



DISTRICT OF WEST VANCOUVER
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

8.

COUNCIL REPORT

Date:	October 21, 2021
From:	Kaelin Koufogiannakis, Assistant Planner
Subject:	Zoning Amendment Bylaw for 1050 Esplanade Avenue
File:	1010-20-21-111

RECOMMENDATION

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5160, 2021” be read a first time.

RECOMMENDATION

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5160, 2021” be presented at a Public Hearing scheduled for December 7, 2021 at 6 p.m. in the Municipal Hall Council Chamber, and that statutory notice be given of the scheduled Public Hearing.

1.0 Purpose

The purpose of this report is provide Council with information regarding a proposed amendment to the Zoning Bylaw to allow for child care for up to 7 children within a secondary suite at 1050 Esplanade Avenue.

2.0 Legislation/Bylaw/Policy

Local Government Act

The *Local Government Act* requires that a Public Hearing be held on the proposed Zoning Amendment Bylaw, in accordance with sections 464 through 470.

Zoning Bylaw No. 4662, 2010 (as amended)

The site at 1050 Esplanade is zoned RS5 (Single Family Dwelling Zone 5) which permits single family dwelling and accessory uses such as a secondary suite. Section 130.05 regulates secondary suites and does not permit a child care in a building containing a secondary suite.

3.0 Council Strategic Objective(s)/Official Community Plan

Strategic Plan

Council’s Strategic Plan (2020-2021) includes Strategic Goal 6, to “Enhance the social well-being of our community,” and Objective 6.7, to create a Child Care Plan for the District, which has been completed.

Official Community Plan

Section 1.2 of the Official Community Plan, Community Context and Key Trends, highlights the diminishing population of youth and children in West Vancouver, in part due to a significant decline in the population of young families with kids.

Section 2.8 outlines policies related to social well-being, and refers to the District's social plan for child care. Relevant policy includes:

- 2.8.5: Provide services, programs and facilities to support children, youth and families in meeting their diverse needs and foster their sense of belonging.

Child Care Action Plan

The Child Care Action Plan (2021-2031) aims to address gaps in service and improve the provision of child care and early learning in the District, through four key strategic directions: increase accessibility, improve affordability, focus on quality, and strengthen partnerships.

Three recommended actions to increase accessibility that are relevant to the current application are to:

- Create 863 new spaces over the next 10 years.
- Prioritize locating child care in civic facilities and parks, in new developments (residential and commercial), along transit corridors, and on school properties.
- Identify and implement changes to municipal processes and regulations to reduce barriers and streamline the development of child care spaces.

4.0 Financial Implications

There are no financial impacts to the District of West Vancouver.

5.0 Background

5.1 Previous Decisions

None.

5.2 History

None.

6.0 Analysis

6.1 Discussion

Site Context

1050 Esplanade is a property about 500 m² in area, located between Ambleside Village and Park Royal. The site fronts onto (and has vehicle access from) Esplanade Avenue, and backs onto Marine Drive, a transit corridor (see Figure 1). There is a stoplight-controlled intersection with a

crosswalk and median at Marine Drive and 11th Street, providing convenient access to Ambleside Park and Playground.

There is an existing single family house on the site, with a secondary suite on the lower floor. The site gently slopes southward, allowing the secondary suite to have two wide windows facing the backyard area for access to natural sunlight. The secondary suite is accessed through a separate entrance in the backyard (see Figure 2). A fence, gate, and cedar hedge separate the backyard from Marine Drive (see Figure 3).

Parking on the property includes a two-car garage and large driveway serving the principal dwelling, as well as two parking spots in a pull-out area along Esplanade Avenue (see Figure 4).

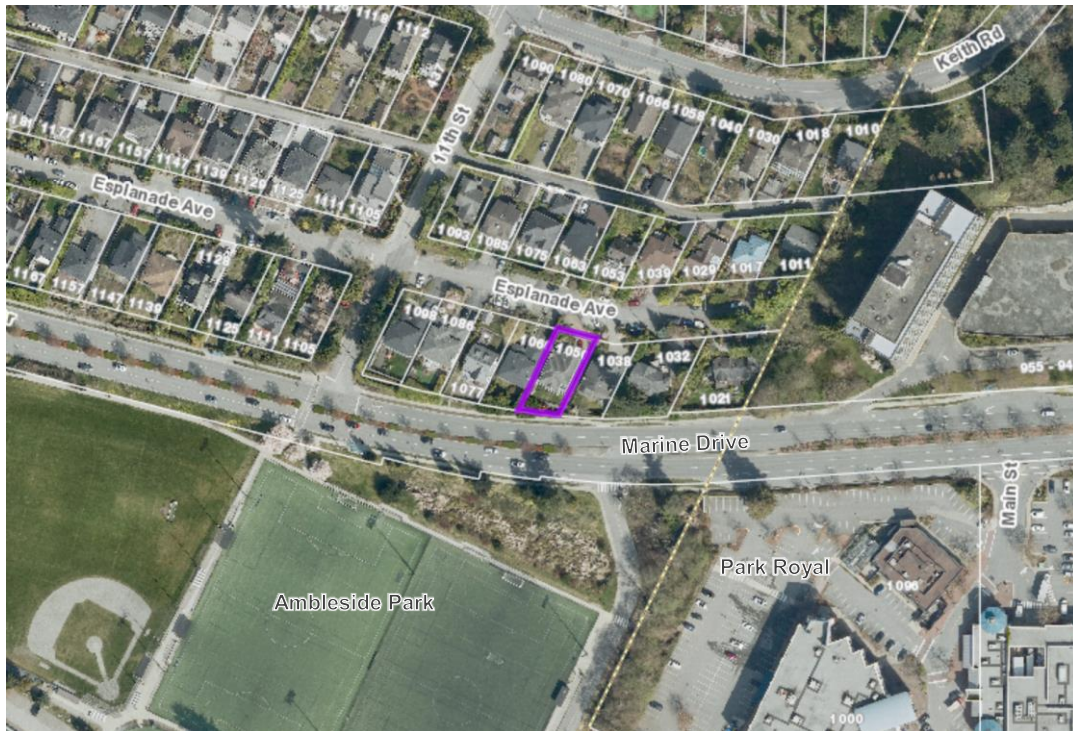


Figure 1 – Site location



Figure 2 – Secondary suite entrance and rear yard



Figure 3 – Rear of the property, from Marine Drive



Figure 4 – Parking along Esplanade Avenue, north side of property

Proposal Overview

The applicant is proposing to open a Family Child Care in the existing secondary suite residence. Vancouver Coastal Health (VCH) defines Family Child Care as: “*Care for up to 7 children in the licensee’s personal home and where the licensee personally provides the care.*”

The site layout plan for the proposed child care facility includes 42.5 m² of floor area specifically for child care uses such as learning, playing, and eating (this excludes the kitchen, bathroom, and hallway), and there is 85.3 m² of grassed outdoor play space (see **Appendix A**).

No building work is proposed on the property to allow for the child care use, and inspections have been completed. Building, Plumbing, and Fire Department inspections received acceptance in May 2021, and an Electrical inspection received acceptance in September 2021.

Zoning Amendment

The proposed Zoning Amendment Bylaw (**Appendix B**) is a site-specific amendment to section 205 (RS5 Single Family Dwelling Zone 5) which would allow for child care up to 7 children within a secondary suite at 1050 Esplanade, notwithstanding section 130.05.

Impact Mitigation

Through the staff review process, potential concerns regarding the impact of child care within a secondary suite were addressed as follows:

- *Parking*: The two parking spaces located at the top of the driveway, off the street (as shown in Figure 4), will be available for parent drop-off. The existing two-car garage and driveway area would continue to be used by other residents of the property.
- *Drop-off and Pick-up*: To accommodate staggered use of the parking spaces and reduce traffic at peak times, the application is proposing to provide each client with a 15-minute time slot at drop-off and pick-up. This will allow families to park and walk their child to/from the entrance at staggered times from other families.

6.2 Sustainability

The proposed amendment would provide for an additional child care service in the Ambleside area, a key amenity to attract young families and contribute to community social sustainability.

The site is ideally located to take advantage of environmentally sustainable transportation with convenient access to both the Marine Drive transit corridor and Spirit Trail.

6.3 Public Engagement and Outreach

Public Consultation

Between June 8 and 10, 2021 (prior to submission of the application), the applicant conducted preliminary public consultation providing information and contact details to 27 properties within 100 m of the property. There were 22 signatures of support received from neighbours, as well as one email. The email was generally supportive, with questions about licensing, noise, and traffic which were addressed by the applicant.

Additionally, the applicant has had ongoing discussions with the residents of the principal dwelling upstairs, who have indicated their support for the child care use. The property owner has also expressed support.

Notification

If Council schedules a Public Hearing, staff will give notification consistent with District policy and legislated requirements to property owners, businesses, and residents. The applicant will also advertise and host virtual public engagement as required by the Development Procedures Bylaw No. 4940, 2017.

Website

In alignment with current practice, a description of the proposal is available online. Applicable dates will be updated should the proposal advance.

6.4 Other Communication, Consultation, and Research

Planning staff have consulted with District staff in Community Services & Community Development, Permits & Inspections, and Licensing on the application, and staff comments were addressed by the applicant. Should the proposed Zoning Amendment Bylaw be approved, final licensing approvals and inspections will be required per the typical process for child care facilities.

VCH Licensing Officers visited the site in May 2021 and indicated that the site would be suitable for Family Child Care for up to 7 children. Final licensing review and approval by VCH would also occur following the approval of the proposed Zoning Amendment Bylaw.

6.5 Conditions Precedent to Adoption

As the property is located within 800 metres of a Controlled Access Highway interchange (Marine Drive and Taylor Way), Ministry of Transportation and Infrastructure approval will be required for the Zoning Amendment Bylaw in accordance with section 52 of the *Transportation Act*.

7.0 Options

7.1 Recommended Option

- a) Give first reading to the proposed Zoning Amendment Bylaw and set the date for the Public Hearing as recommended.

7.2 Considered Options

- b) Give first reading to the proposed Zoning Amendment Bylaw and set an alternate date for the Public Hearing (to be specified); or
- c) Request further information (to be specified) to assist in consideration of the application; or
- d) Reject the application.

8.0 Conclusion

If adopted, the proposed Zoning Amendment Bylaw would provide the site-specific opportunity for child care services within a secondary suite. The site has been deemed suitable for Family Child Care by VCH, Inspections have already been accepted, there is adequate parking to serve the child care use, and the site is located to take advantage of connections to transit and amenities in Ambleside. The applicant has addressed potential issues such as traffic and parking, and a high degree of support was demonstrated by neighbours during preliminary consultation.

Staff recommend that the application be scheduled for a Public Hearing and concurrent public meeting, and that the proposed Zoning Amendment Bylaw be approved.

Author: 
Kaelin Koufogiannakis, Assistant Planner

Concurrence: 
Michelle McGuire, Senior Manager of Current Planning and Urban Design

Concurrence: 
Arleta Beckett, Community Services and Community Development Manager

Appendices:

- A – Site Layout Plan
- B – Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5160, 2021

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APPENDIX A

MARINE DRIVE, West Vancouver



DIMENSIONS

Indoor: 42.47 m²

Outdoor: 85.28 m²

**HAPPY START
Child Care**

1050 Esplanade Avenue
West Vancouver, BC

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District of West Vancouver

**Zoning Bylaw No. 4662, 2010,
Amendment Bylaw No. 5160, 2021**
(1050 Esplanade Avenue)

Effective Date:

District of West Vancouver

Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5160, 2021

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District of West Vancouver

Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5160, 2021

A bylaw to amend the conditions of use in the RS5 zone to allow for child care within a secondary suite at 1050 Esplanade Avenue.

Previous amendments: Amendment bylaws 4672, 4677, 4678, 4679, 4689, 4701, 4680, 4710, 4697, 4716, 4712, 4737, 4726, 4736, 4757, 4752, 4767, 4787, 4788, 4784, 4772, 4791, 4805, 4809, 4828, 4854, 4873, 4866, 4895, 4839, 4898, 4927, 4944, 4905, 4974, 4967, 4982, 4962, 4928, 4992, 5001, 5021, 5024, 5009, 4938, 5044, 5055, 5051, 5068, 5065, 5087, 5069, 5110, 5106, and 5132.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for amendment of the zoning bylaw;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5160, 2021.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Zoning Bylaw Amendments

- 3.1 Zoning Bylaw No. 4662, 2010, Section 205 (RS5 Single Family Dwelling Zone 5) is hereby amended by adding the following text to section 205.02:

- (4) Notwithstanding section 130.05, child care up to a maximum of 7 children is allowed within a secondary suite at 1050 Esplanade Avenue, legally known as Plan 4210 District Lot 237 Block 19 Lot 5.

READ A FIRST TIME on

PUBLICATION OF NOTICE OF PUBLIC HEARING on

PUBLIC HEARING HELD on

READ A SECOND TIME on

READ A THIRD TIME on

APPROVED by the Ministry of Transportation and Infrastructure, in accordance with section 52 (3) (a) of the *Transportation Act* on

ADOPTED by the Council on

Mayor

Corporate Officer