

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **PROPOSED ZONING BYLAW AMENDMENTS – EMERGENCY SHELTERS**
PURPOSE: To propose amendments to the Burnaby Zoning Bylaw to the definition of temporary shelter.

RECOMMENDATION

THAT the proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.0 of the report titled “Proposed Zoning Bylaw Amendments – Emergency Shelters” dated February 25, 2025, 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* 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 City policies:

- Interim Burnaby Housing Needs Report (2024);
- Mayor’s Task Force on Unsheltered Community Members (2024);
- Corporate Strategic Plan (2022);
- HOME: Burnaby’s Housing and Homelessness Strategy (2021);
- Community Safety Plan (2020);
- City’s Equity Policy (2020);
- Mayor’s Task Force on Community Housing (2019); and
- Social Sustainability Strategy (2011).

2.0 BACKGROUND

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.

In November 2018, Council put forward a notice of motion to enhance Burnaby’s response to homelessness. As a response to Council’s motion, the Zoning Bylaw was amended in 2019 to add a new definition for “temporary shelter” and to add new supplementary regulations related to temporary shelters. Prior to then, temporary shelters could be developed only under CD Comprehensive Development District zoning and on lands zoned for Public and Institutional Use Districts.

On June 24, 2024, Council endorsed the recommendations in the Mayor’s Task Force on Unsheltered Community Members Final Report. One of the recommendations included:

“Developing a shelter strategy for the City of Burnaby (Recommendation #1)”.

The HOME Strategy also includes an action to:

“Work with BC Housing, Fraser Health, and community partners to open a facility to replace the temporary Douglas Shelter (Action 14.2)”.

The purpose of this report is to respond to the above directives, by proposing amendments to the City’s existing definition of “temporary shelter” to provide clarity on the nature of the facility, to better align with the definition of other government bodies, and to continue supporting emergency services. The proposed amendments also aim to facilitate additional opportunities for establishing shelters within Burnaby.

3.0 GENERAL INFORMATION

The proposed Zoning Bylaw amendments are summarized below and detailed in **Attachment 1**.

3.1 Current Zoning Bylaw Definition and Supplementary Regulations

The Zoning Bylaw was amended in 2019 to add a new definition for “temporary shelter” and to add new supplementary regulations related to temporary shelters:

Definition

“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 homelessness or at risk of homelessness.

Supplementary Regulations

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.

Temporary shelters are currently a permitted use in all RM Districts, C1 to C5 and C8 and C9 Districts, M1 to M6 and M8 Districts, B1 and B2 Districts, and P1 to P3 and P5 to P8, and P11r and P11e/r Districts.

3.2 Proposed Text Amendments

Definition

The term “temporary shelter” could be interpreted to mean that the use is temporary in nature such that the facility would close permanently after a period of time. To provide clarity, it is proposed then that the term “temporary shelter” be replaced with the term “emergency shelter” to avoid the perception that shelters are temporary in nature as well as to align with the term used by BC Housing for different funding programs.

In addition, it is proposed that specific reference to individuals who are experiencing homelessness or at risk of homelessness be removed from the definition. The intent of removing this reference is to expand the use to a wider range of individuals, including during emergency situations such as fires, earthquakes, and similar disasters, in addition to those experiencing homelessness or being at risk of homelessness.

It is proposed that the definition of “temporary shelter” in the Zoning Bylaw be replaced with the following:

- “Emergency Shelter” means a building providing temporary accommodation and protection from weather or danger, overnight or for a greater duration.

Supplementary Regulations

The Zoning Bylaw currently restricts emergency shelters to being located on land that is owned, leased or controlled by the City, with the exception of land in the Public and Institutional (P) Districts. The following amendment is proposed in order to expand the opportunity for emergency shelters, by permitting them not only on land owned, leased, or controlled by the City, but also by another government body:

6.25 Emergency Shelters:

- (1) Emergency 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 or a government body, and operated by the City or by a government body or non-profit service provider.

This proposed amendment would permit agencies such as BC Housing to own, lease, or control land to be used for emergency shelters. Emergency shelters would continue to be required to be operated by the City or by a government body or non-profit service provider.

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 amendments to the Zoning Bylaw are 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 amendments are consistent with the Official Community Plan and other City policies, it is recommended that a Public Hearing not be held for these proposed amendments to the Zoning Bylaw.

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

5.0 FINANCIAL CONSIDERATIONS

There are no direct financial considerations related to the proposed Zoning Bylaw amendments.

Respectfully submitted,

E. W. Kozak, General Manager Planning and Development

ATTACHMENTS

Attachment 1 – Proposed Bylaw Amendments

REPORT CONTRIBUTORS

This report was prepared by Cody Bator, Planning Analyst, and reviewed by Jennifer Wong, Assistant City Solicitor and Carl Isaak, Director Neighbourhood Planning and Urban Design.