

ITEM	15
MANAGER'S REPORT NO.	61
COUNCIL MEETING	93/10/12

TO: CITY MANAGER 1993 OCTOBER 07

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **BYLAW NO. 9632**  
**HASTINGS STREET AREA PLAN**

PURPOSE: To inform Council about Bylaw No. 9632 to create four new zoning districts: RM6, RM7, C8 and C8a.

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**RECOMMENDATION:**

1. THAT the subject bylaw be advanced to a Public Hearing on 1993 October 26.

**REPORT**

**1.0 BACKGROUND**

Appearing elsewhere on tonight's agenda for First Reading is Bylaw No. 9632 creating four new zoning districts, RM6, RM7, C8 and C8a for the Hastings Street Area in line with the adopted Hastings Street Area Plan.

The RM6 zone allows for family oriented two and a half storey townhouses to be built on specific infill lots at a scale in keeping with adjoining R5 Residential District dwellings in terms of their height, massing and front and side yard setbacks. The RM7 permits three and a half storey townhouses and is proposed for use under Comprehensive Development zoning at locations identified in the Hastings Street Area Plan. The C8 and C8a encourage small scale mixed commercial and residential uses with an emphasis on pedestrian friendly ground floor businesses.

Each of these land use designations in the Hastings Street Area Plan was developed after extensive public participation and a close analysis of local conditions and needs under the auspices of the Hastings Street Advisory Committee. As a result, on 1991 June 03, Council adopted the Hastings Street Area Plan. One of the recommendations arising from this Plan was that staff be authorized to implement the preparation of detailed new zoning regulations to replace the existing C3, C4, C6b and R5 zoned areas recommended for change in the Plan (see attached sketch).

ITEM	15
MANAGER'S REPORT NO.	61
COUNCIL MEETING	93/10/12

Staff subsequently have discussed the proposals extensively with Councillor Redman who originally chaired the Hastings Street Advisory Committee and have worked with the City Solicitor to develop the proposed regulations. These are now ready for consideration by Council.

In the meanwhile, applicants for rezonings in the Hastings Street Area have been proceeding on the basis of the zoning guidelines expressed in the Area Plan and draft regulations using CD Comprehensive Development District zoning. Through these rezonings it has, therefore, been possible to achieve street and lane improvements, tree preservation, acoustic mitigation and promote this area's unique "village" character. Overall, working with these rezoning applicants has offered some practical insights that facilitated fine tuning many aspects of the proposed bylaw.

## 2.0 DISCUSSION

Based on a thorough review of the Hastings Street Area Plan, its application through the recent rezoning applications and discussions with the Chair of the Hastings Street Advisory Committee, staff have prepared the proposed Bylaw No. 9632 (copy attached for reference). The Bylaw incorporates necessary adjustments to implement and clarify the original guidelines.

The two townhouse zones appear as separate districts for clarity since they differ in a number of aspects while, in contrast, the two commercial districts only differ in the range of uses allowed in the core and non-core areas, thus making an "a" designation feasible. The Plan defines the core as being the north and south sides of Hastings Street between Madison Avenue and McDonald Avenue and the non-core as both sides of Hastings Street between Boundary Road and MacDonal Avenue and between Madison Avenue and Willingdon Avenue as well as the lot on the southeast corner of Albert Street and Gilmore Avenue.

The following explanatory comments on aspects of the bylaw amendments refer to the respective sections in Bylaw No. 9632:

Section 206.3                      Bylaw distinguishes maximum building height for two and a half storey townhouses by roof types, sloping or flat, to reflect recent Bylaw revisions to the measurement of similarly scaled single and two family dwellings.

Section 206.4, 207.4 & 308.5      Bylaw states the minimum lot area to clarify numerically the Plan's reference to the "typical small size lot in the

ITEM	15
MANAGER'S REPORT NO.	61
COUNCIL MEETING	93/10/12

- Section 206.5                      Bylaw states the maximum number of dwelling units for each 20.12 (66 ft.) front lot line as four, to ensure that they meet the intent of the Plan for two and a half storey townhouses, to provide family style and sized accommodation in a manner resembling a single family dwelling.
- Section 206.6                      Bylaw allows an outright F.A.R. of 0.7 for the two and a half storey townhouses to ensure their scale is in keeping with adjacent R5 single and double family dwellings with above grade parking. This clarifies the Plan which initially provides for "an outright permitted floor area ratio of 0.9" and then for "a maximum floor area of 0.9." This suggests that, in keeping with other sections of the Bylaw, that the maximum F.A.R. be set at 0.7 with no underground parking and 0.9 with underground parking.
- Section 206.10                      Bylaw defines the maximum depth of the principal building for the two and a half storey townhouses to reflect recent Bylaw revisions to the measurement of similarly scaled single and two family dwellings.
- Section 206.13, 308.2 (11) (b) & 308.10                      Schedule VIII of this Bylaw, which concerns parking, is also being amended for RM6 townhouses and C8 and C8a apartments to allow, as indicated in the Plan, only one parking space per unit with no visitor parking.
- Section 308.2 (1),(2) & (8)                      Bylaw clarifies that these uses are to be on a second storey or above, except for a narrow ground storey entrance.
- Section 308.2 (3) & 308.3 (1)                      Bylaw elaborates on Plan's notation to indicate that open outdoor seating is an appropriate use to be encouraged.
- Section 308.2 (11) (b)                      Bylaw specifies each apartment unit is to have a balcony to ensure some useful outdoor space is available to each unit despite the lack of landscaped yards.

ITEM	15
MANAGER'S REPORT NO.	61
COUNCIL MEETING	93/10/12

- Section 308.3 Bylaw brings together conditions of use discussed in the Plan and elaborates upon them to give a clear framework.
- Section 308.3 (5) Bylaw provides for public pedestrian walkways, considered in the Plan as vital to the area's "urban village" concept. For clarity, the necessity of illumination and the maximum width and the priority of a centre block location are noted.
- Section 308.3 (6) Bylaw specifies that only half the depth of the walkway may be covered with upper storeys to ensure some natural lighting and ventilation.
- Section 308.3 (7) Bylaw requires such a recycling area in keeping with standards for other new multiple family projects.
- Section 308.4 (2) Bylaw clarifies that balconies are allowed within the 45° angle of incline for the third and fourth storeys.
- Section 308.7 Bylaw elaborates where rain protection canopies may be located to facilitate their provision and stresses that parking is not permitted in the front yards to avoid weakening the retail continuity of the streetscape stressed in the Plan.
- Section 308.9 Bylaw slightly enlarges maximum frontage width to account fully for typical lot widths in the area.
- Parking Schedules: Consequential changes will include provision for owners to provide for their commercial parking by contributing \$10,000 per parking space for City-run parking facilities located within a kilometre.

CITY MANAGER  
BYLAW NO. 9632  
HASTINGS STREET AREA PLAN  
1993 OCTOBER 07 ...PAGE 5

ITEM	15
MANAGER'S REPORT NO.	61
COUNCIL MEETING	93/10/12

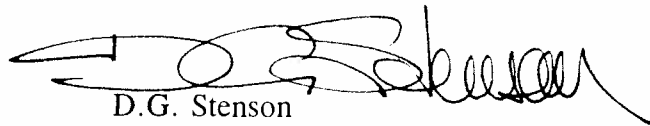
### 3.0 PROCESS

The creation of the new zones for Hastings is occurring in two stages. In this first stage, the text amendment, Bylaw No. 9632, creates the new zones. The second stage will involve an area rezoning of the lots designated for two and a half storey townhouses (RM6) and for the four storey commercial uses (C8 and C8a) in accordance with the adopted Plan. This will involve another Public Hearing for which all affected and adjacent property owners will be notified directly by mail. The sites for three and a half storey townhouses, as more complex developments, will continue to be rezoned with specific applications using the CD Comprehensive Development District.

In the meanwhile, Bylaw 9632 is being advanced for First Reading on 1993 October 12 with a Public Hearing proposed to be held on 1993 October 26. The Public Hearing for this text amendment will be advertised in the local newspapers.

It is hoped these explanatory notes will be helpful in considering advancement of this Bylaw, to implement the adopted Hastings Street Area Plan.

This is for the information of Council.



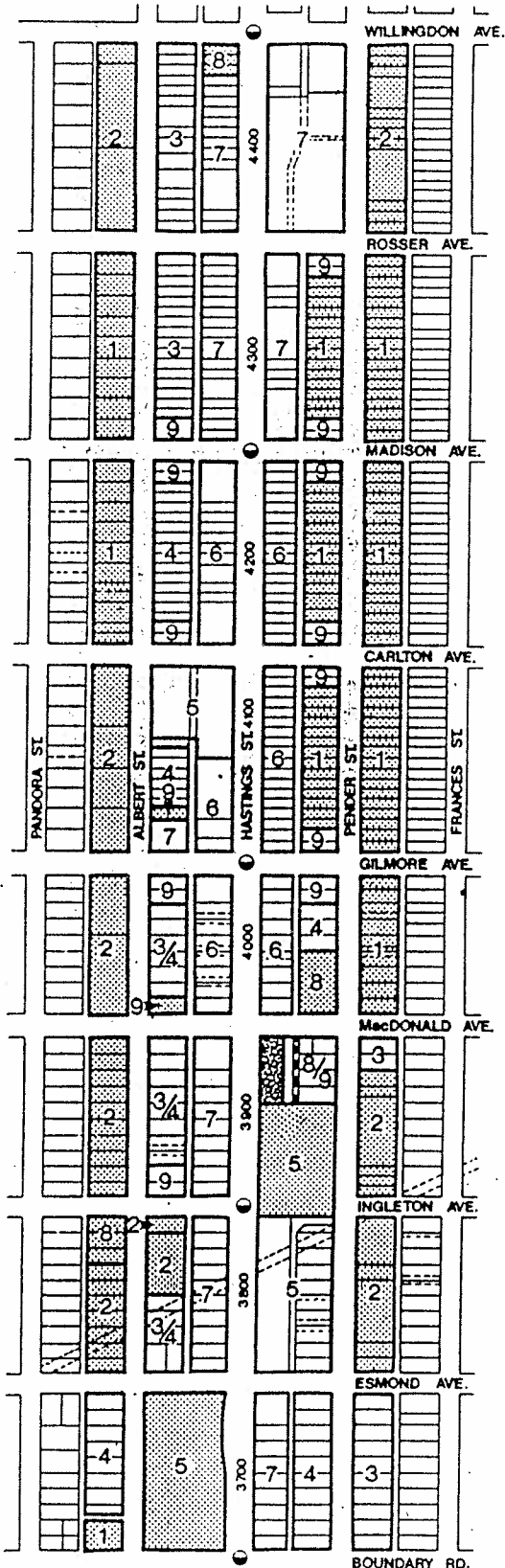
D.G. Stenson  
Director  
Planning and Building

FA:yg  
Attach.

cc: City Solicitor  
Director Engineering  
Director Administrative & Community Services  
Chief Environmental Health Inspector  
Tax & Licence Director  
Chief Building Inspector

**COMMUNITY PLANS**

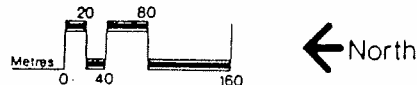
ITEM 15  
 MANAGER'S REPORT NO. 61  
 COUNCIL MEETING 93/10/12



**Hastings Street Area Plan (Adopted)**

- Legend:**
- 1 ▶ Single and Two Family Dwellings (Retained)
  - 2 ▶ Low Rise Multi Family Residential
  - 3 ▶ Single, Two Family Or 2 1/2 Storey Townhousing
  - 4 ▶ 3 1/2 Storey Townhousing
  - 5 ▶ Comprehensive Development (CD)
  - 6 ▶ Core Commercial (4 Storey Mixed Use)
  - 7 ▶ Non-Core Commercial (4 Storey Mixed Use)
  - 8 ▶ Institutional
  - 9 ▶ Parking
  - ▨ ▶ Park
  - ▤ ▶ Existing
  - ▶ Existing Traffic Signal

Updated to 1992 December



**Community Plan Three**

CITY OF BURNABY

BYLAW NO. 9632

A BYLAW to create zoning districts  
RM6, RM7, C8a and C8b

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 38, 1991.

2. Section 5.1 of Burnaby Zoning Bylaw 1965 is amended by adding the following zoning districts to Schedules II and III:

"Schedule No.	District Title	Short Designation
II	Hastings Village Multiple Family Residential	RM6
	Hastings Village Multiple Family Residential	RM7
III	Hastings Village Commercial	C8, C8a

3. Section 6.4(1) of the said Bylaw is repealed and the following substituted therefor:

"(1) In the R1, R2, R3, R4, R5, R9, R10 and RM6 Districts, the height of a principal building shall be measured from the lower of the front average elevation or the rear average elevation to the highest point of the structure, subject to the applicable exceptions on subsection (3).

4. Schedule No. II of the said Bylaw is amended by adding thereto, after Multiple Family Residential District (RM5), the following:

"206 HASTINGS VILLAGE MULTIPLE FAMILY RESIDENTIAL (RM6)

This District provides for the development of 2 1/2 storey ground-oriented townhouses in the Hastings Street Area designed primarily for families.

206.1 Location:

RM6 Zoning Districts are limited to the locations designated for 2 1/2 storey townhouses in the Hastings Street Area Plan adopted by Council June 3, 1991.

206.2 Uses Permitted:

- (1) Townhouse dwellings.
- (2) Single-family dwellings or two-family dwellings subject to the regulations of the R5 District.
- (3) Accessory buildings and uses.

206.3 Height of Buildings:

A building shall not exceed 2 1/2 storeys and a height of

- (a) 9.0 m (29.5 feet), if it has a sloping roof, or
- (b) 7.4 m (24.3 feet), if it has a flat roof.

206.4 Lot Area and Width:

Each lot in an RM6 District shall have an area of not less than 620 m<sup>2</sup> (6,673.84 sq.ft.) and a width of not less than 20 m (65.61 feet).

206.5 Maximum Number of Dwelling Units:

The maximum number of dwelling units on a lot shall be four where the lot width does not exceed the required minimum.



206.6 Floor Area Ratio:

The maximum floor area ratio shall be 0.7.

206.7 Front Yard:

Each lot shall have a front yard of not less than 6.0 m (19.69 feet) in depth.

206.8 Side Yard:

Each lot shall have a side yard on each side of the building of not less than 1.22 m (4.00 feet) in width except that a corner lot shall have a side yard abutting the street of not less than 1.83 m (6.0 feet).

206.9 Rear Yard:

- (1) Each lot shall have a rear yard of not less than 10.5 m (34.45 feet) in depth.
- (2) Accessory buildings shall be located in accordance with Section 6.

206.10 Depth of Building:

The depth of a building shall not exceed the lesser of:

- (a) 50 percent of the lot depth, or
- (b) 18.3 m (60.0 feet).

206.11 Width of Building:

The width of the building shall at no point exceed 17.0 m (55.77 feet).

206.12 Building Entrances:

Each dwelling unit shall have a separate ground-oriented entrance.

206.13 Off Street Parking:

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw and shall be accessed from the lane.

207 HASTINGS VILLAGE MULTIPLE FAMILY RESIDENTIAL (RM7)

This District provides for the development of 3 1/2 storey ground-oriented townhouses in the Hastings Street Area.

207.1 Location:

RM7 Zoning Districts are limited to the locations designated for 3 1/2 storey townhouses in the Hastings Street Area Plan adopted by Council June 3, 1991.

207.2 Uses Permitted:

- (1) Townhouse dwellings.
- (2) Accessory buildings and uses.

207.3 Height of Buildings:

A building shall not exceed 3 1/2 storeys and a height of 12.0 m (39.37 feet).

207.4 Lot Area and Width:

Each lot shall have an area of not less than 1,240 m<sup>2</sup> (13,347.69 sq.ft.) and a width of not less than 40.23 m (131.99 feet).

206.5 Floor Area Ratio:

Each lot shall have a maximum floor area ratio of 0.9 except where underground parking is provided an amount may be added to the floor area ratio equal to 0.20 multiplied by the ratio of the underground parking spaces provided to the total parking spaces provided; but in no case shall the floor area ratio exceed 1.1.

206.6 Front Yard:

Each lot shall have a front yard of not less than 7.5 m (24.61 feet) in depth.

206.7 Side Yard:

Each lot shall have a side yard on each side of the building of not less than 6.0 m (19.69 feet) in width.

206.8 Rear Yard:

Each lot shall have a rear yard of not less than 9.0 m (29.53 feet) in depth.

206.9 Width of Building:

The width of the building shall at no point exceed 50.0 m (164.04 feet).

206.10 Building Entrances:

Each dwelling unit shall have a separate ground-oriented entrance.

206.11 Off Street Parking:

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw and shall be accessed from the lane.

5. Schedule No. IV of the said Bylaw is amended by adding thereto, after Drive-In Restaurant District (C7), the following:

308 HASTINGS VILLAGE COMMERCIAL DISTRICT (C8)

This District provides for a wide range of commercial and retail establishments with medium density multiple family dwellings located above the business premises.

308.1 Location:

- (1) C8 lots are intended as the core commercial district designated in the Hastings Street Area Plan adopted by Council June 3, 1991.
- (2) C8a lots are intended as the non-core commercial district designated in the Hastings Street Area Plan adopted by Council June 3, 1991.

308.2 Uses Permitted:

- (1) Banks on the second storey or above and subject to the restriction that the first storey entrance of a bank shall not exceed 4.5 m (14.76 feet).

- (2) Business and professional offices, subject to the restriction that in a C8 district they may only be on the second storey or above and the first storey entrance of a building or portion of a building used as a business or professional office shall not exceed 3.0 m (9.84 feet).
- (3) Cafes and restaurants, which may have an area available for open outdoor seating, excluding drive-in restaurants.
- (4) Clubs and lodges, on second storey or above and subject to the restriction that the first storey entrance to the club or lodge shall not exceed 3.0 m (9.84 feet).
- (5) Commercial schools, on second storey or above and subject to the restriction that the first storey entrance of the commercial school shall not exceed 3.0 m (9.84 feet)..
- (6) Health service centres, reducing salons and steam baths, subject to the restriction in C8 districts that such uses must be on second storey or above and the first storey entrance to the health service centre, reducing salon or steam bath shall not exceed 3.0 m (9.84 feet).
- (7) Personal service establishments including barber shops, beauty parlours, dry cleaning establishments (for the collection and delivery of articles but not for the treatment, cleaning or processing of such articles), dry cleaning shops (automatic self-service only), electrical appliance repair shops, florist shops, laundrettes, optical or watch repair shops, outdoor garden shops (for not more than six months in any year), photographic studios, shoe repair shops, tailor shops, dressmaking shops and similar establishments.
- (8) Public assembly and entertainment uses, on second storey or above, and subject to the restriction that the first storey entrance to a public assembly or entertainment use shall not exceed 3.0 m (9.84 feet).
- (9) Retail stores that sell new or used goods.
- (10) Studios on second storey or above and subject to the restriction that the first storey entrance to a studio shall not exceed 3.0 m (9.84 feet).

- (11) Dwelling units, on second storey or above, subject to the following conditions:
  - (a) that the first storey frontage of the building to a minimum depth of 10.0 m (32.80 feet) shall be used for commercial purposes;
  - (b) each dwelling unit shall have a balcony and 1.0 on-site parking space which is located in such a way that utilization of any secondary access of the commercial premises is not impaired;
  - (c) that a completely separate public entrance to the residential accommodation shall be provided from the first storey front elevation, except that on a corner lot access may be from the first storey side street elevation and that where a public pedestrian walkway exists, access may be from the first storey walkway elevation;
  - (d) that a storey containing dwelling units shall have no other uses on that storey except parking.
- (12) Accessory buildings and uses.
- (13) Neighbourhood public houses on second storey or above located on sites without residential use subject to the restriction that the first storey entrance to a public house shall not exceed 7.5 m (24.60 feet) and to the conditions set out in section 303.1 (22) (a) of this Bylaw.
- (14) On C8a lots only, establishments having not more than 140 m<sup>2</sup> (1,506.99 sq.ft.) in gross floor area that provide photocopying and duplicating services.
- (15) On C8a lots only, retail sale of new furniture.

308.3 Conditions of Use:

- (1) Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities, produce and garden displays and outdoor restaurant seating.
- (2) All goods produced on the premises shall be sold at retail on the same premises.

- (3) Residential uses shall be permitted on the second, third and fourth storeys.
- (4) All principal uses shall be oriented to pedestrian needs and be so located and designated as to avoid vehicular interference with pedestrian movement.
- (5) A lighted public pedestrian walkway on a registered statutory right of way that links Hastings Street with the parallel lane and is at least 1.0 m (3.28 feet) wide shall be provided unless a walkway or an intersecting street exists within 45.72 m (150.0 feet) of the centre of the lot.
- (6) Floor areas developed above a pedestrian walkway shall not exceed in depth one-half the depth of the building.
- (7) Where a building contains more than four dwelling units, a compact, central and covered recycling area shall be provided.

308.4 Height of Buildings:

- (1) The height of a building shall not exceed 16.0 m (52.5 feet) nor four storeys.
- (2) Storeys above the second shall be set back so that the structure above the second storey, except for any balcony, is contained within a building envelope defined by a 45° inclined plane extending from the required front yard and passing through the second floor ceiling at the point nearest the front of the property.

308.5 Lot Area and Width:

Each lot shall have an area of not less than 312.0 m<sup>2</sup> (3,358.45 sq.ft.) and width of not less than 10.06 m (33.0 feet).

308.6 Floor Area Ratio:

- (1) The floor area ratio shall in no case exceed 2.0 except, where underground parking is provided, an amount may be added to the floor area ratio equal to 1.0 multiplied by the ratio of parking spaces provided

in the underground parking to the total parking spaces provided, but in no case shall the floor area ratio exceed 3.0

- (2) The area of a pedestrian walkway and the area of any floors located over the walkway shall be excluded from the gross floor area for the purpose of computing floor area ratio and parking space requirements in this District.

308.7 Front Yard:

A front yard shall be provided of not less than 2.0 m (6.57 feet) in depth. Notwithstanding section 6.12(1)(d), rain protection canopies may be provided up to 2.0 m (6.57 feet) in depth within this required front yard but no parking shall be permitted above the surface of the finished grade in a front yard.

308.8 Rear Yard:

A rear yard shall be provided of not less than 6.0 m (19.69 feet) in depth.

308.9 Frontage:

- (1) On C8 lots, the maximum first storey building frontage occupied by an individual user shall be 15.24 m (50.0 feet).
- (2) On C8a lots, the maximum first storey building frontage occupied by an individual user shall be 20.12 m (66.01 feet).

308.10 Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw; and no parking shall be permitted in side yards.

308.11 Off-Street Loading:

Off-street loading shall be provided and maintained in accordance with Schedule IX of this Bylaw.

6. Item (2) of Section 800.4 of Schedule VIII is amended by adding to the Schedule of Required Off-Street Parking Spaces, immediately after paragraph (a), the following:

USE	REQUIRED PARKING SPACES
"(a.1) Townhouses in RM6 Districts	1.0 for each dwelling unit
(a.2) Apartments in C8 and C8a Districts	1.0 for each dwelling unit"

7. Section 800.4 of Schedule VIII of the said Bylaw is further amended by adding thereto the following:

USE	REQUIRED PARKING SPACES
"(34) Non-residential uses in C8 and C8a Districts.	Where the use is located within 1 km of an off-street parking facility owned and operated by the City, the owner may elect to pay \$10,000 for each required parking space not provided."

Read a first time this	day of	199
Read a second time this	day of	199
Read a third time this	day of	199
Reconsidered and adopted this	day of	199

MAYOR

CLERK