

## Discretionary Use Application – Residential Care Home Type II – 66 Bence Crescent

### APPLICATION SUMMARY

Joy Fernandez applied for Discretionary Use approval to develop a Residential Care Home – Type II for the care of a maximum of nine residents with two employees at any given time, at 66 Bence Crescent in the Westview neighbourhood. A Residential Care Home – Type I currently operates at the site, providing care for a maximum of five residents.

### RECOMMENDATION

That this report be forwarded to City Council recommending that at the time of the Public Hearing, the Discretionary Use Application submitted by Joy Fernandez, requesting approval to operate a Residential Care Home - Type II at 66 Bence Crescent, for a maximum of nine residents and two staff members, be approved, subject to the following conditions:

- 1) The applicant obtains a Development Permit and all other relevant permits and licences, including a Building Permit; and
- 2) The final plans submitted be substantially in accordance with the plans submitted in support of this Discretionary Use Application.

### BACKGROUND

Under [Bylaw No. 8770, Zoning Bylaw, 2009](#) (Zoning Bylaw), 66 Bence Crescent is zoned R2 – One and Two-Unit Residential District (see Appendix 1 for Location Map and Appendix 2 for Fact Summary Sheet). The purpose of the R2 District is to provide for residential development in the form of one and two-unit dwellings, as well as related community uses. A Residential Care Home - Type II is considered a Discretionary Use in the R2 District.

In 2015, approval was issued through building and development permits for a Residential Care Home – Type I with a maximum of five residents under care. A Residential Care Home – Type I is a permitted use within the R2 District and is currently the existing use of the property.

Currently, there are seven other Discretionary Uses approved in the Westview neighbourhood (see Appendix 3 for Discretionary Use Heat Map).

### DISCUSSION

This Discretionary Use Application requests approval to expand the existing care home into a Residential Care Home – Type II to accommodate a maximum of nine residents and two staff members at any one time. No exterior alterations are proposed to the home at this time.

### Zoning Bylaw Requirements

The Zoning Bylaw defines a Residential Care Home as:

“a licensed or approved group care home governed by Provincial regulations that provides, in a residential setting, 24 hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual”.

A Residential Care Home - Type II is defined as:

“a residential care home in which the number of residents, excluding staff, is more than five and not more than 15.”

The on-site parking requirement prescribed in the Zoning Bylaw for a Residential Care Home - Type II is one space for every five residents and 0.75 spaces per staff member. Based on nine residents under care and two staff members, three on-site parking spaces are required. Plans submitted in support of the application indicate three on-site parking spaces are provided. One stall will be located on the existing front driveway and the remaining two parking stalls will be located along the rear lane (see Appendix 4 for site plan).

### Comments from other Divisions

No concerns were identified through the administrative review process which would preclude this application from proceeding to a public hearing.

### **COMMUNICATIONS AND ENGAGEMENT**

The following methods were used to communicate this application to area residents and the public:

- Notice was posted on the City’s Engage Page on February 7, 2024;
- Notification letters were mailed to property owners within 150 metres of the site and emailed to the Ward Councillor and Community Association on February 7, 2024; and
- A development sign will be placed on site in conformance with [Council Policy C01-021, the Public Notice Policy](#) (Public Notice Policy).

At the time of writing this report, Development Review received two emails looking for additional information on the application. Information was provided and no further correspondence has been received at this time. Additionally, one phone call was received expressing concerns about the proposed use but did not provide details.

**PUBLIC NOTICE**

Public notice is required for consideration of this matter, pursuant to Section 12.2 of the Public Notice Policy.

Once this application has been considered by the Municipal Planning Commission, it will be advertised in accordance with the Public Notice Policy, and a date for a public hearing will be set. The Planning and Development Department will give notice of the public hearing date by mail to property owners within 150 metres of the subject site.

**APPENDICES**

1. Location Map – 66 Bence Crescent
2. Fact Summary Sheet – 66 Bence Crescent
3. Discretionary Use Heat Map – 66 Bence Crescent
4. Site Plan – 66 Bence Crescent

**REPORT APPROVAL**

Written by: Tyler Kopp, Planner  
Reviewed by: Darryl Dawson, Development Review Manager  
Lesley Anderson, Director of Planning and Development  
Approved by: Lynne Lacroix, General Manager, Community Services

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