



PLANNING AND DEVELOPMENT COMMITTEE

NOTICE OF OPEN MEETING

DATE: TUESDAY, 2018 MARCH 27

TIME: 6:00 PM

PLACE: Council Committee Room, City Hall

A G E N D A

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|---|--------------------|
| 1. <u>CALL TO ORDER</u> | |
| 2. <u>MINUTES</u> | |
| a) Minutes of the Planning and Development Committee meeting held on 2018 February 27 | 1 |
| 3. <u>REPORT</u> | |
| a) Report from the Director Planning and Building
Re: Proposed Zoning Bylaw Text Amendments - 2018 March | 8 |
| 4. <u>NEW BUSINESS</u> | |
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PLANNING AND DEVELOPMENT COMMITTEE

MINUTES

An Open meeting of the Planning and Development Committee was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, **2018 February 27** at 5:00 p.m.

1. CALL TO ORDER

PRESENT: Councillor Colleen Jordan, Chair
Councillor Dan Johnston, Vice Chair (*arrived 5:12 p.m.*)
Councillor Sav Dhaliwal, Member
Councillor Paul McDonell, Member
Councillor James Wang, Member

STAFF: Mr. Lou Pelletier, Director Planning and Building
Mr. Ed Kozak, Deputy Director Planning and Building
Ms. Lee-Ann Garnett, Assistant Director - Long Range Planning
Mr. Doug Louie, Assistant Director Engineering, Transportation
Ms. Renee De St. Croix, Senior Long Range Planner
Ms. M. Macdonald, Administrative Officer

The Chair called the Open Committee meeting to order at 5:02 p.m.

2. MINUTES

- a) **Minutes of the Planning and Development Committee Open meeting held on 2018 January 30**

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR MCDONELL

THAT the minutes of the Planning and Development Committee Open meeting held on 2018 January 30 be adopted.

CARRIED UNANIMOUSLY

3. DELEGATIONS

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR DHALIWAL

THAT the delegations be heard.

CARRIED UNANIMOUSLY

- a) **British Columbia Institute of Technology**
Re: Burnaby Campus Development Plan
Speakers: Kathy Kinloch, President
Paul McCullough, VP Advancement
Mark Dale, Senior Director Facilities & Campus Development

Ms. Kathy Kinloch, President, **Mr. Paul McCullough**, VP Advancement, and **Mr. Mark Dale**, Senior Director, Facilities and Campus Development appeared before the Committee and provided an overview of the BCIT Burnaby Campus development plan (Campus Plan).

Ms. Kinloch advised that the Campus Plan encompasses the facility's needs for the next 50 years, and noted it will guide BCIT's evolution as a premier polytechnic institution, create a more vibrant campus, connect with industry, and create a hub for the surrounding area.

Mr. Dale presented an overview of the Campus Plan and provided details on the following components: Transportation Strategy; Housing Strategy; Industry Partner Strategy; Sustainability Strategy; Amenity Strategy; and campus circulation routes and open spaces. The speaker described of each area of the proposed new campus.

Councillor Johnston arrived at 5:12 p.m.

Mr. McCullough described the Campus Plan's Capital Plan's five catalyst projects, which total a \$450 million estimated infrastructure value.

In conclusion, Ms. Kinloch advised the Campus Plan is planned in phases and will span over multiple years. The speaker stated they will seek support from the private sector and hope to partner with the City as well. The development approval process for the Campus Plan is expected to begin this Spring.

- b) **Terra Special Projects Ltd.**
Re: Proposed Non-Market/Market Housing Project in
Edmonds Town Centre
Speaker: Hugh Forster, Partner

Mr. Hugh Forster, Partner, appeared before the Committee and provided a PowerPoint presentation outlining a proposal for a non-market, hi-rise housing project in the Edmond's Town Centre.

The delegation advised that Terra Special Projects is a division of Terra Housing which provides Development Management services to the non-market housing sector, such as assisting the New Vista Society with developing their 7898 18th Avenue project.

Mr. Forster stated that his company has identified 7465 Griffiths Drive in the Edmonds Town Centre as an ideal site for a new non-market, hi-rise project. This project cannot proceed at this time, however, as the site is currently designated under the Edmonds Town Centre OCP for medium density multi-family residential development and not zoned for high density RM5.

The delegation requested the City move forward with an upgrade of the Edmonds Town Centre OCP to allow for a rezoning of the Griffiths site to RM5.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR MCDONELL

THAT the delegation's presentation be **REFERRED** to staff for a response.

CARRIED UNANIMOUSLY

Staff undertook to respond to Mr. Forster.

4. **CORRESPONDENCE**

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JOHNSTON

THAT the correspondence be received.

CARRIED UNANIMOUSLY

**a) Correspondence from Martello Property Services Inc.
Re: Liquor Store Rezoning Reference #17-37 (Parkcrest Plaza)**

Correspondence was received from Mr. Wayne Smithies, Asset Manager and President, Martello Property Services Inc. (Parkcrest Plaza property managers) regarding a rezoning application from JAK's for a private liquor store at Parkcrest Plaza. Mr. Smithies confirmed that the liquor store would be prohibited from selling cannabis.

**b) Correspondence from JAK's
Re: Liquor Store Rezoning Reference #17-37 (Parkcrest Plaza)**

Correspondence was received from Mr. Damian Kettlewell and Mr. Mike McKee, representing JAK's regarding their application for a private liquor store. The writers advised the company is focused on liquor retail and assured the City the business would not sell cannabis.

**c) Correspondence from Suzana Matkovic
Re: Laneway/Cottage/Duplex Homes in Suncrest Area**

Correspondence was received from Ms. Suzana Matkovic regarding housing affordability and the benefits of rezoning the Suncrest area to allow laneway, cottage, and duplex/4-plex homes.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JOHNSTON

THAT staff respond to Ms. Matkovic.

CARRIED UNANIMOUSLY

5. REPORTS

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR MCDONELL

THAT the reports be received.

CARRIED UNANIMOUSLY

**a) Report from the Director Planning and Building
Re: Tenant Assistance Policy Review**

The Director Planning and Building submitted a report recommending amendments to the Tenant Assistant Policy.

Staff provided highlights of the amended Tenant Assistant Policy and advised that the new policy provides greater clarity and transparency, and includes information regarding when and how a tenant may access assistance. Staff also noted the level of compensation, three months compensation, remains the same.

The Director Planning and Building recommended:

1. THAT the Committee recommend to Council that the Tenant Assistance Policy be amended, as outlined in Section 5.0 of this report.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR MCDONELL

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

CARRIED UNANIMOUSLY

Arising from discussion, the Committee requested a further amendment to the Policy to include an increase in monetary compensation for eligible tenants with at least ten years residency in a unit, to the equivalent of a minimum of four months rental payment.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR MCDONELL

THAT the Policy be amended to include an increase in monetary compensation for eligible tenants with at least ten years residency in a unit, to the equivalent of a minimum of four months rental payment.

CARRIED
(Councillor Dhaliwal opposed)

**b) Report from the Director Planning and Building
Re: Burnaby Transportation Plan Update: Outcomes from the
Phase 1 Public Consultation and Phase 2 Scope**

The Director Planning and Building submitted a report providing information on Phase 1 Public Consultation Program, recommending the Vision, Themes, and Goals for the renewed *Plan*, and outlining the scope, activities, timeline, and public consultation program for Phase 2.

Ms. Renee De St. Croix, Senior Long Range Planner provided a PowerPoint presentation summarizing the Burnaby Transportation Plan Update report, and outcomes of the public consultation.

The Director Planning and Building recommended:

1. THAT the Committee recommend that Council receive for information the attached *Appendix 1 – Burnaby Transportation Plan Update Phase 1 Public Consultation Overview* report.
2. THAT the Committee recommend that Council approve the Vision, Themes, and Goals for the renewed *Burnaby Transportation Plan*, as outlined in Section 5.0.
3. THAT the Committee recommend that Council authorize staff to undertake Phase 2 – Building the Plan, as outlined in Section 6.0.
4. THAT this report be sent to the Sustainable City Advisory Committee and Public Safety Committee for information.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR MCDONELL

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

CARRIED UNANIMOUSLY

Arising from discussion, the Committee requested staff provide the PowerPoint presentation to Council.

6. NEW BUSINESS**Councillor Jordan – City Lands Program for Non-Market Housing**

Councillor Jordan requested information regarding the status of the City's non-market rental housing.

Staff undertook to follow up.

Councillor Jordan – Province's 30-Point Plan for Housing Affordability

Councillor Jordan requested information regarding the City's response to the 30-Point Plan.

Staff undertook to follow up.

7. INQUIRIES

No inquiries were brought before the Committee at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR MCDONELL

THAT this Open Committee meeting do now adjourn.

CARRIED UNANIMOUSLY

The Open Committee meeting adjourned at 6:54 p.m.

Monica Macdonald
ADMINISTRATIVE OFFICER

Councillor Colleen Jordan
CHAIR



Meeting 2018 March 27

COMMITTEE REPORT

TO: CHAIR AND MEMBERS
PLANNING AND DEVELOPMENT COMMITTEE

DATE: 2018 March 22

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 42000.20
Reference: Bylaw Text Amendment

SUBJECT: PROPOSED ZONING BYLAW TEXT AMENDMENTS – 2018 MARCH

PURPOSE: To propose a number of text amendments to the Burnaby Zoning Bylaw.

RECOMMENDATION:

1. **THAT** Council be requested to authorize the preparation of a bylaw amending the Burnaby Zoning Bylaw, as outlined in Section 2.0 of this report, for advancement to the Public Hearing on 2018 April 24.

REPORT**1.0 BACKGROUND INFORMATION**

As part of the ongoing review of the Burnaby Zoning Bylaw, which usually takes place in the context of development enquiries and discussions regarding the intent of the bylaw and the general need to update the bylaw, text amendments are brought forward from time to time. These text amendment reports are submitted in order to provide clarification and improvements to the wording of the bylaw, and to respond to changes in related legislation and changes in forms of development, land uses and social trends.

This report presents four Zoning Bylaw amendments regarding 1) definition of “Bay Window”; 2) adaptable housing units; 3) Metrotown payment-in-lieu of parking program; and 4) calculation of gross floor area and above grade floor area for any portion of a building with a clear height of more than 3.7 m (12.1ft.).

2.0 PROPOSED BYLAW TEXT AMENDMENTS**2.1 Definition of “Bay Window”****Issue**

In order to ensure bay window projections contain a significant glazed element in line with the intended use and function of a bay window, there is a need to amend the definition of “Bay Window” in Section 3.0 of the Zoning Bylaw to specify a minimum amount of glazing.

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Discussion

Section 3.0 of the Zoning Bylaw states:

“BAY WINDOW” means a projection from the wall of a building that contains a window, is wholly above the level of the adjacent floor surface and does not result in any projection of the adjacent floor structure.

The primary function of a bay window is to provide additional light, and to a lesser extent ventilation, into an interior space. They also often add architectural interest to a building, without extending the floor plate and increasing bulk. In recognition of these qualities, the Zoning Bylaw contains a number of provisions designed to facilitate, and even promote the inclusion of bay windows in development proposals. Specifically, in accordance with Sections 6.12(1)(c) and 6.20(5)(d) of the Zoning Bylaw, bay windows are permitted to project up to 900 mm (2.95 ft.) into required yards, and are exempt from gross floor area (GFA).

However, given that the definition of “Bay Window” does not specify the size or extent of glazed elements within a bay window projection, a bay window may contain only a token amount of glazing, and may be predominantly opaque wall. As a consequence of this, bay windows are often used as a mechanism to help expand interior space to accommodate various uses that do not reflect the intended function of a bay window. For instance, bay windows that are predominantly walled are often used for wardrobe space, media consoles, and other similar uses. These types of bay windows do not reflect the intended primary function of a bay window, and rarely contribute to the architectural quality of the building.

Specifying a minimum amount of glazing in the definition of “Bay Window” would help ensure bay window projections contain a significant glazed element in line with the intent of a bay window. It is therefore, recommended that the definition of “Bay Window” be amended to require at least 50 percent of the projection be glazed when viewed in elevation. For clarity, it is also recommended that the definition of “Bay Window” require that the projection be at least 46 cm (1.5 ft.) above the adjacent floor surface.

Recommended Bylaw Amendment

1. **THAT** the definition of “Bay Window” in Section 3.0 of the Zoning Bylaw be amended with wording the same or similar to the following:

“BAY WINDOW” means a projection from the wall of a building that is at least

- (a) 46 cm (1.5 ft.) above the level of the adjacent floor surface, and*
- (b) 50 percent glazed when viewed in elevation.*

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2.2 Adaptable Housing Units

Issue

In accordance with Section 6.20(5)(j) of the Zoning Bylaw, in the RM, C and P Districts, the first 1.85 m² (20 sq. ft.) of floor area of each adaptable housing unit is excluded from GFA. This provision does not sufficiently incentivize the development of adaptable units with two or more adaptable bedrooms, which would allow greater access by residents with access requirements.

Discussion

The City's *Adaptable Housing Policy*, which was adopted by Council on 2013 November 18, requires developments in all areas of Burnaby, subject to the Comprehensive Development (CD) rezoning process, to supply 20% of single-level units as adaptable in new market and non-market multiple family developments, which employ interior corridors or exterior passageways to access the dwelling units. Similarly, purpose-built seniors-orientated developments in all areas of Burnaby, that are subject to rezoning, are required to supply 100% of single-level units as adaptable in new market and non-market multiple family developments, which employ interior corridors or exterior passageways to access the dwelling units.

To help offset the additional space required for adaptable housing and the associated costs in both market and non-market developments, a floor area exemption of 1.85 m² (20 sq. ft.) per adaptable unit was adopted by Council on 2014 June 23. The exemption was calculated based on the requirements of the BC Building Code, which requires one bathroom, one bedroom, the common living area, and the unit's entrance to meet adaptable unit access standards.

Through the rezoning process, staff request developments to provide an adaptable unit mix that is representative of the overall development unit mix. However, because the current floor area exemption for adaptable units does not scale in relation to the provision of access provided, developers have typically only met the required standard for adaptable units, as set by the BC Building Code. The result is that residents with access requirements, living in units with multiple bedrooms, may not have access to all areas of their home. This is not consistent with this Department's view that individuals with access requirements should be able to fully utilize all parts of their home.

Therefore, to support the provision of units with multiple bedrooms that allow for individuals with access requirements to fully utilize all parts of their home, it is recommended that the adaptable housing unit floor area exemption be amended to also exclude 0.93 m² (10 sq. ft.) of floor area of each adaptable bedroom provided in excess of the required one adaptable bedroom.

Planning staff have reviewed floor area exemptions for adaptable housing units in neighbouring municipalities including the City of New Westminster, North Vancouver, Port Coquitlam, and Delta. Floor area exemptions typically range from 1.86 m^{2A} (20 sq. ft.) to 4.19 m² (45 sq. ft.) depending on the number of bedrooms and the level of access provided. As such, the above

A 20 sq. ft. equals 1.858 m². Therefore, to account for accurate rounding, the recommended Bylaw amendment will reference a 1.86 m² (20 sq. ft.) exclusion.

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mentioned amendment to the Burnaby Zoning Bylaw would be generally consistent with the planning practices of neighbouring municipalities.

Recommended Bylaw Amendment

1. **THAT** Section 6.20(5)(j) of the Zoning Bylaw be amended with wording the same or similar to the following:

in the RM, C and P Districts only, 1.86 m² (20 sq. ft.) of each adaptable housing unit and 0.93 m² (10 sq. ft.) of each adaptable bedroom in excess of one bedroom within an adaptable housing unit.

2.3 Metrotown Payment-in-Lieu of Parking Program

Issue

There is a desire to update the provisions of the Metrotown payment-in-lieu of parking program to apply more widely to commercial developments within the Metrotown Downtown Plan area. There is also a desire to include language to this effect in the Zoning Bylaw.

Discussion

The payment-in-lieu of parking program was established by Council in 1982 February, with the purpose of supporting development where parking provision may be restricted, and assisting the City in acquiring and developing public parking facilities within the Metrotown area. At that time, Council approved a recommendation which proposed that Comprehensive Development (CD) rezonings for major office developments within Metrotown be permitted a reduction in the parking ratio of up to 20% from the standard requirement (1 space per each 46 m² (495.16 sq. ft.) to 1 space per 55.8 m² (600.37 sq. ft.) provided that a deposit of \$2,000 was made for each parking space reduced from the standard requirement. The original payment-in-lieu amount has been raised over the years. It was last raised in 1994 from \$8,000 to the current \$10,000 per space. Funds from the program are used to support public parking.

The public parking facility developed to date is the public underground parking facility provided under the Metrotown Civic Square and public library, which has approximately 200 public parking spaces, in addition to the library parking. Parking may also be provided through small lots or on-street in City constructed spaces.

Over the years, the Metrotown payment-in-lieu parking program has been used sparingly. The payment-in-lieu program is helpful however, to establish development proposals, or after construction is completed, when additional parking spaces cannot be facilitated on-site (e.g. to help facilitate changes of use requiring additional parking, and minor floor area additions on straight zoned commercial sites). At this time, expanding the program to include all commercial developments and non-CD District commercial zoned sites, would help facilitate the adaptive reuse of existing commercial buildings, assist local businesses undergoing expansion that may be constrained by existing parking, and support the City's ability to offset costs of shared parking

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facilities. This approach is already being utilized in the Hastings Street payment-in-lieu of parking program, which is considered to have contributed to the economic viability of commercial developments along Hastings Street.

Therefore, given the above, it is recommended that the Metrotown payment-in-lieu of parking program be made available to all commercial uses within the Metrotown Downtown Plan area, and that the program be further expanded to also include the Edmonds, Lougheed, and Brentwood Town Centre areas. It is also recommended that language to this effect be inserted into the Zoning Bylaw. Following the adoption of the proposed recommendations outlined above, staff will monitor demand for the program and revisit the associated fees as warranted.

Recommended Bylaw Amendment

1. **THAT** Section 800.4 of the Zoning Bylaw be amended by inserting Section 800.4(37) with wording the same or similar to the following:

Commercial uses in the Metrotown, Edmonds, Lougheed, and Brentwood Town Centres. The owner may elect to pay \$10,000 for each required parking space not provided.

- 2.4 **Calculation of Gross Floor Area and Above Grade Floor Area for any Portion of a Building with a Clear Height of More Than 3.7 m (12.1 ft.)**

Issue

There is a need to clarify the language of Section 6.20(4) regarding the calculation of GFA and above grade floor area (AGFA) for any space where the height from a floor to the top of the wall plate exceeds 3.7 m (12.1 ft.).

Discussion

Section 6.20(4) of the Zoning Bylaw states:

In the R1, R2, R3, R4, R5, R9, R10, R11, R12, A1, A2 and A3 Districts, the calculation of gross floor area and above grade floor area for any space where the height from a floor to the top of the wall plate exceeds 3.7 m (12.1 ft.) shall be in accordance with the following:

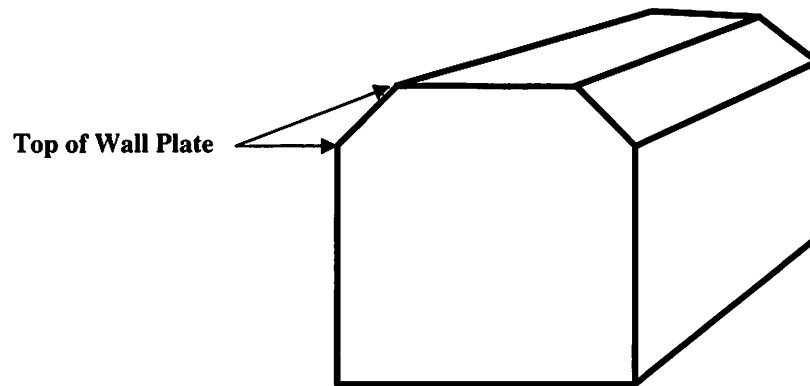
- (a) *the floor area of the space; plus*
- (b) *the amount by which the floor area of the space exceeds 9.3 m² (100.1 sq. ft.)*

The purpose of the above provision is to control the overuse of tall ceilings, which may contribute to the overall bulk of a building. The provision also limits the ability to construct, and conceal additional floors within a building, which would otherwise not be permitted. However, in application of this requirement, there are a number of ambiguities. For example, when a building contains a number of such spaces, it is not clear whether the 9.3 m² (100.1 sq. ft.)

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exemption is applicable to each such space or only once to the cumulative floor area of all such spaces. In addition, the Zoning Bylaw does not specify which wall plate should be used for measurement of height when a building contains a vaulted ceiling or a ceiling with several wall plates, as shown below in Figure 1.

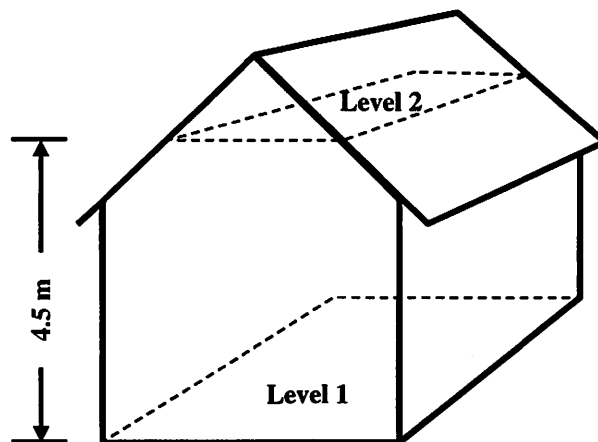
Figure 1: A building containing a vaulted ceiling with multiple wall plates.



In order to clarify this Section of the Zoning Bylaw, it is recommended that the 9.3 m² (100.1 sq. ft.) exemption from GFA only apply once to the cumulative floor area of any portion(s) of a building with a ceiling height exceeding the defined height limit, with the exception of staircases and stairwells.

To provide consistency in measurement of the height of the subject portions of the building containing vaulted ceilings and other types of ceiling with several wall plates, it is also recommended that the height shall be measured “from the floor to the ceiling directly above” instead of “from the floor to the top of the wall plate”, as shown below in Figure 2.

Figure 2: Methodology for calculating GFA and AGFA for any space where the height from floor to the ceiling directly above exceeds 4.5 m (14.8 ft.).



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It is further recommended that floor area only be double counted for spaces where the ceiling height exceeds 4.5 m (14.8 ft.), rather than 3.7 m (12.1 ft.) as currently specified. The proposed 4.5 m dimension allows for a vaulted ceiling in a full height accessory building with a sloped roof^B, and above a typical storey within a single or two-family dwelling, without double counting floor area. The proposed dimension also balances the desire to limit the overuse of tall ceilings, which may contribute to building bulk.

Planning staff have reviewed the zoning regulations in neighbouring municipalities pertaining to double height spaces. The proposed 4.5 m (14.8ft.) dimension and measurement methodology is generally consistent with the planning practices of neighbouring municipalities, including the City of West Vancouver, Surrey, and North Vancouver.

Recommended Bylaw Amendment

1. **THAT** Section 6.20(4) of the Zoning Bylaw be amended with wording the same or similar to the following:

For single family dwellings and two family dwellings, gross floor area and above grade floor area, for any portion of a building, with the exception of staircases and stairwells, where the height from the floor to the ceiling directly above exceeds 4.5 m (14.8 ft.), shall be calculated in accordance with the following:

- (a) *cumulative floor area of such portion(s) of the building, multiplied by two, and less 9.3 m² (100.1 sq. ft.); and*
- (b) *the 9.3 m² (100.1 sq. ft.) exemption under Section 6.20(4)(a) shall apply to each dwelling unit on a lot.*

3.0 CONCLUSION

The above Zoning Bylaw text amendments are proposed in order to clarify certain aspects of the Bylaw, make amendments in support of existing practices and Council policies, and achieve other regulatory changes. It is recommended that Council approve the above proposed text amendments, as outlined in Section 2.0 of this report, for advancement to the Public Hearing on 2018 April 24.


 Lou Pelletier, Director
 PLANNING AND BUILDING

MN:eb

cc: City Manager
 Chief Building Inspector

City Solicitor
 City Clerk

Chief Licence Inspector

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B The maximum height of an accessory building with a sloped roof is 4.6 m (15.1 ft.).