



Committee of the Whole Report

For the Meeting of January 18, 2018

To: Committee of the Whole **Date:** January 4, 2018

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Development Variance Permit Application No. 00199 for 1750 Haultain Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit No. 00199 for 1750 Haultain Street, in accordance with:

1. Plans date stamped November 15, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for:
 - i. reduce the required vehicle parking from five stalls to one stall for a kindergarten use
 - ii. increase the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) spaces
 - iii. reduce the minimum lot width for a house conversion to a kindergarten from 18m to 15m.
3. Final issuance of the Development Variance Permit subject to receipt of registered Statutory Right-of-Way (SRW) of 1.40m on Haultain Street to the satisfaction of the Director of Engineering and Public Works
4. The Development Variance Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw*, provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1750 Haultain Street. The proposal is to reduce the number of off-street parking stalls from five stalls to one stall, so as to resume the operation of a kindergarten. The house was converted to a kindergarten in

1981 and the five parking stalls required at that time were not used and later removed. The kindergarten operated for several years, but closed in July of 2017. The new owner would like to re-open the day care; however, the parking requirements in Schedule C - Off-Street Parking must be satisfied.

The following points were considered in assessing this application:

- the *Official Community Plan, 2012* (OCP) encourages the development of quality, accessible and affordable childcare, including preschools and out-of-school care throughout the City
- the OCP supports the inclusion of community services (including childcare) in all Urban Place Designations
- the rear yard is used as a play area for the kindergarten, and without rear yard parking the property cannot accommodate the five parking spaces required to comply with the *Zoning Regulation Bylaw*
- the on-street parking demand would generally be experienced for brief periods of the day coinciding with drop-off and pick-up of children
- Haultain Street is a People Priority Greenway in a highly walkable residential neighbourhood close to public transit stops, all of which support alternative modes of transportation
- the applicant will be supplying bicycle parking and stroller parking on-site to mitigate the parking variances
- the variance for lot width is considered supportable because this requirement was added after the conversion to a kindergarten, and the use of the subject property is not changing.

BACKGROUND

Description of Proposal

The proposal is to re-establish a kindergarten. Specific details include:

- the entire building will be used as a kindergarten and no part of it will be used for residential purposes
- the kindergarten will accommodate up to 24 children and three staff
- one off-street parking stall is provided in the side yard
- the applicant will supply weather-protected bike and stroller parking under the deck and in the basement to mitigate the parking variance
- a bicycle repair stand is proposed for use by staff and parents.

The proposed variances are related to:

- reducing the required parking from five parking stalls to one parking stall
- reducing the minimum lot width for a house conversion to a kindergarten from 18m to 15m
- increasing the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor).

Sustainability Features

The applicant's letter dated November 12, 2017 outlines the sustainability features associated with this application.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- five outdoor covered bike parking stalls for parents, children and staff
- three indoor bike parking stalls for staff
- end-of-trip facilities for staff
- a bicycle repair station for the use of staff and parents.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Variance Permit Application.

The applicant has agreed to a request from the City to grant a Statutory Right-of-Way of 1.4m to achieve future transportation-related needs on the corridor.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The subject property is a single family dwelling converted to a kindergarten use in 1981. Under the House Conversion Regulations, the building could be converted to three self-contained units.

Under the current R1-B Zone, Single Family Dwelling District, the property could be redeveloped as a single family dwelling with a secondary suite or a garden suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal differs from the existing zone.

| Zoning Criteria | Proposal | Zone Standard R1-B | Comments |
|--|----------|-----------------------|--|
| Site area (m ²) - minimum | 690 | 460 | 670m ² for House Conversion to kindergarten |
| Lot width (m) - minimum | 15.2* | 15.0 | 18m for House Conversion to kindergarten |
| Total floor area (m ²) - maximum | 267 | 420 | |
| Site coverage % - maximum | 20 | 40 | |
| Parking - minimum | 1* | 5 | 1 stall per staff (3) plus 2 |

| Zoning Criteria | Proposal | Zone Standard R1-B | Comments |
|--|-------------------------------|---|--|
| <i>Proposed Schedule C Parking - minimum</i> | 1 | 3 | 1 stall per 100 m ² of floor area |
| Parking location | Behind front line of building | Behind front line of building | |
| Bicycle parking stalls Class 1 - minimum | 3* | n/a Only required for new construction | Within basement |
| Bicycle parking stalls Class 2 - minimum | 5* | n/a Only required for new construction | Under porch for weather protection |

Relevant History

The existing house was constructed in 1913 and has been renovated since that time. In 1981, the City processed a Building Permit to allow the conversion of the existing house from a single family dwelling to a kindergarten. The plans associated with this Building Permit showed five parking stalls located in the rear yard. It would appear that the rear yard may have been cleared for this purpose, but it is difficult to determine if the area ever used for vehicle parking. From the City's 2007 aerial photo collection, it is clear the rear yard was used for play structures since that time. The kindergarten closed in July 2017 and the property was sold to a new owner who wishes to maintain this use. The new owner is applying for a variance from Schedule C - Off-Street Parking to re-open the kindergarten with one parking stall.

The requirements in the current Schedule G to allow a kindergarten are as follows:

- the building must have been constructed as a single family residence prior to 1931
- a minimum lot area of 670m²
- a minimum lot width of 18m.

The subject property does not meet the minimum width requirement and therefore an additional variance is required.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on October 20, 2017, the application was referred for a 30-day comment period to the North Jubilee Neighbourhood Association. A letter dated November 14, 2017, is attached to this report.

This application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Jubilee Neighbourhood Plan

The *Jubilee Neighbourhood Plan* does not provide specific guidance on the inclusion or expansion of childcare facilities. The plan states the following:

"Evaluate development proposals in light of the diversity of age groups and family structures in the neighbourhood and explore opportunities to provide amenities for various age groups through the development review process."

Regulatory Considerations

Off-Street Parking

The current off-street parking requirement is five parking stalls: one space per employee (3) plus two additional stalls. The proposal is to reduce the parking requirement to one off-street stall.

While Schedule C - Off-Street Parking does not permit tandem parking (one parking stall behind another) or required parking to be located in the front yard, the existing driveway has sufficient length to accommodate more than one vehicle.

With respect to the availability of on-street parking, Haultain Street is limited to Residents Only parking. Under the general procedures for residential parking zones, visitors, and people dropping children off are entitled to use the on-street parking. The applicant has indicated in their letter to Mayor and Council that there appears to be adequate on-street parking opportunities within the immediate vicinity of the site to accommodate parents picking up and dropping off their children. The applicant cites a previous parking analysis which indicates that typical pick-up and drop-off time is between three and 10 minutes.

Additionally, the applicant is proposing a number of bicycle-related facilities and features, which would help offset the parking variance.

It should be noted that the proposed Schedule C - Off-Street Parking, if adopted by Council, would require a minimum of 3 motor vehicle parking stalls.

Bicycle Parking

Bicycle parking for this proposal is not required; however, in order to mitigate the parking shortfall, the applicant is proposing five weather protected bicycle and stroller parking spaces for parents and staff and three indoor bicycle parking spaces for staff. To ensure that this bicycle parking is provided as proposed, the application includes a variance to increase the required number of bicycle parking stalls from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) stalls.

There would also be end-of-trip facilities for staff that include an area for storing and drying wet weather gear. The applicant is also proposing a bicycle repair stand on-site, which will be available for staff and parent use.

Lot Width for House Conversion to Kindergarten

The House Conversion Regulations state that a house constructed as a single family dwelling prior to 1931 may be converted to a kindergarten if it has a minimum lot width of 18m. The site has a lot width of 15.2m; however, the lot does exceed the minimum lot area of 670m² by 20m². Staff recommend supporting this variance as the use would not change with this proposal.

CONCLUSIONS

The OCP supports the integration and availability of community services, such as kindergartens, throughout the City. City policy also encourages providing infrastructure to support active modes of transportation, such as bicycle parking. The subject property is located in a walkable neighbourhood with access to transit and bike routes, and this proposal would support users in their choice of active transportation modes. The parking variance is mitigated by the inclusion of bike parking and other means of supporting active transportation, such as stroller parking, end of trip facilities for staff, and a bike repair station. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00199 for the property located at 1750 Haultain Street.

Respectfully submitted,



Chelsea Medd
Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager:



Date:

Jan 11, 2018

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped November 15, 2017
- Attachment D: Letter and Attachments from Applicant to Mayor and Council dated November 12, 2017
- Attachment E: Community Association Land Use Committee Comments dated November 14, 2017.