

TO: CITY MANAGER

1999 September 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: ZONING BYLAW TEXT AMENDMENT

PURPOSE: To propose a text amendment to the Burnaby Zoning Bylaw to be added to previously authorized minor amendments.

RECOMMENDATIONS:

1. **THAT** Council authorize the preparation of a bylaw amending the Burnaby Zoning Bylaw to:
 - a) amend Section 800.4(17) and delete Section 800.4 (18) which pertain to the Off-Street Parking Schedule of the Zoning Bylaw;
 - b) address previously authorized minor amendments of a housekeeping nature.
2. **THAT** the bylaw be forwarded to First Reading and to a Public Hearing.

R E P O R T

1.0 INTRODUCTION:

As part of the on-going review of the Zoning Bylaw, text amendments are brought forward from time to time to ensure that the Bylaw is kept current or to provide clarifications and improvements where warranted. In 1995 and 1996, a number of such amendments of a housekeeping nature were proposed and authorized by Council to be prepared in a bylaw amending the Zoning Bylaw. The required amending bylaw which has not yet been advanced is now proposed to be pursued as previously authorized. This report also outlines an additional proposed text amendment regarding medical and dental parking requirements and recommends that this amendment be incorporated into the bylaw for the previously authorized text amendments which have not yet been advanced to Council in a bylaw.

2.0 OFF-STREET PARKING RELATED TO MEDICAL/DENTAL USES:

The current parking standard for medical or dental offices and clinics is 1 parking space for each 28 square metres (301.40 square feet) of gross floor area as outlined in Section 800.4(18) of the Off-Street Parking Schedule. This standard is higher than the required 1 parking space for each 46 square metres (495.16 square feet) of gross floor area applicable to banks, business administrative, and professional offices as well as to retail stores and personal service establishments (Sections 800.4(17) and (20)).

This differentiation frequently creates operational difficulties in that the major demand for medical and dental offices and clinic floor spaces is in existing office and retail spaces which also permit medical and dental offices and clinics, but subject to meeting the higher parking requirement. Precluding modest sized medical and dental service uses due to insufficient parking, as few as one or two spaces in most cases, appears unreasonable. The alternative, providing an additional few required parking spaces within the required 122 metres (400.26 feet) distance of the site, and securing these by suitable legal agreement, is frequently problematic. While there are a few purpose-built medical/dental office buildings (mostly older and, for more recent facilities, smaller), such centralized facilities do not reflect current locational trends for the professional delivery of medical and dental services to the community. Additionally, the trend is for medical uses to be defined in a broader manner related to health service practitioners and alternative health approaches, which also creates interpretive difficulties.

While some Lower Mainland municipalities, like Burnaby, have higher parking requirements for medical and dental uses than for regular office or retail/service uses, a number of municipalities — including New Westminster, the City of North Vancouver, and Richmond — use the same parking standards for medical uses as for their other office and service uses. Relative to other municipalities — and despite Burnaby’s relatively urban nature and the location of most medical and dental uses in commercial centres that are well served by transit — Burnaby’s current requirement for medical and dental uses is above the average of Lower Mainland municipalities.

Given the complexity in applying the Zoning Bylaw’s Off-Street Parking Schedule for medical and dental uses and in light of current trends which indicate a similar treatment for medical and dental offices as for other small professional offices, it is proposed that the differential parking requirement for medical and dental uses be eliminated by deleting Section 800.4(18) and amending 800.4(17) to show that “banks, business administrative and professional offices, including medical or dental offices and clinics,” have a parking requirement of 1 space for each 46 square metres (495.16 square feet) of gross floor area. These revisions, in addition to simplifying the Zoning Bylaw and application processes, will also help ensure that existing buildings are used more flexibly, and future development costs

are reduced. It is also expected that most major medical and dental uses will continue to locate in commercial centres that are well served by transit. In summary, the differential parking requirement is no longer considered warranted.

3.0 COMPLETION OF VARIOUS TEXT AMENDMENTS IN PROGRESS:

On 1995 August 14 and 1996 October 7, Council authorized that a bylaw be prepared for a number of minor amendments of a housekeeping nature by clarifying definitions, correcting previous omissions, or updating terminology or policies. Though these amendments were authorized by Council to be pursued, a number of the amendments have yet to be advanced to Council in a bylaw. Those minor text amendments which should now be advanced address: Burnaby's status as a city not a district; the inclusion of grandchildren in In-Law suites; the definition of studio units; the reference to development permit areas; the inclusion of Imperial measurement; the requirement for car wash stalls in the RM7 District; an outdated reference to the Fire Marshall's Act; the reference to comprehensive "plans" not "projects" in the C3 Commercial District; and the reference to "future development" in the A1 Agricultural District. It is therefore proposed that these previously considered amendments be advanced in a bylaw as authorized.

4.0 SUMMARY:

The previously authorized text amendments as outlined in this report are generally of a housekeeping nature to update and simplify certain requirements and to provide greater clarity. Approval of the proposed text amendment specifically described in this report for the Off-Street Parking Schedule is recommended for inclusion in the amendment Bylaw in order to simplify and improve flexibility in locating medical and dental offices and clinics in existing buildings in Burnaby.



D. G. Stenson
Director Planning and Building

LS/ds

- cc: City Solicitor
- City Clerk
- Chief Licence Inspector
- Chief Building Inspector

