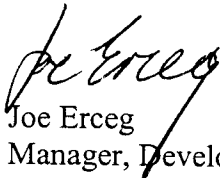




To: Planning Committee
From: Joe Erceg
Manager, Development Applications
Date: February 5, 2003
File: RZ 02-205483
RE: **APPLICATION BY JATINDER BHANGAV TO PERMIT A CHILD CARE PROGRAM AS A PERMITTED USE IN THE AGRICULTURAL DISTRICT (AG1) ZONE SPECIFICALLY AT 7471 NO. 6 ROAD**

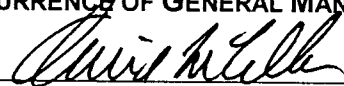
Staff Recommendation

That Bylaw No. 7488, for the rezoning of 7471 No. 6 Road to include "Child Care program as a Home Occupation, limited to a maximum of 30 children" among the permitted uses in the "Agricultural District (AG1)" zone specifically at the subject site only, be introduced and given first reading.



Joe Erceg
Manager, Development Applications

JE:jl
Att. 3

<p>FOR ORIGINATING DIVISION USE ONLY</p> <p>CONCURRENCE OF GENERAL MANAGER</p> 

Staff Report

Origin

The Countrycare Out-of-School Daycare at 7471 No. 6 Road has applied for rezoning to increase its licensed capacity from 10 children in care to 30 children in care (**Attachment 1**). The property is zoned "Agricultural District (AG1)" and is located within the Agricultural Land Reserve (ALR).

The AG1 zone permits daycare as a home occupation. The Zoning Bylaw definition of "Home Occupation" limits a daycare to a maximum of 10 children. Therefore, a rezoning application is required to accommodate the proposed increase.

Before this rezoning application was processed, an ALR Non-Farm Use Application was considered. The application (AG 02-207846) was presented to Council on July 22, 2002 and supported to proceed to the Land Reserve Commission.

Findings of Fact

Item	Existing	Proposed
Owner	Jatinder and Sarbdeep Bhangav Jagdeep Bhangav and Gayatri Sreenivasan	No change
Applicant	Jatinder Bhangav	No change
Site Size	1.97 hectares (4.87 acres)	No change
Land Uses	Agricultural, residential, and out-of-school child area facility (licensed for 10 children in care)	Agricultural, residential, and out-of-school child care facility (licensed for 30 children in care)
OCP Designation	Agricultural	No change
ALR Designation	In the ALR	No change
Zoning	AG1	AG1 as amended

Project Description

The property is occupied by a house (approximately 836 m²/9,000 ft² in size) and grassed lawn area in the west 50 m (164 ft.) of the site. There is a septic field behind the house. The remaining 375 m (1,230.3 ft.) of lot depth is active as a blueberry farm (see **Attachment 2**).

The daycare operates as a home occupation in approximately 93 m² (1,000 ft²) of the house and is currently licensed to care for 10 children who attend nearby area schools (Sidaway, Cambie, Tait). The applicant wishes to increase the capacity of the facility to 30 children to accommodate demand for additional out-of-school care.

Site Context

The site context is as follows:

North:	Agricultural property with house and garage (zoned AG1)
East:	Fields with broadcasting towers; golf driving range (zoned AG1 and AG2)
South:	Agricultural properties (zoned AG1)
West:	Agricultural properties; Vancouver Gun Club range (zoned AG1)

Staff Comments

Staff do not have any concerns about this proposal. No additions to the existing dwelling unit are proposed. The existing blueberry farms are not affected by this proposal.

The Transportation Department commented that the applicant should ensure that there is adequate on-site pick-up and drop-off for clients of the facility. The site has a large paved circular driveway in the front yard that has two access points to No. 6 Road. The applicant has been made aware of the Transportation Department's comments and has agreed to monitor and manage traffic flow to and from the facility.

External Referral CommentsEnvironmental Health

The Environmental Health Department advises that the applicant will be required to upgrade the on-site sewage disposal system. This upgrade may involve expanding the existing septic field to the south by 6 m (20 ft.) to add another line. The applicant has been made aware of the Health Department requirements and is communicating directly with Health on this matter.

Community Care Facilities Licensing

The Provincial Community Care Facilities Licensing officials do not have any issues or concerns with the proposal to increase the licensed capacity of the existing child care facility. The operators currently comply with Provincial regulations and run a good program.

Licensing officials indicate that there is adequate additional indoor and outdoor play space in the house to accommodate an increase in its capacity. The licensed maximum capacity will be determined by:

- Further discussions with the operator on the actual program(s) that will be offered;
- Inspection and measurement of the interior floorspace of the facility; and
- The number of users that the on-site sewage disposal system could accommodate.

Any requirements of daycare licensing will be addressed at the time of licensing.

Analysis

Demand for Child Care

A Child Care Needs Assessment for the City of Richmond was completed in June 2002. It indicates that the East Richmond corridor from Hamilton to Bridgeport is underserved while the projection for growth is still strong.

There are currently only eight child care facilities located within the ALR, listed as follows:

Name	Location	Type of Child Care	Licensed Capacity
Little Friends Preschool	11051 No. 3 Road	Preschool	35
Richmond Montessori Children's House	12151 Shell Road	Preschool	40
Cornerstone Christian Academy Preschool	7890 No. 5 Road	Preschool	20
Our Saviour Group Day Care Centre	6340 No. 4 Road	Group Daycare	35
City Farm Daycare	13651 Blundell Road	Group Daycare	10
Countryside Out-of-School	7471 No. 6 Road	Out-of-School Care	10
Kidz on 6	3120 No. 6 Road	Family Daycare	7
Tina Family Daycare	7140 No. 4 Road	Family Daycare	7

The location of Countryside is well positioned to serve children who attend Sidaway School and schools in the East Cambie area. Although Sidaway School is one of the schools that may be closed by the Richmond School District, there appears to be sufficient demand for child care in the community to warrant this expansion. This facility is also close to employment areas along No. 6 Road (north of Westminster Highway) for people who require child care close to their places of employment.

Land Reserve Commission Application Process

The Land Reserve Commission (LRC) requires an application for Non-Farm Use for any care facility, including child care facilities, providing care for more than 8 persons in the ALR.

An ALR Application for Non-Farm Use (Application No AG 02-207846) was reviewed by Council on July 22, 2002 and authorized to proceed to the LRC for consideration. The LRC advised the applicant and the City on November 29, 2002 that the Non-Farm Use Application was approved on the understanding that the outdoor play areas will not have to expand onto the agricultural lands (see **Attachment 3**).

Zoning Bylaw Amendment

Child care facilities in the AG1 zone are currently permitted as home occupations. Under the Zoning Bylaw definition of "Home Occupation", a child care facility may care for up to 10 children.

In order to accommodate the applicant's request, it is proposed that the AG1 (Agricultural District) zone be amended to allow for a "Child care program as a Home Occupation, limited to a maximum of 30 children" at the subject site only.

Staff support the proposal as long as the child care facility continues to operate as a home occupation within the existing dwelling unit. Staff does not support the creation of a separate building or structure on the property to accommodate a child care facility. Therefore, the proposed zoning amendment would allow for a larger child care program only as a home occupation.

The proposed amendment would allow the current facility to expand accordingly without extending the same privilege to other child care facilities on AG1 zoned lands. Any other facility that wishes to increase its capacity would be reviewed and evaluated on a site specific basis.

Financial Impact

None.

Conclusion

The application is for the expansion of an existing child care facility within the City's agricultural area. The subject property is a large site that is close to 2 hectares (5 acres) in size. No changes to the building are proposed and there is adequate indoor and outdoor play area to accommodate an increase in the facility's licensed capacity. The play areas are located on the south side of the property, away from any neighbouring houses.

The applicant indicates that this change in use will not affect or diminish the existing blueberry farm operations that currently take place on the site.

The proposed zoning amendments to the AG1 zone will only allow the increased child care capacity at this location only. Other existing child care facilities on AG1-zoned land will not be affected by this amendment.

As this proposal will provide a community benefit by helping to meet child care needs in East Richmond, it is recommended that the application be approved.

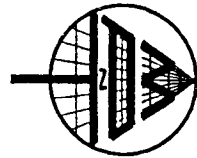
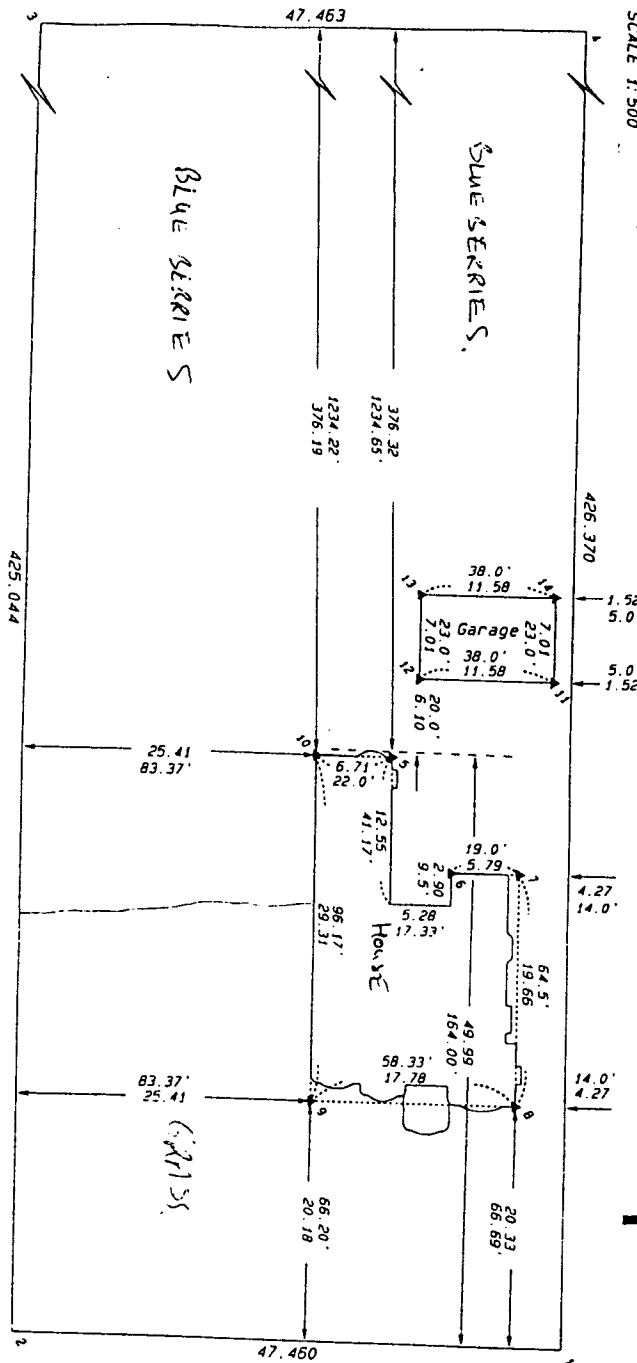


Janet Lee
Planner 2

JE:jl

PLAN SHOWING BUILDING LAYOUT ON PARCEL "2" (J21626E)
 LOT "B" SECTION 17 BLOCK 4 NORTH RANGE 5 WEST
 NEW WESTMINSTER DISTRICT PLAN 11667

CURRENT ADDRESS:
 7471 NO. 6 ROAD
 RICHMOND, B.C.
 SCALE 1:500



THE LINE REPRESENTING THE FACE OF THE FOUNDATION WALL SHOWN HEREON DOES NOT INCLUDE EXTERNAL BRICK WORK IF ANY

THIS PLAN IS FOR CONSTRUCTION PURPOSES ONLY AND REPRESENTS FIELD LAYOUT
 ▲ INDICATES HUB SET

BENCH MARK SET	
DESCRIPTION:	_____
BENCHMARK ELEVATION:	_____
ROAD ELEVATION:	_____
DERIVED FROM:	_____

NOTE:
 THIS PLAN IS INTENDED ONLY TO SHOW THE POSITION OF CERTAIN IMPROVEMENTS WITHIN THE SUBJECT PARCEL. NO OTHER INFORMATION IS IMPLIED. IN PARTICULAR THIS IS NOT TO BE USED FOR THE LOCATION OF PROPERTY LINES OR FOR BUILDING MODIFICATIONS. WE ACCEPT NO RESPONSIBILITY FOR ANY UNAUTHORIZED USE.

NO. 6 ROAD

NOTE DIMENSION ERROR ON FOUNDATION PLAN (FRONT PORCH)

58

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 MATSON, PECK & TOPLISS
 BRITISH COLUMBIA LAND SURVEYORS
 PROFESSIONAL CIVIL ENGINEERS
 210-8171 COOK ROAD, RICHMOND, B.C.
 (ph) 270-9331
 (fax) 270-4137

IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BUILDING LOCATION AND ELEVATION COMPLY WITH ZONING BY-LAWS AND RESTRICTIONS DUE TO STATUTORY RIGHTS OF WAY AND EASEMENTS.

HARJEET BHANGAY
 272-7800/377-0954 (cell)
 CONTACTED _____

R94-288



Land Reserve Commission

Working Farms, Working Forests

November 29, 2002

Reply to the attention of Sherry Gordon

Jatinder & Sarbdeep Bhangav
7471 No 6 Road
Richmond, BC - V6W 1C9

Dear Sir/Madam:

RE: **Application #O-34482**
Lot B, Parcel 2 (J21626E), Block 4 North, Section 17, Range 5 West, New Westminster District, Plan 11667

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to increase the size of a licensed daycare from 10 children to 30 children on the 1.97 ha property. The application was submitted pursuant to section 22(1) of the *Agricultural Land Reserve Act* (the "ALRA").

In accordance with section 25(5) of the ALCA, the Commission writes to advise that it approved your application on the understanding that you will not need to expand your outdoor facilities into the agricultural lands to accommodate the increased number of children.

The decision noted above is recorded as Resolution #621/2002.

Finally, on November 1, 2002 the new *Agricultural Land Commission Act* came into force replacing the *Land Reserve Commission Act*, the *Agricultural Land Reserve Act* and the *Soil Conservation Act*. As a result the Land Reserve Commission is now known as the Provincial Agricultural Land Commission. The *Agricultural Land Commission Act* provides that an application or matter commenced under the former Act is continued as an application or matter under the new Act. The Provincial Agricultural Land Commission may take up and carry on to completion all proceedings or other matters commenced under the former Act. The new Act and regulations can be viewed at the Commission's website located at www.alc.gov.bc.ca

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:



K. B. Miller, Chief Executive Officer

cc: Jagdeep Bhangav - 7471 No 6 Road, Richmond, BC, V6W 1C9;
Gayatri Sreenivasan - 7471 No 6 Road, Richmond, BC, V6W 1C9;
City of Richmond – File #AG02-207846
BC Assessment, Richmond

SG/lv



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7488 (RZ 02-205483)
7471 NO. 6 ROAD**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning and Development Bylaw 5300 is amended by inserting the following into Section 221.1:

“PERMITTED USES – SITE SPECIFIC

The following additional uses are permitted in the Agricultural District (AG1) on a site specific basis only:

CHILD CARE program as a **HOME OCCUPATION**, limited to a maximum of 30 children in the case of:

P.I.D. 003-916-332
Parcel “2” (J21626E) Lot “B” Section 17 Block 4 North Range 5 West New
Westminster District Plan 11667
7471 No. 6 Road”

2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7488”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. <i>HR</i>
APPROVED for legality by Solicitor <i>[Signature]</i>

MAYOR

CITY CLERK