



Meeting 2008 January 7

COUNCIL REPORT

**COMMUNITY DEVELOPMENT COMMITTEE**

*HIS WORSHIP, THE MAYOR  
AND COUNCILLORS*

**SUBJECT: ZONING BYLAW TEXT AMENDMENTS – DECEMBER 2007**

**RECOMMENDATION:**

1. **THAT** Council authorize the preparation of a bylaw amending the Burnaby Zoning Bylaw as outlined in Section 2.0 of this report and that the bylaw be advanced to First Reading on 2008 February 04 and to a Public Hearing on 2008 February 19.

**REPORT**

The Community Development Committee, at its meeting held on 2007 December 18, received and adopted the attached report seeking Council's authorization to pursue a number of text amendments to the Burnaby Zoning Bylaw.

These text amendments are proposed in order to clarify certain aspects of the bylaw, make minor amendments in support of existing practices and Council policies, as well as to make other minor regulatory requirements. It is recommended that Council approve the above proposed text amendments and authorize the preparation of a bylaw to be forwarded to First Reading and to a Public Hearing.

Respectfully submitted,

Councillor C. Jordan  
Chair

Councillor D. Johnston  
Vice Chair

Councillor G. Evans  
Member

Copied to:	City Manager Director Engineering Chief Licence Inspector City Building Inspector City Solicitor City Clerk Director Planning & Building
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**TO:** CHAIR AND MEMBERS  
COMMUNITY DEVELOPMENT  
COMMITTEE

**DATE:** 2007 December 13

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** ZONING BYLAW TEXT AMENDMENTS - DECEMBER 2007

**PURPOSE:** To propose a number of text amendments to the Burnaby Zoning Bylaw

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**RECOMMENDATION:**

1. **THAT** Council be requested to authorize the preparation of a bylaw amending the Burnaby Zoning Bylaw as outlined in Section 2.0 of this report and that the bylaw be advanced to First Reading on 2008 February 04 and to a Public Hearing on 2008 February 19.

**REPORT**

**1.0 BACKGROUND INFORMATION**

As part of the ongoing review of the Burnaby Zoning Bylaw, which usually takes place in the context of development enquiries and discussions regarding the intent of the bylaw and the general need to update the bylaw, text amendments are brought forward from time to time. These text amendment reports are submitted in order to provide clarification and improvements to the wording of the bylaw, and to respond to changes in related legislation and changes in forms of development, land uses and social trends.

**2.0 PROPOSED BYLAW TEXT AMENDMENTS**

**2.1 *Off-Street Parking Development and Maintenance Standards***

**Issue**

The zoning bylaw, as it relates to parking space development standards, does not contain provisions that adequately address conditions within structured parking garages where walls and structural columns are adjacent to parking spaces.

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### **Discussion**

Section 800.7 (2.2) of the zoning bylaw currently states:

- (2.2) Where a parking space adjoins a fence or structure that exceeds 300mm (0.98 ft.) in height, the width of the parking space shall be increased by 300mm (0.98 ft.) on the side or sides that abut the fence or structure.

In assessing development plans, the Planning & Building Department and Engineering Department utilize engineering guidelines that require extra width to facilitate both vehicle door opening and for turning into the parking space from the manoeuvring aisle. However, on occasion, adequate additional width to parking spaces has not always been provided where needed. In order to assure appropriate width and access/egress to underground parking spaces, Planning & Building Department and Engineering Department staff have developed the following amendments to the zoning bylaw in order to clarify the required dimensions of parking spaces and improve overall circulation.

### **Recommended Bylaw Amendment**

**THAT** wording similar to the following two sections replace the existing Section 800.7 (2.2):

- (2.2) The width of the parking space shall be increased by 300mm (0.98 ft.) on each side where a parking space adjoins a wall, column, fence or other structure that:
- (a) exceeds 300mm (0.98 ft.) in height and is located more than 1.2m (3.94 ft.) from either end of a small car parking space; or
  - (b) exceeds 300 mm (0.98 ft.) in height and is located more than 1.4m (4.59 ft.) from either end of a regular or disabled parking space; or
  - (c) exceeds 50mm (0.16 ft.) in height and is located less than 0.6m (1.97 ft) from the manoeuvring aisle.
- (2.3) No column encroachments or other obstructions are permitted within the required dimensions of a parking space.

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## **2.2 Proposed Category A & Category B Supportive Housing in C8 and C9 Urban Village Commercial Districts**

### **Issue**

Supportive Housing is a multiple-family facility designed to provide continuous care for older residents. Living units in Category A facilities do not contain a kitchen or cooking facilities. Category B facilities have living units which contain a kitchen or cooking facilities. The C8 and C9 Urban Village Commercial Districts have been identified as being suitable for Supportive Housing, however, this use is currently permitted in the R, RM, and P5 Districts only, subject to conditional requirements of Comprehensive Development rezoning and minimum unit sizes and composition.

### **Discussion**

Supportive Housing is suitable in areas in which seniors can safely and independently access needed services, facilities, and activities off site. Both the C8 and C9 Districts are considered suitable for Supportive Housing developments. The C8 District is an established mixed-use area along Hastings Street that is pedestrian oriented and provides for a wide range of commercial and retail establishments with medium density multiple family dwellings. The C9 District is increasingly utilized for new mixed-use areas with good access to public transit, shopping, community services, and cultural facilities, as well as a comfortable walking environment. For example, the C9 District has been utilized as the guideline for a number of rezoning proposals in the City such as designated subareas within the Brentwood and Edmonds Town Centres and the Royal Oak Community Plan area. Currently, proposals for mixed-use development including Supportive Housing require rezoning to include the RM3 District guideline component specifically to enable Supportive Housing use (e.g. Rezoning Reference #04-53 for the Royal Canadian Legion at Grimmer Street).

For administrative simplicity and to facilitate development of Supportive Housing, it is recommended that Supportive Housing be permitted in the C8 and C9 Districts, subject to the conditional requirements currently described in the R, RM, and P Districts of the Zoning Bylaw.

### **Recommended Bylaw Amendment**

**THAT** Category A and Category B Supportive Housing be added as permitted uses in the C8 and C9 Districts, subject to the conditional requirements as currently described in the R, RM, and P Districts of the Zoning Bylaw.

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## **2.3 Computation of Gross Floor Area and Floor Area Ratio**

### **Issue**

Section 6.20 of the Burnaby Zoning Bylaw defines areas to be included for the computation of gross floor area and floor area ratio. In light of a recent development proposal involving a proposed exclusion of interior mezzanine space from gross floor area calculations, which is contrary to the intent of this section of the bylaw, it is considered useful to clarify this section of the bylaw.

### **Discussion**

Section 6.20 of the Zoning Bylaw deals with the calculation of gross floor area and defines building elements to be included in gross floor area. The pertinent section of the Bylaw is provided for reference as follows:

#### **6.20 Computation of Gross Floor Area and Floor Area Ratio:**

(1) In all districts, the following shall be included as gross floor area:

- (a) all suites or dwelling units;
- (b) all areas giving access such as corridors, hallways, landings, foyers, staircases and stairwells;
- (c) balconies, sun decks, mezzanines, porches and verandas, all of which are enclosed;
- (d) elevator shafts.

Section 6.20 (1)(c) identifies areas of buildings, that when enclosed, are included in the calculation of gross floor area. In the past, the interpretation of the bylaw as it relates to internal mezzanines has been to consider such areas as part of gross floor area. The exclusion of an internal mezzanine based on an argument that it is open is contrary to the intent of this section of the bylaw.

While the above interpretation has been utilized for many years regarding Section 6.20 (1)(c) of the bylaw, clarification of this section is considered appropriate to ensure that this section of the bylaw does not grant unintended density exemptions.

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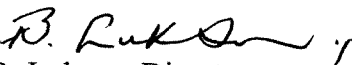
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### **Recommended Bylaw Amendment**

**THAT** “mezzanines” be deleted from Section 6.20 (1)(c) to clarify the intent of this section of Burnaby Zoning Bylaw.

### **3.0 CONCLUSION**

The above zoning bylaw text amendments are proposed in order to clarify certain aspects of the bylaw, make minor amendments in support of existing practices and Council policies, as well as to make other minor regulatory requirements. It is recommended that Council approve the above proposed text amendments and authorize the preparation of a bylaw to be forwarded to First Reading and to a Public Hearing.

  
B. Luksun, Director  
PLANNING AND BUILDING

SMN:jc

cc: City Manager  
Director Engineering  
Chief Licence Inspector  
Chief Building Inspector  
City Solicitor  
City Clerk

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