

**COMMUNITY DEVELOPMENT COMMITTEE**

*HIS WORSHIP, THE MAYOR  
AND COUNCILLORS*

**SUBJECT: BURNABY ZONING BYLAW FOR SELF-IMPROVEMENT SCHOOLS**

**RECOMMENDATION:**

1. THAT a copy of this report be sent to Ms. Kelly Douglas, 1600 Cliff Avenue, Burnaby, BC, V5A 2K2.

**REPORT**

The Community Development Committee, at its meeting held on 2009 January 20, received and adopted the *attached* report responding to issues raised regarding self-improvement schools.

Within Burnaby, Commercial Districts provide for a range of locations that can be developed and used for dance school purposes. As such, it is considered appropriate that self-improvement schools, including dance schools, locate in commercially zoned areas of the City.

Respectfully submitted,

Councillor C. Jordan  
Chair

Councillor D. Johnston  
Vice Chair

Councillor P. Calendino  
Member

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

**DATE:** 2009 January 15

**FROM:** DIRECTOR PLANNING AND BUILDING

**FILE:** 49500 01  
*Reference: Rezoning General*

**SUBJECT: BURNABY ZONING BYLAW FOR SELF-IMPROVEMENT SCHOOLS**

**PURPOSE:** To respond to issues raised regarding self-improvement schools.

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## RECOMMENDATION

1. **THAT** a copy of this report be sent to Ms. Kelly Douglas, 1600 Cliff Avenue, Burnaby, BC, V5A 2K2.

## REPORT

### 1.0 BACKGROUND

On 2007 November 19, Council received a delegation from Ms. Kelly Douglas regarding the difficulty of finding suitable commercial space for the purpose of establishing a dance school in Burnaby.

Prior to her presentation to Council, Ms. Douglas had been in contact with the Planning Department regarding the appropriate zoning districts in which dance schools are permitted. Ms. Douglas was informed by staff that her proposed dance school falls within the category of a "self-improvement school", which is a permitted use in the C2 Community Commercial, C3 General Commercial, C4 Service Commercial, C8 Urban Village Commercial and C9 Urban Village Commercial Districts.

Ms. Douglas has also since advised staff that she has located her dance school at Unit #202 - 4199 Lougheed, Burnaby, a 524 m<sup>2</sup> (5,640 sq. ft.) commercial unit which is appropriately zoned C4 District. All City approvals for the use of this space as a dance school have been granted through Preliminary Plan Approval Reference #07-148; Building Permit Reference #08-202; and Business Licence Reference #08-1016.

Arising from discussions, Council requested that staff report on the key issues raised by the delegation through the Committee. This report responds to that request.

## 2.0 ISSUES RAISED

In her presentation, Ms. Douglas proposed that dance schools be permitted in Burnaby's industrial zoning districts as industrial buildings typically have the physical space requirements for this type of activity, including ceiling height. Ms. Douglas also requested that the dance schools not be classified as an 'assemble occupancy' under the BC Building Code given the associated requirements for increased fire separation. The following response is provided in the subsections below:

### 2.1 Burnaby Zoning Districts – Dance Schools

Dance schools fall within the category of a "self-improvement school" in the Burnaby Zoning Bylaw, which includes schools for drama, music, art, modelling and self-defence. These types of schools provide training, instruction and education for adults, youth and children.

As noted, the Commercial District zones in Burnaby that accommodate dance schools are the C2, C3, C4, C8 and C9 Districts. Commercially zoned land is considered to be the most appropriate location for self-improvement schools, as these locations are better served by transit and traffic routes and have other supporting commercial or institutional uses nearby. These commercial locations also serve to reduce conflicts between various land uses in terms of traffic and parking impacts, intensity of public activity and character of physical development.

Within these Districts, commercial buildings are permitted to have ceiling heights that can meet the space requirements for dance schools. In particular, new commercial and mixed-use developments in the C8 and C9 Districts typically feature higher ceiling heights for commercial space on the street front.

### 2.2 Building Code Classification for Dance Schools

The Building Code classifies dance schools and other self-improvement schools as a "public assembly" in terms of occupancy load. The request to change the Building Code classification by Ms. Douglas was reviewed by the Chief Building Inspector, but could not be accommodated, given that the higher standard required by the BC Building Code for "public assembly" is intended to ensure public safety.

### 2.3 Burnaby Industrial Districts

Industrial lands generally offer lower land and lease costs in comparison to other types of land uses. As a result, many municipalities throughout the Region experience pressure for the conversion of industrial lands to non-industrial uses on industrial lands.

Within the Burnaby Official Community Plan (OCP), the City has recognized the importance of protecting its designated industrial land base to maintain a diverse employment base, assist in overall employment growth, and retain industries that serve the needs of the City and surrounding Region. In response, the City has sought to limit the commercialization of designated industrial lands given the potential impacts of this

To: City Manager  
From: Director Planning & Building  
Re: Burnaby Zoning Bylaw for Self-improvement Schools  
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type of change on industrial land values, employment potential, and viability and diversity of industrial activity.

From this perspective, and given the opportunities presented for the location of dance schools in established commercial areas, staff are not able to support the proposal advanced by the delegation to expand the range of commercial uses in the City's industrial districts to permit dance schools.

### 3.0 CONCLUSION

This report responds to the requests of the delegation regarding opportunities for dance schools under the City's prevailing zoning districts and BC Building Code regulations. Within Burnaby, Commercial Districts provide for a range of locations that can be developed and used for dance school purposes. Further, given that the direction of the City's OCP is to protect designated industrial lands for industrial uses, staff are not able to support an expansion of commercial uses in these lands. As such, it is considered appropriate that self-improvement schools, including dance schools, locate in commercially zoned areas of the City.

It is recommended that a copy of this report be sent to Ms. Kelly Douglas, 1600 Cliff Avenue, Burnaby, BC, V5A 2K2.

  
B. Luksun, Director  
PLANNING AND BUILDING

cc: City Manager  
Chief Building Inspector  
Chief Licence Inspector  
City Solicitor

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