



## **PLANNING AND DEVELOPMENT COMMITTEE**

### *NOTICE OF OPEN MEETING*

**DATE: TUESDAY, 2016 APRIL 26**

**TIME: 6:00 PM**

**PLACE: Council Committee Room, Burnaby City Hall**

### **A G E N D A**

- |                                                                                                                                                    | <b><u>PAGE</u></b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <b>1. <u>CALL TO ORDER</u></b>                                                                                                                     |                    |
| <b>2. <u>MINUTES</u></b>                                                                                                                           |                    |
| A) Minutes of the Planning and Development Committee Open Meeting held on 2016 March 29                                                            | 1                  |
| <b>3. <u>REPORTS</u></b>                                                                                                                           |                    |
| A) Report from Director Planning and Building<br>Re: Metrotown Development Plan Update:<br>Preliminary Vision, Principles, and Land Use Frame Work | 5                  |
| B) Report from Director Planning and Building<br>Re: Proposed Zoning Bylaw Text Amendment Home-Based<br>Child Care Facilities                      | 26                 |
| <b>4. <u>NEW BUSINESS</u></b>                                                                                                                      |                    |
| <b>5. <u>INQUIRIES</u></b>                                                                                                                         |                    |
| <b>6. <u>ADJOURNMENT</u></b>                                                                                                                       |                    |



## **PLANNING AND DEVELOPMENT COMMITTEE MINUTES**

**Tuesday, 2016 March 29**

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, 2016 March 29 at 6:00 PM.

### **1. CALL TO ORDER**

PRESENT: Councillor C. Jordan, Chair  
Councillor D. Johnston, Vice Chair  
Councillor S. Dhaliwal, Member

STAFF: Mr. L. Pelletier, Director Planning and Building  
Mr. E. Kozak, Assistant Director, Current Planning  
Ms. L. Garnett, Assistant Director, Long Range Planning  
Ms. L. Ford, Long Range Planner  
Ms. H. Clark, Property Negotiator  
Ms. E. Prior, Administrative Officer

The Chair called the Open meeting to order at 6:05 p.m.

### **2. MINUTES**

#### **A) Minutes of the Planning and Development Committee Open Meeting held on 2016 February 23**

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR DHALIWAL

THAT the minutes of the Open meeting of the Planning and Development Committee meeting held on 2016 February 23 be adopted.

CARRIED UNANIMOUSLY

### **3. CORRESPONDENCE**

MOVED BY COUNCILLOR DHALIWAL  
SECONDED BY COUNCILLOR JOHNSTON

THAT the correspondence be received.

CARRIED UNANIMOUSLY

**A) Correspondence from Mayor Richard Stewart, City of Coquitlam  
Re: Copy of City of Coquitlam's Feedback to Metro Vancouver  
on Draft Regional Affordable Housing Strategy**

Correspondence was received from Mayor Richard Stewart, City of Coquitlam. Mayor Stewart copied the City of Burnaby on a response sent to Metro Vancouver regarding feedback on the Draft Regional Affordable Housing Strategy.

**B) Correspondence from City Clerk  
Re: Environmental Sustainability Strategy  
Draft Report and Phase 3 Public Consultation**

Correspondence was received from the City Clerk regarding the Environmental Sustainability Strategy Draft Report and Phase 3 Public Consultation.

Council, at the Open Council meeting held on 2016 March 07, received this report and adopted the recommendations. As per recommendation #3, a copy of the report was forwarded to the Planning and Development Committee for their information.

**4. REPORTS**

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR DHALIWAL

THAT the reports be received.

CARRIED UNANIMOUSLY

**A) Report from Director Planning and Building  
Re: City Lands Program for Non-Market Housing Projects  
- Priorities and Guidelines**

A report was received from the Director Planning and Building regarding City Lands Program for Non-Market Housing Projects - Priorities and Guidelines.

The City Land Program for Non-Market Housing will provide an opportunity to further increase non-market affordable rental housing opportunities in Burnaby, and respond to the demonstrated demand for lower income housing. The report implements Phase 2 of the City Land Program by recommending program priorities and guidelines for a Request for Expressions of Interest (RFEOI) process intended to generate proposals from non-profit and/or co-operative housing organizations and senior levels of government.

The Director Planning and Building recommended:

1. THAT Council approve the recommended Request for Expressions of Interest (RFEI) guidelines and process, as outlined in Sections 4.0 and 5.0 of this report.

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR DHALIWAL

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

CARRIED UNANIMOUSLY

**B) Report from Director Planning and Building**  
**Re: Request for Area Rezoning to the R12 District –**  
**3570/3650/3670/3690 Douglas Road and 5628 Hardwick Street**

A report was received from the Director Planning and Building seeking Council's concurrence to initiate a consultation process to explore the desirability of an area rezoning of the subject properties to the R12 Residential District.

The Director Planning and Building recommended:

1. THAT Council be requested to authorize initiation of a consultation process to explore the desirability of an R12 area rezoning for 3570/3650/3670/3690/ Douglas Road and 5628 Hardwick Street.
2. THAT a copy of this report be sent to Mr. Shameer Punjani, the petition organizer, at 2971 Phillips Avenue, Burnaby, BC, V5A 2W4.

MOVED BY COUNCILLOR DHALIWAL  
SECONDED BY COUNCILLOR JOHNSTON

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

CARRIED UNANIMOUSLY

**5. NEW BUSINESS**

**Councillor Jordan**

Councillor Jordan requested information regarding the potential implications of *Airbnb* and other online accommodation websites. Concerns were expressed in relation to depletion of regular rental stock, safety, enforcement and business licensing.

MOVED BY COUNCILLOR DHALIWAL  
SECONDED BY COUNCILLOR JOHNSTON

THAT staff provide information regarding the implications of online short term accommodation rentals and initiatives other municipalities are implementing in relation to this issue.

CARRIED UNANIMOUSLY

**Councillor Johnston**

Councillor Johnston advised the Committee that the media is reporting that Uber drivers in Seattle, Washington are advocating for the right to unionize.

**6. INQUIRIES**

There were no inquiries brought forward at this time.

**7. ADJOURNMENT**

MOVED BY COUNCILLOR DHALIWAL  
SECONDED BY COUNCILLOR JOHNSTON

THAT this Open Committee meeting do now adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 6:38 p.m.

\_\_\_\_\_  
Eva Prior  
ADMINISTRATIVE OFFICER

\_\_\_\_\_  
Councillor Colleen Jordan  
CHAIR



Meeting 2016 April 26

## COMMITTEE REPORT

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**TO:** CHAIR AND MEMBERS  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** 2016 April 21

**FROM:** DIRECTOR PLANNING AND BUILDING

**FILE:** 71130 20

**SUBJECT:** **METROTOWN DEVELOPMENT PLAN UPDATE:  
PRELIMINARY VISION, PRINCIPLES, AND LAND USE FRAMEWORK**

**PURPOSE:** To seek Committee and Council endorsement of the preliminary vision, principles, and land use framework for the update of the Metrotown Development Plan and to initiate a public input process to seek community feedback.

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**RECOMMENDATIONS:**

1. **THAT** Committee and Council endorse the preliminary vision, principles, and land use framework for the update of the Metrotown Development Plan, as a basis for receiving public input, as outlined in Sections 5, 6, and 7 of this report.
2. **THAT** Committee and Council authorize staff to undertake a public input process on the preliminary vision, principles, and land use framework for the update of the Metrotown Development Plan, as outlined in Section 7 this report.

**REPORT****1.0 INTRODUCTION**

This report has been prepared to seek Committee and Council approval to update the Metrotown Development Plan, and to obtain public input on the preliminary vision, principles and land use framework. This Plan update process for Metrotown provides the opportunity to create a true downtown for Burnaby; one that enables the highest order of land use and development supported by social, recreation, entertainment, and cultural amenities important to all of Burnaby's residents, businesses and employees.

This report outlines Metrotown's context and influences; describes its evolution over time; establishes the preliminary vision, principles, and land use framework to guide the update; and, proposes a City-wide public input process. With the approval of this report, staff would initiate a broad reaching public input process over the next several months, to guide the preparation of a draft Metrotown Development Plan update in the Fall of 2016.



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 From: Director Planning and Building  
 Re: METROTOWN DEVELOPMENT PLAN UPDATE  
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## 2.0 AREA CONTEXT

Metrotown is prominently located on the Kingsway Ridge in the southwest quadrant of Burnaby. The boundaries are generally defined by Boundary Road and Central Park to the west, Royal Oak Avenue to the east, Imperial Street to the south, and a varied northern boundary including Bond and Dover Streets. The Plan area totals 297.44 hectares (735 acres) and is currently home to approximately 25,000 residents. To the north and south of the Plan area are established single- and two-family neighbourhoods. To the east is the Royal Oak Community Plan Area, and to the west is the City of Vancouver. Metrotown is located at the geographic centre of Metro Vancouver and is connected by major transportation linkages including Kingsway, Willingdon Avenue and the Expo SkyTrain line. The area is also a transportation hub in that it is directly served by two SkyTrain stations (Patterson Station and Metrotown Station) and related bus routes and exchanges, with Metrotown Station being one of the most highly used stations in the network. The Royal Oak Station is located further southeast in close walking distance to the Metrotown area. In addition to Metrotown's many parks and open spaces, one of the area's key features is Central Park, which is both a city and regional destination for sport, cultural and leisure activities.

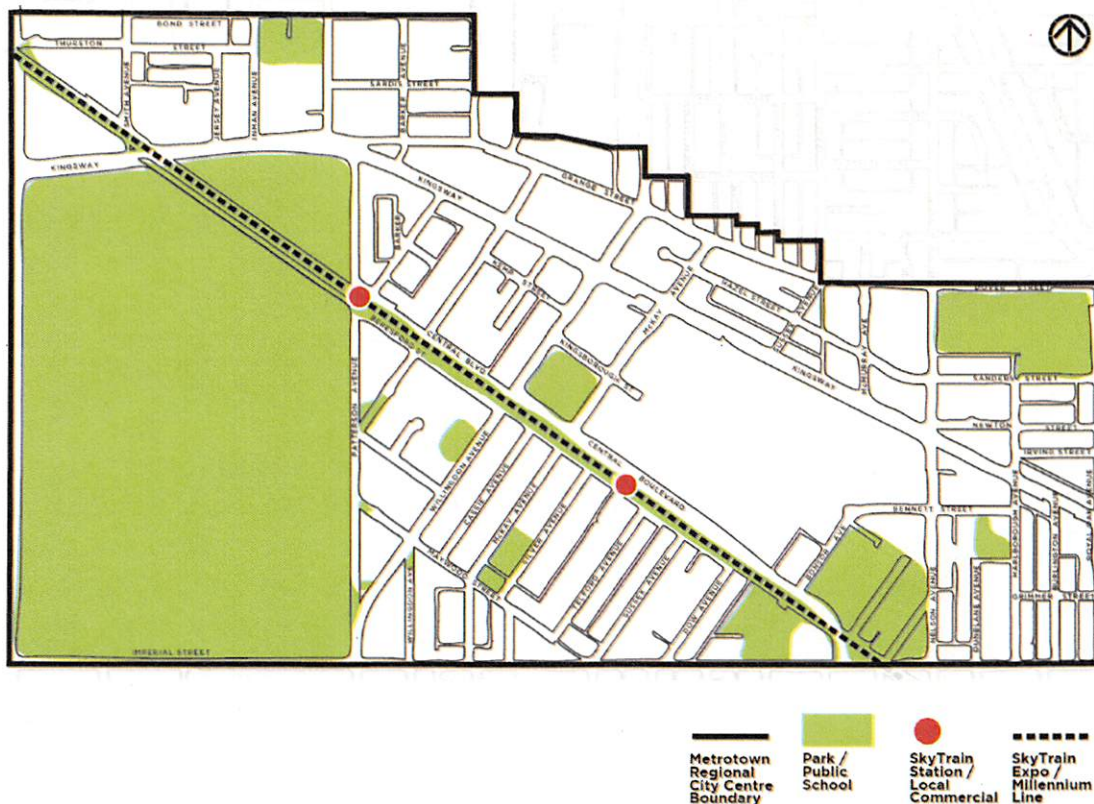


Figure 1: Adopted Metrotown Development Plan Area

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### 3.0 CONTEXT FOR THE METROTOWN DEVELOPMENT PLAN UPDATE

In 1977, the first comprehensive Metrotown Development Plan was adopted, which established Metrotown as the primary Town Centre in the City, with the broadest mix of uses and opportunities to live, work and play. Since the adoption of the 1977 Plan, the City and the Town Centre have evolved in areas such as urban design, mixed-use development, community amenities, public art, and sustainability. More recent policies and standards in these areas have been established to guide future development throughout the City, in accordance with the City's Official Community Plan.

With the growth and evolution of the City and the Town Centre, an updated Metrotown Development Plan is necessary to address the following:

- *New City-wide policies and standards*

Since the 1977 Plan was adopted, the City has adopted several key policies and standards that have had, and will continue to have, a direct impact on the development and growth of Metrotown. These policies include the Burnaby Official Community Plan (1998), the Burnaby Transportation Plan (1995), the three Sustainability Strategies (Economic Development Strategy (2007), Social Sustainability Strategy (2011), and the forthcoming Environmental Sustainability Strategy), the 's' Category Zoning (2010), the Community Benefit Bonus Policy (1997), and the Town Centre Public Realm Design Standards (2015). A Plan update will reflect these new City-wide policies and standards to guide development into the future.

- *Accommodating regional growth*

In 2011, Metro Vancouver and its member municipalities adopted the Regional Growth Strategy (RGS) which addressed the main challenge of how to accommodate anticipated growth in the region. Through its Regional Context Statement, Burnaby has committed to accommodating an additional 125,000 people over the next 25 years. Identified as a Regional City Centre within the RGS, Metrotown is anticipated to accommodate a significant component of the City's residential and commercial growth. A Plan update will respond to the City's commitment to accommodate Burnaby's share of regional growth, in locations well-served by transit.

- *Physical changes*

Metrotown has experienced significant growth over the decades since the adoption of the 1977 Plan. It has matured and the physical landscape has changed considerably. New development, in accordance with the 1977 Plan, has changed Kingsway and areas around transit and SkyTrain from automobile-oriented commercial and low intensity residential uses to a dynamic walkable, transit-oriented mixed use community that is served by parks, civic facilities, amenities, and numerous commercial and business enterprises. A fundamental change to the area came through the introduction of the Expo SkyTrain line, which has had a significant impact in terms of accessibility to the core and the surrounding communities. A Plan update will integrate these physical changes with a new land use framework.



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- *The desire and need for more community amenities*

As Metrotown has grown, the desire and need for community amenities that serve the population has increased. Various new amenities, as well as expansions to existing facilities, have been achieved in alignment with the 1977 Plan. Since the adoption of the 1977 Plan, the Community Benefit Bonus Policy and the new Priority Amenity Program have been adopted to enable the continued provision of a wide range of community benefits. A Plan update will provide further opportunities and direction for the achievement of future community amenities.

- *Consolidation of Plan updates*

Since the 1977 Plan was adopted, several minor Plan amendments have been adopted by Council. These Plan updates included site specific changes to land use and density, including pursuing the opportunity for mixed-use sites to address specific neighbourhood conditions. A Plan update will consolidate all of these smaller amendments into one cohesive Plan document, thereby providing a higher level of clarity for the community.

#### **4.0 PURPOSE OF THE PLAN UPDATE**

In addition to responding to the items described above, the advancement of a Plan update, as outlined in the following sections, will focus on refining the Metrotown Development Plan to:

- build on the legacy and successes of the 1977 Metrotown Development Plan;
- accommodate future growth and provide varied housing options in alignment with Metro Vancouver's 2011 Regional Growth Strategy and with the City's housing policy;
- enhance community benefits, improve access to services, and advance the livability of Metrotown;
- create a superior public realm and encourage multi-modal transportation improvements in Metrotown for all ages and abilities; and,
- complement the objectives of the City-wide sustainability strategies in the context of Metrotown.

#### **4.1 Building on the Legacy and Successes of the 1977 Metrotown Development Plan**

Prior to the adoption of a Comprehensive Official Community Plan, the City of Burnaby first established a development concept for Metrotown as part of the 1969 Apartment Study Plan, which established neighbourhood level land use plans throughout the City, including three in Metrotown: Area Plans J (Smith Avenue – Moscrop to Kingsway), L (Central Park – Metrotown Core) and M (Maywood). These Plans established the foundation and guidelines for many multiple-family and commercial developments in the Metrotown area between 1969 and 1977, including several high-rise rental apartment complexes. In 1977, the Metrotown Development Plan was adopted by Council, which provided for a more comprehensive vision of a high-density Metrotown Town Centre.

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The 1977 Metrotown Development Plan was a visionary document premised on the emergence of Metrotown as the primary urban core within the City. The key tenets of the Plan were to integrate a mix of land uses in the urban core, accommodate growth and change over time, diversify the type and form of housing, create an efficient public transit network and pedestrian environment, and provide a range of public facilities including major parks, public spaces, civic uses and recreation complexes. The Apartment Study Area Plans and the 1977 Metrotown Development Plan were applied concurrently between 1977 and 1987, when a finalized Core Area Review was completed that established the Metrotown Development Plan as the single guiding document to direct development in the Metrotown Town Centre area.

The land use designations within the adopted 1977 Plan provide for a mix of land uses in high-density, medium-density, and low-density building forms, and stand-alone commercial uses, as shown in Figure 2.

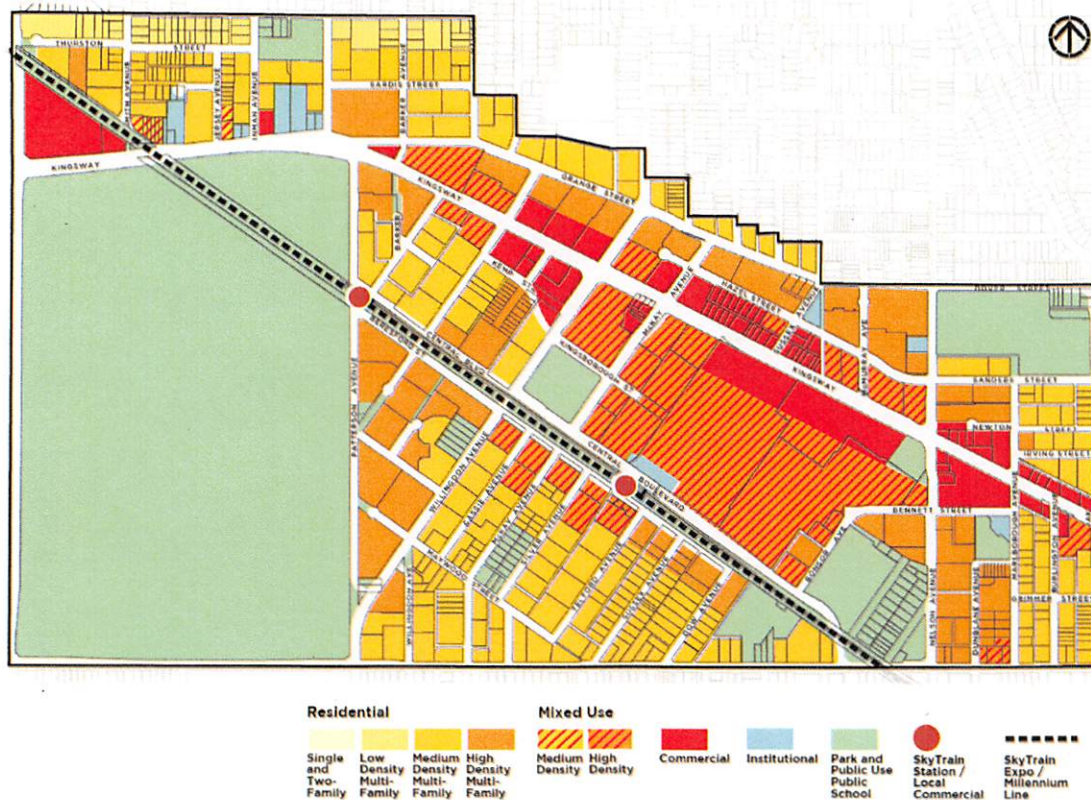


Figure 2: Adopted Metrotown Development Plan Generalized Land Use Map

To organize land use and development, the adopted 1977 Plan created 14 sub-areas within Metrotown. These sub-areas, as shown on Figure 3, were intended to create distinct neighbourhoods that were organized around dominant neighbourhood characteristics, while also collectively functioning as an integrated Town Centre.



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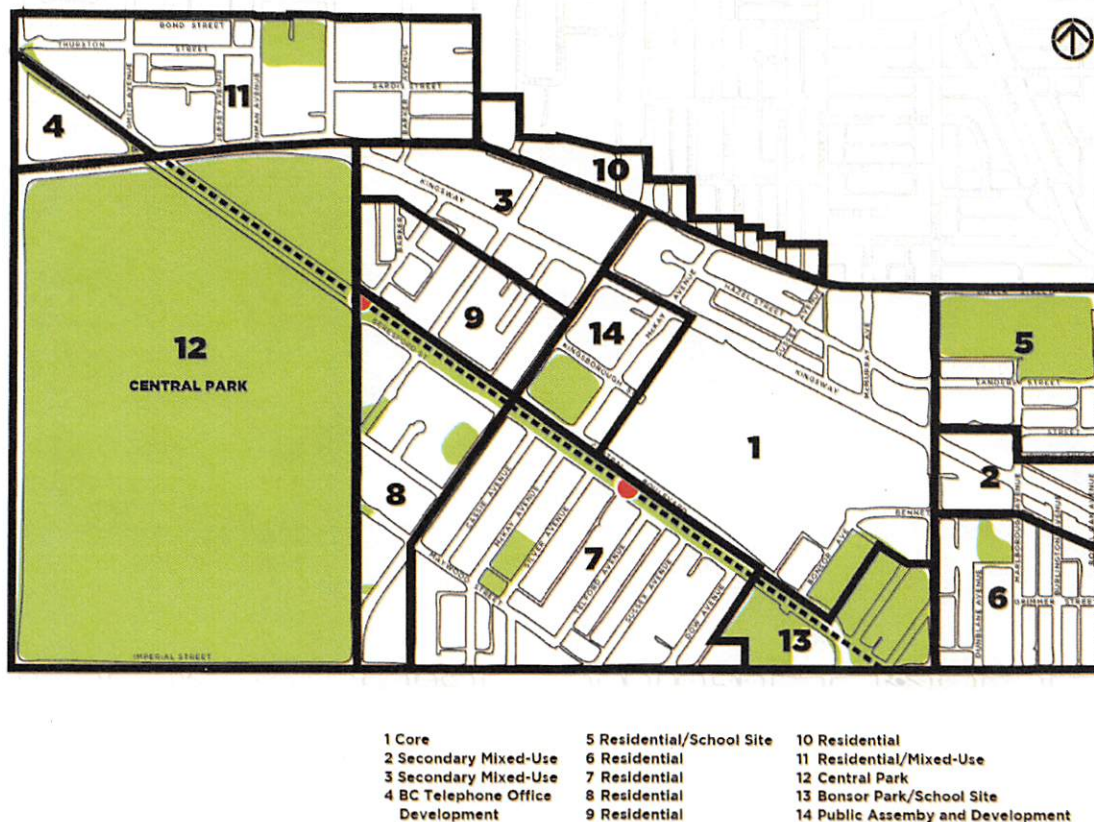


Figure 3: Adopted Metrotown Development Plan Sub-Areas.

Metrotown today positively reflects the accomplishments of the adopted 1977 Plan, including mixed land uses in highly urbanized forms, multi-modal transportation connections, an extensive park and open space network, and community amenities. Since the adoption of the 1977 Plan, there have been updates to land use designations, reflective of changes in area context, such as the construction of the Expo SkyTrain line in 1986. The Plan update proposes to consolidate the numerous amendments that have been accommodated since the 1977 Plan's adoption, and build upon the vision of its policy, including the development of distinct neighbourhoods, to guide land use, development, urban design and neighbourhood character in Metrotown.

#### 4.2 Accommodate Growth and Provide the Opportunity for Varied Housing Options

Burnaby, through its adoption of the Metro Vancouver Regional Growth Strategy (RGS), has committed to accommodating a projected population of an additional 125,000 people in the next 25 years for a total population of 345,000 people by 2041. To meet this demand, Metrotown is anticipated to accommodate a significant share of this growth.

Growth and development in Burnaby is broadly directed by the Official Community Plan and its Residential Policy Framework, which calls for the development of the City's four Town Centres to accommodate much of the new residential growth of the City through redevelopment of lands

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that are nearby transit and community services. The Metrotown Development Plan update, through increasing the capacity of existing land areas in the Town Centre, provides an opportunity to accommodate a share of this anticipated future growth. In addition to accommodating growth, the Plan update will support a diversity of housing types and tenures, with a range of unit types and outdoor facilities, to meet residents' needs through all stages of life.

To encourage housing choice along the housing affordability spectrum, the City has supported a number of housing policies, regulations, and partnerships to encourage the development of special needs housing and non-market housing. Burnaby's 2015 "Growth Management and Housing Policies in Burnaby" report describes the City's role as a facilitator in the delivery of housing initiatives, which would be supported by the Plan update, with the goal of partnering with provincial, federal and non-profit agencies for the delivery of non-market housing.

#### **4.3 Enhance Community Benefits, Improve Access to Services, and Advance the Livability of Metrotown**

Burnaby established a Community Benefit Bonus Policy in 1997 to enhance Metrotown and other Town Centres as thriving neighbourhoods that meet resident needs. The policy enables the City to allow developers or applicants to build additional residential density in Town Centres in exchange for contributions towards community benefits. Residential development that utilizes the bonus density plays a key role in providing and/or funding major community amenities that contribute to a thriving and livable place. In addition, Community Benefit Bonus Funds (cash contributions-in-lieu) are set aside in specific Town Centre and City-wide accounts for the future provision of priority community amenities and affordable and/or special needs housing.

In 2014, Council adopted a policy framework to prioritize projects that could be funded or partially funded by the Community Benefit Bonus program. The priority amenity identified for Metrotown is the development of a major performance/event centre. The facility would be a City-wide destination capable of hosting performing arts, community events, and significant gatherings. In addition, a south Burnaby ice arena has been identified as a further priority.

The Plan update would incorporate the existing priorities for community benefits and set a framework for future priority amenities that would contribute to a vibrant, inclusive and sustainable Metrotown.

#### **4.4 Create a Superior Public Realm and Multi-modal Transportation Improvements**

Arising from the desire for higher standards for public realm improvements in Town Centres, Council adopted the Town Centre Public Realm Design Standards in 2015. These standards outline the technical requirements and designs for Town Centre streets that provide for vehicle lanes and parking, widened sidewalks, bicycle facilities, tree-lined streets, public art, colourful rain gardens, and street and pedestrian lighting. The street designs integrate pedestrian, cyclist, transit and driving networks with sustainable stormwater management, urban forestry, street lighting, public art and place-making functions to create accessible and complete streets. In accordance with rezoning and subdivision requirements, developers provide the necessary land

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dedications and funds to improve the public realm through the implementation of the standards as part of the development process.

The Plan update would support the implementation of the requirements for Town Centre Public Realm Design Standards and explore opportunities for broader connectivity within Metrotown, specifically with respect to road connections and pedestrian, cycling, and transit routes. Part of this improved connectivity will be in the form of a finer grained urban grid pattern of streets, open spaces, and public realm opportunities that better integrate neighbourhoods and improve upon the development pattern in Metrotown's core.

#### **4.5 Complement Burnaby's Sustainability Strategies**

The City of Burnaby's approach to community sustainability is outlined in three comprehensive strategies: the Economic Development Strategy (2007), the Social Sustainability Strategy (2011), and the draft Environmental Sustainability Strategy (currently in progress). The policy direction in these strategies informs the preliminary vision, principles, and land use framework for Metrotown that are outlined in this report.

The City's economic development goals and strategies, as outlined in Burnaby's Economic Development Strategy (EDS), are to maintain and increase the diversity of the local economy; increase the total number of jobs and total investment in Burnaby; increase the quality and sophistication of the local economy; and, influence growth and change in the local economy. Metrotown plays an important role in the advancement of these goals by supporting the development and growth of a wide variety of local, regional, national, and international businesses to serve residents and visitors of Burnaby and the broader region. The Strategy supports a strong mix of residential, employment, commercial, and entertainment land uses in Metrotown and urban forms of development that achieve architectural excellence, and a strong relationship to public transit and the surrounding public realm.

Burnaby's Social Sustainability Strategy focuses on strategic priorities to create more inclusive, livable and resilient communities. Metrotown can contribute to this City-wide vision through an approach to community development that provides a strong, diverse and vibrant economy; housing for residents of various income ranges, abilities, and stages in life; and convenient access to health services, recreation and the natural environment. Metrotown has a major role in the advancement of social priorities including the celebration of diversity and culture, and the fostering of a vibrant arts and entertainment scene. Further, the Plan update will address community safety through the implementation of Crime Prevention through Environmental design (CPTED) principles, and emergency and crisis response preparedness.

The draft Environmental Sustainability Strategy (ESS) articulates the vision, goals, and actions of achieving sustainability and environmental conservation. The Plan update would be consistent with the Environmental Sustainability Strategy's integrated approach to environmental sustainability based on the intent to enhance and connect habitat and green spaces, and to support the development of highly-efficient green buildings with a mix of uses that are well-connected to pedestrian pathways, cycling routes and public transit. The Plan update will also guide new development and provide the opportunity to demonstrate leadership in sustainability and

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environmental conservation through innovative strategies and approaches to green building, with the goal of reducing energy and water consumption, and helping to manage greenhouse gas emissions.

The intent of the Plan update is to recognize the important role that Metrotown has in accommodating growth in a downtown setting; in supporting social, economic and environmental initiatives that will advance the City's sustainability strategies; and, to highlight the implementation items of these City-wide strategies. The Plan update will do so by building upon the legacy and land use framework established decades ago.

## **5.0 OVERVIEW OF THE METROTOWN DEVELOPMENT PLAN UPDATE**

The following sections describe the scope of the proposed Metrotown Development Plan update, the preliminary vision and principles, and land use framework.

### **5.1 Scope of the Metrotown Development Plan Update**

The scope of the Metrotown Development Plan update is to review and update the adopted 1977 Plan. This update will be focused on the establishment of a new vision and principles to guide development and growth, as well as a new land use framework to further enhance a thriving downtown for the City of Burnaby.

The new vision, principles and land use framework would complement and strengthen the City's existing policy directions, such as: meeting growth management commitments under the Regional Growth Strategy; securing public realm and community amenities; providing sufficient residential capacity to support the facilitation of market and non-market housing; and supporting the City's Sustainability Strategies.

### **5.2 Preliminary Vision and Principles**

The draft vision for Metrotown is:

*To establish an exciting, inclusive, and sustainable downtown for Burnaby; one comprised of well-connected neighbourhoods that provide a sense of place and community identity; provide major office, business, tourism and employment opportunities; provide a variety of housing choices; provide civic, recreational, and cultural amenities and facilities that serve the needs of the Metrotown community and Burnaby as a whole; is supported by a comprehensive transportation network that promotes a more walkable, healthier, and active community; and provide a high quality public realm that evokes a sense of beauty, creativity, excitement and vibrancy.*

The following list of preliminary principles, and their associated goals, will provide broad guidance to help achieve a great downtown for the City.



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- *Principle #1 - Metrotown is Burnaby's downtown:*
  - accommodating a significant share of the City's anticipated growth and development into the future;
  - providing the highest concentration and intensity of economic activity in the City is supported within the downtown;
  - fostering neighbourhood function, character and identity as part of an integrated and well-connected downtown; and,
  - enhancing neighbourhood amenities and public spaces that foster social interactions, serendipity, and healthy living.
- *Principle #2 - Metrotown is an exciting downtown:*
  - creating major streets that are vibrant and active with inviting land uses and urban landscapes that generate pedestrian activity throughout the day and night;
  - developing urban plazas, public squares and civic gathering spaces, for cultural, entertainment, social, and celebratory events, promoting Metrotown as both a City-wide and regional destination; and,
  - encouraging hospitality amenities and services to enhance visitors' experience.
- *Principle #3 - Metrotown is an inclusive downtown:*
  - requiring that physical accessibility is equal to all, regardless of physical ability, age, gender, or cultural background;
  - building on a sense of community and pride by fostering a safe and inclusive downtown; and,
  - facilitating housing options by establishing a land use framework that supports a variety of housing types and tenures.
- *Principle #4 - Metrotown is a sustainable downtown:*
  - establishing sustainable employment and business activities by concentrating major office and commercial uses near transit, and providing supporting services and infrastructure;
  - promoting future development that reduces energy, water and resource demand and consumption, in alignment with the City's broader environmental initiatives and policies; and,
  - providing amenities and infrastructure that promote healthy living and social well-being by meeting peoples' basic needs, and supporting transportation options that support all modes, which include walking, cycling, and transit.

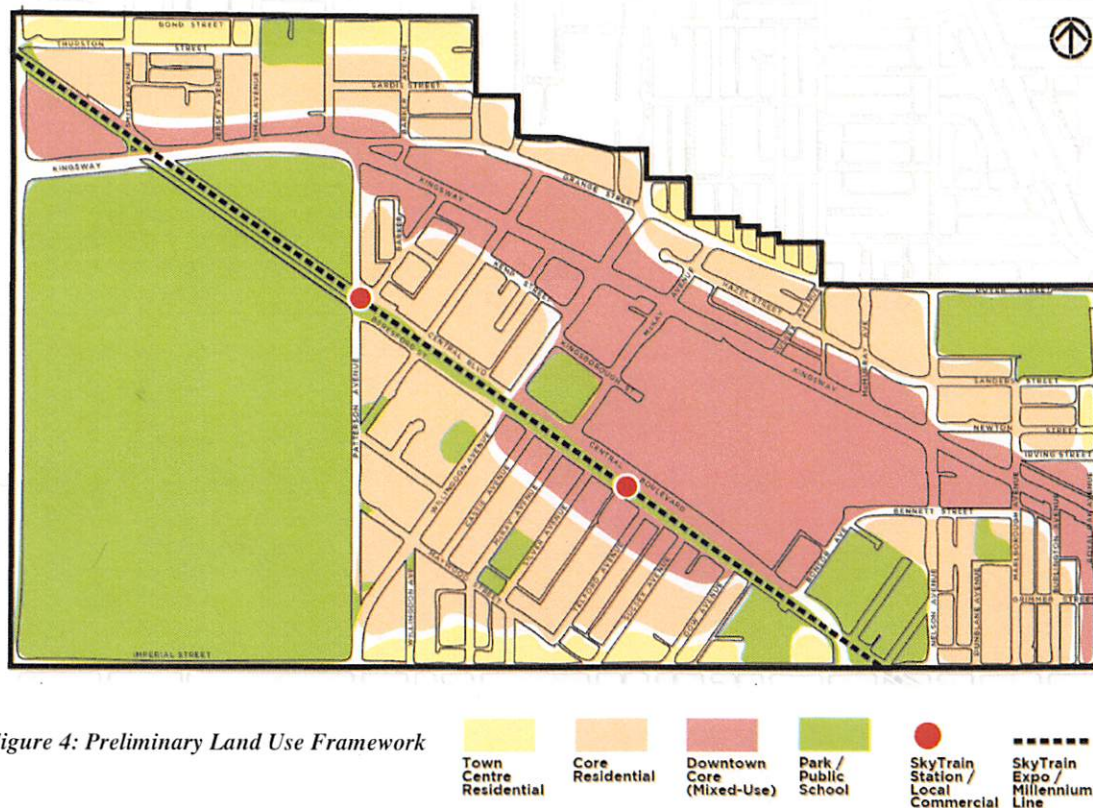
### 5.3 Preliminary Land Use Framework

The preliminary land use framework for Metrotown is an evolution of the adopted 1977 Plan and other guiding City policies. At its core, the framework reinforces and establishes Metrotown's

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role as the City's "downtown" – an urban focal point for growth and development, employment opportunities, housing, arts, culture and entertainment, community services, and amenities.

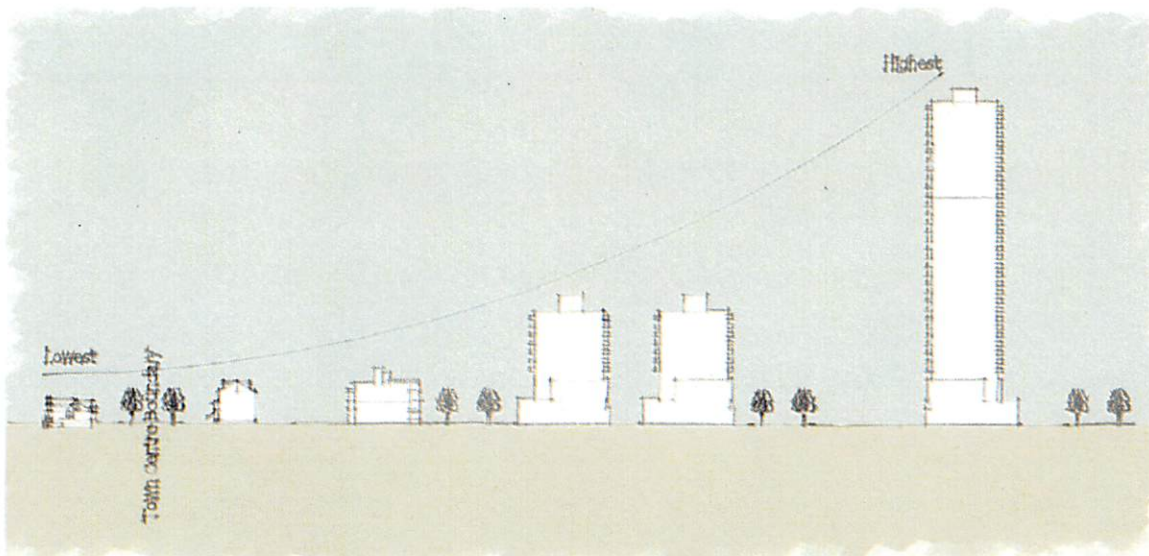
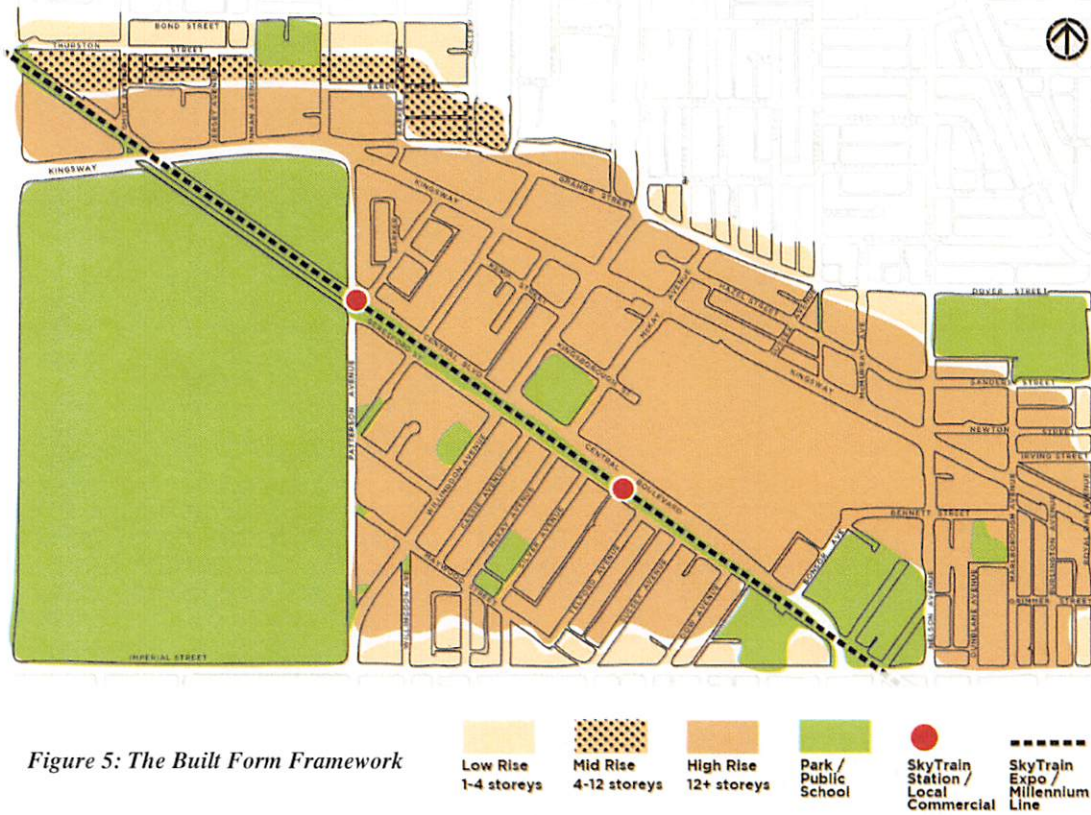
The preliminary land use framework for Metrotown features a mix of land uses and building forms that collectively support the development of a complete and balanced downtown. As shown on Figure 4, the preliminary land use framework identifies three main land use typologies that are referred to in this report as the Downtown Core, Core Residential, and Town Centre Residential areas.



The preliminary land use framework also identifies the three different types of building forms proposed for Metrotown: low-rise (generally 1-4 storeys), mid-rise (generally 4-12 storeys), and high-rise (generally 12+ storeys), as shown on Figure 5. It is important to note that mid-rise areas may incorporate low-rise building forms and high-rise areas may incorporate low to mid-rise forms in the overall built form to address and improve the urban streetscape.

The preliminary land use framework proposes building forms that transition in scale from high-rise forms in the downtown core to the ground-oriented housing near single- and two-family neighbourhoods at the Town Centre boundary, as illustrated by Figure 6.

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### Downtown Core

The Downtown Core area is to be characterized by commercial podiums and high-rise office and residential building forms (generally 12 stories or higher). These forms are proposed to be concentrated along Kingsway, Central Boulevard, Beresford Street, and Grange Street.

Commercial podiums are to frame the public realm (e.g. street, plaza, park, open space) and establish a continuous frontage, in a form and scale that respects the character of the surrounding neighbourhood. Building setbacks create space for plazas, outdoor displays and seating. Podiums are to be designed with architectural features, details, and site design elements that are of human proportion and clearly oriented for pedestrian activity. At grade, commercial podiums are to provide active street-oriented uses, retail frontages, display windows, attractive landscaping and screening, colourful and distinct signage, special lighting, weather protection, a variety of high-quality exterior materials. Smaller store-fronts with frequent entrances would contribute to the pattern and character of an exciting downtown.

Figure 7 provides an illustrative concept for a commercial podium with setback high-rise residential towers along Beresford Street, adjacent to the Expo SkyTrain line.



Figure 7: Concept for commercial podiums and high-rise residential towers along Beresford Street in the Downtown Core

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The siting and form of residential buildings should consider existing and future development in the area to achieve a varied and visually interesting skyline. The orientation, massing, and siting of higher buildings are to be designed to maximize the distances between buildings to provide privacy; maximize sunlight access to the public realm and high traffic pedestrian corridors; and create sightlines. Buildings are to provide architectural interest, in their vertical and horizontal expression, other architectural elements, and building materiality and colour. Tower tops are to provide architectural interest to the downtown skyline and provide an aesthetic treatment to the building.

High-density, mixed-use developments in the downtown core area will be encouraged to respond to specific opportunities, including prominent intersections, corner lots, natural features, open spaces and views. A strong focus is placed on the provision of public art and the commitment to high-quality, iconic architecture. The redevelopment of major Town Centre blocks, including the Metrotown mall site, should incorporate a fine-grained system of public streets, lanes, pathways and open spaces.

The public realm designs should be appealing and visually interesting, thus enhancing the attractiveness of Metrotown and encouraging people to use these spaces. An example of this approach is the Beresford Art Walk, located in the Maywood neighbourhood, which provides a continuous stretch of public art displays for visitors, residents and patrons to enjoy. Public Realm Design Standards for Town Centre Streets complement art and beautification initiatives with requirements for widened sidewalks, seating, pedestrian lighting, rain gardens, street trees, and cycle tracks.

### Core Residential

The Core Residential area is to be characterized by mid to high-rise multiple-family residential buildings with ground-oriented townhouses or live/work units set close to the street. Such forms are to provide a respectful transition between high-rise downtown mixed-use developments and ground-oriented and mid-rise residential neighbourhoods on the periphery of Metrotown. The core residential forms are to be most prevalent near major roads such as Kingsway, Central Boulevard and Nelson Avenue.

Three to four storey townhouses and live/work units are envisioned to frame the street with setbacks that are extensively landscaped. Having ground-oriented housing with front doors facing the street provides a human-scaled development form, and an overall welcoming neighbourhood character. High-rise apartment towers are to be suitably setback to the interior of the site, or conversely more prominently located at the corner of wider intersections to visually narrow the street.

Figure 8 provides an illustrative concept for townhouses fronting Telford Avenue, which includes extensive landscaping and a walkable public realm.



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Figure 8: Concept for townhouses and high-rise residential towers along Telford Avenue in the Core Residential area

Sufficient residential density within the Core Residential area will help to support the demand for restaurant, retail, office and entertainment uses nearby. The residents in these areas will be within walking distance of downtown commercial services and major transit nodes. The public realm will support walking, cycling and public transit as preferred travel modes along with vehicle movements, with the provision of wide sidewalks, seating areas, pedestrian lighting, open spaces, pathways and tree-lined streets.

### Town Centre Residential

The Town Centre Residential area is to be characterized by multiple-family residential buildings in low to mid-rise building forms (generally 1-4 stories), including row-houses, townhouses and low-rise apartments. These forms would primarily be identified for transitional areas on the periphery of Metrotown, and are intended to provide a respectful transition to adjacent lower scale single-and two-family areas.

Townhouses and apartments are to be sited and oriented to overlook public streets, parks, walkways, and communal spaces to encourage an interaction between the public and private realm, including the safety of having 'eyes on the street.' Ground floor residential uses are to incorporate individual entrances, elevated from the sidewalk and clearly visible from the fronting street, which ensures the units are approachable and welcoming. Setbacks are to be extensively and attractively landscaped.

Figure 9 provides an illustrative concept for ground-oriented townhouses along Thurston Street. The residential units are setback from the street with extensive landscaping.



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Figure 9: Concept for low-rise residential along Thurston Street in the Town Centre Residential area

Although the Town Centre Residential areas are located on the edges of Metrotown, residents can access the Patterson, Metrotown or Royal Oak SkyTrain stations within a five or ten minute walk (400m to 800m). The public realm will provide strong and clear connections to the SkyTrain stations, commercial services, schools, parks and open spaces with the provision of sidewalks, and cycle and pedestrian pathways. These connections are to be achieved as part of the requirements of the Town Centre Public Realm Design Standards.

## 6.0 SCOPE OF CHANGES

To express the relative extent of proposed changes between the adopted 1977 Plan and the Plan update, the following sections compare the areas where land uses and built form are proposed to change.

### Land Use

The preliminary land use framework recognizes the important role that Kingsway plays as the primary east/west corridor through the heart of Metrotown. Sites fronting Kingsway that are largely currently designated for a single use (i.e. commercial, residential, and institutional) are proposed to be re-designated to allow for mixed-use development. The intent behind this change is to concentrate the highest densities and greatest mix of uses in the downtown core, and along the Kingsway corridor.

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Other areas that are proposed to be re-designated from single-use to mixed-use include: Royal Oak Avenue, south of Kingsway; Beresford Street, east of Telford Avenue; and Imperial Street, between Nelson and Dunblane Avenues (see Figure 10). The rationale for these changes are summarized as follows:

- *Royal Oak Avenue:* Changing the land use and built form from low-rise residential to a higher density mixed use form is considered supportable as it would complete the mixed-use streetscape (established by the Royal Oak Community Plan), and enable this commercial street to have a second side.
- *Beresford Street:* A substantial portion of Beresford Street has been developed with mixed uses under site specific rezoning amendments. The proposal is to continue this concept in support of the Beresford Art Walk. This would also continue to support transit-oriented development, given the adjacency to the Metrotown SkyTrain Station.
- *Imperial Street:* The development site fronting Imperial Street, between Nelson and Dunblane Avenues is proposed to continue to incorporate a live/work component as part of a high-density residential project (Rezoning Reference #15-49), which is supportable given that Imperial Street is a major collector road with existing and planned commercial uses on the south side of the street.

Of the proposed changes to land use described above, only the change for Royal Oak Avenue and several small sites along Kingsway, between Boundary Road and Patterson Avenue, results in changes to the overall density and built form. Built form along Beresford Street and Imperial Street, and the majority of Kingsway, would not be significantly changed. The high-density sites that are designated solely for commercial along Kingsway are currently able to achieve tower forms with up to 6.0 FAR under the adopted 1977 Plan. The high-density residential sites along Beresford Street, between Telford and Dow Avenues, and along Imperial Street, between Nelson and Dunblane Avenues, are currently able to achieve tower forms with up to 5.0 FAR. Therefore, rather than changing form, these land use changes focus on the creation of complete neighbourhoods with a diverse mix of housing, retail, services, employment, and amenities.

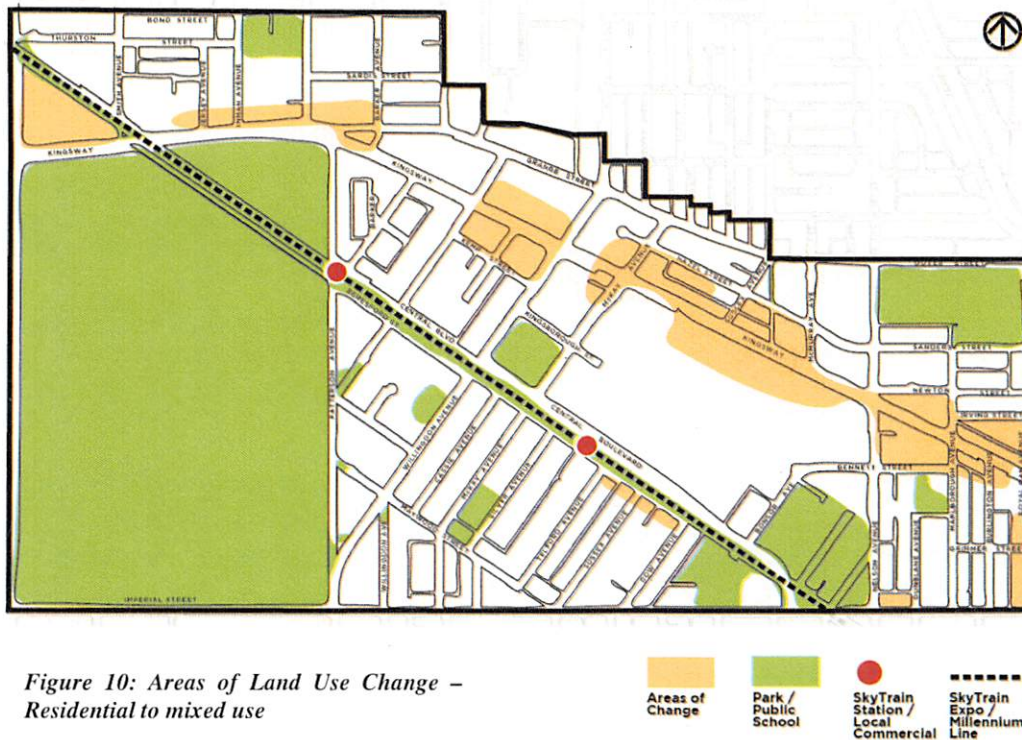
#### *Built Form*

The preliminary land use framework would increase the scale of the built form in certain areas of Metrotown. Higher density housing forms are proposed in neighbourhoods surrounding the Downtown Core and the Kingsway corridor. The intent of these built form changes is to increase the development capacity in strategic locations to meet long term housing and employment needs. Moreover, these densities are required to make the proposed commercial uses viable over the long term. The proposed changes support the region's investment in transit infrastructure and Metrotown's designation as a Regional City Centre. For the City as a whole, the changes also create strong transitions in scale and urban design from the high-rise mixed use downtown core to nearby single- and two-family areas.

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The areas shown in Figure 11 below are identified as the areas of change, from low-rise apartment and townhouse forms, to mid-rise and high-rise forms. In residential neighbourhoods, high-rise forms are setback to allow for ground-oriented housing to define the street and maintain a pedestrian-scale. This built form concept maintains low-rise residential housing on the edges of Metrotown to establish a respectful relationship to the adjacent single- and two-family dwelling areas to the north and south.

In summary, the adopted 1977 Metrotown Development Plan provides a strong foundation for the development of a successful downtown, with a comprehensive transportation network, an extensive park and open space network, a range of community amenities, and a mix of uses in highly urban downtown forms. The land use and built form changes proposed in the preliminary land use framework would inform the preparation of a draft Metrotown Development Plan, which would further support the amenities, services, employment and population growth that a thriving downtown needs. The goal is to create a downtown that serves all of Burnaby residents, employees and visitors, making Metrotown a City-wide and regional destination.





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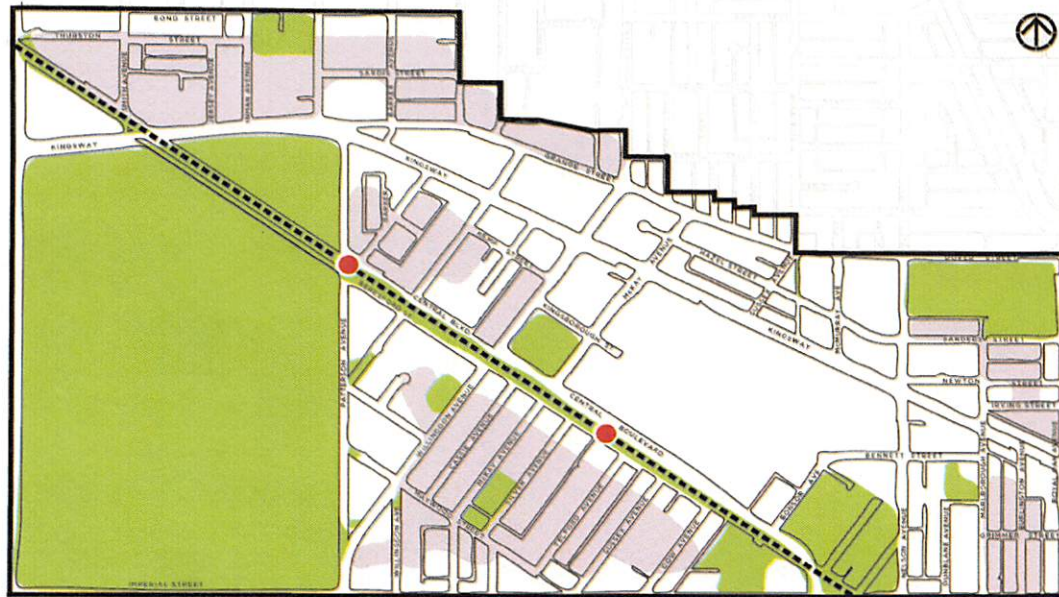


Figure 11: Areas of Change to Urban Form – low rise to mid and high rise



## 7.0 PUBLIC INPUT PROCESS

The preliminary vision, principles, and land use framework outlined in this report are proposed to be presented to the public for input to help guide the completion of a draft Metrotown Development Plan. The comprehensive nature of the consultation is anticipated to garner meaningful feedback from the entire City on the future of Burnaby's downtown.

The first phase of the public input process is proposed to include the following:

- *City Webpage:* A dedicated webpage to provide the public with continued access to the most up-to-date resources and information related to the Plan update, including a Plan summary, information panels, survey, and reports.
- *Newspaper and Digital Notices:* Publish digital and printed advertisements in BurnabyNow and other media to ensure the public is advised of the Plan update and to direct the public to the webpage and available methods of providing input.
- *Public Opinion Survey:* Provide both a hard-copy and digital public survey along with the summary brochure at City venues and on the webpage. The purpose of the survey is to invite citizens to express their opinions on the preliminary vision, principles, and land use framework for the Plan update.
- *Consultation:* Attend meetings with stakeholder groups to provide information about the Plan update and to garner input.

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- *InfoBurnaby Article*: Publish an InfoBurnaby article to provide information about the Plan update and to encourage citizens to visit the website as well as share their ideas and input.
- *Pop-up Displays*: Set-up information displays at various locations in the City to provide information about the Plan update and to encourage citizens to fill out surveys, visit the webpage, and share their ideas and input.

Public input that is received is intended to further inform the refinement and presentation of a draft Metrotown Development Plan for Committee and Council consideration, as a basis for a second phase of public consultation, outlined below.

Phase Two of the public consultation process will include taking the draft Metrotown Development Plan, as endorsed by Council, to the public using a similar methodology as in Phase One. This will provide Burnaby citizens with the opportunity to view the draft Metrotown Development Plan and provide their feedback. Staff would seek Committee and Council endorsement of the draft Metrotown Development Plan prior to commencing Phase Two of the public input process.

## 8.0 NEXT STEPS

In summary, the steps for advancing the draft Metrotown Development Plan are proposed to be undertaken in three phases.

- *Phase One (Preliminary Vision, Principles and Land Use Framework and Community Input: May - August 2016)*: This phase involves the development of a preliminary vision, principles, and a land use framework for the draft Metrotown Development Plan, as outlined in this report. Staff will then undertake a public input process to receive input towards the development of a draft Metrotown Development Plan.
- *Phase Two (draft Metrotown Development Plan: September/October 2016)*: Building on the feedback received during the public input process, this phase involves the development of the draft Metrotown Development Plan, which will include detailed direction on land use, density, and urban design. The Plan will also express how the proposed land use framework meets the established policy objectives for public realm and open spaces; transportation improvements and mobility; sustainability; and community amenities. Staff would seek Committee and Council endorsement of the draft Metrotown Development Plan prior to commencing a second public input process using a similar approach as Phase One.
- *Phase Three (Metrotown Development Plan Adoption: November/December 2016)*: This phase involves finalizing the Plan and the advancement of a Planning and Development Committee Report to Council to seek the adoption of the updated Metrotown Development Plan.

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## 9.0 CONCLUSION AND RECOMMENDATIONS

The adopted 1977 Metrotown Development Plan has guided the transformation of Metrotown into a Regional City Centre that provides a broad range of housing types, employment options, community amenities, and social activities. The proposed preliminary vision, principles, and land use framework for the Metrotown Development Plan update presented in this report are intended to build upon the foundation established by the 1977 Plan, to further support the vision of creating a complete downtown. The aim is to create a downtown that serves of all Burnaby residents, employees and visitors, making Metrotown a City-wide and regional destination.

Moving forward, the goal of the Metrotown Development Plan update is to foster the necessary services, amenities, transportation options, employment and residential capacity to enable Burnaby to grow and prosper into the future. A cornerstone of the Plan's success will be its focus on achieving a superior public realm with a fine-grained system of open spaces and streets, as well as the provision of supporting community benefits and amenities, including a major performance/event centre for all residents to enjoy.

It is recommended that Committee and Council endorse the preliminary vision, principles, and land use framework for a Metrotown Development Plan update, as a basis for receiving public input. It is also recommended that Committee and Council authorize staff to undertake a public input process on the preliminary vision, principles, and land use framework for the update of the Metrotown Development Plan. Results of the public consultation process would be the subject of a future report to Committee and Council.



Lou Pelletier, Director  
 PLANNING AND BUILDING

JD/EK/RSC:tn

cc: City Manager  
 Deputy City Manager  
 Director Engineering  
 Director Finance  
 Director Parks, Recreation and Cultural Services  
 Fire Chief  
 O.I.C. RCMP  
 Chief Librarian  
 City Solicitor  
 City Clerk

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Meeting 2016 April 26

## COMMITTEE REPORT

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**TO:** CHAIR AND MEMBERS  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** 2016 April 19

**FROM:** DIRECTOR PLANNING AND BUILDING

**FILE:** 42000 20  
*Reference: Bylaw Text Amendment*

**SUBJECT: PROPOSED ZONING BYLAW TEXT AMENDMENT  
HOME-BASED CHILD CARE FACILITIES**

**PURPOSE:** To propose text amendments to the Burnaby Zoning Bylaw regarding home-based child care facilities.

---

**RECOMMENDATIONS:**

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 a Public Hearing at a future date.
2. **THAT** a copy of this report be sent to the Fraser Health Authority at 4946 Canada Way, Burnaby, B.C. V5G 4H7.

**REPORT****1.0 INTRODUCTION**

The vision statement of Burnaby's Child Care Policy, adopted in 1994 and revised in 2000 states that the City of Burnaby is committed to:

- assisting with the creation of a comprehensive and inclusive child care system in Burnaby;
- supporting families and children in their search for child care options; and
- working with the School Board, government ministries, child care providers, community service providers, and others in pursuing the City's child care objectives.

Further, the policy states that the City will work to improve the availability, accessibility, and affordability of child care by "providing appropriate and sufficient opportunities for the establishment of child care facilities within the context of the Official Community Plan, community plans, Burnaby Zoning Bylaw, and other City regulations". These policy statements are also identified as key objectives in the City's Social Sustainability Strategy which was adopted by Council in 2011. These policies recognize that while the provision and regulation of child care is the responsibility of the Provincial government, the City can play a supportive role.

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       *Home-Based Child Care Facilities*  
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The City has undertaken significant efforts to improve child care options in Burnaby through zoning and other planning efforts; establishment of the Burnaby Child Care Resources Group, comprised of City staff and representatives of non-profit child care societies, the YMCA, and the Burnaby School District; direct advocacy to senior levels of government; and support for child care centres. This report seeks to further clarify references to child care within the Zoning Bylaw, in order to provide clear direction to individuals and groups seeking to establish child care centres in Burnaby.

## **2.0 BACKGROUND**

Since 1989, the Burnaby Zoning Bylaw has permitted child care facilities with a maximum of 10 children in residential settings. The maximum number of children was determined in accordance with Provincial regulations for home-based child care facilities and the accepted interpretation of the *BC Building Code* (BCBC) assembly occupancy threshold for daycares at that time. Since then, Provincial regulations have been updated; as a result, only home-based child care facilities with eight or fewer children are exempt from assembly occupancy requirements.

The proposed text amendments, which reduce the maximum permitted number of children in home-based child care facilities to eight, are intended to bring the Burnaby Zoning Bylaw into alignment with this updated regulatory framework. In addition, this review provides an opportunity to update Zoning Bylaw terms and definitions for child care uses, and remove provisions that are rendered inconsistent or redundant by the proposed changes.

The proposed amendments have been reviewed with the Burnaby Child Care Resources Group, which serves as an advisory body on child care policies, services and programs to the Social Planning Committee. This group acknowledges the need for the amendments to comply with the current Provincial regulatory framework.

## **3.0 HOME BASED CHILD CARE IN BURNABY**

Child care centres operating within residential dwellings contribute to the limited supply of licensed child care spaces available in Burnaby, and provide child care options for working parents who often struggle to find child care that meets their needs. As of 2015 August, there were approximately 4,820 licensed child care spaces in 245 child care centres in Burnaby. Of these spaces, 15% were in residential zoning districts, representing 140 out of 245 child care centres. Child care spaces in residential dwellings are an important contribution to the range of child care available in Burnaby, as they expand the options available to parents, including spaces that may be closer to home. It is noted, in relation to the subject text amendment, that only nine home-based child care centres had more than eight children, representing 18 additional spaces in homes that currently accommodate 10 children.

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### 3.0 PROPOSED ZONING BYLAW TEXT AMENDMENTS

#### 3.1 Definitions

##### Issue

The term “family child care centre” does not clearly distinguish home-based child care facilities from other child care facilities. In addition, the definitions of “child care facility” and “family child care centre” reference Provincial licensing terms that may not reflect current usage.

##### Discussion

Section 3 of the Zoning Bylaw includes the following definitions:

***“CHILD CARE FACILITY” means any community care facility for children licensed under the Community Care Facility Act other than a facility for residential care for children.***

***“FAMILY CHILD CARE CENTRE” means an in-home child care operation licensed under the Community Care Facility Act to provide family child care.***

These definitions include terms such as “community care facility,” “residential care for children,” and “family child care” that are not elsewhere defined in the Zoning Bylaw, and that reference Provincial terms that have changed, and may continue to change, over time. For instance, the term “family child care centre” reflects only one type of home-based child care facility licensed under Provincial legislation, and does not readily convey that such facilities are located only in home-based settings. The distinction between child care facilities that are located in residential dwelling units and those that are located outside of homes in institutional or mixed use settings is central to the regulation of such facilities under the Zoning Bylaw and should be clearly made.

In addition, the Provincial *Community Care Facility Act* referenced in the definitions was repealed in 2004, and replaced with the *Community Care and Assisted Living Act* (CCALA); the above definitions should be amended to reflect this change.

For these reasons, it is recommended that:

- the definition of “family child care centre” be amended to remove references to “family child care” and that the term itself be changed to “home-based child care facility” in the definition and wherever else it appears in the bylaw;
- the definition of “child care facility” be amended to remove references to “community care facility” and “residential care for children” and to add language to distinguish “child care facilities” from both institutional homes for children and home-based child care facilities; and

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- the term “*Community Care Facility Act*” be replaced by reference to the *Community Care and Assisted Living Act* (CCALA).

It is noted that the above definitions do not include “licence-not-required” (LNR) child care services, which provide care for up to two children (or a sibling group) in a home-based setting and are subject only to voluntary registration with Provincial health authorities.

### **Recommended Bylaw Amendments**

1. **THAT** the definition of “family child care centre” be replaced by a definition of “home-based child care facility” that specifies that such facilities are operated as a home occupation and licensed under the *Community Care and Assisted Living Act* and are distinct from residential homes for children.
2. **THAT** the definition of “child care facility” be updated to reflect current Provincial legislation and distinguish the use from both residential homes for children and home-based child care facilities.
3. **THAT** the term “home-based child care facility” replace “family child care centre” wherever it appears in the Zoning Bylaw.

### **3.2 Permitted number of children in home-based settings**

#### **Issue**

The Zoning Bylaw definition of “home occupation” permits the operation of a child care facility for up to 10 children in a single family dwelling. However, a maximum of eight children would be more consistent with the provisions of the CCALA.

#### **Discussion**

Section 3 of the Zoning Bylaw provides the following definition:

*“HOME OCCUPATION” means an occupation or profession that is incidental to the use of a dwelling unit for residential purposes, or to the residential use of a lot occupied by a dwelling and includes [...]*

*(c) the operation of a family child care centre,*

*(d) the operation of a child care facility for not more than 10 children in a single family dwelling where care is provided by persons resident in the dwelling and not more than one non-resident employee. The maximum of 10 children includes any preschool children of the resident.*

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This definition was adopted by Council at its meeting of 2012 March 05 in an effort to simplify the approval process for larger home-based child care facilities, which previously required rezoning to the R “b” subcategory. The 10-child limit was established in 1989, in accordance with Provincial regulations for home-based child care facilities and the accepted interpretation of the *BC Building Code* (BCBC) assembly occupancy threshold for daycares at that time.

Since then, the enactment of the CCALA has effectively lowered the assembly occupancy threshold for home-based child care facilities from 10 to 8. Unlike its predecessor, the *Community Care Facility Act*, the CCALA specifies that the only facilities that are exempt from BCBC regulations, beyond those that apply to single family dwellings, are facilities with eight children or fewer.

It is therefore proposed that the Zoning Bylaw provisions permitting home-based care for up to 10 children be deleted. Home-based child care facilities that accommodate no more than eight children, and are subject only to the standard BCBC requirements that apply to single family dwellings, would continue to be permitted as home occupations. In addition, child care facilities that provide care for more than eight children would continue to be permitted outside of home-based settings, under the “child care facility” use category. It is noted that, if the proposed amendment were adopted, the nine existing home-based child care facilities with up to ten child care spaces could continue to operate as legal non-conforming uses under the provisions of Section 911 of the *Local Government Act*, and would retain their existing licences under Provincial regulations.

### **Recommended Bylaw Amendment**

1. **THAT** Subsection (d) of the Section 3 definition of “home occupation,” which includes child care facilities for up to 10 children in a single family dwelling, be deleted.

### **3.3 Permitted number of child care employees in home-based settings**

#### **Issue**

The provisions of Section 6.8 of the Zoning Bylaw, which regulate home occupations, permit non-resident employees only in a child care facility, but not in a family child care centre.

#### **Discussion**

Regarding home occupations, Section 6.8(7) of the Zoning Bylaw currently states:

*No person who is not a resident in the dwelling shall be employed in such an occupation, except in a child care facility.*

As discussed above, it is recommended that the definition of a home occupation be amended to delete child care facilities, but retain family child care centres (or “home-based child care

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facilities,” as proposed). Home-based child care facilities can accommodate up to eight children, including toddlers and infants, and may therefore require more than one staff person to provide adequate care. It is therefore recommended that the above provision be amended to apply to home-based child care facilities.

### **Recommended Bylaw Amendment**

1. **THAT** Section 6.8(7) of the Zoning Bylaw be amended similar to the following

*No person who is not a resident in the dwelling shall be employed in such as occupation, except for home-based child care facilities which may have one non-resident employee.*

### **3.4 Permitted child care uses in RM Districts**

#### **Issue**

Family child care centres (home-based child care facilities) are included as a distinct use in many RM Districts. Family child care centres are also included in the definition of a home occupation, which is also a permitted use in many RM Districts. This creates confusion, and in some cases inconsistency, regarding the permitting of family child care centres in RM Districts. In addition, “Child care facilities that are not located in a dwelling unit,” are also listed as a distinct permitted use in many RM Districts, further adding to the confusion.

#### **Discussion**

The proposed deletion of the term “child care facility” from the definition of a home occupation provides an opportunity to clarify the child care related uses permitted in the RM Districts, and remove inconsistencies and redundancies in the terms used to describe them.

Currently, the RM Districts distinguish between family child care centres (home-based child care facilities) and “child care facilities that are not located in a dwelling unit.” With the elimination of child care facilities from the definition of a home occupation, the latter use category can be simplified to “child care facility.” Family child care centres, which are incorporated into the home occupation use category, no longer need to be referenced as a separate use category.

Section 6.8A(1) of the Zoning Bylaw stipulates that in multi-family developments, a family child care centre is only permitted on the ground floor, provided that the property owners or strata council support the proposal.

Section 6.8A(2) states:

*In RM and P11 Districts no child care facility other than a family child care centre shall be located in a dwelling unit.*



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With the proposed deletion of child care facilities from the definition of a home occupation, and the proposed deletion of “family child care centre” as a distinct permitted use in the RM Districts, this provision is redundant and can also be deleted. It is noted that while home occupations are a permitted use in the P11 District, no other reference to family child care centres is found in the P11 District schedule and therefore no amendments to this schedule are proposed.

Table 1 below outlines the proposed use categories and the RM Districts in which they are permitted. These use categories represent changes in terminology but do not vary the type of child care uses currently permitted in each district.

**Table 1**  
**Permitted child care uses in RM Districts**

	<b>Home-Based Child Care</b>	<b>Child Care Facilities</b>
<b>Use Categories - Current</b>	Family child care centre or Home occupation (varies)	Child care facilities that are not located in a dwelling unit
<b>Use Categories - Proposed</b>	Home occupation	Child care facilities
<b>Permitted Districts</b>	RM1, RM2, RM3, RM4, RM5, RM6, and RM7	RM1, RM2, RM3, RM3s, RM4, RM4s, RM5, and RM5s

It is noted that the application of Section 20 of the CCALA to home-based child care facilities in multiple-family dwellings is under review by the BC Ministry of Children and Family Development. BCBC upgrading requirements for home-based child care facilities in multiple family dwellings would be determined at the time of application.

#### **Recommended Bylaw Amendments**

1. **THAT** all references to “child care facilities not located in a dwelling unit” be replaced by the term “child care facilities.”
2. **THAT** “family child care centres” be deleted as a permitted use in the RM1, RM2, and RM3 Districts, as they are already permitted as a home occupation.
3. **THAT** Section 205.1A (Uses Permitted in an RM5s Zoning District) be amended to delete the phrase “and family child care centres” as they are already excluded as “uses permitted in the R6 District.”
4. **THAT** Section 6.8A(2), which states that in RM and P11 Districts, no child care facility other than a family child care centre shall be located in a dwelling unit, be deleted.

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#### 4.0 CONCLUSION

The above text amendments are proposed in order to bring the Burnaby Zoning Bylaw into alignment with updated Provincial regulations regarding child care facilities, and to provide clarity of language for the child care uses that are currently permitted. The proposed amendments do not change or impact the current range of child care uses permitted in residential zones.

It is recommended 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 a Public Hearing at a future date. It is also recommended that a copy of this report be sent to the Fraser Health Authority for information.

  
 Jean Pelletier, Director  
 PLANNING AND BUILDING

LF/RM:sa

cc: City Manager  
 Chief Building Inspector  
 Chief Licence Inspector  
 City Solicitor  
 City Clerk

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