street

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposed child care centre complies with the City's location and siting guidelines for child care centres. The proposed child care centre is located on a local road, adjacent to an elementary school, with adequate on-site parking for employees and parents.
- The proposed child care centre complies with the Urban designation in the Official Community Plan (OCP).
- Staff have determined that five on-site parking spaces are sufficient for the residential use and to meet the pick-up and drop-off needs of the child care centre.

RECOMMENDATION

The Planning & Development Department recommends that:

1. A By-law be introduced to rezone the subject site from Single Family Residential (RF) Zone to Comprehensive Development (CD) Zone 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 to the satisfaction of the General Manager, Planning & Development.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

Fraser Health Authority: Fraser Health has no concerns with the proposed rezoning.

SITE CHARACTERISTICS

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

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwelling	Urban	RF
East (Across 142 Street):	Bayridge Elementary School	Urban	RF
South:	Single family dwelling	Urban	RF
West:	Single family dwelling	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is located on the west side of 142 Street, north of 16A Avenue and is designated Urban in the Official Community Plan (OCP) and is zoned "Single Family Residential (RF) Zone".

- There is an existing licensed child care facility on the site with a maximum of eight (8) children.
- Child care centres are provincially regulated licensed facilities. Facilities that accommodate up to eight children are permitted in any residential zone. However, to increase the capacity beyond eight children, a zone designated specifically to accommodate a larger child care facility is required.

Proposal

- The applicant has operated a licensed residential child care for up to eight (8) children at 1693 – 142 Street (the subject property) since May 2015. Due to demand for additional child care spaces, the applicant proposes to rezone the site from "Single Family Residential (RF) Zone" to "Comprehensive Development (CD) Zone", based on the "Child Care (CCR) Zone" and "Single Family Residential (RF) Zone" in order to accommodate a child care centre with up to sixteen (16) children.
- The CCR Zone is intended to permit the development of child care centres accommodating a maximum of 25 children, in a residential community, which is licensed and regulated under the Community Care and Assisted Living Act and the Child Care Licensing Regulations.
- The proposed CD Zone (based on the CCR and RF Zones) would permit a maximum of 16 children for child care on-site at any one time and reduce the on-site parking requirements from 7 parking spaces to 5 parking spaces. The Density, Lot Coverage, Yards and Setbacks, and Height of Building sections of the proposed CD Zone are consistent with the RF Zone.
- The applicant has indicated the facility will operate Monday through Friday from 7:30 am to 5:30 pm and will provide group child care for children 30 months to school age. Drop-off time is typically before 8:15 am and pick-up time after 5:00 pm.
- The proposed expanded child care centre will be located entirely on the first floor of the existing house. The second floor will continue to be used as a dwelling unit.
- There will be two staff member for the expanded child care centre.

Locational & Siting Criteria for Child Care Centres

- In 1990, the City completed a report entitled "Guidelines for the Location and Siting of Child Care Centres". The following demonstrates how the proposal adheres to the locational and siting guidelines outlined in the Report:
 - *Locate centres close to child-oriented facilities (school, park, playground, open space, community or recreation centre, library...).*
 - The subject site is located directly across 142 Street from Bayridge Elementary School, which backs onto Bay Ridge Park, and approximately 4 blocks or 650 metres (2,100 ft.) from Sunnyside Acres Urban Forest Park.

- *Avoid siting along arterial streets; if they are located along an arterial, conditions will apply.*
 - The subject site is located on 142 Street, which is a local road.
- *Avoid undue concentration of centres.*
 - The Guidelines recommend that child care facilities should be located in areas that are currently under-served, to avoid undue concentration of facilities.
 - Based on the information provided in the Fraser Health and Child Care Resource & Referral databases, there are currently four facilities within approximately 0.5 km of the subject site, including the subject site.
 - The four facilities accommodate 56 child care spaces. Of the four facilities, two are located within single family dwellings and account for 16 child care spaces. One facility is located at Bayridge Elementary School and accounts for 20 child care spaces and one is located at a church and accounts for 20 child care spaces.
 - With the approval of the subject application, 8 additional children can be accommodated.
- *Provide adequate on-site parking for employees and parents.*
 - The parking requirements for child care facilities in residential areas are outlined in Surrey Zoning By-law No. 12000. 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 two parking spaces. The proposed child care facility will have two staff and therefore requires four parking spaces. In addition, single family dwellings require three parking spaces for the residents.
 - The total number of on-site parking spaces required under the Zoning By-law is seven. The applicant is proposing to provide five on-site parking spaces in total. The proposed Comprehensive Development (CD) Zone reflects this.
 - The CD By-law limits the number of children in care to a maximum of 16, which reflects the reduced parking.
 - Staff from Area Planning and Transportation Planning are satisfied that the proposed five parking spaces are adequate in this location due to the reduced number of children in care, which requires a maximum of two staff, one of which is a resident of the single family dwelling. Additionally, as the child care facility operates out of the first floor and does not have a basement, the residence does not contain a secondary suite. Therefore a reduction in the number of residential parking spaces is considered reasonable.

- *Provide adequate fencing, screening, setbacks, and outdoor play areas.*
 - As the attached site plan (Appendix II) shows, the dwelling is oriented toward 142 Street with a spacious rear yard, with an existing outdoor play area.
 - The outdoor play area is directly accessible from the residence and is enclosed by a wooden fence along the north, west, and south property lines.
 - Existing mature trees and shrubbery provides screening in the backyard from neighbouring properties.

PRE-NOTIFICATION

- Pre-notification letters were sent on January 31, 2018 to a total of 54 addresses, including the Semiahmoo Residents Association. A development proposal sign was installed on February 18, 2018.
- To date, staff have received two phone calls and four emails from neighbouring residents in response to the public notification. (Note: Staff comments are provided in italics following the residents' comments.)
- One resident requested more information about the proposal regarding the hours of operation, signage, and parking requirements, but noted they were not opposed to the daycare use.
- Five residents expressed concerns that no one was living in the house.

(Child Care Centres licensed to accommodate 8 children or less may be permitted in any residential Zone as an accessory use to the residential use. Under the proposed Comprehensive Development (CD) Zone, a Child Care Centre licensed to accommodate 16 children cannot constitute a singular use on the lot.

The applicant has been reminded of the Zoning By-law requirement to maintain a residence on the property. The applicant has stated that the home is currently occupied half the year by visiting relatives and approximately two-days per week by their family.)

- Six residents expressed concerns related to increased traffic and demand for parking and related impacts to the safety of children in the area. There is already traffic generated by the adjacent Bayridge Elementary School.

(The applicant has agreed to limit the number of children allowed in care to a maximum of 16 rather than the 25 permitted under the CCR Zone. An additional parking space will be provided on-site, bringing the total up to five on-site parking spaces, with two in the garage and three in the driveway.

Peak drop-off and pick-up times for the child care centre will occur mainly outside of peak times for the adjacent Bayridge Elementary School, although there may be some overlap in the morning.)

- Two residents cited increased noise generated by the child care centre as a concern.

(The proposed facility is planned to operate Monday through Friday from 7:30 am to 5:30 pm. The yard is fenced and has existing mature trees and shrubbery to provide screening from the proposed child care centre.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary (Confidential)
Appendix II.	Site Plan
Appendix III.	Engineering Summary
Appendix IV.	Proposed CD By-law

original signed by Ron Hintsche

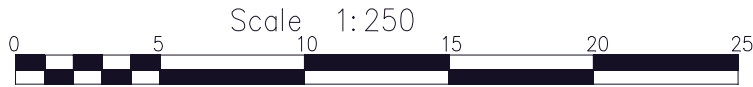
Jean Lamontagne
General Manager
Planning and Development

CB/cm

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

LOT 98 SECTION 16 TOWNSHIP 1 NWD PLAN 57778

CIVIC ADDRESS:
 1693 - 142 Street,
 SURREY, B.C.
 PID: 005-608-732



All Distances And Elevations Are In Meters And Decimals Thereof Unless otherwise Stated.

Lot Size: 672.29 SQM
 Site Coverage: 151.2 SQM
 Lot Width: 18.5-20 M
 Lot Depth: 29.0-31.18 M

ZONE:
 EXISTING RF
 PROPOSED BASED ON CCR

CHILD CARE CNTR:
 EXISTING FACILITY: 8 CHILDREN
 PROPOSED FACILITY: 16 CHILDREN

INDOOR SPACE REQUIRED:
 3.7SQM X 16 = 59.2 SQM
 INDOR SPACE PROVIDED: 105.7 SQM

OUTDOOR SPACE REQUIRED:
 7SQM X 16 = 112 SQM
 OUTDOOR SPACE PROVIDED: 293 SQM



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

FROM: **Development Engineer, Engineering Department**

DATE: **Sep 10, 2018** PROJECT FILE: **7817-0542-00**

RE: **Engineering Requirements
Location: 1693 142 Street**

REZONE

The following issues are to be addressed as a condition of the partial LUC discharge and a rezone to CD (based on CCR) to allow for a child care center with up to 16 children.

Works and Services

- Provide sanitary and storm service connections, complete with inspection chamber, to the lot.
- Provide a new metered water service connection to service the lot, at owner's cost.
- Cap and abandon any existing service connection over 30 years old at the main.

A Servicing Agreement is not required for the proposed rezone.



Tommy Buchmann, P.Eng.
Development Engineer

AY

CITY OF SURREY

BYLAW NO. _____

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

THE CITY COUNCIL of the City of Surrey ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 479 of the Local Government Act, R.S.B.C. 2015 c. 1, 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: SINGLE FAMILY RESIDENTIAL ZONE (RF)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 005-608-732
Lot 98 Section 16 Township 1 New Westminster District Plan 57778

1693 – 142 Street

(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 *child care centre* accommodating a maximum of 16 children within a *single family dwelling*, 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 16 children at any one time, provided that such centre does not constitute a singular use on the *lot*.
2. One *single family dwelling*, which may contain 1 *secondary suite*, provided that there is no *child care centre* on the *lot*.

C. Lot Area

Not applicable to this Zone.

D. Density

For *building* construction within the *lot*:

1. The *floor area ratio* shall not exceed 0.57, provided that, of the resulting allowable floor area, 39 square metres [420 sq. ft.] shall be reserved for use only as a garage or carport.
2. The maximum permitted floor area of a second storey for a *principal building* must not exceed 80% of the floor area of the main floor level including attached garage and that portion of any porch or veranda at the front that is covered by a sloped roof, but not including any portion of the *structure* located within 7.5 metres [25 ft.] of the *front lot line*. The reduced floor area of the second storey shall be accomplished by an offset at the second storey level from the wall at the main floor level from either the front or side walls or a combination thereof.
3. 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, the following must be included in the calculation of *floor area ratio*:
 - (a) Covered area used for parking, unless the covered parking is located within the *basement*;
 - (b) The area of an *accessory building* in excess of 10 square metres [108 sq. ft.];
 - (c) Covered outdoor space with a height of 1.8 metres [6 ft.] or greater, except for a maximum of 10% of the maximum allowable floor area of which 15 square metres [160 sq. ft.] must be reserved for a front porch or veranda; and
 - (d) Floor area including staircases, garages and covered parking with extended height exceeding 3.7 metres [12 ft.] must be multiplied by 2, excluding:
 - (i) 19 square metres [200 sq. ft.] and
 - (ii) floor area directly below a sloped ceiling less than 4.6 metres [15 ft.] in height, provided that the area has at least one wall 3.7 metres [12 ft.] or less in height.

E. Lot Coverage

The *lot coverage* shall not exceed 38%.

F. Yards and Setbacks

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

Use	Setback		
	Front Yard ¹	Rear Yard ²	Side Yard
<i>Principal Building</i>	7.5 m. [25 ft.]	7.5 m. [25 ft.]	1.8 m. ³ [4 ft.]
<i>Accessory Buildings and Structures</i>	18.0 m. [60 ft.]	1.8 m. [6 ft.]	1.0 m. [3 ft.]

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

- ¹ Except for a garage, the *front yard setback* may be relaxed at the lower floor level to 5.5 metres [18 ft.] for a maximum of 50% of the width of the *principal building*. If a minimum of 50% of the width of the *principal building* is set back 9 metres [30 ft.], the setback to an attached garage may be relaxed to 6.7 metres [22 ft.].
- ² 50% of the length of the rear *building* face may be *setback* a distance of 6.0 metres [20 ft.] from the *rear lot line* provided the remainder of the *building* face is *setback* at least 8.5 metres [28 ft.] from the rear lot line.
- ³ The *side yard setback* may be reduced to 1.2 metres [4 ft.] along one *side lot line* adjoining a *lot* zoned Single Family Residential (RF) provided that the *side yard setback* on the opposite side of the *lot* is increased to 2.4 metres [8 ft.].

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 building*:
 - (a) The *building height* shall not exceed 9 metres [30 ft.].
 - (b) The *building height* of any portion of a *principal building* with a roof slope of less than 1:4 shall not exceed 7.3 metres [24 ft.].
- 2. *Accessory buildings and structures*: The *building height* shall not exceed 4 metres [13 ft.] except that where the roof slope and construction materials of an *accessory building* are the same as that of the *principal building*, the *building height* of the *accessory building* may be increased to 5 metres [16.5 ft.].

H. Off-Street Parking

1. *Parking spaces* shall be provided in accordance with Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Notwithstanding Section H.1. of this Zone, before a *child care centre* may operate on the *lot*, a minimum of 5 *parking spaces* shall be provided on the *lot*.
3. *Vehicle* parking may be permitted in either the *front yard* or the *side yard* subject to the following:
 - (a) No off-street *parking space* shall be permitted within the required *front yard* or *side yard* except on a *driveway*;
 - (b) *Parking spaces* shall be located only on a *driveway* leading to a garage, carport or parking pad, in a garage, in a car port, or on a parking pad;
 - (c) The total area surfaced or paved for a *driveway* shall be as follows:
 - i. The *lot* may have one *driveway* with a uniform width of 8.0 metres [26 ft.] extending from the *lot line* to the garage, car port, or parking pad on the *lot*; and
 - ii. Notwithstanding Subsection H.3 (c) (i) additional *driveway* width may also be allowed to provide access to additional *parking spaces* in a garage, car port or parking pad, where the garage, carport or parking pad has more than 2 side by side *parking spaces*, provided that such width is no more than 3 metres [10 ft.] times the number of adjacent side by side *parking spaces* measured at the required *front yard setback* and is uniformly tapered over the required *front yard* to a width of 8 metres [26 ft.] at the *front lot line*.

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. 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*.
3. A minimum of 30% of the *lot* must be covered by porous surfaces.

J. Special Regulations

1. A *child care centre* shall be located on the *lot* such that the centre has 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.
3. Basement access and basement wells are permitted only between the *principal building* and the *rear lot line* and must not exceed a maximum area of 28 square metres [300 sq. ft.], including stairs.
4. A *secondary suite* shall:
 - (a) Not exceed 90 square metres [968 sq. ft.] in floor area; and
 - (b) Occupy less than 40% of the habitable floor area of the *building*.

K. Subdivision

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

Lot Size	Lot Width	Lot Depth
627 sq. m. [6,750 sq.ft.]	23 metres [75 ft.]	31 metres [102 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, bylaws, 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. 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 Bylaw, 2012, No. 17850, as amended.
8. *Building* permits shall be subject to Surrey Development Cost Charge Bylaw, 2018, No. 19478, as may be amended or replaced from time to time, and the development cost charges shall be based on the CCR Zone.
9. Tree regulations are set out in Surrey Tree Protection Bylaw, 2006, No. 16100, as amended.
10. Development permits may be required in accordance with the Surrey *Official Community Plan* By-law, 2013, No. 18020, as amended.
11. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act S.B.C. 2002, c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg. 205/2013.

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

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

PASSED 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