



PLANNING AND DEVELOPMENT COMMITTEE

NOTICE OF OPEN MEETING

DATE: TUESDAY, 2019 SEPTEMBER 17

TIME: 4:00 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 Open meeting held on 2019 June 25	1
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5. <u>NEW BUSINESS</u>	
6. <u>INQUIRIES</u>	

7. CLOSED

Public excluded according to Sections 90 and 92 of the Community Charter to discuss matters concerning negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

8. ADJOURNMENT



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, 2019 June 25** at 4:00 p.m. followed by a Closed meeting from which the public was excluded.

1. CALL TO ORDER

PRESENT: Councillor Pietro Calendino, Chair
Councillor Sav Dhaliwal, Vice Chair
Councillor Joe Keithley, Member
Councillor Paul McDonnell, Member
Councillor James Wang, Member
His Worship, Mayor Mike Hurley, Ex-Officio Member

STAFF: Ms. Lee-Ann Garnett, Assistant Director Long Range Planning
Mr. Doug Louie, Asst. Director Engineering Transportation Services
Mr. Johannes Schumann, Assistant Director Current Planning
Ms. Monica Macdonald, Administrative Officer

The Chair called the Open Committee meeting to order at 4:08 p.m.

The Chair recognized the ancestral and unceded homelands of the Skwxwú7mesh and traditional hə́ŋqəmiḥəm speaking people, and extended appreciation for the opportunity to hold a meeting on this shared territory.

2. MINUTES

A) Minutes of the Planning and Development Committee Open meeting held on 2019 May 28

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR MCDONELL

THAT the minutes of the Planning and Development Committee Open meeting held on 2019 May 28 be adopted.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE**A) Correspondence from Metro Vancouver
Re: Metro 2040 Land Use Designation Amendment Request for
the City of Delta – MK Delta Lands Regional Growth Strategy
Amendment Bylaw No. 1283, 2019**

Correspondence was received from Metro Vancouver advising that the City of Delta submitted a request to amend *Metro 2040: Shaping Our Future (Metro 2040)* for a 62.7 ha (155 ac) property at 7969 Highway 91 Connector. At its 2019 May 24 meeting, the Board of Directors, Metro Vancouver, approved the request and adopted a resolution to initiate the regional growth strategy amendment process for the property and notify affected governments. As noted, both the *Local Government Act* and *Metro 2040* require a notification period to allow local governments to provide comment on the proposed amendment. Following the comment period, Metro Vancouver will review all comments received and consider third and final reading of the amendment bylaw.

**B) Correspondence from TransLink – Mayors' Council on
Regional Transportation
Re: Cure Congestion Campaign**

Correspondence was received from Mr. Mike Buda, Executive Director, Mayors' Council on Regional Transportation, TransLink, requesting members' support for the Cure Congestion campaign's public engagement strategy by writing to local MPs, forwarding a resolution to Council, and sharing the Mayors' Council #CureCongestion content on social media.

4. REPORTS**A) Report from the Director Engineering
Re: Burnaby Hospital Parking**

The Director Engineering submitted a report providing an option for free street parking adjacent to Burnaby Hospital.

The Director Engineering recommended:

1. THAT the Committee recommend to Council the replacement of select parking meters adjacent to Burnaby Hospital with two hour parking time limits to provide free visitor parking, as outlined in this report.
2. THAT the Committee recommend to Council an increase in parking meter rates for all other parking meters near Burnaby Hospital from \$1.50 to \$2.00 per hour to make it consistent with other areas of the City and to help offset reduced revenues from the removal of parking meters.

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR KEITHLEY

THAT the recommendations of the Director Engineering be adopted.

CARRIED UNANIMOUSLY

The Committee expressed concern regarding individuals using the free parking spaces for reasons other than hospital visiting.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR KEITHLEY

THAT page 3 of the report be **AMENDED** to replace the third sentence to read, as follows: "The replacement would be along the east and west side of the 3800 and 3900 block of Ingleton Avenue and along the north side of the 3900 block Kincaid Street, as shown in Figure 1 below."; and,

THAT the report be **AMENDED** to replace the number "23" on page 3 and 4 with "33" and adjust the amount of reduced parking revenues and offsetting revenue gain, accordingly.

CARRIED
(Opposed by Councillor Wang)

Arising from further discussion, the Committee directed staff to install "For Hospital Visitor Only - 2 Hour Limit" signs in the free parking areas; as well as provide an assessment of the success of the free hospital parking initiative after one year of its implementation.

B) Report from the Director Planning and Building
Re: Proposed Bylaw Text Amendments - 2019 June

The Director Planning and Building submitted a report proposing two text amendments to the Burnaby Zoning Bylaw.

His Worship, Mayor Mike Hurley left the meeting at 4:56 p.m. and did not return.

The Director Planning and Building recommended:

1. THAT Council be requested to authorize the preparation of a bylaw amending the Burnaby Zoning Bylaw, as outlined in Section 3.0 of this report, for advancement to a Public Hearing on 2019 July 30.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR KEITHLEY

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

CARRIED UNANIMOUSLY

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR KEITHLEY

THAT the report be **AMENDED** to remove Section 3.1 *Outdoor Play Areas in Child Care Facilities*.

CARRIED UNANIMOUSLY

The Zoning Bylaw text amendment regarding outdoor play areas in child care facilities was referred back to staff for further consideration.

5. **NEW BUSINESS**

Councillor Calendino – Health Services Within New Community Centres

Councillor Calendino advised that under the New Business portion of the Council meeting held on 2019 June 24, Council **REFERRED** Item A, Council Correspondence Package received up to 2019 June 20, to the Planning and Development Committee.

Item A correspondence was from Ms. Sheila Finamore, Executive Director, Burnaby Primary Care Network & Burnaby Hospital, Fraser Health Authority requesting consideration of co-locating health services within one or more of the new community centres that are being planned for the City. Ms. Finamore noted that the centres offer unique access points for residents to receive a full range of health and wellness services at one location.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR MCDONELL

THAT a proposal for co-locating health services within the new community centres be **REFERRED** to staff for a report.

CARRIED UNANIMOUSLY

Staff advised that they are in discussions with the Civic Building Projects team who are in the midst of the RFP process for the community centres. The Committee voiced concerns regarding the stage of the RFP and the City's ability to include design and use requirements for co-locating health services within the new centres.

6. INQUIRIES

There were no inquiries brought before the Committee at this time.

7. CLOSED

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR DHALIWAL

THAT the Committee, in accordance with Sections 90 and 92 of the Community Charter, do now resolve itself into a Closed meeting from which the public is excluded to consider matters concerning negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR DHALIWAL

THAT the Open Committee meeting do now recess.

CARRIED UNANIMOUSLY

The Open Committee meeting recessed at 5:07 p.m.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR KEITHLEY

THAT the Open Committee meeting do now reconvene.

CARRIED UNANIMOUSLY

The Open Committee meeting reconvened at 5:17 p.m.

8. ADJOURNMENT

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR KEITHLEY

THAT this Open Committee meeting do now adjourn.

CARRIED UNANIMOUSLY

The Open Committee meeting adjourned at 5:18 p.m.

Monica Macdonald
ADMINISTRATIVE OFFICER

Councillor Pietro Calendino
CHAIR



Office of the Chair

Note from Planning Department:

The Metro Vancouver Board has initiated an amendment to the Regional Growth Strategy. The purpose of this minor housekeeping amendment is to incorporate land use designation changes, Urban Containment Boundary adjustments and the addition of Frequent Transit Development Areas resulting from the Metro Vancouver Board's acceptance of Regional Context Statements. As such, no further submission or response from the City of Burnaby is required.

JUN 21 2019

Mayor Mike Hurley and Council
City of Burnaby
4949 Canada Way
Burnaby, BC V5G 1M2

Dear Mayor Hurley and Council:

Re: Amending Metro Vancouver 2040: Shaping our Future to Reflect Accepted Regional Context Statements

This letter is to inform you of a proposed amendment to *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy and to invite you to provide written comments on the proposed amendments.

At its May 24, 2019 regular meeting, the Board of Directors of the Metro Vancouver Regional District (MVRD Board) adopted the following resolution:

That the MVRD Board:

- a) initiate the Metro Vancouver 2040: Shaping our Future amendment process for a Type 3 Minor Amendment to the regional growth strategy to incorporate regional land use designation changes, the expansion of the Urban Containment Boundary, and the addition of Frequent Transit Development Areas stemming from accepted regional context statements;*
- b) give first, second, and third readings to "Metro Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1285, 2019"; and*
- c) direct staff to notify affected local governments and appropriate agencies as per Section 6.4.2 of Metro Vancouver 2040: Shaping our Future.*

In accordance with Section 437 of the *Local Government Act*, and Section 6.4.2 of *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy, this letter provides the opportunity for affected local governments to comment on the proposed amendment.

The proposed *Regional Growth Strategy Amendment Bylaw No. 1285, 2019* would incorporate a number of minor *Metro 2040* regional land use designation and overlay map revisions that have previously received MVRD Board approval, including the addition of new Frequent Transit Development Areas, contained within the MVRD-Board accepted Regional Context Statements for the City of New Westminster and Village of Anmore. It would also incorporate three regional land use designation revisions made under Section 6.2.7 of *Metro 2040* (i.e. the "flexibility clause") in the City

Referred to:

Planning and Development Committee (2019.09.17)

29783620

Copied to:

City Manager, Dir. Corporate Services, Dir. Planning and Building

4730 Kingsway, Burnaby, BC, Canada V5H 1C6 | 604-432-6200 | metrovancouver.org

of Vancouver; these revisions were made to enable the provision of affordable housing and the Arbutus Greenway.


The proposed amendment is a Type 3 minor amendment that requires the adoption of an amendment bylaw with an affirmative 50%+1 weighted vote of the MVRD Board.

Please note that each part of the proposed amendment was previously considered and accepted by Metro Vancouver. A Metro Vancouver staff analysis for all of the map revisions was considered and accepted by the Metro Vancouver Board as part of each of the respective Regional Context Statement acceptance processes. Enclosed is a copy of the staff report that summarizes the proposed changes to *Metro 2040* that will result from *Regional Growth Strategy Amendment Bylaw No. 1285, 2019*.

You are invited to provide written comments on the proposed amendment to *Metro 2040*. Please provide comments in the form of a Council or Board resolution, as applicable, and submit to Chris.Plagnol@metrovancover.org by Friday, August 2, 2019.

If you have any questions with respect to the proposed amendment please contact Erin Rennie, Senior Planner, Regional Planning by phone at 778-452-2690 or by email at Erin.Rennie@metrovancover.org.

Yours sincerely,



Sav Dhaliwal
Chair, Metro Vancouver Board

SD/HM/er

Encl: Report dated April 13, 2019, titled "Amending Metro Vancouver 2040: Shaping our Future to Reflect Accepted Regional Context Statements" (Doc# 29335206)

To: Regional Planning Committee

From: Erin Rennie, Senior Planner, Regional Planning

Date: April 13, 2019 Meeting Date: May 3, 2019

Subject: **Amending Metro Vancouver 2040: Shaping our Future to Reflect Accepted Regional Context Statements**

RECOMMENDATION

That the MVRD Board:

- a) initiate the *Metro Vancouver 2040: Shaping our Future* amendment process for a Type 3 Minor Amendment to the regional growth strategy to incorporate regional land use designation changes, the expansion of the Urban Containment Boundary, and the addition of Frequent Transit Development Areas stemming from accepted regional context statements;
 - b) give first, second, and third readings to "Metro Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1285, 2019"; and
 - c) direct staff to notify affected local governments and appropriate agencies as per Section 6.4.2 of *Metro Vancouver 2040: Shaping our Future*.
-

PURPOSE

This report proposes a Type 3 minor amendment to *Metro Vancouver 2040: Shaping our Future* (*Metro 2040*) for consideration by the Regional Planning Committee and MVRD Board.

BACKGROUND

On June 23, 2017 the MVRD Board adopted *Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1246, 2017*, which incorporated amendments to *Metro 2040* associated with the acceptance of three Regional Context Statements (RCSs). Since then, the MVRD Board has accepted updated RCSs from the City of New Westminster, and the Village of Anmore that trigger a required Type 3 minor amendment to *Metro 2040*.

This report proposes a minor amendment that will amend *Metro 2040* to incorporate regional land use designation changes, the expansion of the Urban Containment Boundary, and the addition of Frequent Transit Development Areas (FTDAs) stemming from accepted RCSs, as well as mapping updates initiated by municipalities under *Metro 2040* Section 6.2.7 (known as the "flexibility clause").

THE PROPOSED AMENDMENT

Type 3 minor amendments have been used in the past as a means to amend the regional growth strategy to reflect mapping changes made through accepted regional context statements. While the amendments that are included have been approved by the MVRD Board through the RCS acceptance process over the past 2 years, the amendment bylaw is required to amend *Metro 2040* to reflect those changes.

This proposed amendment resulting from accepted regional context statements is a required administrative step, but presents no new information. All changes have already been considered by the MVRD Board through the RCS acceptance process or have been made under *Metro 2040* Section 6.2.7.

Policy Context

Section 6.2.6 of *Metro 2040* allows the MVRD Board to consider and accept RCSs that include regional land use designation revisions that the Board deems to be “generally consistent” with the *Metro 2040*. Section 6.2.7 of *Metro 2040* allows municipalities to include language in their respective RCS that permits (with limitations) amendments to the municipality’s Official Community Plan that adjust the boundaries of regional land use designations. Section 6.3.4(i) of *Metro 2040* provides that these revisions can be incorporated into the regional growth strategy by way of a Type 3 Minor Amendment. A Type 3 amendment requires the adoption of an amendment bylaw passed by an affirmative 50%+1 weighted vote of the MVRD Board, and does not require a public hearing.

Accepted Regional Context Statements 2017-2019

The updated RCSs from the Village of Anmore and City of New Westminster include revisions to regional land use designation maps, an adjustment to the Urban Containment Boundary, and the introduction of three new FTDAs.

The City of Vancouver has made minor regional land use designation changes to facilitate the provision of affordable housing and the Arbutus Greenway without updating its RCS, by invoking the flexibility provisions of Section 6.2.7 of *Metro 2040* and has advised Metro Vancouver, in writing, as set out in *Metro 2040* Section 6.2.9.

Metro Vancouver staff provided specific analysis for all of these changes as part of the respective RCSs submitted to the MVRD Board for acceptance (Table 1).

Mapping Updates to *Metro 2040*

The proposed *Metro 2040* bylaw amendment (Attachment 1) proposes: 12 regional land use designation changes (i.e. one in Village of Anmore, 6 in the City of New Westminster, and 5 in the City of Vancouver); 3 new FTDAs added in the City of New Westminster; and an Urban Containment Boundary expansion in the Village of Anmore. These changes, while already being approved by the MVRD Board, require updates to *Metro 2040* Maps 2, 4, 5, 6, 8, 9, 11, and 12. These are summarized in Table 1 below.

Table 1: Summary of Bylaw No. 1285, 2019 Metro 2040 Amendments

Municipality	Metro 2040 Amendments	MVRD Board Report Date
Village of Anmore	<ul style="list-style-type: none"> Urban Containment Boundary change Regional land use designation change (Rural to General Urban) 	Feb 13, 2019 (item 5.1)
City of New Westminster	<ul style="list-style-type: none"> 3 New FTDAs (22nd St. Stn., Sapperton Stn., Braid Stn.) 6 minor regional land use designation changes (all regional "Industrial" to "Conservation / Recreation") 	Aug 31, 2017
Municipality	Metro 2040 Amendments	Sec. 6.2.7. Notification Date
City of Vancouver	<ul style="list-style-type: none"> Two locations in the False Creek Flats and three parcels on Franklin Street amended from regional "Mixed Employment" or "Industrial" to "General Urban" to facilitate temporary modular housing Locations along the Arbutus Corridor amended from regional "Conservation and Recreation" to "General Urban" and "Mixed Employment" to facilitate the Arbutus Greenway. 	<p>False Creek Flats Letter to Metro Vancouver – Aug 10, 2017</p> <p>Franklin St Letter to Metro Vancouver - April 5, 2018</p> <p>Arbutus Corridor Letter to Metro Vancouver – March 27, 2019</p>

Processing the Type 3 Minor Amendment

The proposed amendment bylaw, along with a draft version of the staff report, was provided to the Regional Planning Advisory Committee on April 12, 2019, for information and comment as required by *GVRD Regional Growth Strategy Procedures Bylaw No. 1148, 2011*. No comments on the proposed amendment were provided.

ALTERNATIVES

- That the MVRD Board:
 - Initiate the *Metro Vancouver 2040: Shaping our Future* amendment process for a Type 3 Minor Amendment to the regional growth strategy to incorporate regional land use designation changes, the expansion of the Urban Containment Boundary, and the addition of Frequent Transit Development Areas stemming from accepted regional context statements;
 - Give first, second, and third readings to "Metro Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1285, 2019"; and
 - Direct staff to notify affected local governments and appropriate agencies as per Section 6.4.2 of *Metro Vancouver 2040: Shaping our Future*.
- That the MVRD Board receive for information the report dated March 22, 2019, titled "*Amending Metro Vancouver 2040: Shaping our Future to Reflect Accepted Regional Context Statements*" and provide alternative direction.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. If the MVRD Board chooses Alternative 1, the proposed bylaw amendment will be initiated and given first, second, and third readings, and staff will notify affected local governments and agencies to provide an opportunity to offer comment. Staff will note in the correspondence to member jurisdictions that this amendment to *Metro 2040* is an administrative step, and that all proposed amendments within the bylaw have previously been considered by the MVRD Board through the acceptance of regional context statements or have been made under the provisions Section 6.2.7 of *Metro 2040* (the “flexibility clause”).

The proposed amendment bylaw would then be brought back to the MVRD Board with any comments from the notification period for consideration of final reading. The notification period will be approximately 45 days. The amendment notice will be posted on the Metro Vancouver website.

If the MVRD Board chooses Alternative 2, the process for updating *Metro 2040* to reflect Regional Context Statements will not be initiated. The result is that accepted RCSs and *Metro 2040* will be inconsistent, which has no material effect as the accepted RCSs are legally binding. However, *Metro 2040*, as the publicly accessible and consolidated record of the accepted RCSs, would not reflect the Board’s recent decisions.

SUMMARY / CONCLUSION

Since the adoption in July 2011 of *Metro 2040*, 21 Regional Context Statements have been accepted by the MVRD Board. Since the last such amendment in July 2017, 4 updated RCSs have been accepted by the MVRD Board and 3 RCSs have been submitted for reacceptance without amendment and subsequently accepted by the MVRD Board.

The recent RCSs include revisions to the *Metro 2040*’s land use designations, the addition of three FTDA’s, and the expansion of the Urban Containment Boundary. In addition, the City of Vancouver has used the flexibility provisions of Section 6.2.7 to make minor regional land use designation changes in three areas to facilitate the provision of affordable housing and the Arbutus Greenway.

Staff recommend Alternative 1.

Attachment

Metro Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1285, 2019

References:

1. *Metro Vancouver 2040: Shaping our Future Amendment to Reflect Accepted Regional Context Statements* (Bylaw No. 1246, 2017, dated May 30, 2017)
2. *Metro Vancouver 2040: Shaping our Future Amendment to Reflect Accepted Regional Context Statements* (Bylaw No. 1223, 2015), dated June 11, 2015

29335206

**METRO VANCOUVER REGIONAL DISTRICT
BYLAW NO. 1285, 2019**

A Bylaw to Amend "Greater Vancouver Regional District Regional Growth Strategy
Bylaw Number 1136, 2010"

WHEREAS:

- A. Metro Vancouver Regional District Board (the "Board") has adopted the "Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010" on July 29, 2011;
- B. The Board has accepted a number of member municipality regional context statements that contain maps that differ from the official regional land use designation maps contained in the Regional Growth Strategy, as maintained by Metro Vancouver Regional District;
- C. The Board wishes to amend the Regional Growth Strategy official regional land use designation maps so that such maps reflect the maps included in the accepted municipal regional context statements;
- D. In accordance with Regional Growth Strategy Section 6.3.4(i), any amendment to the Regional Growth Strategy mapping that incorporates maps included in an accepted regional context statement is considered a Type 3 amendment; and
- E. Metro Vancouver Regional District wishes to amend "Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010";

NOW THEREFORE, the Board of the Metro Vancouver Regional District Board enacts as follows:

- 1. "Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010" is hereby amended as follows:
 - a) the official land use designation maps numbered 2, 3, 4, 5, 11 and 12 be revised to record the changes in regional land use designations and extension of the Urban Containment Boundary within the Village of Anmore that are set out in the following table and shown in the maps contained in Schedule "A" attached to and forming part of this Bylaw;

REF#	AREA	FROM REGIONAL LAND USE DESIGNATION	TO REGIONAL LAND USE DESIGNATION	AFFECTED LAND AREA	REGIONAL CONTEXT ACCEPTANCE DATE
1	Anmore Green Estates	Rural	General Urban	5.67 ha	Mar 29, 2019

- b) the official land use designation maps numbered 2, 4, 5, 6, 8, 9, 11 and 12 be revised to record the changes in regional land use designations within the City of New Westminster that are set out in the following table and shown in the maps contained in Schedule "B" attached to and forming part of this Bylaw;

REF#	AREA	FROM REGIONAL LAND USE DESIGNATION	TO REGIONAL LAND USE DESIGNATION	AFFECTED LAND AREA	REGIONAL CONTEXT ACCEPTANCE DATE
2	Two-piece parcel south and west of Spruce St.	Industrial	Conservation and Recreation	0.35 ha	Sept 22, 2017
3	Parcel north of Canfor Ave.	Industrial	Conservation and Recreation	1.32 ha	Sept 22, 2017
4	Parcel east of Canfor Ave.	Industrial	Conservation and Recreation	0.53 ha	Sept 22, 2017
5	Parcel immediately south of Canfor Ave.	Industrial	Conservation and Recreation	0.74 ha	Sept 22, 2017
6	Parcel to the far south of Canfor Ave.	Industrial	Conservation and Recreation	0.25 ha	Sept 22, 2017

- c) the official regional growth strategy map numbered 4 be revised to record the addition of Frequent Transit Development Areas in the City of New Westminster that are set out in the following table and shown in the map contained in Schedule "C" attached to and forming part of this Bylaw;

MUNICIPALITY	REF#	MAP ADDITIONS	REGIONAL CONTEXT ACCEPTANCE DATE
City of New Westminster	7	Addition of 22 nd Street Station FTDA	Sept 22, 2017
	8	Addition of Braid Street Skytrain FTDA	Sept 22, 2017
	9	Addition of Sapperton Skytrain FTDA	Sept 22, 2017

- d) the official land use designation maps numbered 2, 3, 4, 6, 11 and 12 be revised to record the changes in regional land use designations within the City of Vancouver that are set out in the following table and shown in the maps contained in Schedule "D" attached to and forming part of this Bylaw;

REF#	AREA	FROM REGIONAL LAND USE DESIGNATION	TO REGIONAL LAND USE DESIGNATION	AFFECTED LAND AREA	NOTIFICATION DATE
10	False Creek Flats southeast of Main St.	Mixed Employment	General Urban	0.54 ha	August 10, 2017
11	False Creek Flats south of Prior St.	Industrial	General Urban	1.0 ha	August 10, 2017
12	1115, 1131, 1141 Franklin St.	Industrial	General Urban	0.18 ha	April 5, 2018
13	Arbutus Corridor parcels south of West 1 st Ave and north of	Conservation and Recreation	General Urban	0.43 ha	March 27, 2019

	West 4 th Ave on east side of Fir St.				
14	Arbutus Corridor parcels south of West 2 nd Ave and north of West 5 th Ave, on the east side of Fir St.	Conservation and Recreation	Mixed Employment	0.21 ha	March 27, 2019

2. This bylaw shall be cited as "Metro Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1285, 2019". This bylaw may be cited as "Regional Growth Strategy Amendment Bylaw No. 1285, 2019".

Read a first time this _____ day of _____, _____

Read a second time this _____ day of _____, _____

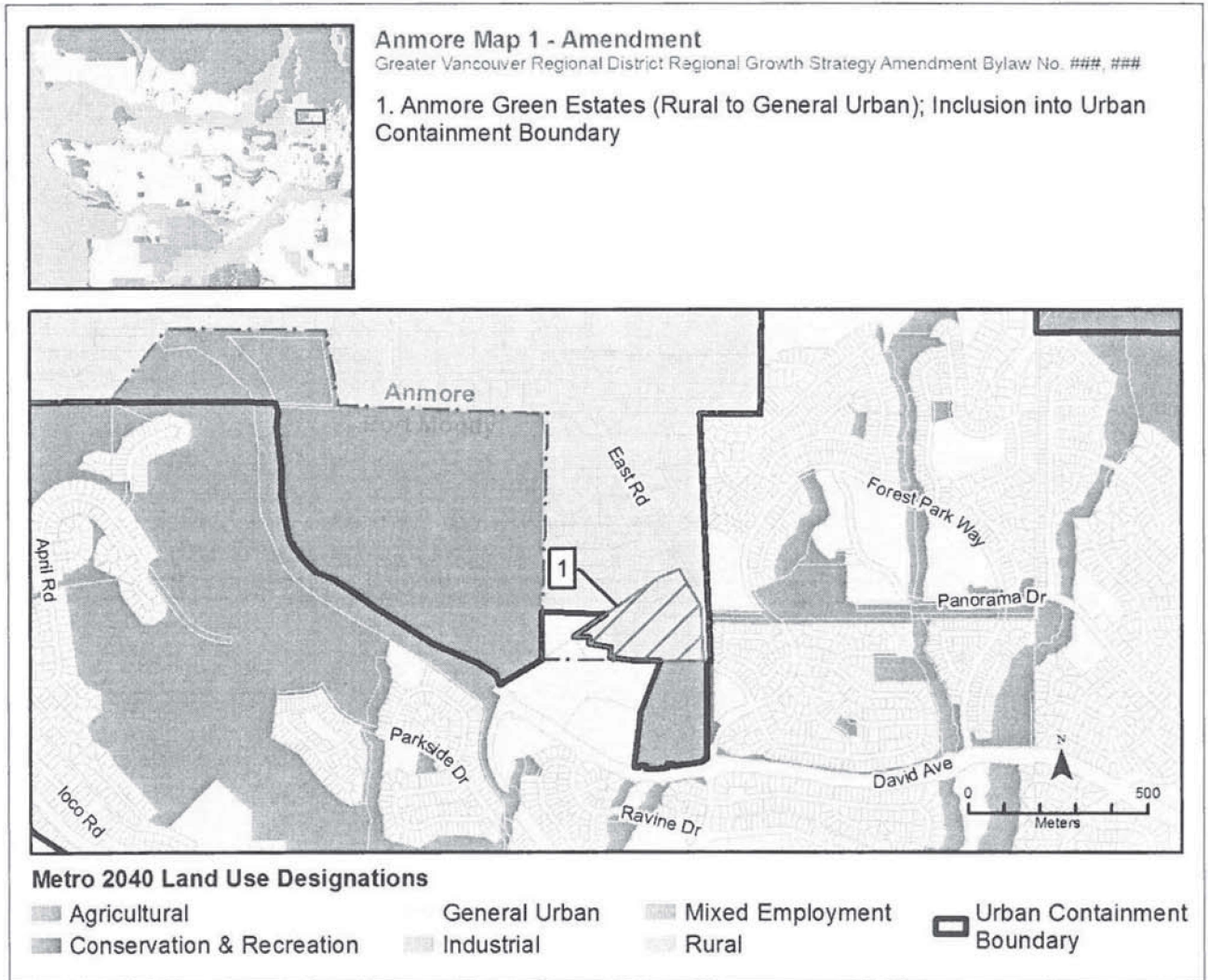
Read a third time this _____ day of _____, _____

Passed and finally adopted this _____ day of _____, _____

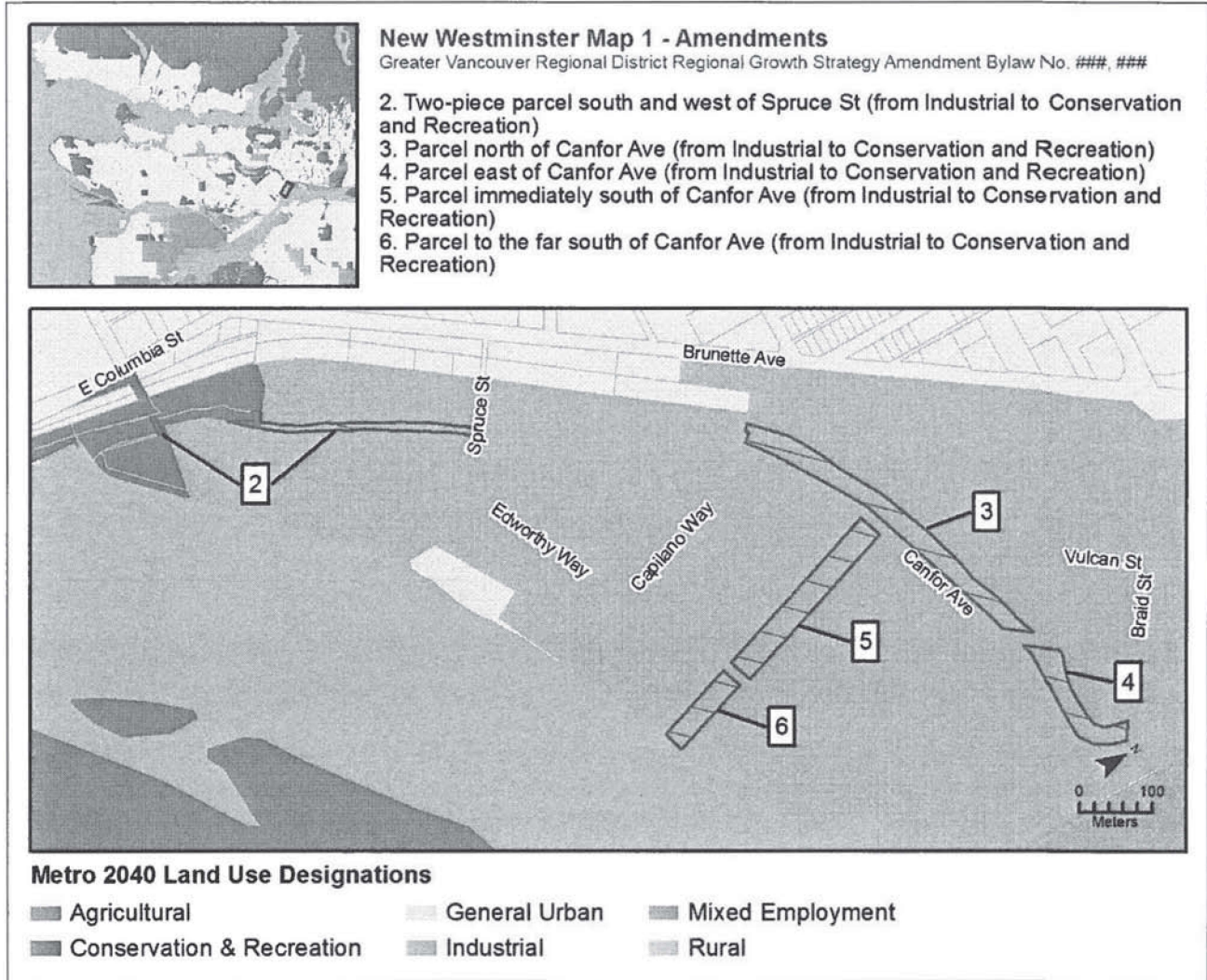
Sav Dhaliwal, Chair

Chris Plagnol, Corporate Officer

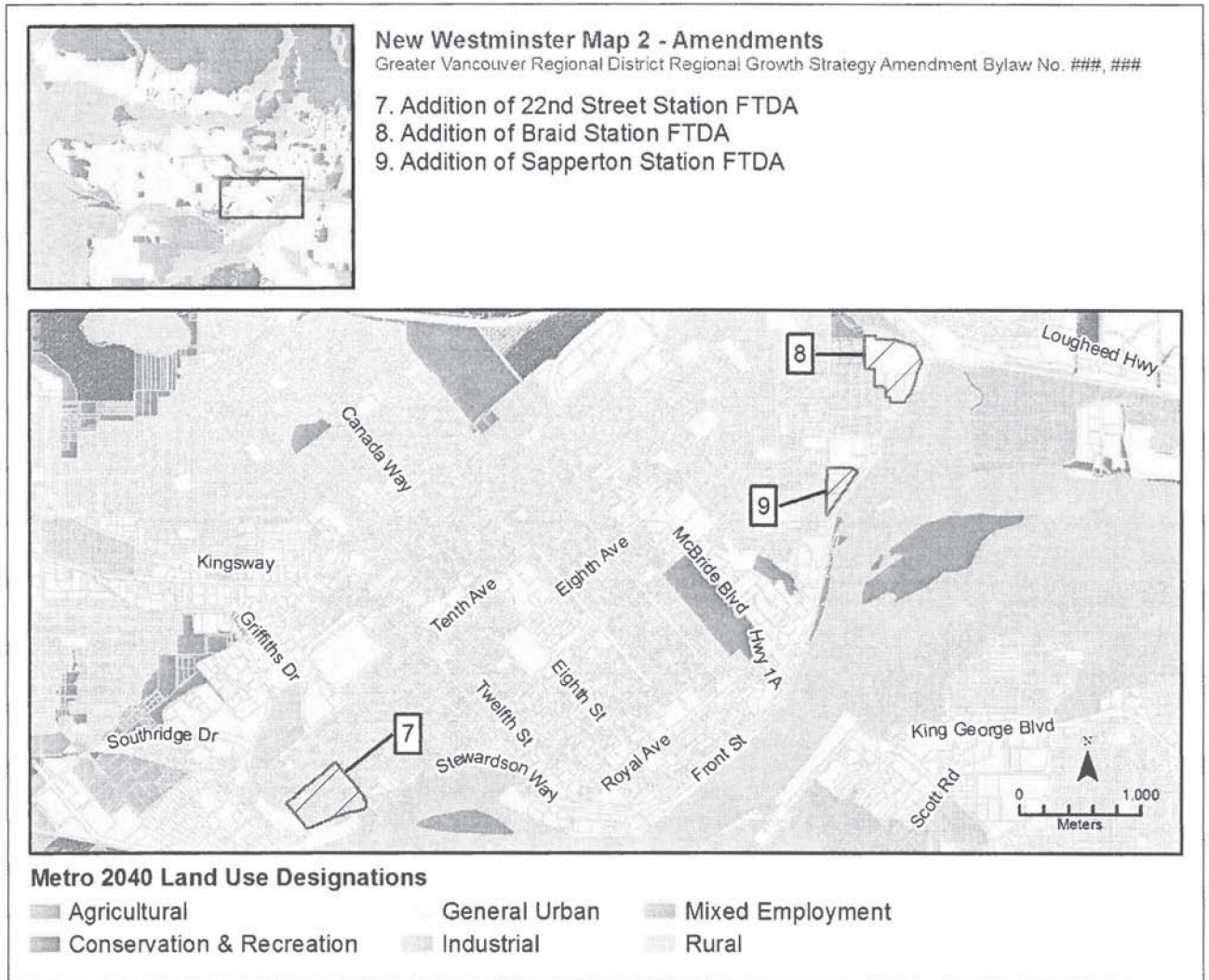
**SCHEDULE A
VILLAGE OF ANMORE AMENDMENT**



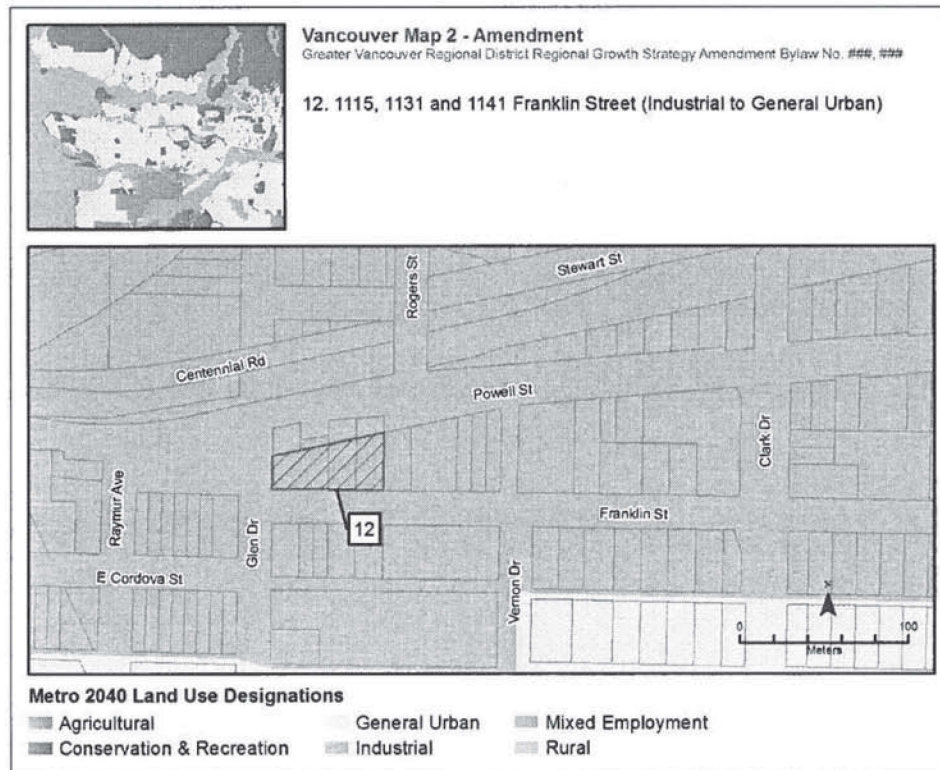
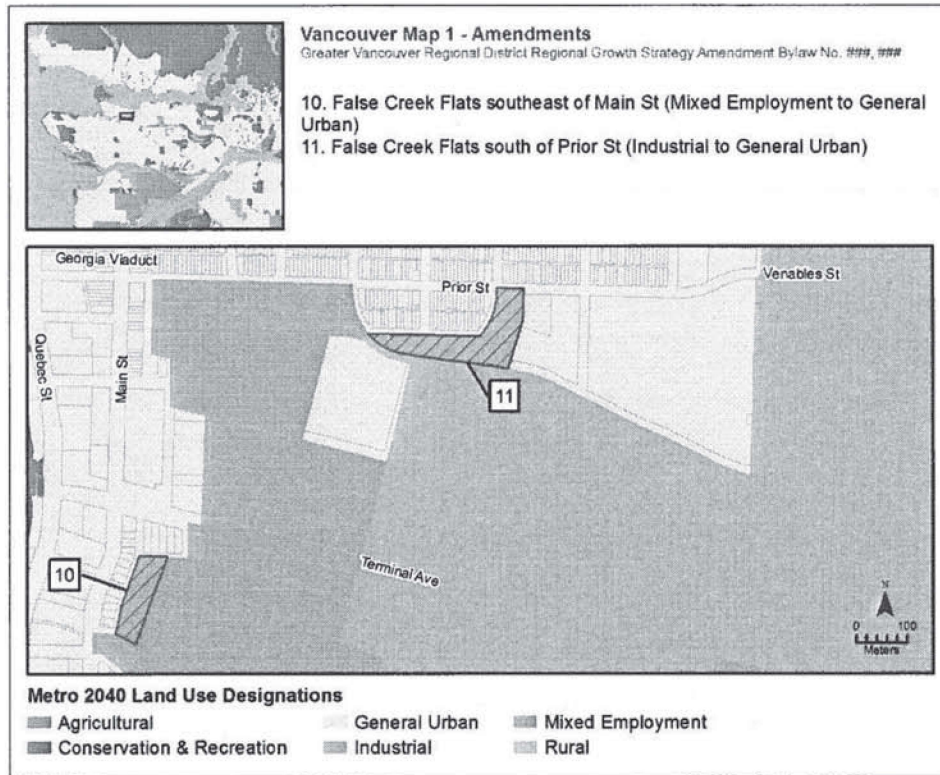
SCHEDULE B
CITY OF NEW WESTMINSTER REGIONAL LAND USE DESIGNATION AMENDMENTS



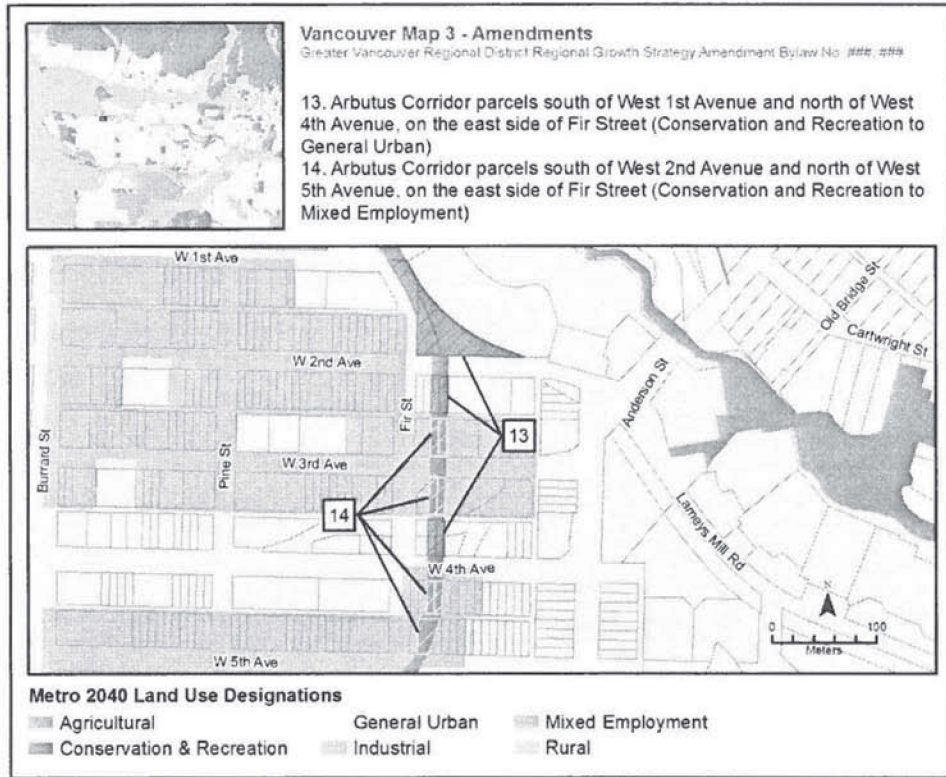
SCHEDULE C
CITY OF NEW WESTMINSTER ADDITION OF FREQUENT TRANSIT DEVELOPMENT AREAS



SCHEDULE D **CITY OF VANCOUVER REGIONAL LAND USE DESIGNATION AMENDMENTS**



SCHEDULE D (Cont'd)
CITY OF VANCOUVER REGIONAL LAND USE DESIGNATION AMENDMENTS





Office of the Chair
 Tel. 604 432-6215 Fax 604 451-6614

File: CR-12-01
 Ref: RD 2019 Apr 26

MAY 24 2019

Mayor Mike Hurley and Council
 City of Burnaby
 4949 Canada Way
 Burnaby BC V5G 1M2

Dear Mayor Hurley and Council:

Re: Transit-Oriented Affordable Housing Study Phase 2 – Key Findings

I am pleased to inform you that at the April 26, 2019 regular meeting, the Board of Directors of the Metro Vancouver Regional District (Metro Vancouver) received a report with key findings from the *Transit-Oriented Affordable Housing Study Phase 2* and adopted the following resolutions:

That the MVRD Board:

- a) *send a letter communicating the key findings from the Transit-Oriented Affordable Housing Study Phase 2 to the following parties to encourage continued efforts to support transit-oriented affordable rental housing and equitable transit-oriented communities:*
 - *the Federal Ministers of Infrastructure, and Families, Children and Social Development;*
 - *the Provincial Ministers of Municipal Affairs and Housing, Transportation and Infrastructure, and Finance, as well as the Parliamentary Secretary for TransLink;*
 - *Mayors' Council on Regional Transportation and TransLink Board of Directors; and*
 - *member jurisdiction Councils; and,*
- b) *direct staff to continue to explore options to collaborate with interested partners on a regional transit-oriented affordable rental housing fund, including identifying potential champions, and report back to the Regional Planning Committee.*

The Metro Vancouver region has a long-standing practice of integrating regional land use and transportation planning, and it is now evident that the relationship between affordable rental housing and transit location is an essential component of that integration. The *Transit-Oriented Affordable Housing Study (TOAH)* is intended to expand practitioner and decision-maker knowledge about the challenges and opportunities to increasing affordable rental housing supply in transit-oriented locations, and about the roles the public, private and non-profit sectors can play to support this critical work.

Referred to:

Planning and Development Committee (2019.09.17)

Copied to:

City Manager, Dir. Corporate Services, Dir. Planning and Building

29468750

The *TOAH Study Phase 2* extends the research findings from Phase 1, which were communicated to you in 2017, to examine specific policy and financial tools. On the policy side, Phase 2 focused on ways to address the barrier of high land cost, such as: the strategic acquisition of lands for transit construction that, post construction, could provide affordable rental housing development opportunities; making better use of under-utilized or surplus lands owned by the public sector or non-profits to support affordable rental housing development; and, the roles of housing agreements, residential rental tenure zoning, and inclusionary housing requirements.

Phase 2 also explored the potential for a regional revolving loan fund to target affordable rental housing projects in transit-oriented locations. Metro Vancouver will continue to explore options to collaborate with interested partners, including identifying potential champions.

It is our sincere hope that the *TOAH Study* provides additional guidance and inspiration to the public, private, and non-profit sectors to work together to confront one of the most challenging issues affecting our region today. We look forward to continuing to work with you on this critical issue.

Yours sincerely,

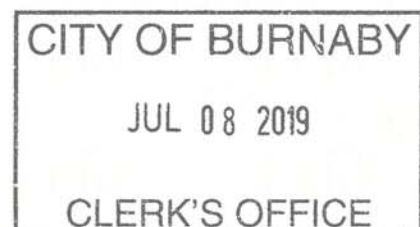


Sav Dhaliwal
Chair, Metro Vancouver Board

SD/CM/NC/rk

Encl: Report dated March 14, 2019,* titled "Transit-Oriented Affordable Housing Study Phase 2 – Key Findings" (Doc #28896875)

* Available in Clerks Office





Meeting 2019 September 17

COMMITTEE REPORT

TO: CHAIR AND MEMBERS
PLANNING AND DEVELOPMENT COMMITTEE

DATE: 2019
September 11

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 42000 20
Reference: Text Amendment

SUBJECT: PROPOSED ZONING BYLAW TEXT AMENDMENTS – 2019 SEPTEMBER

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

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 on 2019 October 29.
2. **THAT** a copy of this report be sent to the Fraser Health Authority, Licencing Office, 4946 Canada Way, Burnaby, BC V5G 4H7, and the Burnaby New Westminster YMCA Child Care Resource and Referral, 4460 Beresford Street, Burnaby, BC V5H 2Y8.
3. **THAT** a copy of this report be sent to the Environment and Social Planning Committee for their information.

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) outdoor play areas in child care establishments; 2) child care facilities in the P2 Administration and Assembly, P3 Park and Public Use, and P6 Regional Institutional Districts; 3) prohibition of certain uses on properties containing home-based child care facilities; and 4) lot area requirement for child care facilities in the P1 Neighbourhood Institutional, and P5 Community Institutional Districts.

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2.0 POLICY

The advancement of the proposed Zoning Bylaw amendment aligns with the following goals and sub-goals of the Corporate Strategic Plan:

- **A Connected Community**
 - Partnership – Work collaboratively with businesses, educational institutions, associations, other communities and governments.
- **An Inclusive Community**
 - Serve a diverse community – Ensure City services fully meet the needs of our dynamic community.
- **A Healthy Community**
 - Healthy Life – Encourage opportunities for healthy living and well being
 - Healthy Environment – Enhance our environmental health, resilience and sustainability.
- **A Dynamic Community**
 - Economic opportunity – Foster an environment that attracts new and supports existing jobs, businesses and industries.
 - City facilities and infrastructure – Build and maintain infrastructure that meets the needs of our growing community.
- **A Thriving Organization**
 - Organizational culture – Ensure that our core values are reflected in our policies, programs and service delivery.

3.0 PROPOSED BYLAW TEXT AMENDMENTS

3.1 Outdoor Play Areas in Child Care Establishments

Background

On 2019 June 25, the Planning and Development Committee (PDC) received a text amendment report proposing to restrict the location of the outdoor play areas in front and side yards. This proposal was to maintain consistent streetscapes, protect neighbouring properties' privacy, and create suitable and safe outdoor play areas, in line with the general Zoning Bylaw's requirement, which limits location of any building, structure or use in front or flanking side yards.

Following the initial review, the PDC requested staff to conduct a further review to ensure that the proposed requirement will not negatively impact the feasibility of establishing child care facilities in Burnaby.

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Issue

There is a desire to regulate the location of outdoor play areas to ensure children's safety, maintain a uniform streetscape along major streets, and to protect neighbouring properties' privacy.

Discussion

All child care and home-based child care facilities are regulated by the *Community Care and Assisted Living Act* and the accompanying *Child Care Licensing Regulation* (CCLR), which are administered by the Fraser Health Authority. The Fraser Health Community Care Facilities Licensing Program uses a provincial tool to conduct the risk assessments of facilities, including the physical facility, equipment, furnishings and outdoor play areas. The Fraser Health assessment and continuous monitoring of the facilities are to ensure children's health and safety.

While the *CCLR* regulates the outdoor play area specifications, the Zoning Bylaw may control its location on the lot in relation to the neighbouring properties and abutting streets. The Zoning Bylaw generally does not allow location of any building/structure or uses, including parking and storage areas, in the required front yards or flanking side yards. The intent of the Bylaw is to maintain a consistent buffer along the street, and to improve streetscape. However, in defining the location of outdoor play areas, health and safety of children (e.g. limiting their exposure to fumes and noise) and the quality of the outdoor play areas should be considered in addition to maintaining an improved streetscape.

According to the Zoning Bylaw, child care is permitted as home-based child care facilities in the R Residential, RM Multiple Family Residential, A Agricultural, and P11 S.F.U Neighbourhood Districts, and as child care facilities in a number of RM (RM1 - RM5), and C (C1 - C4, C8, and C9) Districts as well as in the P1 Neighbourhood Institutional, P5 Community Institutional, and P11 Districts. The *CCLR* requires a minimum of 6.0 m² (64.58 sq. ft.) per child for outdoor play areas, with the exception of Family Child Care¹, Occasional Child Care or Child-minding programs. According to the Regulation, the entire outdoor play area must be enclosed in a manner that is safe and suitable for the age and development of children.

Considering the suitability of the required setbacks for outdoor play areas in the Districts where child care is permitted, and the enclosure requirements, the following provides recommendations regarding the location of outdoor play areas in home-based child care and child care facilities. It should be noted that the focus of this review is on straight-zoned properties containing child care facilities, as the Zoning Bylaw provides flexibility for relaxation of these requirements under the CD Comprehensive Development District in circumstances where these requirements cannot be met.

¹ According to the *Child Care Licensing Regulation*, a Family Child Care is a program in which the licensee personally provides care within the licensee's personal residence, to no more than seven children.

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Child Care Facilities in Commercial Districts

According to the Zoning Bylaw, child care facilities are permitted in the C1 Neighbourhood Commercial, C2 Community Commercial, C3 General Commercial, C4 Service Commercial, C8 Urban Village Commercial (Hastings), and C9 Urban Village Commercial Districts. The required setbacks in the subject Districts are a minimum of 2.0 m (6.5 ft.) for the front yard, ranging between 0.0 to 3.0 m (9.84 ft.) for the side yard in the case of a corner lot, and zero for the side yard in the case of an interior lot.

A detailed review of the existing straight-zoned commercial properties indicates that most of these properties are located along Hastings Street, Kingsway and Lougheed Highway which are primary arterial roads, Edmonds Street and Sixth Street which are primary major collectors, and Canada Way which is a secondary arterial. These properties are either stand-alone commercial buildings, or multi-unit commercial complexes. Within these properties, the areas that are not occupied by buildings/structures are mostly utilized for parking, with the front setbacks being used for landscaping or driveway, or combination thereof.

This review indicates that 61% of the straight-zoned commercial properties have front setbacks of less than 3.0 m (9.8 ft.), and 54% have front setbacks of less than 1.0 m (3.2 ft.). These properties have limited potential to utilize the front yard as outdoor play area as they would not be able to provide adequate outdoor space, given the 6.0 m² (64.58 sq. ft.) minimum outdoor play area requirement.

The review also shows that 26% of these properties have front setbacks of more than 5.0 m (16.4 ft.). However, only 10% (approximately 54 properties) have the potential to accommodate outdoor play areas in the front yard, as the front yards are not used for parking, driveway access or maneuvering. It should be noted that the possibility of establishing child care facilities on these properties has not been determined as that would be subject to meeting other requirements of the Zoning Bylaw and the Fraser Health Authority, including but not limited to, a suitable and safe outdoor play area and parking.

The review of the straight-zoned commercial properties is indicative of the significant challenges in establishing child care facilities on these properties. For most stand-alone commercial properties, due to lot area, the existing outdoor areas are not adequate to satisfy both the outdoor play area and the parking requirements. Similarly, in the multi-unit commercial properties, despite the larger size of the lots, the existing outdoor areas are mostly utilized for parking, loading, maneuvering aisles, and garbage and recycling, which leaves limited, and in most cases no space to accommodate a safe and suitable outdoor play area.

To facilitate the establishment of commercial uses on Hastings Street (if it is located within 1 km of a City-owned and operated parking facility), and in the Metrotown, Edmonds, Lougheed, and Brentwood Town Centres, the Zoning Bylaw alternatively allows the business owner to pay cash-in-lieu for required parking spaces that are not provided on site. This option makes it feasible to establish child care facilities on the straight-zoned commercial properties on Hastings Street, and part of Edmonds Street, Kingsway and Lougheed Highway, by allowing conversion

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of a portion or all of the parking areas to outdoor play areas. Notwithstanding, given the demand for patron vehicle access to child care facilities, it is considered unlikely that child care facilities would be proposed with no on-site parking.

Considering the above mentioned challenges, and the need to create safe and suitable outdoor play areas, it is recommended that outdoor play areas not be permitted in required front or flanking side yards. This recommendation is based on the following reasons:

- Given the 6.0 m² (64.58 sq. ft.) minimum outdoor play area requirement per child, utilizing the 2.0 m (6.5 ft.) front yard, or a 3.0 m (9.84 ft.) (2.0 m [6.56 ft.] in the C8 and C9 Districts) flanking side yard does not noticeably increase the total area suitable for outdoor play area. Therefore, restricting the outdoor play areas in required front or side yards does not reduce the potential for establishing child care facilities on straight-zoned commercial properties.
- Proximity of the straight-zoned commercial properties to the primary arterial and major collectors negatively impacts quality of the outdoor play areas by exposing children to fumes and noise.
- Given the enclosure requirement of the outdoor play areas, construction of fences/walls around these areas could create an inconsistent and unpleasant streetscape along commercial main streets including Hastings Street, Kingsway, Lougheed Highway, Edmonds Street, Sixth Street, and Canada Way, if the outdoor play area is located within the front yard. Alternatively, if the outdoor play areas and the required enclosures are located beyond the front or the flanking side yards, the facilities' operators will be encouraged to landscape the yards in a manner that improves the aesthetic of the fence/wall from the street, or even from the outdoor play area, and also reduce the noise impact.

According to the Zoning Bylaw, in the Commercial Districts (C1 through C4), no side yard shall be provided with the exception of the properties abutting a lot in an A, R or RM Districts, where the side yard shall not exceed 3.0 m (9.84 ft.). The intent of the Bylaw is to reduce the noise impact, and to protect privacy of the neighbouring residential properties. Accordingly, given the inadequacy of the area of the side yard to accommodate outdoor play areas, and to limit privacy and noise impacts on neighbouring properties, it is recommended that outdoor play areas be located outside of the required side yard.

Child Care Facilities in Multiple-Family Residential Districts

Child care facilities are permitted in the RM1 through RM5 Districts, with the required front and side yard setbacks of 4.57 m (15 ft.). Most of the existing straight-zoned multiple-family residential properties contain older rental buildings with various building configurations and siting within the property, and relatively larger open areas.

A review of potential sites indicates that on most properties, the outdoor play areas can be accommodated outside of the required front and side yards. However, it is not clear if prohibition of the outdoor play area in the front or side yards would negatively impact the feasibility of

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establishing child care facilities on any straight-zoned multiple-family residential property. That said, many multi-family zoned sites are zoned CD Comprehensive Development District and would not permit child care facilities without a further rezoning.

It should be noted that due to a preference to locate outdoor play areas in the rear yards for privacy and safety purposes, location of the outdoor play areas in the front or side yards flanking a street is expected to be limited to those properties without a suitable open area beyond the required setbacks.

Considering the relatively larger front and side yards in the RM Districts, low demand to locate the outdoor play areas in the front and flanking side yards, and adjacency of the majority of these properties to local streets (less exposure to noise and fumes), it is recommended that the child care facilities' outdoor play areas be permitted anywhere on the property. This recommendation is to ensure all straight-zoned multiple-family residential properties can accommodate outdoor play areas as a requirement of establishing child care facilities.

Child Care Facilities in Institutional Districts

Child care facilities are permitted in the P1, P5, and P11 Districts. These properties, some of which contain child care facilities, observe a relatively large setback of 7.5 m (24.61) at the front (9.0 m [29.53 ft.] where it is abutting a lot in an R1 District), and 4.5 m (14.76 ft.) on the side, with the exception of the P11 District which has a larger side setback requirements of 7.5 m (24.61 ft.).

The review of the existing child care facilities in the P1 and P5 Districts indicates that these facilities are currently operating as a principal use, or accessory to places of public worship (e.g. churches) or schools. The outdoor play areas for a number of these facilities, particularly those that operate at the neighbourhood level (due to the smaller lot area), or those that are accessory to a church or school, are currently located within the front or side yards. Therefore, prohibition of outdoor play areas in the front or side yards would create a non-conforming situation regarding the siting of the outdoor play areas.

Considering the relatively larger front and side yards in the P1 and P5 Districts, adjacency of the majority of these properties to local streets, and location of a number of existing outdoor play areas within the front and side yards, it is recommended that the child care facilities' outdoor play areas be permitted anywhere on such properties. This recommendation is to ensure that all straight-zoned properties in the P1, P5 and P11 Districts can accommodate outdoor play areas as a requirement of establishing child care facilities.

Home-based Child Care Facilities

According to the Zoning Bylaw, a home-based child care facility is a community care facility for child care, located in the personal residence of the facility operator, and is permitted in the R, RM, A and P11 Districts. Subject to the CCLR, child care that is personally provided by a licensee within their personal residence can be in the form of a Family Child Care (up to a

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maximum of seven children), or an In-Home Multi-Age Child Care (up to a maximum of eight children of various ages).

Similar to child care facilities, outdoor play areas for home-based child care facilities are required to be sized 6.0 m² (64.58 sq. ft.) per child, with the exception of Family Child Cares which are only required to provide suitable and safely-constructed indoor and outdoor play areas.

In general, most single- and two-family residential properties are known for their relatively larger front yards which provide adequate separation between buildings and the street and create streetscapes that complement residential neighbourhoods. In addition, larger side yards to protect residents' privacy and limited lot coverage to provide outdoor areas are part of the residential neighbourhoods' character. The review of single- and two-family residential properties indicates that on average, 26% of the lot area beyond the front and side yards is not occupied by any buildings/structures². This area, which is mostly located at the rear of the lot, provides a safe and suitable outdoor play area, and has been utilized for this purpose in the existing facilities.

Accordingly, the availability of open spaces in the rear yard and the suitability of these spaces for outdoor play areas (from safety and privacy perspectives), and the limited number of children in care in home-based child care facilities which have smaller outdoor play areas, eliminates the need to utilize the front or side yards as outdoor play area.

Given the relatively larger front yards, low demand to locate outdoor play areas in the front or side yards, adjacency of most residential properties to local streets (less exposure to noise and fumes), it is recommended that the home-based child care facilities' outdoor play areas be permitted anywhere on the property. This recommendation is to ensure that all residential properties, including irregular lots and lots with siting restrictions can accommodate outdoor play areas as a requirement of establishing child care facilities.

Other Related Amendments

Section 6.14(5)(a) of the Zoning Bylaw requires that fences or walls located within the front yard shall not be greater than 1.07 m (3.51 ft.) in height. Should Council adopt the proposed bylaw to allow location of outdoor play areas within the front yards in the R, RM, A, and P Districts, fences or walls enclosing outdoor play areas will need to be exempted from this section of the Bylaw. Staff will bring forward for Council's consideration guidelines which will define the required fence height enclosing the outdoor play areas in future. In the interim, the required fence height will continue to be subject to the CCLR requirement that the entire outdoor play area be enclosed in a manner that is suitable for the age and development of the children using it.

The Zoning Bylaw requires that in Commercial Districts, all businesses and undertakings shall be conducted within an enclosed building, with the exception of uses that should be located in the open, such as parking and loading areas. Therefore, it is recommended that outdoor play

² It should be noted that this review does not include irregular-shaped lots and lots with siting restrictions.

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areas be exempted from the enclosure requirement of the Bylaw in the Districts where child care facilities are permitted.

In addition, Section 6.15(1)(c) of the Zoning Bylaw requires that in all zoning districts where the side line of a lot abuts a lot in an A, R, or RM Districts, or is separated by a street or lane therefrom, all those portions of a required side yard not used for permitted parking shall be fully landscaped. Should Council adopt the proposed bylaw, outdoor play areas will be permitted within side yards in the R, RM, and P Districts, where child care establishments are permitted. Considering that design of outdoor play areas is under the authority of Fraser Health, and may not necessarily include landscape features, it is recommended that the outdoor play areas be exempted from this section of the Bylaw.

Recommended Bylaw Amendments

1. **THAT** the definition of “Outdoor Play Area” be added to Section 3 (Definition) of the Zoning Bylaw with wording the same or similar to the following:

“OUTDOOR PLAY AREA” means an outdoor open area designated for physical activity of children in a child care facility or a home-based child care facility, in accordance with the Community Care and Assisted Living Act and the Child Care Licensing Regulation, as amended or replaced from time to time.

2. **THAT** Section 6.2 of the Zoning Bylaw be amended by adding the bolded text in the heading as follows:

6.2 Location and Siting of Buildings and Uses:

3. **THAT** Section 6.2(4) be added to the Zoning Bylaw with wording the same or similar to the following:

(4) No outdoor play area shall be located in any required front or side yard in the C1, C2, C3, C4, C8, and C9 Districts.

4. **THAT** Section 6.14(5)(a) be repealed and replaced with wording the same or similar to the following:

(a) In all zoning districts, except for screening required under this Bylaw, and fences enclosing an outdoor play area, fences not greater than 1.07 m (3.51 ft.) in height may be located anywhere on a lot.

5. **THAT** Section 6.15(1)(c) of the Zoning Bylaw be amended by adding the bolded text as follows:

(c) In all zoning districts where the side line of a lot abuts a lot in an A, R or RM District, or is separated by a street or lane therefrom, all those portions of a required side yard

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not used for permitted parking or outdoor play area, shall be fully and suitably landscaped and properly maintained.

6. **THAT** Sections 301.2(1)(f), 302.2(1)(g), 303.2(1)(g), 304.2(1)(g) be added to the Zoning Bylaw with wording the same or similar to the following:

outdoor play areas.

7. **THAT** Section 308.3(1) of the Zoning Bylaw be amended by adding the bolded text as follows:

*(1) Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities, produce and garden displays, outdoor restaurant seating, **outdoor play areas**, and mobile retail carts.*

8. **THAT** Section 309.3(1) of the Zoning Bylaw be amended by adding the bolded text as follows:

*(1) Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities, produce and garden displays, **outdoor play areas**, and outdoor restaurant seating.*

3.2 Child care facilities in the P2 Administration and Assembly, P3 Park and Public Use, and P6 Regional Institutional Districts

Issue

There is a need to facilitate the establishment of child care facilities as a principal use in the P2, P3, and P6 Districts.

Discussion

The availability of quality child care meets an important community need and contributes to the social and economic well-being of Burnaby. According to the vision statement of Burnaby's Child Care Policy, the City is committed to work towards improving 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, the Burnaby Zoning Bylaw, community plans, and other City regulations.

Child care facilities are currently permitted in a number of RM and C districts, in addition to the P1, P5 and P11 Districts. Allowing child care facilities in additional P Districts can increase the potential to provide child care spaces in Burnaby. The P Districts which provide for the accommodation of cultural, recreational and institutional uses, such as schools and community centres, should also accommodate child care facilities as a supportive service. In doing so, child

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care facilities can operate in conjunction with the institutional/educational uses, and both uses would benefit from this collaboration.

In 2014, the City of Burnaby and the Burnaby School District signed a Child Care Facilities Memorandum of Agreement to provide up to 12 child care centres on school sites throughout the City. In addition, on 2019 April 29, Council adopted a motion to authorize staff to explore the desirability and feasibility of including child care facilities in the building program for future community centres.

Many school sites and community centres are zoned P2 Administrative and Assembly, or P3 Park and Public Use Districts, which currently do not permit child care facilities as a principal use. Currently, in the absence of the Zoning Bylaw provisions to allow child care facilities as an outright permitted use in the P2 and P3 Districts, these facilities are permitted as an accessory use, or through a rezoning process. In order to facilitate the establishment of child care facilities as a principal use without rezoning, it is recommended that child care facilities be permitted as an outright permitted use in the P2 and P3 Districts.

A majority of the P3-zoned properties are owned by the City and are provided for public uses such as cultural and recreational facilities, public parks, public libraries, and public playgrounds. To ensure these properties will continue to be used for public purposes following construction of child care facilities, it is recommended that the child care facilities located on P3-zoned properties which are owned, leased or controlled by the City, be operated by, or on behalf of the City.

The P6 Regional Institutional District provides for the accommodation of large scale public institutional uses at a municipal, metropolitan or regional level. These uses which include major educational institutions such as colleges, universities, and technical schools, create a demand for easily accessible child care facilities. Therefore, it is recommended that child care facilities be permitted as an outright permitted use in the P6 District to facilitate the establishment of these facilities as a principal use.

Recommended Bylaw Amendments

9. **THAT** Sections 502.1(19), 503.1(12), and 506.1(9) be added to the Zoning Bylaw with wording the same or similar to the following:

Child care facilities.

10. **THAT** Sections 503.2(3) be added to the Zoning Bylaw with wording the same or similar to the following:

(3) *A child care facility shall be operated by the City, or on behalf of the City, where it is located on lands that are owned, leased or controlled by the City.*

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3.3 Prohibition of certain uses on properties containing home-based child care facilities

Issue

The Zoning Bylaw does not limit the number of principal and accessory uses which can occur on a property. The co-location of multiple accessory home occupations with on-site client services, or uses which provide housing or care services to the clients in a dwelling may intensify the use of residential properties and trigger parking and traffic concerns.

Discussion

The Zoning Bylaw defines home occupation as an occupation or profession that is incidental to the residential use of a lot occupied by a dwelling. The home occupation may include an office or studio, the keeping of two boarders or lodgers, and home-based child care facilities. The Bylaw does not limit the number of home occupations on a property provided that no person who is not a resident in the dwelling shall be employed in such occupation, with the exception of one non-resident employee in home-based child care facilities.

Among the various home occupations, some are associated with “on-site client services” which requires the presence of clients in the dwelling to receive services, such as home-based child care facilities and the keeping of boarders and lodgers. Given that a combination of a number of home occupations with on-site client services could intensify the use of residential properties and create traffic and parking issues, it is recommended that home occupations with on-site client services be prohibited on a property containing a home-based child care facility.

Similarly, it is recommended that other outright permitted uses that provide housing for the clients for overnight accommodation, or medical or assisted living care, be prohibited in a dwelling containing home-based child care facilities. These uses include boarding, lodging and rooming houses; group homes; private hospitals; and supportive housing facilities.

This recommendation is consistent with the intent of the Zoning Bylaw, which restricts the keeping of boarders or lodgers, the operation of home-based child care facilities, group homes, and similar uses where a single family dwelling contains a secondary suite. The purpose of the Bylaw is to protect the residential character of the neighbourhoods, and to eliminate potential parking and traffic concerns as a result of non-residential use of the property.

Recommended Bylaw Amendments

11. THAT Section 6.8A(4) be added to the Zoning Bylaw with wording the same or similar to the following:

- (4) In a dwelling that contains a home-based child care facility, the following uses shall not be permitted:*
 - (a) keeping of boarders or lodgers;*

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- (b) a boarding, lodging and rooming house;
- (c) a group home;
- (d) a private hospital;
- (e) a supportive housing facility; and,
- (f) any home occupation that includes on-site client services.

3.4 Lot area requirement for child care facilities in the P1 Neighbourhood Institutional, and P5 Community Institutional Districts.

Issue

There is a need to remove the Zoning Bylaw provisions which require an additional lot area for child care facilities exceeding 20 children in the P1 and P5 Districts, in order to facilitate the establishment of these facilities.

Discussion

Child care facilities are permitted in the P1 and P5 Districts subject to a minimum lot area of 890.0 m² (9,580.19 sq. ft.), and an additional lot area of 19.0 m² (204.52 sq. ft.) per child for facilities exceeding 20 children in care. The requirement for additional lot area which was originally introduced to the Bylaw in 1965 for “kindergarten³” uses was to ensure sufficient indoor and outdoor areas are provided in facilities with higher numbers of children in care. It should be noted that the provision of additional lot area is not required for child care facilities permitted in any other district, such as the RM and C Districts.

According to the *CCLR*, child care facilities’ licensees must provide a minimum of 3.7 m² (39.83 sq. ft.) of usable indoor floor area per child, not including the areas provided for hallways, storage, bathrooms, and appliances. In addition, a minimum of 6.0 m² (64.58 sq. ft.) per child must be provided for outdoor play area in child care facilities. However, the provided outdoor play areas are permitted to be less than what is required, given the potential aggregate use of these areas. Accordingly, the additional 19.0 m² (204.52 sq. ft.) lot area requirement of the Zoning Bylaw seems to be excessive compared to the *CCLR* requirements, and this can negatively impact the possibility of establishing or expanding child care facilities, given the size of the lot.

Considering that the *CCLR* regulates child care facilities’ minimum required indoor and outdoor areas, it is recommended that the additional lot area requirement for child care facilities exceeding 20 children in care be removed, in order to eliminate the lot area barrier for the establishment or expansion of child care facilities, and to be consistent with child care facilities’ requirements in other districts.

³ In 1996, a Zoning Bylaw amendment was adopted to replace the term “kindergarten” with “child care facility”.

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Recommended Bylaw Amendments

12. THAT Section 501.4 of the Zoning Bylaw be amended with wording the same or similar to the following:

Each lot shall have an area of not less than 890 m² (9,579.9 sq. ft.) and a width of not less than 24.5 m (80.38 ft.).

13. THAT Section 505.4(1)(b) of the Zoning Bylaw be repealed.

4.0 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 3.0 of this report, for advancement to a Public Hearing on 2019 October 29.



E. W. Kozak, Director
PLANNING AND BUILDING

PS:sa

cc: City Manager
City Clerk
City Solicitor
Director Corporate Services
Director Parks, Recreation and Cultural Services
Fire Chief
Chief Licence Inspector
Chief Building Inspector

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