



PLANNING AND DEVELOPMENT COMMITTEE

NOTICE OF OPEN MEETING

DATE: TUESDAY, 2016 JANUARY 26
TIME: 5:30 PM
PLACE: Council Committee Room, Burnaby City Hall

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1. <u>CALL TO ORDER</u>	
2. <u>MINUTES</u>	
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7. **INQUIRIES**
8. **ADJOURNMENT**



PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Tuesday, 2015 November 24

An 'Open' meeting of the Planning and Development Committee was held in the Council Committee Room, Burnaby City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2015 November 24 at 4:30 p.m.

1. CALL TO ORDER

PRESENT: Councillor C. Jordan, Chair
Councillor S. Dhaliwal, Member

ABSENT: Councillor D. Johnston, Vice Chair

STAFF: Mr. L. Pelletier, Director Planning and Building
Mr. E. Kozak, Assistant Director, Current Planning
Ms. L. Garnet, Assistant Director, Long Range Planning
Ms. L. Ford, Long Range Planner
Ms. E. Prior, Administrative Officer

The Chair called the Open meeting to order at 4:35 p.m.

2. MINUTES

A) Minutes of the Planning and Development Committee Open Meeting held on 2015 October 27

MOVED BY COUNCILLOR DHALI WAL
SECONDED BY COUNCILLOR JORDAN

THAT the minutes of the Planning and Development Committee 'Open' meeting held on 2015 October 27 be adopted.

CARRIED UNANIMOUSLY

3. DELEGATION

MOVED BY COUNCILLOR DHALI WAL
SECONDED BY COUNCILLOR JORDAN

THAT the delegation be heard.

CARRIED UNANIMOUSLY

A) Chris Kopar**Re: Metrotown – Regional Town Centre Community Plan****Speaker: Mr. Chris Kopar**

Mr. Chris Kopar, #205 – 6677 Sussex Avenue, appeared before the Planning and Development Committee expressing concern regarding development in the Metrotown/Maywood community, specifically in relation to the demolition of low rise multi-family rental housing. The speaker requested clarity regarding the area's land use plan and the suitability of using the 1977 plan, titled "Burnaby Metrotown – a development plan" (Metrotown Plan).

Mr. Kopar advised that the Metrotown Plan created in 1977 is not relevant in relation to the community's current context. Mr. Kopar requested that Burnaby up-date the plan taking into consideration the current needs and demographics of the area.

Mr. Kopar queried the commencement of a public consultation process regarding development and amendments to the Metrotown Plan. The speaker advised that currently the only forum available for resident input is at a Public Hearing. Mr. Kopar also requested further education and transparency for residents regarding land use issues.

The Committee advised that a report adopted in 2016 November entitled *Growth Management and Housing Policies in Burnaby* outlined the framework for development related to housing in the four Town Centres. Staff are liaising with Council on a public consultation process regarding updating of the Official Community Plan and the Metrotown Plan; however, the Committee informed Mr. Kopar that local governments are not permitted to zone exclusively for the development of rental housing.

A report to amend the Community Benefit Bonus Housing Fund policy and to initiate the City Land Program for Non-Market Housing Projects was also adopted recently. The report supports policy amendments for the use of the Housing Fund to make available City-owned lands for non-market housing projects.

Staff advised that the adopted Metrotown Plan provides the future land use designation for all properties in the area, and that medium and high density residential uses have been identified for the neighbourhood since the plan's adoption. Planning Department staff are available to provide this information to any interested party.

4. CORRESPONDENCE

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the correspondence be received.

CARRIED UNANIMOUSLY

A) Correspondence from Jana and Ken Abramson
Re: Concern Regarding Loss of Affordable Housing in
Metrotown

Correspondence was received from Jana and Ken Abramson regarding the loss of affordable housing in the Metrotown area. The correspondents suggested that through the demolition of the affordable housing the Maywood/Metrotown area will lose its sense of a friendly multicultural community.

Staff undertook to provide the correspondents with information on City plans and programs on affordable housing.

B) Correspondence from Joanne Reid, President
George Derby Care Society
Re: Appreciation to City of Burnaby – Derby Manor

Correspondence was received from Joanne Reid, President George Derby Care Society. Ms. Reid thanked City of Burnaby Council and staff for assisting the George Derby Care Society with providing affordable rental housing for seniors. Construction has commenced on the new addition and the project will be ready for occupancy by early 2017.

C) Correspondence from Queenie Choo, CEO S.U.C.C.E.S.S.
Re: Request for Amenity Space for Immigrant Services
in the City of Burnaby

Correspondence was received from Queenie Choo, CEO S.U.C.C.E.S.S. requesting amenity space from the City. Ms. Choo is requesting amenity space to provide Immigrant Services which is composed of settlement, language classes and employment services to new residents in Burnaby.

Staff undertook to correspond with Ms. Choo and to place S.U.C.C.E.S.S. on the waitlist for amenity space.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT staff respond to Ms. Choo and place SUCCESS on the waitlist for amenity space.

CARRIED UNANIMOUSLY

5. **REPORT**

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the report be received.

CARRIED UNANIMOUSLY

A) Report from Director Planning and Building **Re: Proposed Zoning Bylaw Text Amendment** **- Permitted Uses in Farmers Markets**

A report was received from the Director Planning and Building proposing text amendments to the Burnaby Zoning Bylaw to permit the limited sale of liquor and other accessory uses at farmers markets.

The Director Planning and Building recommended:

1. THAT Council be requested to authorize the preparation of a bylaw amending the Burnaby Zoning Bylaw, as outlined in Section 3.0 of this report, for advancement to First Reading on 2015 December 14 and to Public Hearing on 2016 January 26 at 7:00 p.m.
2. THAT a copy of this report be sent to Artisan Farmers Market Society, Box 74589, Kitsilano P.O., Vancouver, BC V6K 4P4

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the recommendations of the Director Planning and Building be adopted.

CARRIED UNANIMOUSLY

6. NEW BUSINESS

No items of new business were brought before the Committee at this time.

7. INQUIRIES**Councillor Jordan**

Councillor Jordan requested an update on the Secondary Suite Program.

Staff continue to work with residents regarding this program.

8. ADJOURNMENT

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the Open Committee meeting do now recess.

CARRIED UNANIMOUSLY

The Open Committee meeting recessed at 5:20 p.m.

Eva Prior
ADMINISTRATIVE OFFICER

Councillor Colleen Jordan
CHAIR



Burnaby Task Force On Homelessness
Working Together to END Homelessness in Burnaby
www.burnabyhomelesstaskforce.org

January 6, 2016

The Clerk's Department
 Burnaby City Hall
 4949 Canada Way
 Burnaby, BC, V5G 1M2

Dear Members of the Planning and Development Committee:

Request to Appear as a Delegation on Tuesday January 26, 2016

Re: The creation of a "made for Burnaby" housing solution in support of Burnaby homeless citizens

Designated Speaker: Wanda Mulholland

The Burnaby Task Force On Homelessness was established in January 2005 and leads local initiatives to END homelessness in Burnaby.

The Burnaby Task Force On Homelessness is committed to working with all levels of government, the health authority, social service agencies, RCMP, business, Board of Trade, faith communities, and concerned citizens to ensure the provision of housing, support services and adequate income for Burnaby residents who are without housing or at risk of homelessness in Burnaby.

The Burnaby Task Force On Homelessness knows that support from Mayor Corrigan, Burnaby City Council and the Planning and Development Committee is crucial if we are to see the establishment of housing for Burnaby's homeless.

I am writing on behalf of the Burnaby Task Force On Homelessness to request approval to appear as a delegation before the Planning and Development Committee to discuss the recent announcement of provincial financial commitment for Burnaby and to plan next steps for a made for Burnaby housing solution in support of Burnaby homeless citizens.

Thank you for your consideration of this request.

Sincerely,

Wanda Mulholland
 Community Development Coordinator
 Burnaby Task Force On Homelessness
 604-317-8114
info@burnabyhomelesstaskforce.org



Burnaby Task Force On Homelessness
Working Together to END Homelessness in Burnaby
www.burnabyhomelesstaskforce.org

December 8, 2015

Mayor Corrigan and City Council
 Burnaby City Hall
 4946 Canada Way
 Burnaby, B.C. V5G 4H7

SECTION 2
 COUNCIL CORRESPONDENCE
 City Manager
 Deputy City Managers (2)
 Dir. Planning & Building
 Planning & Development Committee
 (2016.01.26)

Dear Mayor Corrigan and City Council:

I am writing on behalf of the Burnaby Task Force On Homelessness.

Members of the Burnaby Task Force On Homelessness members recently read the report on the City of Burnaby's Community Benefit Bonus Housing Fund Policy-City Land Program for Non Market Housing Projects.

The Burnaby Task Force On Homelessness wishes to take this opportunity to commend the City of Burnaby in creating Burnaby's Community Benefit Bonus Housing Fund Policy-City Land Program for Non Market Housing Projects as it will provide needed resources and leverage senior government contributions in the building of new non-market housing in Burnaby.

The strategy to make available City-owned lands for non-market housing projects expands the City's tool kit to better meet Burnaby's affordable housing needs. We hope that this will provide incentive to senior levels of government, the non-profit and co-op housing agencies to move quickly to create new affordable housing, especially for the most vulnerable amongst Burnaby residents. We hope that in the current needs assessment, that the City will conduct community consultations in establishing a priority list for housing that targets the most in need populations in Burnaby. We are as committed as ever to work closely with the City in both identifying priorities and creating housing solutions.

The contact number for the Burnaby Task Force On Homelessness is 604-317-8114 or info@burnabyhomelesstaskforce.org.

Thank you

Sincerely,

Wanda Mulholland
 on behalf of the
 Burnaby Task Force On Homelessness

Mailing address for the Burnaby Task Force On Homelessness
 7476 13th Ave Burnaby BC V3N 4K4



Burnaby Task Force On Homelessness

Working Together to END Homelessness in Burnaby

www.burnabyhomelesstaskforce.org

December 8, 2015

Mayor Corrigan and City Council
Burnaby City Hall
4946 Canada Way
Burnaby, B.C. V5G 4H7

SECTION 2

COUNCIL CORRESPONDENCE

City Manager

Deputy City Managers (2)

Dir. Planning & Building

Planning & Development Committee

(2016.01.26)

Dear Mayor Corrigan and City Council:

I am writing at the request of the Burnaby Task Force On Homelessness.

This letter is a follow up to the Dec 1, 2015 Burnaby Now article by Jennifer Moreau **“Minister says there's money for homeless shelter in Burnaby”** in which Minister Coleman is quoted as saying “we’re prepared to take our provincial responsibility, but we do need to have willing partner”.

“Coleman said the province spends \$32 million a year in Burnaby on housing support for low-income individuals, seniors, families and people who are at risk. A homeless shelter, however, can help stabilize people so they can get the support they need and then find housing.”

The Burnaby Task Force continues to be very concerned about the number of Burnaby citizens living in poverty. Recent fires in homeless camps, the rising cost of rent in Burnaby, continued low rental vacancies, loss of affordable housing units and proposed demolition of older rental stock clearly identify significant housing issues affecting Burnaby citizens.

We are pleased to recognize the City of Burnaby for demonstrating innovative solutions through the Community Benefit Bonus Housing Fund Policy - City Land Program For Non Market Housing Projects. The use of these two parcels of land is the start to an initiative that we believe will assist in creating affordable housing for Burnaby residents.

Given the news of the provincial government commitment, The Burnaby Task Force requests a meeting with Mayor Corrigan and the Planning and Development Committee to discuss this provincial financial commitment and to plan next steps for a made for Burnaby housing solution in support of Burnaby homeless citizens.

Please contact me to establish this meeting. The contact number for the Burnaby Task Force On Homelessness is 604-317-8114 or info@burnabyhomelesstaskforce.org.

Thank you

Sincerely,

on behalf of the
Burnaby Task Force On Homelessness

*Mailing address for the Burnaby Task Force On Homelessness
7476 13th Ave Burnaby BC V3N 4K4*



Meeting 2016 January 26

COMMITTEE REPORT

TO: CHAIR AND MEMBERS
PLANNING AND DEVELOPMENT
COMMITTEE

DATE: 2016 January 21

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 42000 20

SUBJECT: OUTDOOR STORAGE OF TRUCKS AND CONTRACTOR MATERIALS
3822, 3806 MARINE DRIVE, 8747 IVY AVENUE, AND
7549 MEADOW AVENUE
BIG BEND DEVELOPMENT PLAN

PURPOSE: To respond to a delegation requesting better opportunities for outdoor truck and contractor storage within the Big Bend Development Plan area.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to the members of the delegation who presented to the Community Development Committee on 2012 April 24 regarding truck storage in the Big Bend Development Plan.

REPORT**1.0 INTRODUCTION**

On 2012 April 24, the Community Development Committee (now called the Planning and Development Committee) received a delegation led by Mr. Harj and Kal Bansal regarding enforcement of the Zoning Bylaw as it pertains to storage yards for the outdoor storage of commercial vehicles and contractor materials. The delegation indicated that, with the continuing transition of the City's industrial areas for higher order industrial uses, there is a general lack of available properties appropriately zoned to accommodate storage yards.

The delegation requested that the Committee consider the rezoning of the properties at 3822, 3806 Marine Drive, 8747 Ivy Avenue, and 7549 Meadow Avenue (see Sketches #1 and #2 *attached*), located within the Council-adopted Big Bend Development Plan area (see Sketch #3 *attached*), to the M3 Heavy Industrial District in order to permit the outdoor storage of commercial vehicles and contractor materials. It is noted that the subject properties have been the subject of enforcement actions related to Zoning Bylaw violations, as well as violations related to unsightly premises, unlicensed businesses, general property misuse, and multiple uses on a site which accommodates a residential use. Despite the period of time that has passed since the delegation was received, there has been no substantial change to the non-permitted use of the subject properties.

To: *Planning and Development Committee*
 From: *Director Planning and Building*
 Re: *Outdoor Storage of Trucks and Contractor Materials*
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This report outlines the policy context for industrial land use in Burnaby and responds to the delegation's request by presenting the context of outdoor storage yard uses under the City's land use framework, and outlining an approach to assist the delegation in finding suitable properties to accommodate such businesses.

2.0 POLICY CONTEXT

2.1 *Regional Growth Strategy*

On 2011 March 07, Council accepted by resolution the Regional Growth Strategy (RGS) – “Metro Vancouver 2040 – Shaping Our Future,” which became incorporated into Burnaby's Official Community Plan (OCP). The RGS establishes a land use management framework for the region and is centred on broad goals that define land use and growth management, including the support of a sustainable economy. Strategies associated with the goal of a sustainable economy include: promoting land development patterns that support a diverse regional economy and employment close to where people live; the protection of the supply of industrial land; and the protection of the supply of agricultural land.

2.2 *Official Community Plan*

The RGS is largely reflective of Burnaby's existing OCP, which has provided a clear policy direction towards the City's growth and development. Strategic directions include that Burnaby is a “community of economic opportunity,” specifically by ensuring that, among other things, there is:

- an adequate supply of industrial and commercial development opportunities available;
- effective and efficient use of available industrial lands, seeking to attract and accommodate high quality, employment intensive industries and overall increases in floorspace densities;
- contribution to the overall growth of the tax base and employment through more intensive use of available sites;
- encouragement of the continued operation and enhancement of existing businesses that are viable and in locations that are to remain designated for general industrial use;
- recognition of a general merging of commercial and industrial business interests and an associated demand for the expansion of business centre opportunities; and,
- provision of infrastructure that can respond to emerging industrial and commercial requirements.

Directions associated with the OCP's industrial land use policy include that in industrial areas, industrial uses are encouraged that achieve relatively high employment densities and tax base benefits through intensification of use in developing and redeveloping areas, and supporting the inventory of land available for business centres. Indeed, the OCP notes that the existing industrial base in Burnaby, and the Region as a whole, is undergoing a change towards increasing density of industrial development. In addition to this, the Industrial Framework of the OCP, which contributes to the City's diversity of employment and broad tax base, provides for the accommodation of a broad range of general industrial, heavy industrial, and business centre

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uses. All three are well-represented in the Big Bend and its long established Community Plan with a specific balance of land use designations. These include: designated industrial areas associated with uses such as manufacturing, wholesale, and transportation, and more “heavy” uses such as outdoor storage and operations; and designated business centre areas intended for businesses associated with a combination of light manufacturing, research and development, and office headquarter uses.

2.3 Big Bend Development Plan

The Big Bend Development Plan, adopted by Council on 1972 March 27, designates the Big Bend area as a mixed-use area to serve various land uses (see Sketch #3 *attached*), including, as indicated above, both industrial (including heavy industrial) and business centre use. The Big Bend Development Plan area has seen significant development in line with the Plan, with the continuing realization of business centre developments such as Glenlyon Business Park, Riverfront Business Park, Burnaby Business Park, and Glenwood Industrial Estates. In addition, the Big Bend Development Plan area, and Burnaby as a whole, continues to accommodate significant areas of general industrial use. The Big Bend Development Plan also provides for the protection of agricultural uses within designated areas, while residential uses continue to be a designated use along Marine Drive. The land use framework of the Big Bend Development Plan thereby provides for a balance of a variety of land uses, all of which must conform to Zoning Bylaw and other regulations in order to manage negative land use impacts such as unsightliness, noise, traffic, and environmental contamination.

While Burnaby’s industrial base is undergoing change, with increasing density of industrial development increasing the employment base of the City and attracting higher amenity business centre use, more traditional industrial uses such as outdoor storage continue to be supported and accommodated in Burnaby’s more general industrial areas. As always, the range of permitted industrial uses is to be consistent with the provisions of the City’s Zoning Bylaw. Rezoning properties to permit a use that is not consistent with a site’s current zoning designation would be counter to the City’s land use policies or established Community Plan for the Big Bend and therefore would not be supported by established Council policy.

With regards to the Provincial Agricultural Land Reserve (ALR) – established in partnership with the City and Regional District by the Provincial Government and managed through the Agricultural Land Commission – the RGS and OCP both support the preservation of designated agricultural lands. Furthermore, much of the land designated within the Big Bend Community Plan for agricultural uses is located within the ALR. Therefore, based on adopted Provincial, Regional, and City designations, plans and regulations which together are in place to maintain and protect the long term agricultural use of designated properties, rezoning such agricultural properties to permit a non-agricultural use is not supported by City plans and policies.

2.4 Economic Development Strategy

In addition, it is noted that the Burnaby Economic Development Strategy (EDS) 2020, adopted by Council on 2007 March 12, provides a strategic policy framework for improving the local economy. The goals of the EDS include increasing the total number of jobs and investment in

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 From: Director Planning and Building
 Re: Outdoor Storage of Trucks and Contractor Materials
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Burnaby and increasing the quality and sophistication of the local economy. One of the general strategies to meet these and other goals is to make efficient use of land, while specific sectoral strategies include increasing the intensity of use of light industrial land, particularly in the Big Bend, and continuing to maintain a clear and firm commitment to retain agricultural land.

2.5 Industrial Land Inventory

Industrial land in Burnaby makes up about 1,358 ha (3,355 acres) of land in Burnaby, or approximately 29% of the City's "developable" land base. Of the industrial land in Burnaby, approximately 181 ha (447 acres), or approximately 13% of industrial land, is zoned to the M7 Marine District. Business centre type uses, which are accommodated in the M5 Light Industrial, M8 Advanced Technology Research, B1 Suburban Office, and the B2 Urban Office Districts, account for approximately 458 ha (1131 acres), or approximately 34% of industrial land. The remaining five Industrial Districts in Burnaby – the M1 Manufacturing, M2 General Industrial, M3 Heavy Industrial, M4 Special Industrial, and M6 Truck Terminal Districts – make up approximately 676 ha (1671 acres) or approximately 50% of industrial land¹. These five districts, as explored below in Section 3.0, can potentially accommodate the various truck or outdoor storage uses, as requested by the delegation.

3.0 BURNABY ZONING BYLAW STORAGE YARD USES AND DEFINITION

The uses described by the delegation – outdoor storage of commercial vehicles and contractor materials – would be categorized as different types of storage yards. The following section describes the types of storage yard uses permitted within the Zoning Bylaw and the required conditions for their use.

Under the Zoning Bylaw, storage yards are defined as follows:

"STORAGE YARD" means an area outside of an enclosed building where contractors' or construction materials and equipment, solid fuels, lumber and new building materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed, whether a principal or an accessory use. A storage yard shall not be construed to include an automobile wrecking yard, a display yard or a junk yard.

Storage yards can thus provide for the accommodation of contractor materials outside a building, including related vehicles, in conjunction with a valid business license. Storage yards are further regulated under Section 6.15 of the Burnaby Zoning Bylaw for appropriate screening, setback and height of materials. These storage yard regulations ensure that such yards do not become a nuisance to nearby development. The screening and height requirements ensure that the materials stored in the yard are screened from view such that the use remains compatible with any adjacent residential, industrial, commercial or agricultural development, as well as being in full compliance with the Council-adopted Unsightly Premises Bylaw. In addition, the required

¹ It is noted that approximately 3% of land zoned for industrial use in Burnaby is located on designated rights-of-ways, is split-zoned with residential property, or is otherwise unavailable for industrial development.

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 Re: Outdoor Storage of Trucks and Contractor Materials
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setbacks to the fence lines ensure that the massing of the storage yard will be appropriately related to the streetscape and be compatible with the massing of adjacent development.

3.1 Storage Yards as Primary Use

Storage yards are permitted as a primary use within the M1, M2 and M3 Industrial Districts. Whereas the storage yard use is permitted as a primary use in the M1 and M2 Districts for new materials only, the M3 Heavy Industrial District permits outright all other storage yards as defined above. There are approximately 257 lots in the City, totaling approximately 277 ha (685 acres), zoned to the M3 Heavy Industrial District that are permitted to be developed and used for the full range of storage uses. These M3 District sites comprise approximately 20% of industrial land in Burnaby. Some of the M3 District sites are located in the Big Bend Development Plan area south of Marine Way and west of Meadow Avenue, in addition to along Lowland Drive and Byrne Road. Other M3 District sites are located in parts of the Lake City Development Plan area, in the Boundary Road/First Avenue area, and along parts of Burrard Inlet.

In addition to the M3 District, Storage Yards are permitted for specific trade contractors, in conjunction with a permitted contractors office or yard, within four zoning districts in the Burnaby Zoning Bylaw.

- M1 Manufacturing District (*Permitted Contractors: building, electrical, fumigating, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and sign*)
- M2 General Industrial District (*Permitted Contractors: building, electrical, fumigating, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, sign, cement, excavating, masonry, and moving*)
- M4 Special Industrial District (*Permitted Contractors: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, and sign*)
- C4 Service Commercial District (*Permitted Contractors: building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and sign*)

There are approximately 842 lots in the City, totaling approximately 360 ha (889 acres), zoned to the M1, M2, M4 Districts, and a further 245 zoned to the C4 District, totaling approximately 34 ha (85 acres), which could accommodate contractor yards for the outdoor storage of contractor materials. In addition, new materials are permitted to be stored outdoors in the M1 and M2 Districts, while rental, sales, or storage yards are permitted in the C4 District. The M1, M2, and M4 District sites, which comprise approximately 27% of industrial land in Burnaby, are generally located in parts of the Big Bend, Royal Oak, and Edmonds Development Plan areas, in the Central Valley area, in the Winston Street/Government Road area, and along parts of Hastings Street and Sperling Avenue. The C4 District sites are generally located along major arterials in the Metrotown, Royal Oak, Edmonds, and Sixth Street Development Plan areas, in the Canada Way/Boundary Road area, and along parts of Lougheed Highway and Hastings Street.

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In addition to the storage yard uses described above, stand-alone truck storage can also be accommodated under the Truck Terminal use which is described in the Zoning Bylaw as follows:

"TRUCK TERMINAL" means a building or property used as an origin or destination point for the loading, unloading, assembling or transferring of goods transported by truck, or which provides containerized freight handling facilities or rail-truck services, and where the local pickup, delivery and transitory storage of goods is incidental to the primary function of motor freight shipment, provided, however, that any lot where trucking is the principal use and which operates any vehicles in excess of single unit, single axle, 13,600 kg GVW (29,982.36 lbs. GVW) (Gross Vehicle Weight) shall be considered for the purpose of this Bylaw, as a truck terminal.

Truck Terminals are permitted as a primary use within the M6 Truck Terminal District. There are approximately 12 lots in the City zoned to the M6 District, totaling approximately 10 ha (24 acres) and comprising approximately 1% of industrial land in Burnaby. The M6 Districts are limited in location throughout the City with specific properties zoned and designated within the Still Creek corridor.

Further to the storage yards and truck terminals described above, the junk yard use provides for further outdoor storage of materials. The junk yard use is defined as follows:

"JUNK YARD" means an area outside of an enclosed building where junk, waste, used building materials, used industrial materials, scrap metal, used discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. A junk yard shall not be construed to include establishments for the sale, purchase, or storage of used furniture, used cars in operable conditions, or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.

Given the wide variety of materials stored in such yards and the general incompatibility of the junk yard use with other uses such as office, residential and commercial, junk yards are only permitted in the M3a District. There are approximately 29 lots in the City, totaling approximately 20 ha (50 acres), zoned to the M3a District. The M3a District sites, which comprise over 1% of industrial land in Burnaby, are generally located in the Big Bend Development Plan area

3.2 Storage Yards as Accessory Uses

Storage yards can also be permitted as an accessory use. Accessory uses are uses that are ancillary to either the principal building or principal use on a lot. The storage of trucks and commercial vehicles is permitted as an accessory use if it is demonstrated that the stored vehicles serve the permitted primary business operating on the same lot. Such accessory storage of vehicles is permitted within the M1 Manufacturing District, M2 General Industrial District, M4 Special Industrial District and, C4 Service Commercial District.

In addition to the accessory truck storage in the above mentioned Industrial and Commercial zones, the accessory storage of trucks and commercial vehicles used for agricultural purposes can also be permitted in the City's Agricultural Districts in support of an agricultural operation.

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 Re: Outdoor Storage of Trucks and Contractor Materials
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It must be demonstrated that the vehicles stored are used for the primary agricultural business and not for a use that is not permitted in the agricultural zoning districts. On this basis, accessory vehicle storage of agricultural commercial vehicles is permitted in the A1 Agricultural District, A2 Small Holdings District and A3 Truck Gardening District.

3.3 Summary

As indicated above and as summarized in the table below, there are various opportunities for some type of truck and outdoor storage in Burnaby:

Zoning District	Total ha (acres)	% of industrial land inventory
C4	34 ha (85 acres)	-
M1, M2, M4	360 ha (889 acres),	27%
M3	277 ha (685 acres)	20%
M3a	20 ha (50 acres)	>1%
M6	10 ha (24 acres)	1%

4.0 SUBJECT PROPERTIES

The delegation represented a number of properties which, in response to complaints received, are currently under enforcement for non-compliance with the Burnaby Zoning Bylaw. A description of the bylaw violations on the subject properties are as follows:

4.1 3822 Marine Drive and 3806 Marine Drive

Both 3822 and 3806 Marine Drive are larger split zoned properties zoned to the R2 Residential and the M5 Light Industrial Districts (see Sketch #1 *attached*). The front residential portions of the properties are occupied by single family dwellings while the rear industrial portions are vacant. The front portions of the properties are designated in the Council-adopted OCP and Big Bend Development Plan for Single and Two Family Residential use, while the rear portions of the properties are designated for Business Centre Development. This split designation is intended to minimize land use conflicts in the area, with Business Centre use being a more compatible adjacent use to residential areas than general and heavy industrial uses.

The properties were split-zoned residential and industrial with the adoption of the City's Zoning Bylaw in 1965. In 1972, as one of the first steps in the implementation of the Big Bend Development Plan, the industrial rear portions of the properties were rezoned to the M5 Light Industrial District.

In response to a complaint received, the City's License Office has been pursuing enforcement since 2000. Multiple inspections by the City's License Office found the rear portion of the properties being used as unscreened outdoor storage for a variety of items including: five-tonne trucks, contractor bins, wood pallets, portable toilets, damaged vehicles, and metal fences. The current use of the properties would be considered a junk yard which, as noted, is only permitted under the City's M3a Heavy Industrial District and is not a permitted use under the prevailing M5 Light Industrial District.

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Given the use of the properties described above, there are a number of bylaw infractions on these two sites including: non-conforming use, unsightly premises, and multiple uses on a lot which accommodates a residential dwelling. The Burnaby Zoning Bylaw Section 6.1 (2) indicates that "No residential use building shall be located on the same lot as any non-residential building or use..." As such, the City's License Department contacted the property owners a number of times to seek compliance with the bylaw, however, the unauthorized uses have continued.

In response to the ongoing infractions, a ticket for non-compliance was issued to the properties. The property owners undertook to dispute the ticket at an adjudication hearing. At the hearing, the decision was made in favour of the City.

As indicated above, the rear portions of the properties are designated in the Council adopted Big Bend Development Plan for Business Centre Development. The intent of the plan is to support future development and subdivision of the properties along the residential/industrial zoning, with a lane separating the resultant two properties. Subdivision and development in line with the Plan has already occurred in this manner on properties to the east with the construction of the required laneway (see Sketch #1 *attached*). The land owners have been advised of the properties' development potential however, no development or subdivision has been pursued by the current owners.

It is noted that should the current owners wish to pursue subdivision and rezoning in order to pursue an M2/M5 development under the Big Bend Development Plan, it could be feasible to include an accessory storage yard as a component of a suitable plan of development to accommodate trucks associated with a valid business license active upon the premises. Such subdivision and rezoning would help realize the intent of the Big Bend Development Plan while providing increased permitted land use options to the property owners.

In summary, the properties at 3822 Marine Drive and 3806 Marine Drive are designated for Business Centre Development, based on the M2/M5 District and in line with the OCP and the Big Bend Development Plan. The M5 designation is intended to limit outdoor storage uses, thereby minimizing conflicts with adjacent residents, decreasing impacts on nearby watercourses, and providing more efficient use of Burnaby's industrial land base. Therefore, the Planning and Building Department is not able to support rezoning the properties in accordance with their current junk yard/storage yard uses. Such rezoning would not be consistent with established Council policy and would result in the long-term entrenchment of a largely incompatible relationship between that type of industrial use and the adjacent residential area on Marine Drive.

4.2 8747 Ivy Avenue

The property at 8747 Ivy Avenue is zoned M2 General Industrial District, and is currently vacant (see Sketch #1 *attached*). The property is designated in the Council adopted Big Bend Development Plan for Business Centre Development.

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In response to a complaint received in 2006, the City License Office investigated the property and found it being used as an unenclosed contractor's yard for an excavating contractor. Inspections by the City License Department found the unscreened storage of items such as loose gravel, waste materials and excavating trucks and trailers. In 2010 and in 2011, three tickets for unpermitted storage yard use were issued by the License Office. The property owner paid all three tickets.

For this property, the contractor's yard itself is a permitted use under the bylaw. However, the use and development of the lot does not meet the Zoning bylaw requirements for approval of the storage yard use. As the property is zoned M2 General Industrial, a contractor's storage yard for an excavating contractor is permitted subject to being in compliance with the provisions of the bylaw. In order to be in compliance, the property owner would need to submit a Preliminary Plan Approval (PPA) for a proposed use. The PPA application would address site servicing, access, and other bylaw requirements. Once City bylaw and servicing requirements are met, a PPA could be issued, and then the property owner would need to construct the necessary contractor's office with the appropriate setbacks, as well as a fenced and screened storage yard for the accommodation of the vehicles and contractor equipment. The City's License Office has advised the owner of the conditions under which the property may be brought into compliance with the Zoning Bylaw, however, the property owner has failed to comply.

Furthermore, as the City has significant ownership of properties in the area (see Sketch #1 *attached*), the lot is considered appropriate for acquisition should the owner not wish to develop the site to its potential. Given the lot's small size, it would likely become more viable for development in conjunction with the City owned lands adjacent. The City obtained authority to negotiate for the property's purchase in 2001, and contact has been made with the various owners over time, however this has not been successful in advancing the acquisition to date.

4.3 7549 Meadow Avenue

The property at 7549 Meadow Avenue is zoned A1 Agricultural (see Sketch #2 *attached*), and is occupied by a single family dwelling. The remainder of the property is partially cleared and partially wooded. The property is located within the boundaries of the ALR. The property is currently zoned for agricultural use and is intended to be used for agricultural production in line with the OCP and the Big Bend Development Plan, consistent with the ALC Act.

In 2010, in response to a complaint regarding general property misuse, the City's License Office conducted site inspections and found a number of trucks being stored on the cleared portion of the site which were unrelated to the property's agricultural zoning, and as such were not a permitted accessory use. In 2011 and 2013, tickets for an unpermitted storage yard use were issued by the License Office. The property owners paid these tickets. The unauthorized use remains active on the property.

As indicated above, the property is intended to be used for agricultural production. Therefore, the Planning Department would not be able to support an application to rezone the subject site to accommodate an industrial storage yard.

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4.4 Summary

As noted above, three of the four sites represented by the delegation – 3822 Marine Drive, 3806 Marine Drive, and 8747 Ivy Avenue – have the ability to accommodate a degree of outdoor storage based on prevailing zoning, and subject to the completion of necessary development approvals and permits. Should the property owners wish to pursue such development, staff are available to assist them in this regard, consistent with established bylaws and policies for protecting the limited supply of Industrial and Agricultural land bases for development in line with the OCP and Big Bend Development Plan and minimizing the impacts on adjacent properties. The License Office has continued to regularly re-inspect the subject properties, including in 2015, and has noted that there has not been any substantial change to the properties' non-permitted truck or outdoor storage uses. Further enforcement is intended to continue following committee receipt of the subject report.

5.0 CONCLUSION

Burnaby, like other centrally-located municipalities in the region, has seen a growing trend towards lower intensity outdoor storage uses being relocated to other areas of the Lower Mainland. This shift away from traditional industries such as heavy industrial, manufacturing and distribution uses towards technology-oriented, mixed use, office, service, and research activities, contributes towards a stronger employment base as anticipated in the OCP. However, in conjunction with these changes in industrial development, staff seek to implement a balance between traditional industrial uses and newer higher intensity industrial development by supporting outdoor storage uses in appropriate areas through the Burnaby Zoning Bylaw and the Preliminary Plan Approval process. Although the City has an adequate supply of developable industrial land, in line with City policy it needs to be ensured that industrial lands are developed effectively and efficiently, especially in Community Plan areas which have been designated for future redevelopment. It should also be noted that there has been continued increased sensitivity to ensure that industrial development is respectful of the surrounding environment. The subject properties are illustrative of this issue. As such, in addition to the site specific issues for each lot described above, support for the entrenchment of heavier industrial uses through the delegation's proposal to rezone a number of the parcels to the M3 or M3a District would not be in alignment with the long-established land use policies and designations related to the OCP and the Big Bend Development Plan.

In order to support a balanced industrial approach, staff are able to provide assistance for truck operators to find appropriately zoned properties where truck or outdoor storage uses would be permitted. As such, in the preparation of this report, staff have compiled a list of the properties zoned to the M1, M2, M3, M4, M6 or C4 District. As previously indicated, there are 832 lots in the City which are zoned to the M1, M2 and M4 Districts, 281 lots zoned to the M3 District, 12 lots zoned to the M6 District, and 241 lots zoned to the C4 District which could accommodate truck or outdoor storage of the varying types described in this report. Staff would propose to make this list available to the delegation and other truck operators to assist in finding lots to accommodate their operations and obtain valid business licenses. Staff are also available to respond to property-specific enquiries to help guide businesses requiring help finding a suitable location for their activities.

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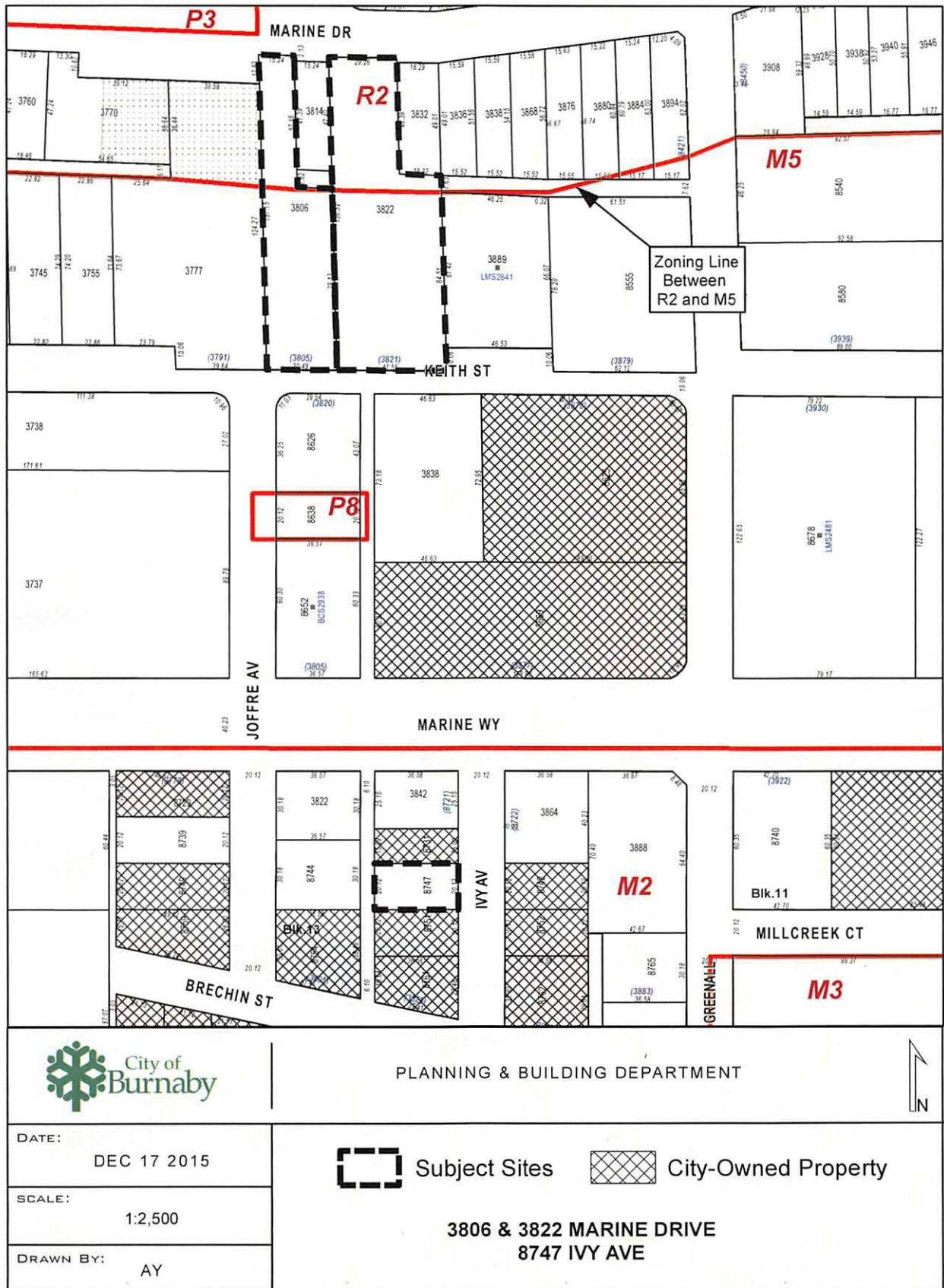
In regards to the subject lots of this report, as mentioned above, three of the four lots could feasibly accommodate some type of truck or outdoor storage use should the applicants wish to pursue the option. Despite this availability, the subject properties have been the subject of complaints by Burnaby citizens and have continued to be in contravention of the Zoning Bylaw for an ongoing period of time. The License Office has made a number of attempts to encourage the property owners to comply with the City's Zoning and other bylaws but has not been successful to date. Upon receiving a complaint, the License Office is compelled to pursue enforcement of any Bylaw infractions until the property is brought into compliance. Further enforcement and compliance efforts are intended to be followed on receipt of this report by Committee and Council.

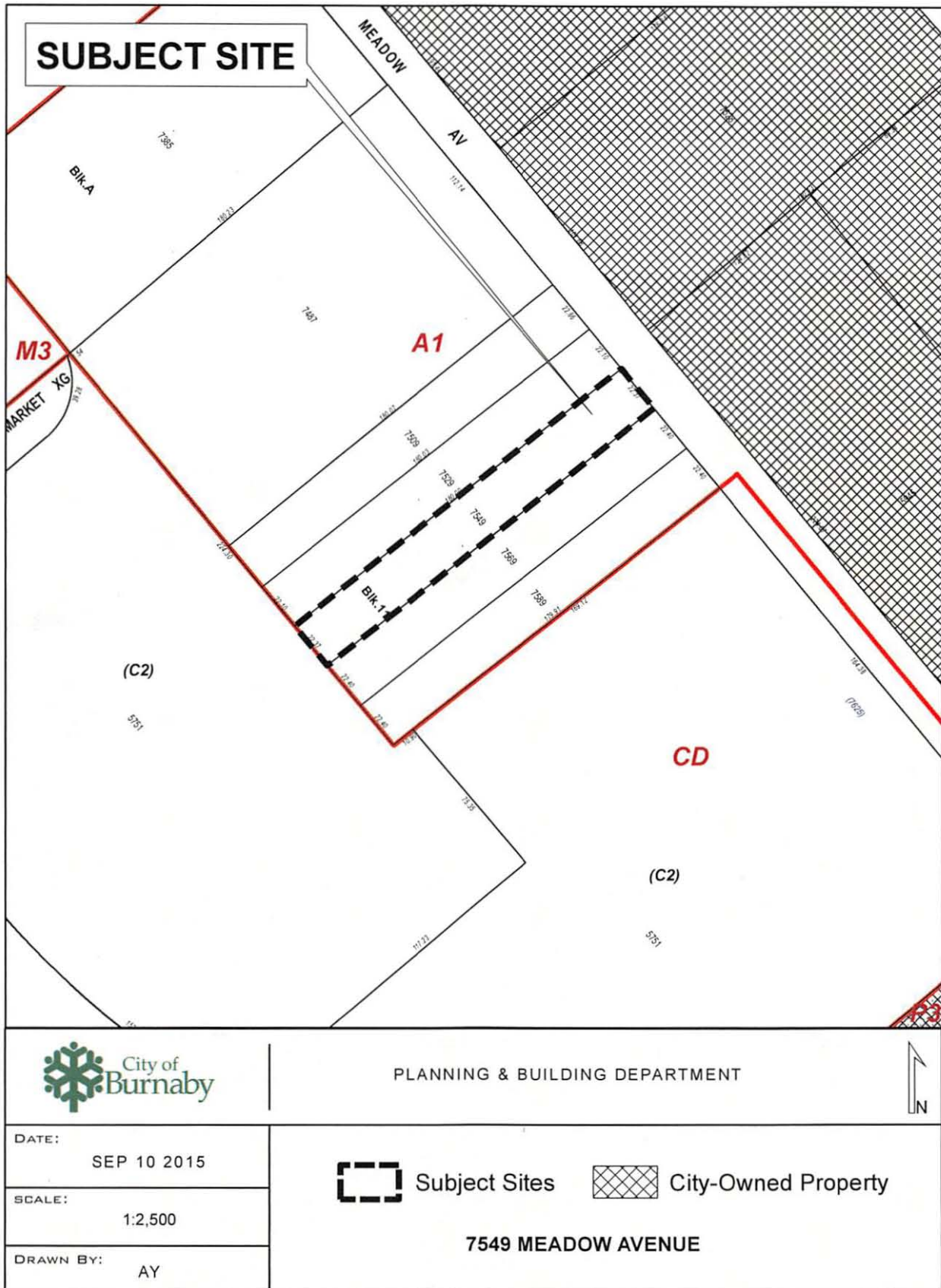

 Lou Pelletier, Director
 PLANNING AND BUILDING

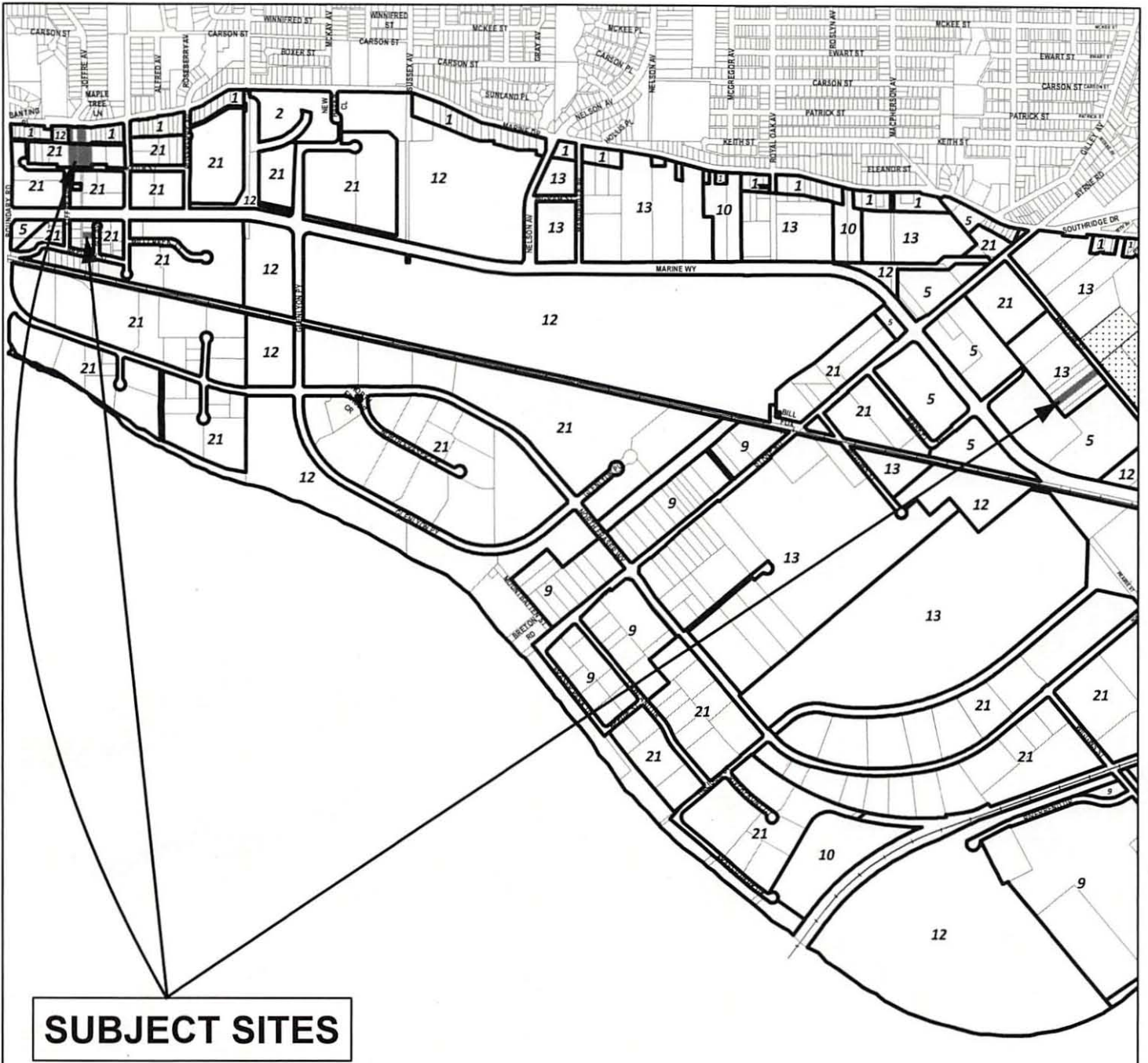
DR/LS:spf
Attachments

cc: City Manager
 Director Engineering
 City Solicitor
 Director Finance
 Chief Licence Inspector

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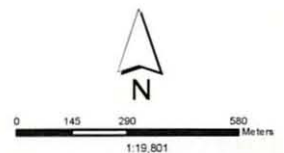






- 1 Single and Two Family Residential
- 2 Low Density Multiple Family Residential
- 5 Commercial
- 9 Industrial

- 10 Institutional
- 12 Park and Public Use
- 13 Agricultural
- 21 Big Bend Business Centre



PLANNING & BUILDING DEPARTMENT

Big Bend Community Plan