

**TO:** CITY MANAGER 2003 OCTOBER 21

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #03-4**  
**Childcare Facility in conjunction with Single-Family Residential Use**

**ADDRESS:** 5075 Capitol Drive (see attached sketch #1)

**LEGAL:** Lot A, D.L. 127, Group 1, NWD, Plan 20554

**FROM:** R2 Residential District

**TO:** CD Comprehensive Development District (based on R2 Residential District and P1 Neighbourhood Commercial District and in accordance with the development plan entitled "Jabberwocky Daycare" prepared by Harry Hagard Landscape Architect and Hing Chan)

**APPLICANT:** Francis K. Chan  
302 - 1550 Eastern Avenue  
North Vancouver, B.C. V7L 3G1

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2003 November 25.

---

**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2003 November 3 and to a Public Hearing on 2003 November 25 at 7:30 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a. The submission of a suitable plan of development.
  - b. The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
  - c. The dedication of any rights-of-way deemed requisite.

- d. The removal of the illegally constructed fence within the front yard prior to Final Adoption of this rezoning.

## R E P O R T

### 1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit a childcare facility in conjunction with the single-family residential dwelling use of the property.

### 2.0 BACKGROUND

2.1 Council on 2003 March 17 received the report of the Planning & Building Department concerning the rezoning of the subject site and authorized the Department to work with the applicant in the preparation of a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date.

2.2 The applicant has submitted the rezoning application in order to be permitted to establish a childcare facility on the property, in conjunction with the continuing single-family residential use of the property. The childcare facility is currently located within the church next door at 380 Hythe Avenue. The childcare facility is for children two and a half years old to school age, with operating hours of 7:30 a.m. to 6:00 a.m. Monday to Friday, with 20 children attending the centre daily. The childcare facility is being relocated due to the sale of the church property. The owner of the childcare facility owns the house and intends to live on the second floor of the dwelling, while the childcare facility would be located on the ground floor. Rezoning to Comprehensive Development District is required in order to accommodate both principal uses.

The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

### 3.0 GENERAL COMMENTS:

3.1 The plan of development submitted for the site has been reviewed by the Fraser Health Authority and it has been confirmed that the site should be able to be licensed for a maximum of 20 children. However, all Community Care Facilities Licensing requirements must be met prior to the new daycare location receiving a Community Care Facility Licence.

- 3.2 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to the construction of a sidewalk abutting the existing curb along Capitol Drive adjacent to the site to provide for pick-up and drop-off provisions.
- 3.3 A dedication of 3 ft. in width is required along Capitol Drive in order to accommodate the curbwalk.
- 3.4 In June 2003 the applicant constructed a fence on the subject property which is not in conformance with the Zoning Bylaw regulations regarding maximum fence height in the front yard of a residentially zoned property. The submitted plan of development shows a relocated fence which defines the outdoor play area for the childcare facility. The fence will be required to be relocated whether the subject rezoning is approved or not. Therefore, in order to ensure that the illegal fence is demolished, it is recommended that the current fence be demolished prior to Final Adoption.

**4.0 DEVELOPMENT PROPOSAL:**

4.1 There is an existing single-family dwelling located on the subject site. The development of the site in connection with this rezoning consists largely of the construction of an outdoor play area on the south side of the dwelling, the removal of portions of some of the walls of the existing garage to create a roofed play area and the creation of the required parking spaces.

4.2	Gross Site:	-	1,020 m <sup>2</sup> (10,980 sq. ft.)
	Dedication:	-	13.9m <sup>2</sup> (150 sq. ft.)
	Net Site:	-	1,006.1m <sup>2</sup> (10,829 sq. ft.)

4.3 Existing Single-Family Dwelling

Proposed Childcare Use:

Ground Floor:	-	139m <sup>2</sup> (1,497 sq. ft.) (maximum 20 children permitted)
---------------	---	--

Proposed Single-Family Use:

Second Floor:		<u>152m<sup>2</sup> (1,643 sq. ft.)</u>
<b>Total:</b>		<b>291m<sup>2</sup> (3,139 sq. ft.)</b>

Site Coverage:	-	17%
----------------	---	-----

Building Height:	-	2 storeys 10.2m (33.5 ft.)
------------------	---	----------------------------

- 4.4 Total Parking Spaces Required and Shown: - 4 spaces
- 4.5 Outdoor provisions for childcare facility: - Open play area  
Roofed play area

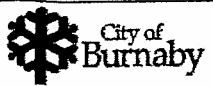
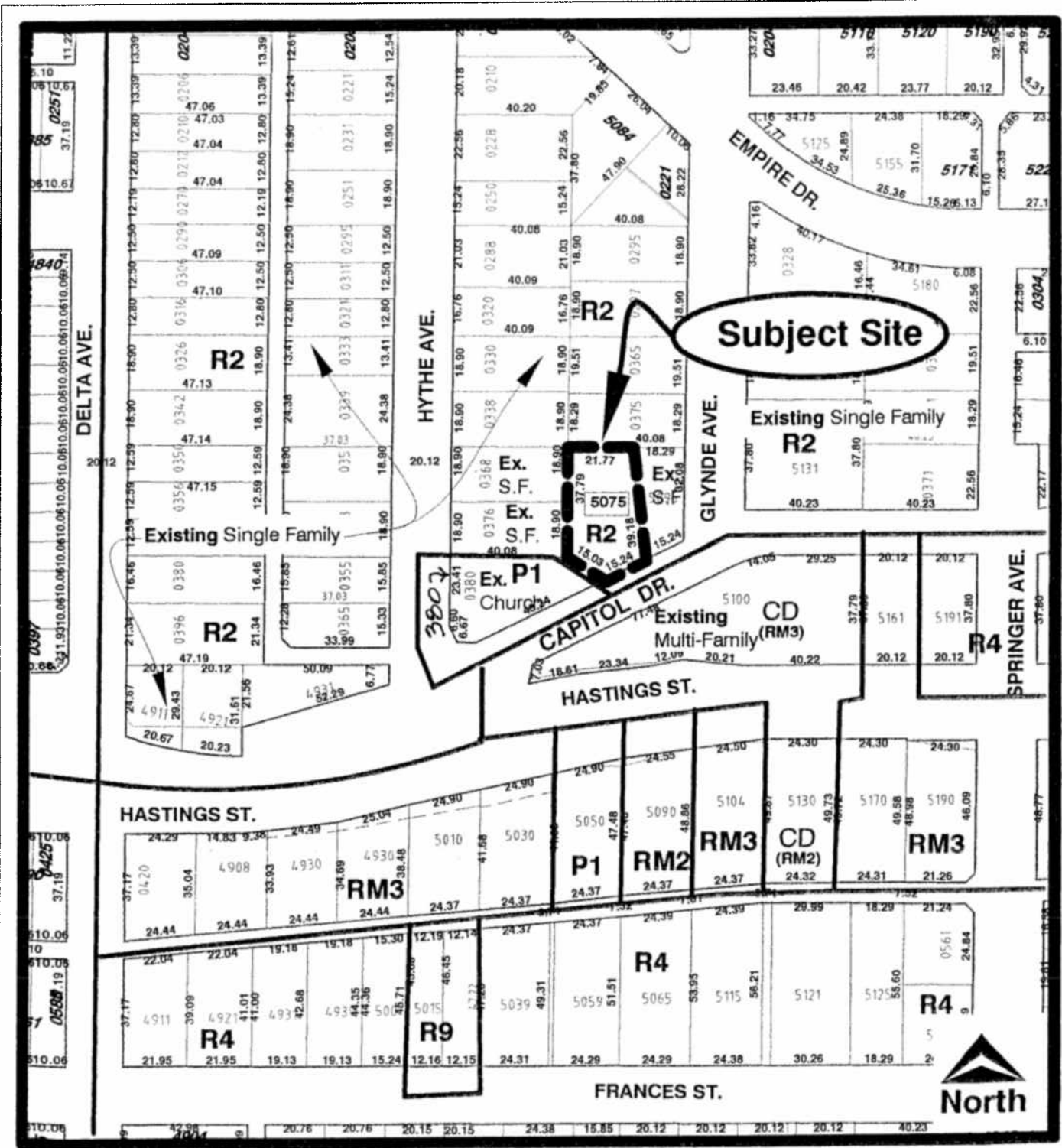


J. S. Belhouse  
Director Planning and Building

BW:gk  
Attach

cc: City Clerk  
City Solicitor  
Director Engineering  
Fraser Health Authority (*Attn: Kathryn Searcy*)

P:\Barry\2003 Rezoning\PL - Rez 03-4 PH Report.wpd



**Planning and Building Department**

Scale: 1 = 2000  
 Drawn By: J.P.C.  
 Date: March 2003

**REZONING REFERENCE 03 -- 4**  
 5075 Capitol Drive

Sketch # 1

