

TO: CITY MANAGER 1995 OCTOBER 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: RECREATIONAL USES IN INDUSTRIAL ZONING DISTRICTS

PURPOSE: To propose amendments to the Burnaby Zoning Bylaw to permit recreational uses in industrial zoning districts and Self-Improvement Schools in the C4 District.

RECOMMENDATIONS:

1. **THAT** Council authorize the City Solicitor to prepare a bylaw amending the Burnaby Zoning Bylaw to permit recreational uses in industrial zoning districts on a limited basis, and Self-Improvement Schools, including self-defence training, in the C4 District as described in this report.
2. **THAT** a copy of this report be sent to Mr. Russell Pierce, 220 East 27th Street, North Vancouver, B.C., V7N 1B6.

R E P O R T

1.0 BACKGROUND INFORMATION:

- 1.1 On 1995 July 24, Council received a delegation from Mr. Russell Pierce regarding the establishment of a gymnastics training centre in Burnaby. Mr. Pierce had previously been informed by staff that the proposed use falls within the category of public assembly and entertainment uses, including gymnasiums, which are permitted in the C3 General Commercial District and the C4 Service Commercial District. Mr. Pierce advised Council that due to the large space requirements of a gymnastics training centre, including a high ceiling, commercial zoned space is not available and industrial buildings are needed for this use.
- 1.2 On 1995 August 14, Council received a report providing a general policy direction for considering permitting recreational uses in the industrial districts. The report stated that staff concur with Mr. Pierce that it is likely difficult to find an existing building that is commercially zoned and which has the physical space requirements that some recreational uses require (10,000 sq.ft. of floor area and a minimum ceiling height of 20 feet for a gymnastics training centre). However, it should be emphasized that there are other commercially oriented recreational businesses which would seek industrially zoned land

for these uses if they were permitted on industrially zoned land, and that in light of the number of other recreational uses which may have similar requirements and should be treated equitably the requested text amendment should be viewed in the broader context. It was concluded that in light of the need to protect our high quality industrial land base and maintain Burnaby's diversity of industrial development areas and a strong industrial tax base, it is important to prevent a proliferation of recreational uses in the industrial areas in the City as a whole and control the distribution of recreational uses in any one industrial zoned area.

The report concluded that in order to maintain adequate control of the number and types of recreational uses in industrially zoned areas, requiring recreational uses to rezone to a sub-category of the industrial zoning district would be a useful approach, and that the appropriate way to categorize these uses is by the physical nature of the activities and their large building space requirements.

- 1.3 At that time Council adopted the recommendations contained in that report. This report further defines the appropriate scope of recreational activities to be permitted, provides guidelines for assessing applications for recreational uses in industrial areas and explores whether there are other zoning districts which could allow some recreational uses, as the previous report proposed.

2.0 GENERAL DISCUSSION:

- 2.1 The essence of the proposed text amendment is to permit a commercial or institutional use on industrially zoned land. It is considered useful to outline the basic reasons why it is necessary to protect our industrial land base within the overall land use framework. The protection of industrial land for industrial uses allows Burnaby to maintain a diverse employment base among the various employment generators and assist in the overall employment growth, as well as protecting the valuable industrial tax base. In order to maintain and further develop our quality industrial areas, the erosion of the industrially zoned areas by quasi-commercial or quasi-institutional uses should be monitored and controlled.

Conversely, recreational uses are traditionally permitted on commercial or institutional zoned land. Directing recreational uses to commercial and institutional zoned areas is still considered most appropriate due to two reasons. The first is that these locations are superior for patrons of the recreational uses in that they are better served by transit and traffic routes and they generally have other supporting commercial or institutional uses nearby for the recreational patrons. The location of recreational uses in commercial and institutional areas is also less likely to generate land use conflicts with other uses, such

as the traffic and parking impacts, intensity of public activity and the conflicting character of the physical development. However, it is acknowledged that there is the need to occasionally consider alternative land uses in the industrial zoning districts.

2.2 It has been generally concluded that there is a need to permit some recreational uses in industrial zoned areas if Burnaby wishes to accommodate these activities since commercially zoned lands which accommodate these uses usually do not have existing buildings meeting the physical space requirements. However, the erosion of the industrial land base is a major concern with permitting commercially oriented uses in industrial areas. The major issue then is how these uses, which could be somewhat transitory in nature with less of a quality influence than well established industrial users, can be accommodated without having a negative effect on our industrial land base. This can be accomplished through a number of mechanisms, including further defining and limiting the scope of potential recreational uses, utilizing a zoning sub-category approach which entails rezoning for specific proposals and established criteria for assessing these applications.

2.3 As was noted in the previous report, the definition of this recreational use category should be categorized by the physical nature of the activities and the large building requirements, thus excluding leisure uses which can be accommodated in standard commercial spaces, such as pool halls, karate schools or dance schools. This would limit the recreational uses proposed for industrial lands to those which truly need the physical spaces provided in industrial buildings. Staff are recommending that recreational uses in industrial lands be limited to activities requiring a minimum recreational floor area and a minimum ceiling height, thus demonstrating their need for industrial type building space.

Staff have researched the physical space requirements of a number of indoor recreational uses and have concluded that a minimum floor area of 4,000 sq.ft. and a minimum ceiling height of 20 ft. should be required for recreational uses to qualify for consideration in industrial zoning districts. This minimum physical space requirement would be included in the permitted recreational uses description in the pertinent industrial zoning district, as well as noting typical examples, such as gymnastics facilities, indoor tennis courts, basketball courts or a rock climbing facility. Recreational uses are meant to be active recreational spaces and would not include significant spectator areas.

2.3 In addition to defining the use by its minimum building space requirements, it needs to be clear that outdoor recreational uses and major purpose-built recreational developments are not intended to be accommodated in industrial areas utilizing industrial zoning categories. Land intensive outdoor recreational uses should still be directed toward the

Burnaby Lake Sports Complex Area, recognizing that the adopted community plan for that area accommodates major recreational facilities. It is also not considered supportive of Burnaby's industrial land base to permit major purpose-built recreational developments to displace bona fide industrial uses within our designated industrial areas. It is quite unlikely that a major recreational development with specialized construction requirements, such as a swimming pool, curling rink or skating rink would be converted back to industrial use. In this regard, outdoor recreational uses and major purpose-built recreational facilities go beyond the scope of this proposed text amendment, which is intended to accommodate recreational uses without significantly altering the physical character of the industrial building and permanently eroding our industrial land inventory. These types of recreational uses are still permitted in the P2 Administration and Assembly District and some commercial zoning districts and should be located accordingly, such as in the Burnaby Lake Sports Complex Area.

2.4 In terms of the overall impact on our industrial land base, it is also important to consider the amount of industrial land being rezoned for recreational purposes proportionate to demand and minimizing the overall deletions to our industrial land base.

2.5 Based partially on the above objectives for recreational uses in industrial areas, the following are proposed guidelines for assessing rezoning applications of this type:

- a) That the recreational use be able to be accommodated within a conventional industrial building space without significant specialized capital requirements, and thus be able to be converted back to industrial use.

In order to reduce the likelihood of major purpose-built facilities locating in industrial areas and the use becoming a significant regional draw, the proposed recreational floor area should not exceed 1,672.2m² (18,000 sq.ft.).

- b) That the use and character of the built form, including the parking provided and any signage, be compatible with the surrounding industrial development.
- c) That the proposed recreational use provide as much employment per acre as the predominant type of industrial use in the immediate area.
- d) That the proposed facility provide all the required parking on the subject site.

- 2.6 The previous report also noted that other enquiries have been received for recreational uses in other zoning districts from which they are currently precluded and that this review should include an examination of the relationship of recreational uses to various other zoning districts in order to ensure a coherent overall approach to recreational uses. The possibility of permitting self-defence training in the C4 District was raised.

In examining recreational type uses, it is necessary to consider the current definition of the following two types of schools:

"SCHOOL, COMMERCIAL" includes a school that offers courses in business, language, self-defence or other specialized courses but does not include a trade school, private school or self-improvement school.

"SCHOOL, SELF-IMPROVEMENT" means a school that provides training or instruction in dance, drama, music, art or modelling.

Of the courses noted under Commercial School, self-defence is the only one which is physically oriented and in this regard does not relate well to staff's interpretation of the general intent of this use, which is to provide classroom-type settings for courses. Self-defence training relates better to the uses described under the Self-Improvement School definition in terms of being culturally and/or physically oriented rather than academically oriented. It is therefore proposed that self-defence training be included in the Self-Improvement School definition rather than the Commercial School definition.

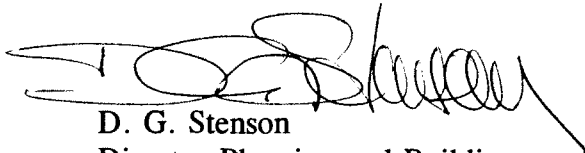
Currently, self-improvement schools are permitted in the C2 Community Commercial and C3 General Commercial Districts. In reviewing the possible locations for these types of schools, it is considered likely that these types of schools could be quite compatible with the other uses in the C4 Service Commercial District, which includes some other uses which have periods of intensive use, such as clubs, health service centres and a number of public assembly and entertainment uses. Permitting self-improvement type schools in the C4 District would allow more flexibility in the location of these uses, and should not create any land use conflicts. It is therefore recommended that self-improvement schools, including self-defence training, be permitted in the C4 District.

This amendment to the Zoning Bylaw is proposed to clarify the physically oriented component of the school definition. This Department is working on another report to Council regarding broader amendments/clarifications to the school definitions which will be submitted in due course.

3.0 CONCLUSION:

- 3.1** In order to accommodate recreational uses which require large industrial-type building spaces in a controlled manner, it is recommended that the City Solicitor be authorized to prepare a bylaw amending the Burnaby Zoning Bylaw, creating the M1L, M2L, M3L, M4L and M5L zoning categories (L for leisure) for recreational/leisure uses that require a minimum indoor clearance of 20 ft. and a minimum recreational floor area of 4,000 sq. ft. If the text amendment is given Final Adoption by Council, staff will utilize the guidelines in Section 2.5 for assessing applications for rezoning to an ML zoning category.

It is also recommended that the Self-Improvement School definition be amended to include self-defence training due to its similarity with other non-classroom type courses permitted under Self-Improvement Schools and that Self-Improvement Schools be permitted in the C4 District.



D. G. Stenson
Director Planning and Building

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cc: City Solicitor