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To: ["Direct to Mayor and Council - DL"](#)
Date: 11/24/2023 3:42:22 PM
Subject: Memo re: Childcare Applications in Residential Zones
Attachments: ACCS-DBL- GMs - Memo (Council) - Childcare Applications in Residential Zones (2023-11-24).pdf

Good afternoon Mayor and Council,

In response to a recent Councillor query, attached please find a memo from myself and Andrea Law, General Manager, Development, Buildings and Licensing, that provides an update on the number of applications for home-based childcare operations we currently have in the queue along with the list of approvals and denials. The City has recently seen an increasing number of applicants interested in opening childcare facilities without a residential component in residential zones. A few key points:

- Since 2016 there have been 13 DP applications for change of use from residential to institutional (childcare facility), out of more than 300 DP applications for childcare. In that timeframe, 7 occurred over the 6-year period of 2016-2022, and over approximately the last 1 year (Sept 2022 to the present) there have been 5 applications.
- In general, historically, these types of projects (converting a residential zoned property into a childcare facility) have been relatively rare, but there has been interest growing in the business community. Such applications usually start off as family childcare (8 or less children) on a site, with a resident in the dwelling. Family childcare does not require a DP, and the Z&D Bylaw and VBBL are already much less stringent for this type of childcare. However, the Owners will sometimes seek to increase childcare capacity, turning them into full daycare facilities, which increases the requirements in our by-laws.
- The reasons for this increased interest in converting homes or residential properties into childcare facilities are unclear, however recent senior government childcare programs seem to have helped the economics for commercial childcare.

If you require further information, please feel free to contact myself or Andrea Law at andrea.law@vancouver.ca and we will provide response through the weekly Council Q&A. Staff will also be available to answer questions on November 29 when we provide the presentation for *Childcare Strategy Implementation Phase 1 Update and Next Steps (RTS: 15496)*.

Best,
Sandra

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The City of Vancouver acknowledges the unceded homelands of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and Sel̓w̓itlh (Tseil-Waututh) Nations.

MEMORANDUM

November 24, 2023

TO: Mayor & Council

CC: Paul Mochrie, City Manager
Armin Amrolia, Deputy City Manager
Karen Levitt, Deputy City Manager
Katrina Leckovic, City Clerk
Maria Pontikis, Chief Communications Officer, CEC
Teresa Jong, Administration Services Manager, City Manager's Office
Mellisa Morphy, Director of Policy, Mayor's Office
Trevor Ford, Interim Chief of Staff, Mayor's Office

FROM: Sandra Singh, Deputy City Manager & GM, Arts, Culture and Community Services
Andrea Law, General Manager, Development, Buildings and Licensing

SUBJECT: Childcare Applications in Residential Zones

RTS #: N/A

PURPOSE

In response to a recent Councillor query, this memo provides an update on the number of applications for home-based childcare operations we currently have in the queue along with the list of approvals and denials. The City has recently seen an increase in the number of applicants interested in opening childcare facilities without a residential component in residential zones.

RESPONSE

Since 2016 there have been 13 Development Permit (DP) applications for change of use from residential to institutional (childcare facility), out of more than 300 DP applications for childcare. In that timeframe, 8 were reviewed over the 6-year period from 2016-2022, and since Sept 2022 to November 2023 there have been 5 applications.

Of those 13 applications:

- 2 were completed
- 2 were withdrawn
- 1 was cancelled
- 4 were refused

- 1 was initially refused, but a second application for the same property (3629 Fraser St.) resulted in a DP being issued
- 1 has a status of awaiting 'response to conditions'
- 2 are in review

The applications are detailed in Table A (below).

In general, historically, these types of projects (converting a residential zoned property into a childcare facility) have been relatively rare, but there has been interest growing in the business community. Such applications usually start off as family childcare (8 or less children) on a site, with a resident in the dwelling. Family childcare does not require a DP, and the Zoning & Development Bylaw and VBBL are already much less stringent for this type of childcare. However, owners will sometimes seek to increase childcare capacity, turning them into full daycare facilities, which increases the requirements under our by-laws.

The reasons for this increased interest in converting homes or residential properties into childcare facilities are unclear, however recent senior government childcare programs seem to have helped the economics for commercial childcare.

For the DP's noted above, the main issues refer to:

- Establishing childcare as a commercial operation when historically, daycares in residential zones have operated as an institutional use supporting the immediate residential community
- Combining residential buildings with other non-residential land uses. If the main house becomes a daycare, then a laneway or infill home cannot exist as a dwelling on its own under the regulations.
- Challenges with adequate on-site parking/drop off-pick up in accordance to the Childcare Design Guidelines;
- Insufficient outdoor space (even when measuring against the Provincial regulations) in accordance to Childcare guidelines; and
- Neighbourhood oppositions due to traffic, noise, and parking concerns.

In addition to development permit issues, once the application proceeds to the Building Permit (BP) stage, there can often be significant and costly building code upgrades required to address fire, life and safety issues for houses converting to daycare facilities.

Four of the most recent DP applications in residential zones are highlighted below: two development permit applications were rejected and two development permit applications are currently under review.

Development permit applications recently rejected:

- 3287/3289 Matapan Cres [previously RS-1; currently R1-1]: The applicant currently operates a multi-age childcare program with a capacity of 8 children. They applied to the City for a change of use development permit to remove the dwelling component, and convert the single detached house into a child day care facility for 24 children. The development permit was rejected as the application did not comply with the intent of the residential zoning by-law nor the City's regulations on laneway houses. In addition, it did not propose any on-site parking, lacked vehicle access for pick up and drop off, had insufficient outdoor space and inadequate washroom facilities for the number of children proposed. While there were community concerns, it was not the primary factor in the decision.
- 845 W 20th Ave [previously RS-5; currently R1-1]: The applicant currently resides in this dwelling and operates a multi-age childcare program with a capacity of 8 children. In May 2023, their application for a development permit was rejected after proposing a change of use to remove the dwelling component, and convert the single detached house to child day care facility for 16 children. The applicant then appealed this decision at the Board of Variance, which upheld the City's decision for a number of reasons including non-compliance with the intent of the residential zoning bylaw, lack of on site-parking and neighbourhood input. The applicant is now exploring options for this site in order to move forward with an expanded childcare facility.

Development permit applications currently under staff review:

- 2645 McGill St [R1-1]: The development permit for a proposed change of use from residential to a child day care facility at 2645 McGill Street was recently submitted to the City, with staff reviews underway. The applicant is proposing to change the use of a single detached housing with secondary suite and laneway house to a 16-space childcare facility, retaining the laneway house. This application is a "conditional use" and will include public notification including a site sign and postcards.
- 668 E 20th Ave [RT-2]: The development permit for a proposed change of use from residential to a child day care facility at 668 East 20th Ave was recently submitted to the City, with staff reviews commencing shortly. The assigned project coordinator will be reaching out to the applicant to discuss the project and address any outstanding materials that may be required for the review. The ultimate timelines for review will depend partly on the responsiveness and completeness of materials from the applicant. This application is a "conditional use" and will include public notification including a site sign and postcards.

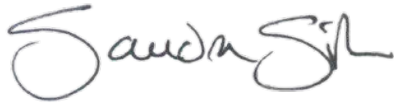
Table A – DP Applications for Childcare In Residential Zones – Since 2016

Permit number	Permit Address	Permit description	Permit status	Permit number created	Zoning district
DP-2023-00701	2645 MCGILL STREET, Vancouver, BC V5K 1H2	To change the use of approximately 2246.2 sq. ft. of Single Detached House with Secondary Suite and Laneway to Child Day Care Facility for 16 children, retaining the laneway house.	In Review	9/12/2023 13:52	R1-1
DP-2023-00514	5640 RUPERT STREET, Vancouver, BC V5R 2K5	Applying for COU for a multiage childcare centre in an existing legal basement suite	Withdrawn	6/27/2023 9:10	R1-1,RS-1
DP-2023-00508	3287 MATAPAN CRESCENT, Vancouver, BC V5M 4A9	To provide interior alterations and change of use of approximately 3308.0 sq. ft. of Single Detached House with Secondary Suite and Laneway house to Child Day Care Facility (containing 24 children) with a Laneway House.	Refused	6/26/2023 15:23	R1-1
DP-2023-00084	845 W 20TH AVENUE, Vancouver, BC V5Z 1Y3	To change the use of approximately 1862 sq. ft. of Single Detached House with Secondary Suite to Child Day Care Facility	Refused	1/19/2023 13:55	R1-1
DP-2022-00765	2079 W 30TH AVENUE, Vancouver, BC V6J 3A4	To provide interior alterations and a change of use from one-family dwelling to Child Daycare Facility for 25 children (age 30 months to 5 years) for a limited period of time expiring 2 years from the date of DP issuance, unless extended in writing by the Director of Planning.	Response to Conditions	9/21/2022 12:07	R1-1
DP-2021-01089	3629 FRASER STREET, Vancouver, BC V5V 4C7	To perform interior alterations and change the use of the existing two family dwelling to a one family dwelling with a Child Care Facility for 25 children on the upper floor, having three parking spaces with vehicular access from the lane.	Issued	12/15/2021 12:54	RT-2
DP-2020-00819	3629 FRASER STREET, Vancouver, BC V5V 4C7	To change the use of the existing one-Family Dwelling to a Child Day Care Facility containing 25 children, aged 30 - 60 months.	Refused	11/3/2020 16:14	RT-2
DP-2020-00529	322 E 43RD AVENUE, Vancouver, BC V5W 1T3	To change the use of this existing secondary suite (basement) to a child daycare facility on this site. BOV Appeal no. Z35773	Completed	7/8/2020 11:24	R1-1

Permit number	Permit Address	Permit description	Permit status	Permit number created	Zoning district
DP-2018-00744	249 E 57TH AVENUE, Vancouver, BC V5X 1S6	To alter and change the use from this existing one-family dwelling to a child daycare facility containing a total of 28 children and convert the existing attached one car garage to a nap room for the proposed child daycare facility. The day care currently has 7 children on the main floor, and would like to expand to 12 children on main floor and 16 children on the second floor. The group day care hours are proposed as 7:30 a.m. to 5:30 p.m.	Completed	8/20/2018 13:13	R1-1
DP-2017-01104	938 W 52ND AVENUE, Vancouver, BC V6P 1H3	Change of use to add a child daycare in the basement of this existing one family dwelling.	Withdrawn	10/26/2017 9:25	R1-1
DP-2017-00842	3405 WORTHINGTON DRIVE, Vancouver, BC V5M 3Y1	Including the Letter of Operation submitted by Meta Montessori House, and stamped "RECEIVED" on August 2, 2017, to provide interior alterations and to change the use of this existing single family dwelling to a child day care facility, for a maximum of 25 children, in the basement and main floor with the dwelling use located on the second storey, on this existing site.	Refused	8/2/2017 9:18	R1-1
DP-2017-00722	4355 Granville St	To change the use from family day care (8 children) to child daycare facility (16 children) on the main floor of this existing children day care facility/dwelling unit on this site.	Refused	09/15/2017	R1-1
DP-2016-00036	1612 W 41ST AVENUE, Vancouver, BC V6M 1X8	Interior and exterior alterations to change the use of approximately 1781.6 sq.ft. to a child care facility on the ground floor of this existing one-storey plus basement one-family dwelling on this RS-3 site.	Cancelled	5/3/2016 9:36	R1-1

FINAL REMARKS

If Council requires further information, please feel free to contact either one of us directly at sandra.singh@vancouver.ca or andrea.law@vancouver.ca and we will provide response through the weekly Council Q&A.



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