

ITEM	13
MANAGER'S REPORT NO.	52
COUNCIL MEETING	1978 07 17

Re: ZONING REGULATIONS: OUTDOOR GARDEN SHOPS  
PERIOD OPEN DURING THE YEAR  
COUNCIL INQUIRIES - 1978 JANUARY 30 AND 1978 JULY 04

The following is the report of the Director of Planning dated 1978 July 07 regarding the above, the contents of which are self-explanatory.

RECOMMENDATION:

1. THAT no changes be made in the present 6 month limit in any year specified for outdoor garden shops in the C1, C2 and C3 Districts in the Burnaby Zoning By-law.

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Planning Department  
1978 July 07

TO: MUNICIPAL MANAGER  
FROM: DIRECTOR OF PLANNING  
RE: ZONING REGULATIONS: OUTDOOR GARDEN SHOPS

A. BACKGROUND

At the Council meeting on 1978 January 30, the rationale behind the stipulation that outdoor garden shops are permitted for not more than 6 months in any year in the C1 (Neighbourhood), C2 (Community) and C3 (General) Commercial Districts was questioned and a review of the matter was requested. The resulting report was received by the Council on 1978 May 08.

Arising out of Council's discussion of that report, the following motion was adopted:

"THAT this matter be referred to the Director of Planning for a report on the advisability of amending the Burnaby Zoning By-law to allow the operation of outdoor garden shops in the C1, C2 and C3 Zoning categories on a year around basis."

Subsequently, at the Council meeting of 1978 July 04 a report was requested on permitting outdoor garden shops to remain open for 8 months, rather than the present 6 month period in any year as stipulated in the C1, C2 and C3 District categories.

In the report which follows, the matter of the time limit for the operation of outdoor garden shops will be examined.

B. PAST HISTORY

Prior to 1966, outdoor garden shops were not included among the uses permitted in the C1, C2 and C3 Districts. It was considered that this activity, which could be operated on a full time basis, was covered by "Commercial nurseries and greenhouses, including related retail outlets" in the C4 District.

However, following a request to operate an outdoor garden shop on a seasonal basis in a C3 District, consideration was given to the possibility of broadening the Zoning By-law to include this type of use in zones other than the C4 District.

An amending by-law (#4946) was passed by the Council on 1966 May 24 which added outdoor garden shops to the C1, C2 and C3 Districts on a seasonal basis (for not more than 6 months in any year). An outdoor garden shop is currently defined as an open area used for the display and retail sale of bedding plants, flowers, nursery stock or christmas trees.

Subsequently, the Council, on 1978 July 04 received a report dealing with the implications of the proposed amendment to add seasonal fresh fruit and vegetables to the items which can be sold from an outdoor garden shop. At that time, the Council gave three readings to the proposed amendment of the definition of outdoor garden shop in the Zoning By-law.

C. GENERAL CONSIDERATIONS

Outdoor garden shops are presently permitted on a permanent year around basis in the C4 District. This particular category is described in the Zoning By-law as providing for the accommodation of vehicular oriented commercial uses of low intensity, and for commercial uses requiring large areas for storage and the handling of materials, goods and equipment. The C4 District is an auto-oriented, low intensity, type of zone that provides the accessibility and exposure to the public which are felt to be desirable for an outdoor garden shop business.

The C1, C2 and C3 Districts are primarily intended for the accommodation of pedestrian oriented shopping facilities in concentrated centres. The intensity of development is quite high (i.e. no front yard setbacks with the store fronts abutting the sidewalk in the C2 and C3 Zones). An outdoor garden shop operates primarily as an accessory use in these districts (i.e. as part of a department store development such as Simpsons-Sears or in conjunction with a large supermarket). On this basis, an outdoor garden shop would provide a convenience to the shopper. Since these outlets are dealing with seasonal goods - periods of longer than 6 months in any year are not considered necessary to their operation.

Outdoor garden shops, if permitted to locate for lengthy periods in C1, C2 and C3 Districts, could, with a minimum of improvement to the site, operate in direct competition with established businesses which occupy permanent buildings and pay considerably higher taxes to the municipality. Such competition could possibly force some retail establishments out of business. The probable results are store vacancies and a general downgrading of certain business districts. The temporary structures generally associated with outdoor garden shops would, if permitted year round, become permanent. These would be incompatible with most neighbouring uses and could have a blighting effect on the area in which they are located.

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The quality of development which characterize outdoor garden shops (i. e. temporary structures, stalls, etc.) is not in keeping with that normally associated with the C1, C2 and C3 District categories (i. e. office buildings, retail stores, banks, restaurants, etc.). On the other hand, an outdoor garden shop as a permanent or semi-permanent activity would not be out of place in a C4 Zone which allows for such uses as car sales lots, drive-in businesses, delivery and express facilities, laboratories and trade contractors.

D. RECOMMENDATION

It is recommended

THAT no changes be made in the present 6 month limit in any year specified for outdoor garden shops in the C1, C2 and C3 Districts in the Burnaby Zoning By-law.

  
A. L. Parr  
DIRECTOR OF PLANNING

RBC/hf

c. c. - Chief Licence Inspector  
Chief Public Health Inspector  
Assistant Director - Long Range  
Planning and Research