



GUIDELINES FOR CHILD CARE
CITY OF KELOWNA
INFORMATION FOR THOSE WISHING TO ESTABLISH
A CHILD CARE FACILITY





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BACKGROUND:

Child Care Needs Identified by the City:

Child care facilities were identified as a perceived and actual need by the community in Kelowna as part of the Social Needs Assessment conducted for the City in 1993. Following the Social Needs Assessment, the City commissioned a Child Care Needs Assessment, and then launched into the process of preparing a Child Care Plan, which was adopted by City Council in April of 1995. Adoption of the Child Care Plan was accomplished ahead of the preparation and approval of the Social Plan, that was adopted in 1996 and subsequently added as part of the content of the City's Official Community Plan (OCP) in the same year. Policies from the Child Care Plan were incorporated within the City's social policies, both in the Social Plan and the OCP.

The Kelowna and District Child Care Committee (KDCCC):

Within the last decade, child care has been recognized as an essential service in the city of Kelowna. The City's process in preparing a Child Care Plan included the creation of a group of child care stakeholders, who were actively involved at all stages of the Plan's creation. This group continues to be active, meeting bi-monthly and known as the Kelowna and District Child Care Committee (KDCCC). The KDCCC has had relatively consistent representation on the City's Social Planning Board, an advisory committee to City Council. In addition, City staff meets as part of the KDCCC, which keeps itself at arm's length from formalized City structures.

Child Care Policies in the Official Community Plan:

Policy direction from the 1995 Child Care Plan was included with the 1996 Social Plan and subsequently into the Official Community Plan (OCP). The OCP goes through a continual updating process, on an as-needed basis and a formal review every five years. The latter process is currently underway. A review of the child care policies was undertaken with the input of the KDCCC and the Social Planning Board, and as a result, changes to the policies were approved by City Council in 1998. Currently, policies for child care are provided in Chapter 8 of the OCP that is approved by Council. The Draft OCP includes a re-structuring of the document and the policies move to Chapter 17 (Social Environment). The wording of the child care policies is not changed in the draft document. For convenience purposes, the City's approved child care policies from the OCP are provided as Figure 1, on the next page.

Zoning for Child Care:

In addition to the review of the Official Community Plan, and as part of the implementation of the child care policies; the City re-wrote its zoning regulations for child care as part of the preparation of the new Zoning Bylaw 8000, adopted by City Council in October of 1998. The KDCCC was also actively involved in the development of new child care regulations. City staff conducted research on the regulation of child-care facilities as part of this process. In the review of these regulations, consideration of the need for adult day care was also included, in addition to a maximization of zones and locations in the City where such uses should be permitted. With the exception of activities that create a clear and direct conflict with child care centres, a conscious effort was made to allow a child care centre, wherever it is a workable use with the potential to address the local need. As a result, the Zoning By-law 8000 uses the term *care centre* to include child-care uses and provides functional, up-to-date regulations for day cares in all parts of the City. A detailed summary of where child care, referred to as "care centre" is permitted in the City is provided later in this guideline document.

Why Guidelines?:

The City, while recognizing the need for child care, has little resources or authority to actually increase the provision of child care facilities. As seen in the policies, provided in Figure 1, the provision of child care as part of new developments, within schools, or employer-based is



Figure 1 - Child Care Policies from the Official Community Plan for the City of Kelowna

The City of Kelowna will:

BL8304 Adopted on November 3rd, 1998 replaced Policy No. .1:

1. **Data Base.** Coordinate with the Kelowna Child Care Society to access an integrated data base regarding child care which will be used when considering development proposals or decisions involving the location of child care facilities.

BL8278 Adopted on October 19th, 1998 replaced Policy No. .2:

2. **Zoning.** Continue to monitor the zoning bylaw to ensure there is maximum potential for the provision of child care facilities.

BL8304 Adopted on November 3rd, 1998 replaced Policy Nos. .3 to .8 inclusive:

3. **Provincial Licence.** Continue to collaborate with the Ministry of Health to co-ordinate licensing requirements for child care with municipal bylaws.
4. **Child Advocacy Service.** Support, in principle, and promote co-ordination of all efforts by community organizations, government organizations, and institutions to provide a child advocacy service for the City of Kelowna in order to protect the welfare of children.
5. **Instruction.** Support, in principle, direction from the Kelowna and District Child Care Committee to ensure training programs meet the needs for all levels of child care instruction.
6. **Teen Programs.** Support, in principle, the provision of young parents programs in Senior Secondary Schools where there is a demonstrated need.
7. **Employer-Supported Child Care.** Work with other agencies to promote and encourage employer-supported child care.
8. **Community Child Care.** Work with the development community and other agencies having an interest in housing to develop housing projects which include community child care facilities.
9. **Coordination.** Support the efforts of the Kelowna and District Child Care Committee to provide a coordinated and efficient approach to the provision of child care in the City.
10. **Child Care System.** Advocate to senior government levels, with the assistance of the Kelowna and District Child Care Committee, to achieve positive change in the development and maintenance of a comprehensive child care system.
11. **Funding.** Coordinate and collaborate with the Kelowna and District Child Care Committee, the Union of B.C. Municipalities (UBCM), the Federation of Canadian Municipalities (FCM) and other appropriate agencies to advocate to senior government against funding cuts that will have a detrimental effect on local services and education to children.
12. **Recreational Programs.** Continue to expand and improve inclusive recreational programs for children.
13. **Joint Ventures.** Participate in joint ventures with the use of existing staff and resources to provide for child care needs, wherever possible.





INTRODUCTION:

This information on establishing a child care facility in the City of Kelowna is provided for the convenience of the public.

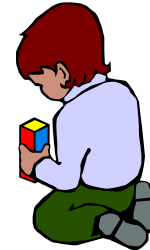
Child care facilities are those homes and centres providing part or full-day supervision of children. The establishment and operation of such facilities are governed by provincial and municipal regulations.

Types of Child Care

For most types of child care, a licence is required from Community Care Facilities Licensing (CCFL):

Contact the licensing office, below, for details on CCFL for child care:

Community Care Facilities Licensing
South Okanagan Health Unit
1340 Ellis St.
Kelowna, B.C., V1Y 9N1
Tel: 868-7835
Fax: 868-7760



- **Infant and Toddler Group Daycare** – for children from infancy to 36 months. Ratio of one staff for every four children and the staff have their Early Childhood Education (ECE) and possibly their Infant and Toddler certification. Facility is licensed through Community Care Facilities Licensing (CCFL).
- **Group Day Care** - for children from 29 months to 5 years. Ratio of one staff for every 8 children. Child care provided in a group setting up to 13 hours a day. ECE¹ certified and screened staff. CCFL Licence required.
- **Preschool** - for children 30 months to school age. Ratio of one staff for every 15 children. A social and educational development program, 2 to 3 hours per day up to 5 days a week. ECE certified staff CCFL Licence required.
- **Family Day Care** - for children from infancy to 12 years of age. Caregivers who care for 2 or less children do not require a license. Caregivers who care for 3 or more children must have a licence obtained through Community Care Facilities Licensing. Licensed family daycares are allowed a maximum of 7 children (including their own) and there are age restrictions within the licence.
- **Out of School Care (School-Age Child Care Centre)** – For children 6 to 12 years of age. Child to staff ration is ten to one or 15 to one, depending on the age of the children. CCFL Licence required.
- **Child Minding** - for children 18 months to school age (CCF licensing is required if parents are not on site).

City of Kelowna Requirements:

Persons interested in establishing child care facilities in the City of Kelowna should discuss their plans with a planning and development staff person. Come to City Hall, 1435 Water Street, Kelowna, on the second floor, or phone (250) 862-3304 and make an appointment.

¹ Early Childhood Education



Zoning

In 1998, the City approved a new zoning by-law that was written so as to maximize the opportunities for child-care facilities, while trying to ensure that the zone would provide a good environment for a child care centre. This work was done in close consultation with representatives of the Kelowna and District Child Care Committee. When looking at the zoning by-law, it is first important to realize that provisions for child care have also been designed to allow day care for adults. For this reason, the word “child” has not been included as part of the wording. Therefore, you must know what to look for. The following defined uses in the zoning by-law are intended to cover the various types of child care. More detailed zoning requirements should be confirmed by directly consulting the City’s Zoning By-law No. 8000 (check the City’s web page www.city.kelowna.bc.ca under “bylaws” for complete wording of Zoning By-law 8000).

CARE CENTRE, MINOR means an establishment licensed, as required, under the Community Care Facilities Act, intended to provide care, educational services, and supervision for children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This use includes drop-in centres and group day care centres for up to 8 patrons, and up to 10 children for the provision of care, before and after school hours and during school holidays, for children attending school and pre-schools up to 15 children.

CARE CENTRE, INTERMEDIATE means an establishment licensed as required under the Community Care Facilities Act intended to provide care, educational services, and supervision for children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This use includes group day care centres, out-of-school centres, and drop-in centres. This includes developments for 9 to 25 children for group day care or 11 to 25 children for the provision of care, before, and after school hours and during school holidays, for children attending school.

CARE CENTRE, MAJOR means an establishment licensed as required under the Community Care Facilities Act intended to provide care, educational services, and supervision for children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This use includes group day care centres intended for 26 or more patrons, out-of-school centres, and drop-in centres.

Parking Requirements:

Care Centres are required to provide parking on the property, within the appropriate setbacks², as follows:

A minimum of 4 spaces, with additional spaces calculated based on 1 space per 10 children, plus 1 per 2 employees on duty.

Loading Space Requirements:

Due to the fact that day care is characterized by people arriving in cars to drop off or pick up their children, loading spaces³ for cars must be provided, as follows:

- 1 car loading space for a minor care centre
- 2 car loading spaces for an intermediate care centre; and
- 3 car loading spaces for a major care centre



² For details, see section 8.1 of the City’s Zoning By-Law No. 8000.

³ A loading space is equivalent to the area required for an on-site parking space.

**Table 1 - City of Kelowna Zones Permitting Child Care Uses (continued on next page)**

This Table should be used as follows:

- *identify the zone in which the property you are looking at is located*
- *confirm whether or not a (child) care centre is permitted.*
- *determine what size of facility is allowed (i.e., minor, intermediate, or major), referring to the definitions on the previous page for each of these.*
- *determine if care centre is considered a principal (p) or secondary (s) use in this zone. Principal (p) use means that the care centre is permitted as the only use on the property, whereas, secondary (s) use means that the care centre is associated with another main use (e.g. a family day care in a home).*

ZONE & TYPE OF (CHILD) CARE CENTRE PERMITTED	MINOR p or s	INTERMEDIATE p or s	MAJOR p or s
A1 – Agriculture 1 or A1s – Agriculture 1 with a secondary suite	✓s	✓s	
A2 – Agriculture 2	✓s	✓s	
RR1 – Rural Residential 1	✓s	✓s	
RR2 – Rural Residential 2	✓s	✓s	
RR3 – Rural Residential 3 or RR3s – Rural Residential 3 with a secondary suite	✓s	✓s	
RU1 – Large Lot Housing, or RU1s – Large Lot Housing with a secondary suite	✓s		
RU2 – Medium Lot Housing, or RU2s - Medium Lot Housing with a secondary suite	✓s		
RU3 - Small Lot Housing	✓s		
RU4 – Low Density Cluster Housing	✓s		
RU5 – Bareland Strata Housing	✓s		
RU6 – Two Dwelling Housing, or RU6b – Two Dwelling Housing with a Boarding or Lodging House	✓s		
RM1 – Four-plex Housing	✓s		
RM2 – Low Density Row Housing	✓s	✓s	
RM3 – Low Density Multiple Housing	✓s	✓s	✓s
RM4 – Transitional Low Density Housing	✓s	✓s	✓s
RM5 – Medium Density Multiple Housing	✓s	✓s	✓s
RM6 – High Rise Apartment Housing	✓s	✓s	✓s
RM7 – Mobile Home Park	✓s		
C1 – Local Commercial	✓s	✓p	✓p
C2 – Neighbourhood Commercial	✓s	✓p	✓p
C3 – Community Commercial	✓s	✓p	✓p
C4 – Town Centre Commercial	✓s	✓p	✓p
C5 – Transition Commercial	✓s	✓p&s	✓p
C6 – Regional Commercial	✓s	✓s	✓s
C7 – Central Business Commercial	✓s	✓s	✓p
C8 – Convention Hotel Commercial	✓s	✓s	✓s
C9 – Tourist Commercial	✓s	✓s	✓s
C10 – Service Commercial			✓p
I1 – Business Industrial			✓p
I2 – General Industrial			✓s



Table 1 – Continued (see instructions on previous page)

ZONE & TYPE OF (CHILD) CARE CENTRE PERMITTED	MINOR p or s	INTERMEDIATE p or s	MAJOR p or s
I4 – Central Industrial			✓p
P1 – Major Institutional		✓s	✓s
P2 – Education and Minor Institutional		✓p	✓p
P3 – Parks and Open Space		✓s	✓s
CD1 – Comprehensive Development One	✓s	✓s	
CD2 – Kettle Valley Comprehensive Residential Development	✓s	✓s	✓p
CD4 – Comprehensive Small Lot Residential	✓s		
CD5 – Multipurpose Facility	Child	Care Permitted	See zone.
CD6 – Comprehensive Residential Golf Course	✓p	✓p	✓p
CD10 – Heritage Cultural		✓s	✓s
CD12 – Airport			✓s

Re-Zoning?

The City has attempted, as shown in Table 1, to ensure that child-care is permitted in every zone feasible. However, if the property you are interested in does not have appropriate zoning to permit a child-care facility, you may have to proceed with a re-zoning application. Be sure that the site that you have selected, is well-suited to a child care use before proceeding. It may be preferable to seek a better location with appropriate zoning. See the location guidelines at the end of this document for some suggestions.

Development Permits

A development permit will not be required for child-care facilities located within a single detached dwelling and operated by the residents of the home. In all other buildings, or as a “stand alone” use, it is best to check with the City’s planning department regarding the need for a development permit. Any institutional zone, (i.e. P1, P2 or P3 in the above table) does not require a development permit. If the child care use is part of an overall development, as a secondary use within a commercial, residential or industrial building, then the development permit would be part of the overall development proposal. In a stand-alone building, a child care facility may require a development permit if it is not in an institutional zone.

Building Code

Child care facilities are subject to provincial Building Code requirements. The requirements vary depending upon the number of children in care. Please consult with a Building Inspector at City Hall for more details.

Table 2 Development Application Fees ⁴

Type of Application	Application Fee	APC	G.S.T.	TOTAL COST
ZONING AMENDMENT	\$1,617.00	\$525.00	\$36.75	\$2,178.75
DEVELOPMENT PERMIT				
With Advisory Planning Commission (APC) Review	\$578.00	\$525.00	\$36.75	\$1,139.75
Without APC Review	\$578.00			\$578.00

⁴ For more details, check with the planning and development services department, or go to the City’s web page (www.city.kelowna.bc.ca) and look for departments, planning and development services.



RESOURCE DIRECTORY

FOR THOSE WISHING TO ESTABLISH CHILD CARE FACILITIES

**Community Care Facilities Licensing
South Okanagan Health Unit**
1340 Ellis
Kelowna, B.C.
Tel: 868-7835 Fax: 868-7760

**Community Planning
Department of Planning and
Development Services**
City of Kelowna, City Hall
1435 Water Street
Kelowna, B.C. V1Y 1J4
862-3304

**Permits and Licenses
Department of Planning and
Development Services**
City of Kelowna, City Hall
1435 Water Street
Kelowna, B.C. V1Y 1J4
862-3304

**Kelowna Child Care Society
Child Care Resource and Referral
Program**
4-1890 Ambrosi Road
Kelowna, B.C. V1Y 4R9
phone: 762-3536 Fax: 861-1299
Email: kelownachildcare@telus.net

**Ministry of Human Resources (see
programs)**
501 - Regional Office
102, 1345 St Paul Street
Kelowna BC V1Y 2E2
Telephone: (250) 712-7500
Facsimile: (250) 712-7522

Community Child Care Liaison
301 – 1301 Main St.
Penticton, B.C., V2A 5E9
Telephone: (250) 492-9737
Fax: (250) 492-1379

**Ministry of Children and Family
Development
Supported Child Care**
Community Living Services – Children
Suite 200 – 1640 Leckie Road
V1X 7C6
Tel: 861-7255 Fax: 861-7266

Kelowna & District Child Care Committee
This is a coalition of community stakeholders in child care that meets bi-monthly. Contact this group through the **Kelowna Child Care Society – Child Care Resource and Referral Program**

FOR THOSE SEEKING CHILD CARE (also of benefit to child care operators in serving their clients):

**Kelowna Child Care Society
Child Care Resource and Referral
Program**
4-1890 Ambrosi Road
Kelowna, B.C. V1Y 4R9
phone: 762-3536 Fax: 861-1299
Email: kelownachildcare@telus.net

**Ministry of Children and Family
Development
Supported Child Care**
Community Living Services – Children
Suite 200 – 1640 Leckie Road
V1X 7C6
Tel: 861-7255 Fax: 861-7266

**Community Care Facilities Licensing
South Okanagan Health Unit**
1340 Ellis
Kelowna, B.C.
Tel: 868-7835
Fax: 868-7760

Kelowna & District Child Care Committee
This is a coalition of community stakeholders in child care that meets bi-monthly. Contact this group through the **Kelowna Child Care Society – Child Care Resource and Referral Program**



Offices of the Ministry of Human Resources – Child Care Subsidy Programs

Ministry of Human Resources

Day (Child) Care Subsidy Program

1345 St. Paul street
Kelowna, B.C., V1Y 2E2
Tel: 712-7500 Fax: 712-7522

560 – Employment and Benefits Centre- Kelowna Child Care, Disability and Vocational Rehabilitation Benefits Office

1345 St. Paul St.
Kelowna, BC V1X 2E2
Telephone: (250) 712-7500
Facsimile: (250) 712-7522

Community Child Care Liaison

301 – 1301 Main St.
Penticton, B.C., V2A 5E9
Tel: (250) 492-9737 Fax: (250) 492-1379

Provincial Child Care Programs Overview – Ministry of Community, Aboriginal and Women's Services

Taken from the Ministry's Web Page (updated August 2001)

<http://www.sdes.gov.bc.ca/PROGRAMS/childcar/overview.htm>

- **Child Care Subsidy Program**
Assists low- and moderate-income families with child care costs. Parents may direct the subsidy to the child care arrangement of their choice, including licensed group child care, licensed family child care, license-not-required child care, preschool, out-of-school care, and in-home care.
- **Compensation Contribution Program**
The Compensation Contribution Program began on April 1, 1998 and replaces the Wage Supplement Initiative and the Infant/Toddler Incentive Grant for group child care centres. Like the Wage Supplement Initiative, it helps increase the wages of lower-paid child-care workers; and like the Infant/Toddler Incentive Grant, recognizes the higher cost of providing infant/toddler care.
- **Infant/Toddler Incentive Grant Program for Family Child Care**
Provides per day, per child funding for licensed family child care providers who offer infant/toddler care. Providers must be registered with a Child Care Resource and Referral Program, or receive the endorsement of a Licensing Officer in areas where there is no Child Care Resource and Referral Program.
- **Emergency Repair, Replacement and Relocation Grants Program**
Assists non-profit child care centres with small capital costs necessary to meet licensing standards. Grants of up to \$4,000 are available to cover such costs.
- **Facilities and Equipment Grant Program**
Assists non-profit child care societies to create and/or retain licensed child care spaces. Funding decisions are based on an extensive review process, including an examination of community need. In 1997/98 eighteen projects were approved, which created about 440 new child care spaces. The provincial budget is \$1 million.
- **Child Care Resource and Referral Program**
Increases the availability and quality of child care services by recruiting, training and supporting child care providers. It also assists parents in finding child care through referrals and consultation. There are 34 child care resource and referral programs across the province, serving over 170 communities. (see *Kelowna Child Care Society on contact page*)
- **Westcoast Child Care Resource Centre**
Operates province-wide Early Childhood Multicultural Services, Child Care INFORM (financial management support for non-profit child care centres), and a resource library. These programs support the child care infrastructure by offering key resources to child care providers, enabling them to offer care that is high quality, culturally-sensitive, bias-free and which is supported by child care programs in sound financial and administrative condition. Thousands of children and families around the province benefit from these services.

LOCATIONAL GUIDELINES FOR CHILD CARE

The following points are not regulated requirements for Child Care, but are suggestions to ensure that optimum conditions are offered for locating a child care facility.



Surrounding Uses

There are many other activities that can occur near a child care centre without causing any undue conflicts or dangers. In fact, the City would advise that in most cases, the approach would be to consider what development activities would be enhanced by adding a child care use. The following suggestions are offered:

- **Single Detached Dwelling** – One of the most common locations for a child care use is within a single detached dwelling operated as a business from someone’s home.
- **Residential Neighbourhood** – The most familiar location for child care facilities is within a residential neighbourhood, either as part of a residential building, or separately located. Child care is a service, which is needed in most neighbourhoods.
- **Multi-Unit Residential Development** – any residential development can be enhanced by adding a child care use. In the case of apartments, townhouses or other residential development serving families, child care centres will serve the needs of the new residents of a development, as well as the surrounding neighbourhood. The Kelowna Child Care Society can provide data on the needs for child care in any given location.
- **Seniors’ Housing** - Since the aging society is well-recognized, there is a lot of interest in seniors’ housing complexes in Kelowna. In many cases, the provision of a child care centre as part of, or in proximity to, seniors’ housing is a positive measure. Not only does it serve the surrounding community, but it is a surprising bonus to senior residents. The existing example of the historical positive relationship between the child care centre and David Lloyd Jones home for seniors, located in the same complex, is proof that the combination works⁵. The proximity to children benefits both the senior residents and the children, by providing an interaction between age groups that often don’t have similar alternative opportunities.
- **Commercial Centres** – In many cases, the provision of a child care use within a commercial area or building will add to the services provided in the area. Child care is beneficial to employees, customers and nearby residents. Work-place child care is strongly encouraged. Examples include office buildings, shopping centres and large commercial (e.g. retail) spaces. A centre on its own in a downtown location would also be appropriate.
- **Churches** - Churches frequently have appropriate space, available during the week, and offer ideal locations to accommodate child care centres.
- **Schools** – As a service to staff, parents, or students themselves (i.e. high schools or colleges), child care centres within a school building are a logical choice.
- **Places of Business** – Any location where business is conducted and there is a combination of employees and/or customers would benefit from a child care centre. The only



⁵ Administrative difficulties with the David Lloyd Jones Child Care Centre have been experienced, but are not a reflection of the compatibility of the child care and the seniors’ home.

exception would be areas that represent hazardous locations for a child care use. A child care centre within an airport building would be a logical use, for example.

Incompatible Activities:

A few land uses would be incompatible with a child care centre. The following are some examples with reasons why. If there is any uncertainty about the appropriateness of a location for child care, check with City Hall, Department of Planning and Development Services ((250) 862-3304).



- **Mining or Gravel Extraction:** The need for heavy equipment, trucks, noise and dust associated with this use makes it unsuitable for proximity to a child care;
- **Trucking Operation:** Traffic and heavy truck operations would make this an inappropriate location for a child care use.
- **Heavy Industrial Uses:** Certain types of industrial activity are referred to as “heavy industrial” . Activities of this nature will feature the use of heavy, potentially dangerous equipment, hazardous materials or noise levels that would affect the ability to supervise children. The City of Kelowna places uses of this nature in the “I3 – Heavy Industrial” zone. Examples of such uses include:

Autobody repair and paint shops	Recycling plants
Bulk fuel depots	Utility services
Concrete and asphalt plants	Wrecking yards

Siting Guidelines:

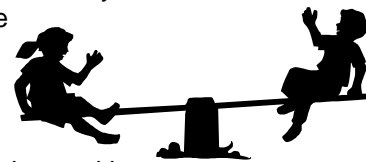
In order to ensure that a safe and healthy environment is provided for children using child care facilities, the following suggestions are recommended in locating such a facility.

Local Road:

A property that is accessed from a local road is preferred. The drop-off nature of a child care centre means that traffic hazards should be kept to a minimum. The higher level of traffic on collector or arterial roads is undesirable.

Outdoor Play Area:

It is a requirement to have an outdoor play space available to the children. Check with Community Care Licensing to find out the specifics for outdoor play areas for a child care use. The licensing requirements will only allow supervised outdoor play. Generally, a fenced-in, safe outdoor play area, with plenty of windows overlooking the play space from well-used areas of dwellings or other buildings is preferable. The play area should also be located well-separated from a road, especially one that has heavy traffic. Opportunities for children to come into proximity with traffic should be minimized. Noise and fumes from traffic can be hazardous to children’s health, particularly those with health conditions, like asthma. Also, visibility of children playing from traffic on a main road should be minimal, in order to eliminate opportunities for child abduction. Check the City of Kelowna Crime Prevention Design Guidelines for details on principles associated with design and crime prevention.



Water / Ponds / Swimming Pools / Streams:

Access to water features should be restricted. Water features, including streams, ponds or swimming pools on a property with a child care use should be fenced so as to prevent unsupervised access by children.

