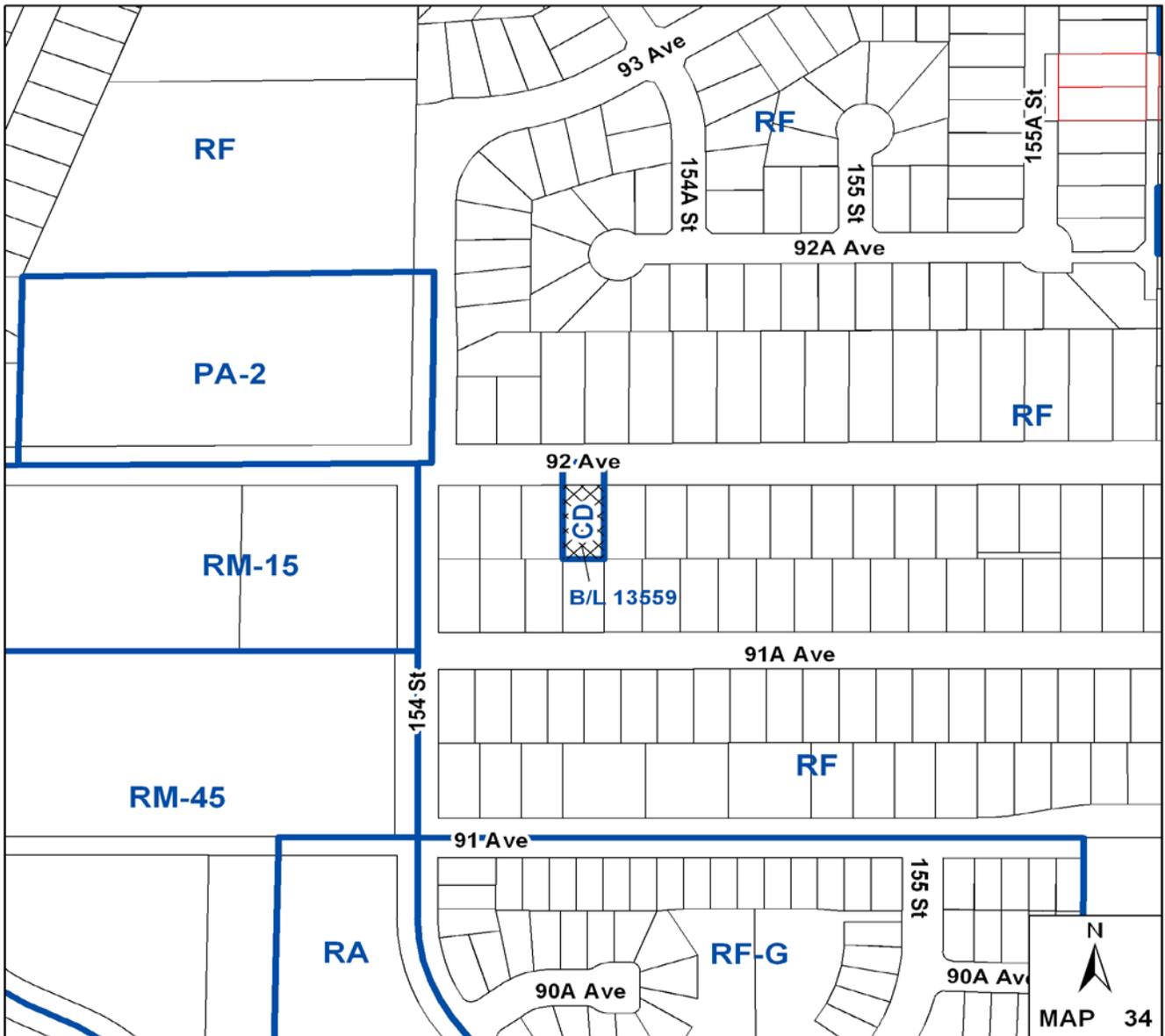


**Proposal:** Development Variance Permit to relax parking requirements and to increase the permitted driveway width.

**Recommendation:** Approval to Proceed

**Location:** 15438 - 92 Avenue      **Zoning:** CD (By-law No. 13559)

**OCP Designation:** Urban      **Owner:** Ian Foster and Brooke Splichen



## PROJECT TIMELINE

Completed Application Submission Date: April 21, 2006  
Planning Report Date: July 24, 2006

## PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
  - to reduce the minimum number of on-site parking spaces required in the Zoning By-law from 13 to 8; and
  - to increase the maximum residential driveway width permitted in the Highway and Traffic By-law from 6.0 metres (20 ft.) to 11.0 metres (36 ft.)

in order to accommodate an infant care program within an existing child care centre.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0039-00, (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum number of on-site parking spaces required in the Zoning By-law from 13 to 8; and
  - (b) to increase the maximum residential driveway width permitted in the Highway and Traffic By-law from 6.0 metres (20 ft.) to 11.0 metres (36 ft.).

## REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering requirements as identified in the attached (Appendix IV).

## SITE CHARACTERISTICS

- **Existing Land Use** Single family dwelling with child care centre, zoned CD (By-law No. 13559), designated Urban.
- **East:** Single family dwellings, zoned RF, designated Urban.
- **South:** Single family dwellings, zoned RF, designated Urban.

- **West:** Single family dwellings, zoned RF, designated Urban and across 154 Street, existing townhouse development, zoned RM-15, and Fraser Valley Christian High School, zoned PA-2, all designated Urban.
- **North:** Across 92 Avenue, single family dwellings, zoned RF, designated Urban.

### PLAN AND POLICY COMPLIANCE

OCP Designation:                      Complies.

### DEVELOPMENT CONSIDERATIONS

#### Background

- The subject property is located on the south side of 92 Avenue east of 154 Street in Fleetwood, north of the Fleetwood Town Centre and is designated Urban in the Official Community Plan (OCP).
- The subject property was rezoned from Single Family Residential Zone (RF) to Day Care Institutional Zone (P-P(1)) (By-law 5942) in February 1988 (File No. 5687-0559). At that time, the owner intended to operate a pre-school for 20 children and to reside in the building. The P-P(1) Zone did not prescribe a maximum capacity for the daycare and did not require an associated residence. The number of children, which could be accommodated in the child care centre, was regulated solely by provincial licensing in accordance with the *Community Care Facility Act*.
- When Surrey Zoning By-law No. 12000 was adopted by Council in September 1993, the P-P(1) zoned site was converted to the new Child Care Zone (CCR) as it was the closest equivalent zone. However, unlike the P-P(1) Zone, the CCR Zone specifies a maximum number of 25 children that can be accommodated in the child care centre.
- In September 1993, the child care centre was renovated to allow for an additional 10 pre-school and 10 daycare children for a total of 40 children. However, this approved renovation did not meet the recently converted zoning of the site.
- In June 1999, the subject property was rezoned through a Council-initiative, to Comprehensive Development (CD By-law No. 13559) (File No. 7998-0201-00) in order to bring the non-conforming child care centre into compliance.

#### Current Proposal

- The applicant, owner of the Primary Colours child care centre located at 15438 – 92 Avenue, is proposing to add an infant program to the current operation. This will bring the total license to 40 children, as permitted under the CD (By-law No. 13559) zoning.

- The applicant is currently operating with a license for twenty-eight (28) children, of which sixteen (16) are daycare and twelve (12) are school age (before and after school). There is also a pre-school program, which is operational only when the school age children are at school. The pre-school classes accommodate ten (10) children.
- The following is an explanation of current parking requirements:

	License	Times	Staff	Parking
<b>Daycare</b>	16	6:30 am - 6:00 pm	2	4
<b>School Age</b>	12	6:30 am - 9:30 am 2:30 pm - 6:00 pm	1	2
<b>Pre-school</b>	10	9:00 am - 11:30 am 12:00 pm - 2:30 pm	1*	0**
<b>Residence</b>	n/a	n/a	n/a	1***
<b>Total</b>				7

- \* Staff for school age and pre-school are not at the centre at the same time, so the staff is only counted once.
- \*\* Parking for school age and pre-school are not at the centre at the same time, so the parking calculation is only counted once under the school age row.
- \*\*\* The parking requirement for a residence is 2 stalls, however since one of the staff members resides in the home, the parking stall is credited.

- As illustrated below, by adding the proposed infant centre, the applicant would be required to provide a total of 13 parking stalls, in accordance with the parking requirements of Surrey Zoning By-law No. 12000.

	License	Times	Staff	Parking	Requested
<b>Infant</b>	12	6:30 am - 6:00 pm	3	6	
<b>Daycare</b>	16	6:30 am - 6:00 pm	2	4	
<b>School Age</b>	12	6:30 am - 9:30 am 2:30 pm - 6:00 pm	1	2	
<b>Pre-school</b>	10	9:00 am - 11:30 am 12:00 pm - 2:30 pm	1	0	
<b>Residence</b>	n/a	n/a	n/a	1	
<b>Total</b>				13	8

- The child care with the proposed infant care expansion requires a total of 13 parking stalls in accordance with the Surrey Zoning By-law.
- Initially, the applicant proposed 10 on-site parking stalls, with two stalls located within the front yard on structural grass (Appendix III).

- However, the structural grass installation required for these two additional stalls, would impact the mature cedar tree located in the front yard. The applicant would like to retain the tree as it provides privacy, shade and character to the home and neighbourhood.
- In an effort to meet the number of parking spaces required, the applicant has illustrated that an additional 3 cars can be accommodated along the frontage of the property for on-street parent pick-up and drop-off spaces. These 3 spaces are in addition to the 8 provided on-site, for a total of 11 spaces.
- At the request of the Engineering Department, the applicant has agreed to remove the three parking stalls currently located west of the driveway on the City's boulevard and restore the boulevard to the appropriate standard. This work will take place as a condition of the building permit required for the associated renovations proposed.

#### Hours of Operation and Parking Loads

- The pick-up and drop-off times for the pre-school program do not overlap with the pick-up and drop-off times for the other programs at the daycare facility.
- The applicant has indicated that the busiest time for parking is at the beginning and end of each pre-school program. The pre-school class has a definitive start and end time wherein all parents arrive at the centre at the same start and end time for pick up and drop off. At any one time during these time slots, the number of cars present can reach up to 5 cars.
- For all other programs, the pick-up and drop-off times are staggered and there are usually only 1 or 2 cars present at any one time. The pick-up and drop-off hours for programs other than pre-school, are spread out over a few hours in the morning (6:30 am - 9:00 am) and afternoon (2:30 pm – 6:00 pm).
- The addition of the infant care centre requires an additional six parking spaces, three for staff and an equal number for pick up and drop off, for a total of 6 spaces.
- The pick-up and drop-off times for this program are also spread over two hours in the morning and afternoon similar to the existing daycare and school age programs. The dispersed times will not create an increased demand for parking under the current operation.

#### BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum number of on-site parking spaces required in the Zoning By-law from 13 to 8.

Applicant's Reasons:

- There are currently 8 on-site parking spaces and three on-street parking spaces for pick-up and drop-off for the child care centre.
- The addition of the infant care program is an integral component in the delivery of child care service within Surrey. Currently, there is an increased need for this type of specialized infant child care.
- Parking is not currently a problem and the staggered pick-up and drop-off times will not affect the current parking situation.
- Therefore, the addition of the infant program will not increase parking demand at the times when maximum vehicle traffic is present (i.e. at the beginning and end of each pre-school program).

Staff Comments:

- There have been no traffic or parking complaints regarding the existing operation.
- The applicant indicates that most of the parking demand is generated by the existing pre-school operation and the pick-up and drop-off times for the proposed infant care program will occur at off-peak times, similar to the daycare and school age programs.
- People who use the facility are also able to walk or take public transit to the facility.
- As a result, the Planning & Development Department can support the requested variance.

(b) Requested Variance:

- To increase the maximum driveway width permitted in the Highway and Traffic By-law from 6.0 metres (20 ft.) to 11.0 metres (36 ft.).

Applicant's Reasons:

- The existing driveway is 11.0 metres (36 ft.) wide. The driveway was at its current width when the applicant purchased the property.
- In order to mitigate any potential noise or disturbance from the existing driveway, a landscape buffer was installed along the western edge. The cedar hedge that was planted to address the interface between the adjacent neighbour to the west is now 6 metres (20 ft.) in height.

Staff Comments:

- The Highway and Traffic By-law 1997, No. 13007 refers to the design of driveways in accordance with the Engineering Department's Design Criteria Manual and Standard Drawings.

- The standard drawing (SSD-R.42.1) for a residential driveway letdown permits a maximum driveway width of 6.0 metres (20 ft.).
- The existing driveway located at 15438 – 92 Avenue serves the child care centre and its parking requirement. The western edge, adjacent to the neighbouring property, has been planted with a cedar hedge landscape buffer to screen the driveway.
- In order to bring the existing driveway into compliance, the Planning & Development Department and Engineering Department can support the requested variance.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Contour Map
Appendix III.	Site Plan
Appendix IV.	Engineering Comments
Appendix V.	Development Variance Permit No. 7906-0039-00

#### INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated May 23, 2006

How Yin Leung  
Acting General Manager  
Planning and Development

JJ/kms

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:      Name:                Ian Foster  
                         Address:            15438 - 92 Avenue  
   Surrey, B.C.  
   V3R 1C2  
                         Tel:                 778-836-3191
  
2.      Properties involved in the Application
  - (a)      Civic Address:            15438 - 92 Avenue
  
  - (b)      Civic Address:            15438 - 92 Avenue  
                 Owner:                Ian Foster and Brooke Splichen  
                 PID:                    008-716-315  
                 West Half of Lot 18 Block "B" Section 35 Township 2 New Westminster  
                 District Plan 2213
  
3.      Summary
  - (a)      Proceed with Public Notification for Development Variance Permit No. 7906-0039-00.

CONTOUR MAP FOR SUBJECT SITE

