



Item .....
Meeting ..... 2018 November 19

COUNCIL REPORT

**TO:** CITY MANAGER 2018 November 14

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #17-18**  
**Licensed Child Care Facility**  
**(86 children)**

**ADDRESS:** 4838 Hastings Street

**LEGAL:** Lot 3, Lot 4, and Partial Lot 2, District Lot 122, Plan EPS3581

**FROM:** CD Comprehensive Development District (based on C2 Community Commercial District and RM3 Multiple Family Residential District)

**TO:** Amended CD Comprehensive Development District (based on C2 Community Commercial District, RM3 Multiple Family Residential District, P1 Neighbourhood Institutional District, and Hastings Street Area Plan guidelines)

**APPLICANT:** Arcus Consulting Ltd.  
#120 – 1200 West 73<sup>rd</sup> Avenue  
Vancouver, BC V6P 6G5  
Attn: Ramon Gonzalez

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2018 December 11.

---

**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2018 November 26 and to a Public Hearing on 2018 December 11 at 7:00 p.m.
2. **THAT** the following be established as a prerequisite to the completion of the rezoning:
  - a) The submission of a suitable plan of development.

**REPORT**

## **1.0 REZONING PURPOSE**

The purpose of the proposed rezoning bylaw amendment is to permit the operation of a child care facility for 86 children.

## **2.0 BACKGROUND**

- 2.1 The subject property is located on the southeast corner of Gamma Avenue and Hastings Street within the Council-adopted Hastings Street Area Plan area, and is currently improved with a new four-storey mixed-use building. Retail and service commercial uses are located to the west and north of the subject site fronting Hastings Street. Single-family dwellings are located to the east across Hastings Street and south across the lane. Vehicular access to the site is from the lane.
- 2.2 On 2014 December 08, Council gave Final Adoption to Rezoning Reference #14-06 to permit the construction of a four-storey mixed-use building with grade-level retail – including three commercial retail units (CRUs) fronting Hastings Street and one CRU fronting Gamma Avenue – and three residential storeys above, utilizing CD (C2, RM3) District zoning.
- 2.3 On 2015 May 25, Council received a report regarding Rezoning Reference #15-19 to permit a child care facility with 86 children and 20 staff on the subject property. That rezoning, advanced by the developer, was subsequently withdrawn. On 2017 July 24, Council received a report regarding the subject rezoning on behalf of a child care operator and authorized the Department to continue to work with the applicant with the understanding that a further and more detailed report would be submitted at a later date. The applicant has now submitted a plan of development suitable for presentation at a Public Hearing.

## **3.0 GENERAL COMMENTS**

- 3.1 The applicant is requesting the rezoning in order to permit a child care facility with 86 children on the subject property. The proposed facility would have 11 staff and accommodate four group child care programs for children aged 30 months old to school age, with one group of 13 children, two groups of 24 children, and one group of 25 children. The hours of operation would be from 7:30 am to 5:30 pm, Monday to Friday. The intent is to operate the child care facility within the eastern two and one-half CRUs fronting Hastings Street, occupying approximately 461.63 m<sup>2</sup> (4,969 sq. ft.) of internal floor area. In addition, a fully fenced and landscaped outdoor play area, approximately 327.2 m<sup>2</sup> (3,522 sq. ft.) in size, is proposed to be connected to the indoor area on the east side of the building. The outdoor play area includes an existing patio, various play structures, and extensive hard and soft landscaping; supplemental planting is proposed east of the play area. Metal architectural fencing to match the existing is proposed around the play area, with cedar hedges and, where necessary, privacy screening proposed along

the lane. Along the Hastings Street frontage, the play area is proposed to be separated from the sidewalk by the architectural fencing, existing street trees, landscaping, and arbours.

- 3.2 A parking and access management plan has been submitted by the applicant, and the subject site has a total of 23 off-street underground commercial parking spaces located on the P1 level. Based on Zoning Bylaw requirements, there is sufficient parking on site to accommodate the proposed child care facility, as well as the uses in the remaining CRUs, and nine of the child care facility's 14 required parking spaces are proposed to be designated for pick-up and drop-off.

- 3.3 As indicated in previous reports to Council, the subject rezoning amendment to the prevailing CD District is necessary to include the P1 Public and Institutional District zoning as a guideline in order to permit a child care use. While recent amendments to the Zoning Bylaw now also allow child care facilities in a number of Commercial Districts, rezoning in this case is still required due to site's CD zoning, and the use of the P1 District is required in order to conform with previous proposals presented to Council. Under the proposed amendment, the subject space would retain C2 District zoning, in addition to the proposed P1 District zoning, in order to allow reversion of the space for other commercial uses without further rezoning, should the proposed child care facility cease operations in the future.

The P1 District requires a minimum lot area and width of 890 m<sup>2</sup> (9,580.19 sq. ft.) and 24.5 m (80.38 ft.) respectively, except that the lot area shall be increased by 19 m<sup>2</sup> (204.52 sq. ft.) for each child over 20 in number accommodated by a child care facility. The overall lot has an area of 2,149.86 m<sup>2</sup> (23,141 sq. ft.), which exceeds the minimum lot area of 2,144 m<sup>2</sup> (23,077.82 sq. ft.) which would be required for 86 children.

- 3.4 Fraser Health Authority approves child care facilities through administration of the Child Care Licensing Regulation (CCLR) of the Community Care and Assisted Living Act. With respect to this proposal, the applicant has submitted a letter from the Fraser Health Authority indicating that, based on submitted plans, they are able to approve in principal the physical space of the facility.
- 3.5 The proposed child care facility will contribute to the limited supply of licensed child care spaces in Burnaby. It is noted that there is only one group child care facility in the immediate area, a 25-space child care facility for children aged 30 months to school age at 380 Hythe Avenue, located approximately 200 m (656 ft.) east of the subject site.
- 3.6 While the provision of satisfactory child care facilities for children is essential, the assessment of their location relative to other uses is also an important consideration. The proposed child care facility is not likely to have any significant impact on adjacent land uses. No conflicts are seen with the building's other commercial uses, which are located away from the outdoor play area, with commercial uses across Hastings Street to the

To: City Manager  
 From: Director Planning and Building  
 Re: REZONING REFERENCE #17-18  
 2018 November 14 .....Page 4

north or across Gamma Avenue to the west, with the subject building's residential units, or with residential uses to the south across the lane. As indicated above, sufficient parking is provided for the use in the underground parking area, which is proposed to include designated pick-up and drop-off spaces, and is accessed via the lane.

With respect to the outdoor play area, the child care facility's director has submitted an operational plan indicating that the proposed play area will be utilized by the child care facility only, and only during the facility's operating hours. The operational plan also indicates that outdoor activity programming will be planned with neighbours in mind, with music not be played outside, children taught to be mindful of their outdoor environment, and teachers trained to explain and enforce the rules of outdoor play. Furthermore, given the size of the play area and Fraser Health requirements, it is noted that only two groups of children, to a maximum of 49 children, would utilize the outdoor play area at any one time. Finally, the proposed play area is proposed to be screened along the lane to further minimize conflicts with residential uses to the south.

3.7 No servicing is required in relation to this rezoning application.

3.8 Given that no additional gross floor area is proposed as part of the subject rezoning application, a GVS&DD Sewerage Charge is not required in conjunction with this rezoning application.

#### 4.0 DEVELOPMENT PROPOSAL

4.1	<u>Site Area (no change)</u>	-	2,149.86 m <sup>2</sup> (23,141 sq. ft.)
4.2	<u>Floor Area (Child Care Facility)</u>		
	Subject Unit	-	461.63 m <sup>2</sup> (4,968.94 sq. ft.)
	Outdoor Play Area	-	327.2 m <sup>2</sup> (3,522 sq. ft.)
4.3	<u>Parking</u>	<u>Required</u>	<u>Provided</u>
	Parking (Child Care Facility)	- 14	14
4.4	<u>Loading (no change)</u>	- 1	1

  
 Lou Pelletier, Director  
 PLANNING AND BUILDING

LS:rh

#### Attachments

cc: Director Engineering City Solicitor City Clerk



