

## **ADVISORY PLANNING COMMISSION**

**Tuesday, September 17, 2013 5:30 p.m.**  
**Committee Room No. 2**  
**City Hall**

### **MINUTES**

#### **VOTING MEMBERS PRESENT:**

Ken Williams	- Chair
Andrei Filip	- Community Member (arrived at 5:47 p.m.)
Peter Goodwin	- Community Member
Peter Hall	- Community Member
Andrew Orchard	- Community Member
Brian Shigetomi	- Community Member
Maryam Salmani	- Community Member

#### **VOTING MEMBERS REGRETS:**

Bart Slotman	- Community Member
Margaret Ross	- Community Member

#### **STAFF:**

Mike Watson	- Planning Technician
John Stark	- Senior Social Planner
Joan Drabyk	- Building Inspector
Chief Jim Wishlove	- Assistant Deputy Fire Chief
Alison Worsfold	- Committee Clerk

The meeting was called to order at 5:30 p.m.

#### **1.0 ADDITIONS TO AGENDA**

##### **MOVED and SECONDED**

*THAT the agenda be amended by adding the following items:*

- 7.1 – E-mail from Craig Sobering Re: 57 Seventh Avenue
- 7.2 – E-mail from Matt and Kristin Church Re: 57 Seventh Avenue
- 7.3 – E-mail from Lola Wilkison Re: 57 Seventh Avenue
- 7.4 – E-mail from Nipesh Shah Re: 57 Seventh Avenue
- 7.5 – E-mail from Larry Church Re: 57 Seventh Avenue

**CARRIED.**

All members of Commission present voted in favour of the motion.

## 2.0 ADOPTION OF MINUTES

### Adoption of the Minutes of August 20, 2013

#### MOVED and SECONDED

*THAT the minutes of the Advisory Planning Commission meeting held on August 20, 2013 be adopted.*

**CARRIED.**

All members of the Commission present voted in favour of the motion.

## 3.0 INFORMATION PRESENTATIONS

### 3.1 57 Seventh Avenue

REZ00051

Mike Watson, Planning Technician, reported that an application has been received to rezone the property at 57 Seventh Avenue from Single Detached Dwelling Districts (RS-1) to Comprehensive Development District (57 Seventh Avenue) (CD-36) which would allow a child care operation with 45 spaces. The application would bring the existing legally non-conforming child care use into conformity.

Mr. Watson provided the following details regarding the application:

- The site is located in the Glenbrook North neighbourhood at First street and Seventh Avenue;
- The property currently accommodates Grace Hall, which is a two storey building;
- The site is currently used as a child care facility for 25 children on the lower floor and a community mixed use facility on the upper floor;
- The property is bordered on all four sides by single detached dwellings; and,
- Access to the site is by First Street and Seventh Avenue.

Mr. Watson noted that the existing property has been used as a hall for small scale public assembly uses for many years. The current use of the site is lawfully non-conforming in accordance with Section 911(1) of the Local Government Act. As such, the site is entitled to continue to be used for such purposes until such time an owner chooses to discontinue them.

The use of the site has been classified as a public assembly use and the range of uses which could be permitted on this site is quite broad. Essentially any use which involves the gathering of a number of persons having a common interest or purpose would be allowed. Such permitted uses could include a dance hall, instruction in a classroom or studio setting, wedding events or gathering for religious or social purposes.

The owner is also entitled to use the entire existing building for any of the uses presently on the site. As such, the owner could, without a rezoning application, use the entire building for a Child Care use.

Mr. Watson reported that the site is also lawfully non-conforming in regards to the siting of the building and the provision of on-site parking. The building siting and the parking situation are entitled to remain for the life of the building.

Mr. Watson noted that the applicant is proposing to provide an expanded child care program through the addition of 20 children. Further, the applicant seeks to consolidate the two lots and undergo building upgrades and interior renovations to accommodate the additional children, as well as parking and landscaping improvements to mitigate operational issues on neighbouring properties. Mr. Watson reported that this application is an alteration of the applicant's previous withdrawn proposal from 2011.

Mr. Watson reported that staff is encouraging the applicant to rezone the property for several reasons:

1. First it offers an opportunity to clarify, through a customized Comprehensive District, the specific uses which would be allowed on this site. This would provide clarity for the applicant, neighbours, the community and staff as to what would be expected on the site.
2. Second, it allows a clearer understanding as to what the land use impacts on the adjacent properties and the community could be. For example, child care is often preferable to other small assembly type uses such as dance or misc lessons, meeting and party rentals which might be loud and tend to occur during evenings and weekends. By comparison, child care typically closes by 6:00 pm and does not operate on weekends and statutory holidays, which are when residents are typically home. A child care uses would be closed for a minimum of 115 days per year.
3. Third, it allows an opportunity or a dialogue with neighbour, the community and staff to look for opportunities to mitigate any impacts and to regulate as many of those items within the CD zoning as possible.

John Stark, Social planner, briefed on the societal aspects of the application, and noted the following:

- The Glenbrook North neighbourhood presently only facilitates 8% of the total child care spaces in New Westminster;
- Currently thirteen out of thirty-five parents walk their children to this center;
- The applicant has numerous children on the waitlist for the childcare services;

- The average fee for a full day of childcare in British Columbia is \$550 - \$1,450/month, whereas the applicant's fee is on average \$850/month; and,
- Ultimately, the application is supportive of New Westminster's description of success, which is: "There is convenient access to affordable, quality child care which facilitates child development and enables parents to work and contribute to the local economy."

Mr. Stark reported that the applicant has made several notable changes from the initial proposal, including reducing the number of childcare spaces from fifty to forty-five, and the number of pre-school spaces from twenty to ten. In addition, the application includes enhancing the appearance of the building, and increasing exterior signage in regards to environmental sustainability and limiting idling.

**Procedural Note:** Andrei Filip arrived at 5:47 p.m.

Mr. Watson reported that, in response to the neighbouring property owner's concerns, the applicant has provided two development options for consideration by the public:

A. The original resubmission:

- Includes a one-way vehicle circulation pattern to include vehicles entering in off of First Street and exiting onto Seventh Avenue;
- Proposing to provide seven off-street parking spaces, served from a one-way driveway; and,
- Would need to accommodate alternate arrangements for current zoning bylaw requirements.

B. Alterative site development option:

- Provided as a result of the suggestions from the neighbouring property owner;
- Includes reversing the traffic flow to include vehicles entering off Seventh Avenue and exiting onto First Street;
- Proposing on-street drop-off and pick-up areas, as this method only takes about five minutes and reduces the potential for vehicle idling; and,
- This option would accommodate six onsite parking spaces as opposed to seven spaces presented in option A.

Joan Drabyk, Building Inspector, provided information regarding the *BC Building Code*, noting that the City has little authority to enquire to the applicant about upgrading the building, as there is technically no change of use designation. Mrs. Drabyk noted that the building inspectors had recently discovered a few minor issues with the building, and although they were not violating the *Building Code*, the owners were quick to fix the addressed problems. Mrs. Drabyk reported that the building includes an abundance of windows, and that both the water tank and furnace are safely enclosed.

Chief Jim Wishlove, Assistant Deputy Fire Chief, provided information regarding the inspection program involved with the site. Chief Wishlove noted that each child care facility in New Westminster is inspected annually as per required; however, this specific site has been inspected more frequently based on incoming complaints from its neighbours. Chief Wishlove advised that there are currently no fire code violations at this location, nor have there ever been any. In fact, the owners have taken steps to improve overall fire safety by placing more smoke detectors throughout the building, and also upgrading to more robust models of extinguishers.

Discussion ensued, and the following comments were noted:

- Whether this zoning application is approved or not, the applicant has the legal ability to expand the number of daycare spaces in accordance to the *Local Government Act*;
- An advantage of rezoning includes the possibility of the site becoming utilized for a wide range of multi use activities;
- If the applicant does not pursue with the drive through, it will conclude in increased traffic on the road;
- The culture plan is non conforming to the zoning bylaw, due to the fact that the application entails diagonal parking, and therefore concludes in very little backup room for cars;
- The outdoor play space complies with Fraser Health regulations; and,
- Traffic study on site concluded that the additional demand would not generate any traffic concerns in the neighbourhood.

**MOVED and SECONDED**

*THAT the staff report dated September 17, 2013 from the Senior Social Planner be received for information.*

**CARRIED.**

All members of the Commission present voted in favour of the motion.

**4.0 REZONING**

**5.0 NEW BUSINESS**

## 6.0 REPORTS AND INFORMATION

### 6.1 Master Transportation Plan Advisory Committee Update – Standing Item (Ken Williams)

There were no updates to report.

## 7.0 CORRESPONDENCE

### MOVED and SECONDED

*THAT the following on table items be received for information:*

7.1 E-mail from Craig Sobering Re: 57 Seventh Avenue (On table)

7.2 E-mail from Matt and Kristin Church Re: 57 Seventh Avenue (On table)

7.3 E-mail from Lola Wilkison Re: 57 Seventh Avenue (On table)

7.4 E-mail from Nipesh Shah Re: 57 Seventh Avenue (On table)

7.5 E-mail from Larry Church Re: 57 Seventh Avenue (On table)

**CARRIED.**

All members of the Commission present voted in favour of the motion.

## 8.0 NEXT MEETING

October 15, 2013 (in Committee Room No. 2).

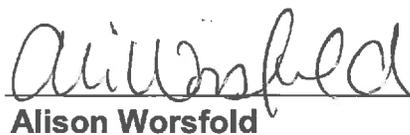
## 9.0 ADJOURNMENT

ON MOTION, the meeting adjourned at 6:18 p.m.



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**Ken Williams**  
Chair



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**Alison Worsfold**  
Committee Clerk