



Item.....
Meeting..... 2019 March 11

COUNCIL REPORT

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**TO:** CITY MANAGER **DATE:** 2019 March 05

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 42000 20  
*Reference: Bylaw Text Amendment*

**SUBJECT: PROPOSED ZONING BYLAW TEXT AMENDMENT –  
TEMPORARY SHELTERS**

**PURPOSE:** To propose a text amendment to the Burnaby Zoning Bylaw to accommodate temporary shelters in various Zoning Districts throughout the City.

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**RECOMMENDATION:**

1. **THAT** Council authorize the preparation of a bylaw amending the Burnaby Zoning Bylaw, as outlined in Section 3.3 of this report, to First Reading on 2019 March 11 and to a Public Hearing on 2019 March 26 at 6:00 pm.

**REPORT**

**1.0 BACKGROUND INFORMATION**

This text amendment report arises from Council’s motion of 2018 November 26 to enhance Burnaby’s response to homelessness.

Housing is a basic need that is essential to the health, well-being and prosperity of Burnaby’s citizens. The provision of a range of housing options across the housing continuum is critical to meeting this basic need, including citizens that are at risk or are experiencing homelessness. The City has a comprehensive policy framework for the development of supportive, non-market, rental and market housing, and continues to develop new policies, initiatives and programs to enhance these components of the housing continuum. This report focuses on temporary shelters, a key component of the housing continuum for responding to homelessness.

Temporary shelters may be developed under CD Comprehensive Development District zoning, as well as accommodated on lands zoned for Public and Institutional Use Districts. The purpose of this report is to broaden the opportunities to accommodate temporary shelters within Burnaby by providing the necessary zoning and regulations.

**2.0 POLICY**

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

- **An Inclusive Community**
  - Serve a Diverse Community – Ensure City services fully meet the needs of our dynamic community
  - Create a Sense of Community – Provide opportunities that encourage and welcome all community members and create a sense of belonging
  
- **A Healthy Community**
  - Healthy Life – Encourage opportunities for healthy living and well being
  - Healthy Environment – Enhance our environmental health, resilience and sustainability

### **3.0 PROPOSED BYLAW TEXT AMENDMENT**

#### **Issue**

Currently, the Burnaby Zoning Bylaw does not have specific provisions for temporary shelters that provide accommodations for individuals who are experiencing or at risk of homelessness.

#### **Discussion**

##### ***3.1 Definition of a Temporary Shelter***

A temporary shelter is generally defined as a place providing accommodation and protection from weather or danger, overnight or for a greater duration of time, to individuals who are experiencing or at risk of homelessness. Such shelters can provide for a range of facilities and services including washroom facilities, beds, laundry, healthcare, food, counselling, and social support services. Facilities can include a kitchen area, common social area (indoor and outdoor), offices and other ancillary spaces, such as storage (users and staff). Temporary shelters may operate seasonally, during extreme weather events, emergency situations or year-round.

Temporary shelters differ from a dwelling unit or supportive housing facility in that such shelters do not provide permanent dwellings or living units.

It is therefore proposed that the Zoning Bylaw provide clarity to the meaning of a temporary shelter by defining it with words similar or the same as follows:

**“TEMPORARY SHELTER”** means a building providing temporary accommodation and protection from weather or danger, overnight or for a greater duration, for individuals who are experiencing or at risk of homelessness.

##### ***3.2 Temporary Shelter as a Permitted Land Use***

In addition to the above, to expand the development opportunities for temporary shelters, it is proposed that it be a permitted use in the following zoning districts: RM Multiple-Family Districts, C1, C2, C3, C4, C5, C8 and C9 Commercial Districts, and M1, M2, M3, M4, M5, M6,

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M8, B1 and B2 Industrial Districts. While temporary shelters are already permitted in the Public and Institutional Districts (P), it is proposed that the Zoning Bylaw be also amended to specifically list temporary shelters as a permitted use in the P1, P2, P3, P5, P6, P7 and P8 Districts.

It is acknowledged that temporary shelters may not necessarily be compatible with all uses within the above noted Districts. Based on staff review, it is proposed that *Section 6 Supplementary Regulations* of the Zoning Bylaw also be amended to establish the following requirements for temporary shelters to mitigate any potential land use conflicts:

- Temporary shelters, except those within the P District must be located on land owned, leased or otherwise controlled by the City and be operated by the City or by a government body or non-profit society; and,
- Temporary shelters must be located within a building.

It is noted that lands within the P District, if not City-owned, are institutional in nature and operated by an institution or government agency, including but not limited to places of public worship and health centres and clinics. Many of these community-based or service-based institutions provide services to the Burnaby community, which are recognized as a positive social benefit.

It is also proposed that Section 800.4 of Schedule VIII Off-Street Parking be amended to provide off-street parking for temporary shelters based on a parking ratio of one parking space per staff member.

Preliminary Plan Approval and Building Permit will be required for temporary shelters to ensure that the proposed use in the permitted districts is in conformance with zoning, compatible with adjacent land uses and meets life-safety requirements of the BC Building Code.

### 3.3 *Bylaw Amendments*

#### **Recommended Bylaw Amendments**

1. **THAT** Section 3.0 of the Zoning Bylaw be amended to add a definition for “Temporary Shelter” with wording the same or similar to the following:

“**TEMPORARY SHELTER**” means a building providing temporary accommodation and protection from weather or danger, overnight or for a greater duration, for individuals who are experiencing or at risk of homelessness.

2. **THAT** Sections 201.1, 202.1, 203.1, 204.1, 205.1, 206.2, 207.2, 301.1, 302.1, 303.1, 304.1, 305.1, 308.2, 309.2, 401.1, 402.1, 403.1, 404.1, 405.1, 406.1, 408.1, 451.1, 452.1, 501.1, 502.1, 503.1, 505.1, 506.1, 507.1, and 508.1 be amended by adding “Temporary Shelters”.

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3. THAT Section 6.25 be added to the Zoning Bylaw with wording the same or similar to the following:

**6.25 Temporary Shelters:**

(1) Temporary shelters shall be:

- (a) located entirely within a building; and,
- (b) except within the P District, located on land owned, leased or controlled by the City and operated by the City or by a government body or non-profit service provider.

4. THAT Section 800.4 of *Schedule VIII Off-Street Parking* of the Zoning Bylaw be amended by adding the following as a subsection with wording the same or similar to the following:

(38) Temporary Shelters. 1 for each staff member.

**4.0 CONCLUSION**

As part of Burnaby’s response to homelessness, temporary shelters are identified as an important part of the housing continuum. The proposed Zoning Bylaw text amendment proposes to expand the development opportunities for temporary shelters in multiple-family, commercial, industrial, and institutional zoning districts that meet the criteria outlined in Section 3.0 of this report.

It is recommended that Council authorize the preparation of a bylaw amending the Burnaby Zoning Bylaw, as outlined in Section 3.3 of this report, to First Reading on 2019 March 11 and to a Public Hearing on 2019 March 26 at 6:00 pm.

  
Lou Pelletier, Director  
PLANNING AND BUILDING

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cc: Director Public Safety and Community Services  
Director Corporate Services  
Director Engineering  
OIC, RCMP Burnaby Detachment  
Chief Building Inspector  
Chief Licence Inspector  
City Solicitor  
City Clerk