

INCOMPATIBLE LAND USES NEAR SCHOOLS

Background

The District operates in an urban environment with a necessary mixture of land uses. The District recognizes the authority of the City of Vancouver and senior levels of government to control the development of property and the regulation of business.

However, the safety and security of students, staff, and school facilities and grounds is a primary responsibility of the District. When changes are proposed to an area that may threaten the safety and security of individuals and property, the District may choose to advocate to the proper authorities on behalf of the local school community.

Incompatible land uses are those that may result in negative externalities to the school, such as, increased traffic, litter, truancy concerns, noise, changes in pedestrian habits, "attractive nuisances", undesirable clientele, or other potential safety or health hazards. Proposed uses, such as neighbourhood pubs, adult theatres, cellular antenna, controversial public or special residential facilities, or changes to existing traffic patterns, may result in such negative externalities to a school use.

Procedures

1. Each use that may be deemed incompatible near a school will be weighed in terms of safety considerations and its proximity to a school(s). In general, the District will restrict its attention to the proposed changes within 300 metres (approximately 1,000 feet) of an existing school, although there may be special circumstances when the District may oppose a change in use beyond that distance.
2. The District expects the City and other appropriate authorities to enforce by-laws which are designed to minimize conflicts among different neighbourhood uses. Appropriate protocols, therefore, will be established to ensure co-operation between the District and the City. The District will request enforcement as required in order to ensure the safety and security of persons and facilities associated with a local school use.
3. The District will seek assurances from the City and other appropriate authorities that proper notification of proposed changes will be given to the District and the local school(s). Early consultation of a proposal by these authorities will help to reduce the need for District involvement in the decision-making process. It is not the intention of the District to become involved in routine City planning and land-use matters.
4. The District's position with respect to incompatible uses near school will be monitored periodically in order to maintain its effectiveness and viability. The District will co-operate with the City and other agencies to ensure that changing land uses do not compromise the overall well-being of a school community.
5. The identification of incompatible land uses near schools is a difficult exercise. There are many changes in land use or other local initiatives which could affect the overall safety and security of the nearby school(s). While the District may choose not to comment or take a

position on most development activities, the District reserves the right to intervene with other government authorities when appropriate.

- 5.1. The District will request the City and other senior levels of government to provide adequate notification of any proposed change in a neighbourhood that may disrupt the local school community, e.g. that would cause significant increases in traffic, create truancy, attract nuisance problems, or generate other safety or health hazards. This would apply to all potentially disruptive uses or changes within 1000 feet of an existing school.
- 5.2. Notification to the District is also to be standard practice for any significant development activities that are in a school community but occurring more than 1000 feet from an existing school. Some development initiatives may have far-reaching effects on the safety and security of nearby school facilities.
- 5.3. The notifications would also be directed to the following at each school that may be affected by a proposed change:
 - 5.3.1. Principal,
 - 5.3.2. Chair of Staff Advisory Committee,
 - 5.3.3. Chair of Parents' Advisory Council,
 - 5.3.4. Liaison trustee.
- 5.4. Upon receipt of such notification, each group has the responsibility to assess the possible effects of the proposal on the local school community. If it is determined that the use may be incompatible, e.g. cause significant increases in traffic, create truancy, attractive nuisance problems, or generate other safety or health hazards, an individual group may respond directly to the City or other authorities. The appropriate staff from the District will also review the potential effects of the proposed change.
- 5.5. If a school-based group chooses to take issue with the proposal, the group(s) is to notify all other concerned parties. Any or all other groups may or may not support the action. The District is to be advised of any concerns or actions coming from the local school community.
- 5.6. The District may be requested to support a position of opposition or complaint from a local school community. Senior management will receive this request and refer it to the Chair of the Facilities Planning Committee for review. If it is deemed appropriate, the matter will be directed to the Facilities Planning Committee and the Board for further action.
 - 5.6.1. The Board may or may not support a local position on a proposed change or potential incompatible use. The Board has the opportunity to intervene with other government authorities, but the Board will exercise discretion in its involvement in planning or other local government matters. The Board will rely heavily on the local school communities to address local issues.
- 5.7. The City and other levels of government will be requested to ensure that relevant by-laws and regulations are enforced consistently. Certain uses near schools can be tolerated if by-laws are enforced, whereas they may create incompatible conditions without enforcement.
- 5.8. Principals are to be advised of any changes to existing by-laws or regulations that may affect the operation of certain commercial activities or other land uses; for example, the lowering of the age limit for admission to billiard parlours or arcades may generate problems for nearby schools. Principals have the responsibility to notify parents of these changes or their concerns with respect to certain neighbourhood land uses.

5.9. Senior management will monitor the regulations and maintain contact with the appropriate City staff. Principals will be advised of the expectations and responsibilities of the local community. Adjustments may be made to administrative procedures that provide for greater effectiveness.

Reference: Sections 7, 20, 22, 65, 85, School Act

Adopted: October 16, 1989

Revised: September 1994; January 1999; February 2005; December 2005; September 24, 2018