



Date: April 23, 2004

TO: Board Members - Parks and Recreation
FROM: General Manager - Parks and Recreation
SUBJECT: BCBC Portables on Park land

RECOMMENDATION

- A. *THAT the Board enter into a 5 year agreement with two not-for-profit childcare societies for the purposes of operating licensed childcare programs in BC Buildings Corporation buildings at Kits Area parksite and Burrard View Parks, and direct staff to inform interested groups and nearby residents, all arrangements subject to the satisfaction of the General Manager and the Director of Legal Services..***
- B. *THAT the Board***
- 1. *Enter into a 5 year agreement with one not-for-profit childcare society for the purpose of operating licensed childcare programs in a BCBC portable building on South China Creek Park, and direct staff to inform interested groups and nearby residents, all arrangements subject to the satisfaction of the General Manager, and***
 - 2. *Explore the options for construction of a permanent facility for the purpose of operating licensed childcare programs at South China Creek Park as proposed by the operator, consult the public on this proposal and report back to the Board on the preferred options and comments by June 30, 2004.***
- C. *THAT the Board consult interested groups and nearby residents on a proposal to co-locate a similar modular building on School Board land and at Captain Cook Park, for the purposes of operating licensed childcare programs and report back to the Board by June 30, 2004.***

POLICY

In February, 1974, the Board resolved that day care centres could be a suitable facility in or adjacent to neighbourhood and community parks.

In June, 1992, the Board adopted guidelines and procedures for locating daycare on parks. A copy of those guidelines and procedures are attached as Appendix I.

In March, 2004, the Board approved a Child Care Protocol which sets out a framework for the Park Board to work with the City and School Board to build a comprehensive range of childhood education and care services. The Protocol intends that there shall be no loss of licensed group childcare spaces as a result of issues within the control of local governments, and that the 3 bodies will work to increase child care spaces in the city by 5% in the next two years.

BACKGROUND

In the mid 1970's the City entered into a lease arrangement with the Provincial Government for the use of City-owned land on which to build 8 childcare portables. The Park Board agreed to a similar arrangement regarding one childcare portable at Burrard View Park, and one was located on land owned by BC Hydro. Over the past 30 years, these programs have operated in buildings owned by the Province, which covered occupancy costs, annual maintenance and repairs.

The terms under which day care centre sites were to be leased to the Provincial government included that the lessee pay the cost of \$ 1 per year, provide public liability insurance, be responsible for the preparation for the site and all utilities, comply with City by-law requirements and, upon expiry, remove structures including foundations and leave the sites in a neat and tidy condition. Tenancy on expiration of the term granted would be month to month and would be terminated by one month's notice in writing.

Of the ten childcare portables originally placed, only eight remain. Two have been demolished and replaced with permanent facilities on City land, four remain on City land, one remains on BC Hydro land, and three are on Park land. Care and custody of South China Creek Park, located at 10th Avenue at Clark Drive, and Kits Area parksite at 6th & Maple, subsequently reverted to the Park Board in the 1980's. Appendix II charts the locations and names the organizations currently involved in the operation of child care portables on parkland.

The Provincial government has indicated its intention to terminate all of the remaining lease agreements with the Park Board/City/Hydro and to turn over the ownership of the remaining portables to the childcare societies along with annual occupancy and maintenance costs of approximately \$ 15,000. In addition, the Province has offered to either replace existing portables with new modular buildings, or provide a capital grant of up to the equivalent cost of construction for the portables, for construction of a permanent building or renovation. This offer is conditional to land access being legally secured by the operators by September 1, 2004, and construction commencing by April 1, 2005. If any of these options is not exercised, the Province will demolish existing portable buildings at no cost to the operator or the City/Park Board.

The childcare societies are currently in direct negotiations with the Province on the terms and conditions of the transfer. The City of Vancouver's Coordinator of Child Development Services has been the lead contact for the City and is working with Park Board staff to help facilitate this process with the Province via BC Buildings Corporation, and with the childcare operators.

The Provincial government has informed the childcare societies that when portable replacement is completed, they intend to transfer ownership of the portables to the societies and no longer cover occupancy costs. Those societies not taking a portable replacement option but choosing to construct a permanent facility, will also be required to take ownership of their existing portables prior to substantial completion of the permanent structure. The transfer of ownership is contingent on the non-profit society entering into a land lease with the Park Board.

City Council, at its meeting of April 20, 2004, approved a series of recommendations, including 5-year renewable land leases for 4 of the portables; instructed staff to explore options to retain a 25-space childcare program now on Hydro land and report back by summer 2004; and further instructed staff to explore options to replace one BCBC portable and one city-owned building with a 69-space permanent structure on City land. The full Council report is attached as Appendix III.

DISCUSSION

The 3 childcare facilities on park land all provide licensed childcare for 25 children, ages 3 to 5 years, in similar portable structures. When first placed in 1974, those buildings required approximately 180 square metres of gross indoor space and 250 square metres of fenced, outdoor play space. Current licensing guidelines indicate that a total of 250 square metres of gross indoor space and 300 square metres of fenced, outdoor play space will be required to provide the same level of service as the childcare portables now in operation. This amounts to an increase of 70 metres sq. of gross indoor space, and 50 metres sq. of fenced outdoor play space, for a total increase of 120 metres square at each location.

The three childcare programs on parkland have all expressed interest in continuing to operate at those locations. Two of the programs (Nanook and Harbourview) are located in areas of the city where there are significant numbers of children and limited childcare spaces. Those two have successfully operated in those neighbourhoods for 30 years, and are operated by non-profit organizations with proven ability to sustain community services for a number of licensed childcare and other social services for children and families. Kits Area Childcare is operated by a parent-run non-profit society which has also operated successfully since the portables were first built. There are some differences, however, in what is being proposed at each of the 3 sites.

City legal staff were consulted about the preferred options for granting access to parkland for modular childcare buildings. Board practice holds that built in place, or permanent buildings, become the property of the Board once they are built. Modular, above-ground buildings can be relocated and the Board could consider either a lease of the concrete foundation/pad upon which they are secured, along with the adjacent outdoor playspace, or an easement to the park title.

Board Guidelines for Daycare on Park Space (Appendix I) outline specific priorities to be considered for the use of parks for childcare purposes.

For the purposes of the 3 established programs, rationale, demand and site selection are accepted as firmly established by 30 years of service to families in those neighbourhoods.

Proposed Childcare Buildings

Kitsilano Area Childcare Centre is proposing to replace the portable with a modular building. This childcare centre is located on the site of land zoned for park use on what is the equivalent of two 50' city lots, legally tied together and adjacent to the Kits Community Garden. Sufficient land is available on this site to accommodate the larger modular building and playspace as required by current licensing and city design guidelines . This results in no perceptible change of use to the public at this site.

Harbourview Childcare Centre also proposes to replace the portable with a modular building at Burrard View Park, which may involve a modest increase in the amount of park land required. If more space is required, it will be no more than 50 square metres, which can be accommodated to the south of the existing property. Current design guidelines require a minimum of 600 square metres, and the current fenced area totals 625 square metres. Staff are currently exploring the best options to accommodate the new modular building with little or no increase in park space requirements. There is some uncertainty as to the ability of the operator to secure funding from the Province at this time. Given the possibility of a resolution, staff recommend that a similar course of actions be undertaken as those proposed for the other portables.

Nanook Childcare Centre is exploring the replacement of the portable with a permanent facility on the existing South China Creek Park. The YMCA's intent in securing a permanent building is to add 12 licensed spaces for infants and toddlers, in addition to the 25 licensed spaces for 3 to 5 year-olds. In principle, the City has stated its preference for permanent buildings for childcare programs, having earlier converted 2 of the original 10 BCBC portables to permanent buildings. The issues in regards to this request are more complex.

South China Creek Park is due for a significant park redevelopment in 2005. The park is currently under construction for a GVRD sewer line upgrade which intersects the park, southeast to northwest, thus limiting the possible locations within the park to support a permanent building. There are no buildings on this park other than the childcare portable, which occupies a total of 600 square metres of park. The new building proposed by the YMCA would require the commitment of approximately 800 m sq., an increase of 200 metres or 1/3 of the footprint.

Staff are currently pursuing other options to locating this program, including nearby park space and other city or School Board land. The operator, YMCA Childcare Services, has a longstanding relationship with the City and other lower mainland jurisdictions in regards to secure and stable program operations. The YMCA has indicated its intent to raise funding in excess of \$ 2 million to ensure the viability of a permanent childcare centre in an underserved community, provided that it can demonstrate the long-term viability of the project to its funders and supporters. Funding from the Province in lieu of the modular building is estimated as 25% of that total, with the balance proposed from a variety of government and private sources.

Gingerbread Childcare Centre is located at 48th Avenue and Boundary in Vancouver. This portable is also eligible for renewal, must be relocated from BC Hydro land, and wants to relocate to the Champlain Heights neighbourhood. The Park Board received a request earlier this year to review options for locating all or a part of a modular building for 25 childcare spaces on park land. Subject to the same conditions, (ie: land access by September 1, 2004, and construction commencing by April, 2005) Park Board, City and School Board staff are presently looking at relocation options. Staff will be reporting to the Board's Culture and Recreation Committee in May on those options and the associated impacts on parkland, and conduct a public process in time to report back in June 2004.

Staff will pursue the public consultation provisions of the Guidelines for Daycare on Parkland, with the Board's approval. It is proposed that a consultation flyer be distributed to residents within a 2-block radius of each park, and to local community groups with an interest in the proposed changes to park use in South China Creek Park and Captain Cook Park. Given the time constraints of this project proposed by the Province, a short turn-around time for the report is necessary. Staff will report back to the Board on the results of the public consultation for those proposals and the required next steps, in June of 2004.

No financial obligations to the Board are foreseen. Current lease provisions and the proposals for modular buildings make provisions for all facility development costs to be borne by the Province, and all operating and maintenance costs to be borne by the operator.

CONCLUSION

Requests have been received from the operators of all 3 BCBC portables on parkland to upgrade their 30 year-old structures, in light of a time-limited offer from the Province. Access to permanent space must be in place by September 2004, and construction begun by April 2005 in order to qualify for the funding agreement.

The Board's guidelines governing daycares in parks require a public consultation, a search for alternate civic-owned sites, and a series of actions before land access is approved. A fourth portable in southeast Vancouver must also be relocated, and staff is working with the City and the School Board to explore options to maintain this service, in light of the Child Care Protocols approved earlier this year. Staff will conduct a limited public consultation and review of other options and report back to the Board by June 2004.

Prepared by:

Vancouver East District

Appendix I - Guidelines and Procedures for Daycare on Park Space

In light of the Board's commitment to provide, where practical, childcare facilities and its role to preserve park and open space for future generations, the following guidelines and procedures have been developed which are appropriate to meet these two, sometimes conflicting, objectives.

When discussing the use of parks for daycare purposes, the Board should consider the following:

- D. public process
- E. inventory of sites to be considered
- F. location within individual parks; and
- G. built form

Guidelines

1. Proposed facilities should complement existing active or passive park functions, not dominate the overall experience of the park, or compromise the park's overall aesthetic quality.
2. The Board's preference for locations is in the following order of priority:
 - A) sites under the jurisdiction of agencies whose primary function is child related (School Board) or City owned sites not already dedicated to another use;
 - B) within existing park buildings;
 - C) in an addition to an existing park building;
 - D) the construction of a new freestanding facility
3. On parks of less than 3 acres where a building already exists, childcare facilities should be developed as an extension or adaptation of that building.
4. No ancillary facilities, such as parking stalls, will be provided on parkspace.
5. Freestanding childcare facilities should be designed to be sympathetic to the landscape and consistent with other buildings in the park.

Procedures

- A. Alternative site analysis and justification for requesting a park location will be documented and presented as the initial step.
- B. Any application for a daycare facility on parkland should be accompanied by a program outline of the facility, the operating and capital costs, sources of funding, background of the operating society or group, site works and building plans and elevations and park impact statement.

Guidelines and Procedures for Daycare on Park Space - *continued*

- C. Following Board referral to a public consultation process, staff will organize a public involvement process directed at park users and neighbours, as well as potential users of the childcare facility. Public involvement could include a brochure, park sign, survey, public meeting or a combination of the above.
- D. Upon approval by the Board, a legal agreement with a term not to exceed 10 years will be drawn up.
- E. Upon approval by the Board, staff will monitor the construction of the building in order to ensure compliance with the Board's intent and design criteria.

Vancouver Board of Parks and Recreation
Approved 22 June, 1992

Appendix II - Childcare Portables on Parks

Park	Location	Name	Operator
Burrard View	Wall, Yale, N Penticton & Slocan	Harbourview Childcare *	Kiwassa Neighbourhood Services Association
South China Creek	E 10 th Avenue & Clark Drive	Nanook Childcare Centre	YMCA Childcare
Kitsilano Parksites	W 6 th Avenue & Maple	Kits Area Childcare Centre	KitsilanoArea Childcare Society

* Harbourview Childcare Centre, as it is now known, was originally known as the Hastings Townsite Daycare when first established in 1974.