

Report

Date March 5, 2025
Subject Zoning Bylaw Amendment – Child Care Centres

File: SPP00082

PURPOSE

To present for first and second reading a zoning amendment bylaw that will allow child care facilities in more places throughout North Cowichan.

BACKGROUND

Small (generally in-home) child care facilities are permitted in all zones.¹ Larger child care centres that accommodate more than eight children are currently only permitted as follows:

- As part of an accessory to a school or “church,” and,
- In these three comprehensive development zones:
 - Chemainus Artisan Village Comprehensive Development (CD6)
 - University Village Mixed Commercial/Residential Comprehensive Development (CD19)
 - Paddle Road North Comprehensive Development (CD22)

Due to these provisions, larger commercial child care facilities, a common model for child care delivery, cannot generally be established in North Cowichan without a zoning amendment. This is a barrier to opening either public or commercial child care facilities.

DISCUSSION

The [2020 Cowichan Region Child Care Plan](#) identified a significant shortage of child care spaces in the Cowichan Valley Regional District, to the extent that the region overall qualifies as a “child care desert” with spaces available for less than 33% of infants and toddlers. Providing quality early childhood education is associated with many social and economic benefits for children, their families, and the community.

One of the goals of the Official Community Plan (OCP) is to “build resilient, supportive, inclusive communities.” A stated target related to this goal is to increase the number of quality, affordable child care centres. The current restrictions in the zoning bylaw are inconsistent with this OCP goal, acting as a barrier to opening new child care centres in reasonable locations within North Cowichan.

The proposed zoning bylaw amendment allows larger child care centres in public, commercial, and mixed-use zones by adding “child care centre” as a permitted use to the following zones:

- Commercial Local (C1)
- Commercial General (C2)

¹ The zoning bylaw permits a day care for up to 8 persons in all zones (Section 48(5)(a)).

- Commercial Service (C3)²
- Chemainus Commercial (C9)
- Private Institution (PI)
- Public Use (PU)
- Maple Bay School Site Comprehensive Development (CD8)
- Community Services (Health Care) Comprehensive Development (CD11)
- Mixed Use Residential (CD15) in Area B
- Mixed Use Commercial Core (CD16)

The proposed zoning amendment also adds a minimum parking requirement for child care centres, a definition of “child care centre,” and updates the definition of “mixed-use building” for clarification and to permit child care centres in zones where “mixed-use building” is permitted use.³

Relative to the benefits they provide, the land use impacts associated with child care centres are minimal (e.g., traffic for short periods associated with drop/off and pick up, the noise of children playing), compared favourably with the impacts of many other commercial uses, and are not incompatible with the zones where the use is proposed to be added. Child care centres are highly regulated by the Province, including rules associated with the amount of indoor and outdoor space required per child. There is no apparent need for North Cowichan to provide additional density restrictions or oversight through the zoning bylaw in a general sense.

The existing limit of eight spaces for child care uses permitted in all zones is tied to the maximum number of children that can generally be under the care of one adult and is reasonable for most zones (e.g., residential, agricultural, and industrial zones). Maintaining this size limit ensures that these facilities are an “accessory” type use in zones where the parcel sizes, built form and/or other permitted uses may not be compatible with larger child care facilities. On residential, agricultural, and industrial zoned parcels, requiring a zoning bylaw amendment is reasonable to allow for a site-specific review of the impacts and site-suitability in context before permitting a larger child care centre. However, in areas zoned for commercial or public use, the size limit on child care facilities is an unnecessary restriction that counters the broader OCP goals relating to child care.

OPTIONS

1. **(Recommended Option)** THAT Council:

1. gives first and second reading to Zoning Amendment Bylaw No. 3989, 2025; and,
 2. directs staff to schedule a public hearing for Zoning Amendment Bylaw No. 3989, 2025.
- Currently, establishing daycares which have more than eight children often requires a zoning bylaw amendment.
 - The proposed bylaw would significantly expand the locations where larger child care centres are permitted.

2. THAT Council directs staff to provide further information related to the proposed zoning

² Note that the C3 zone permits “All Uses Permitted in the C2 Zone”.

³ The following zones permit “mixed use building” but do not permit stand alone commercial uses: CD17, CD18 (Area 5), CD19 (Area 2).

amendments as follows: *[Council to provide direction]*.

- Council may direct amendments to the proposed bylaw or request additional information to support this decision.
3. (No resolution is required if Council does not wish to proceed with the proposed Zoning Amendment Bylaw No. 3989.)

IMPLICATIONS

The proposed amendment bylaw will allow larger child care facilities to be established in more locations without requiring a zoning amendment. The change responds to OCP policies regarding expanding child care provisions in North Cowichan while maintaining a size limit on such uses in areas where site-specific review is warranted before allowing a larger facility. The proposed amendment supports the "economy" and "community" pillars of the strategic priorities outlined in the Council Strategic Plan.

The proposed changes will remove a significant barrier for new private/commercial daycare proponents. The proposed amendments will also make it easier for North Cowichan to support new child care projects as a partner/land owner, in line with the OCP's policies 4.1.8(a) & (c), which recommend North Cowichan is proactive and participative in childhood development initiatives. Where funding is sought from other levels of government to support creating new child care spaces, projects that are "shovel ready" are typically prioritized. Needing to rezone property can count against requests for funding; this is true whether or not North Cowichan is a partner.

If Council does not wish to read the bylaw as proposed, staff can be directed to prepare a zoning amendment that adds child care facilities as a permitted use only to the Public Use and Private Institutional zones or to allow child care facilities on a site-specific basis on properties with existing or planned child care facilities.

There are no financial implications anticipated with any of the options presented.

RECOMMENDATION

THAT Council:

1. gives first and second reading to Zoning Amendment Bylaw No. 3989, 2025; and,
2. directs staff to schedule a public hearing for Zoning Amendment Bylaw No. 3989, 2025.

Report prepared by:



Christina Hovey, RPP, MCIP
Project Planner

Report reviewed by:



Amanda Young, RPP, MCIP
Director, Planning and Building

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachment:

(1) Zoning Amendment Bylaw No. 3989, 2025