

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **PROPOSED ZONING BYLAW AMENDMENT – GROUP HOME DEFINITION**
PURPOSE: To seek Council approval to amend the Burnaby Zoning Bylaw to update the definition of group home, in alignment with current legislation.

RECOMMENDATION

THAT the proposed amendment to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.0 of the report titled “Proposed Zoning Bylaw Amendment - Group Home Definition” dated December 16, 2024, be approved;

THAT the City Solicitor be authorized to bring forward amendments to *Burnaby Zoning Bylaw, 1965*, substantially as set out in **Attachment 1** of the report; and

THAT a Public Hearing not be held for the proposed amendments to *Burnaby Zoning Bylaw, 1965* as described in the report, as they are consistent with the Burnaby Official Community Plan.

1.0 POLICY SECTION

The proposed amendments to the Zoning Bylaw align with the following policies:

- Corporate Strategic Plan (2022);
- Burnaby Official Community Plan (1998);
- Burnaby Social Sustainability Strategy (2011);
- Burnaby Housing and Homeless Strategy (2021).

2.0 BACKGROUND

As part of the ongoing review of the Zoning Bylaw, which typically takes place in the context of development enquiries and discussions regarding the intent of the Zoning Bylaw, text amendments are brought forward time to time. Text amendment reports are submitted in order to clarify the intent of the regulations and to respond to changes in related City policy and legislation as well as changes in forms of development, land uses and social trends.

This report presents a Zoning Bylaw amendment regarding the definition of “group home” that will better align it with current legislative requirements and the development permissions of the new R1 District.

3.0 GENERAL INFORMATION

The proposed text amendment is summarized below and detailed in **Attachment 1**.

3.1 Definition of “Group Home” An amendment to the definition for “group home” is proposed to better reflect guidance for the siting, development, and operation of small, regulated care homes accommodating between three to ten residents in a primary dwelling unit, with a maximum of 20 care residents on a single lot.

The Zoning Bylaw’s current definition for “group home” references an outdated version and requirements of the *Community Care and Assisted Living Act* (“the Act”). Following adoption of the current definition of “group home”, the Act has since been amended to differentiate between residential categories with different levels of care and introduced a registration process that is not captured by the City’s current definition. The housing types addressed by the Act currently include facilities that provide care and supervision to three or more persons, either as:

- Residential Care Facilities, which provide a higher level of care, are regulated under the provincial Residential Care Regulation, and must be *licensed* under the Act.
- Assisted Living Residences, which provide a lower level of care, are regulated under the provincial Assisted Living Regulation, and must be *registered* under the Act.

Group homes may fall under either category depending on the level of care provided; however, the City’s current definition only captures licensed operations, not registered, and so the proposed amendments seek to capture both.

Additionally, under the current Zoning Bylaw, the definition requires group homes to operate within a private single-family dwelling on a residential lot. The proposed amendment better reflects the contemporary design and siting needs within the R1 district. The proposed definition allows for group homes, with a limit of 3 to 10 care residents per primary dwelling unit, with up to a maximum of 20 care residents on a single lot, that includes group home as a permitted use (currently limited to the R1 district). For example, a group home will be permitted in a single family dwelling, duplex, rowhouse, triplex, fourplex, or townhouse, where there are no other uses on the lot (e.g. if there are two or more dwelling units on a lot, all units must be used as a group home).

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

At the December 11, 2023 Open meeting, Council directed staff to include a recommendation to not hold a Public Hearing for rezoning applications or Zoning Bylaw text amendments that are consistent with the Burnaby Official Community Plan (as authorized by section 464 of the *Local Government Act*). The proposed text amendment to the Zoning Bylaw is consistent with the Official Community Plan policies on residential (Section 4.0) social planning (Section 11), and community services and facilities (Section 13.0). As the text amendment is consistent with the Official Community

Plan and other City policies, it is recommended that a Public Hearing not be held for this proposed amendment to the Zoning Bylaw.

The proposed text amendment was partly informed by ongoing applicant feedback and will be revisited as necessary as part of the Zoning Bylaw Rewrite project.

Public notice in respect to the text amendment will be completed prior to bringing the amendment bylaw forward for First and Second Reading, in accordance with section 467 of the *Local Government Act* and the Burnaby Public Notice Bylaw. A public notice will be published on the City’s website and as part of the City’s online newsletter, in accordance with the Burnaby Public Notice Bylaw.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations related to the proposed Zoning Bylaw text amendment.

Respectfully submitted,

E. W. Kozak, General Manager Planning and Development

ATTACHMENT

Attachment 1 – Proposed Zoning Bylaw Text Amendment

REPORT CONTRIBUTORS

This report was prepared by Reyhan Cuming, Planning Analyst, and reviewed by Andrew Macaulay, Planner; Carl Isaak, Director Neighbourhood Planning and Urban Design; May Leung, City Solicitor; and Jesse Dill, Director Development.