

COMMUNITY DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: DRAFT – METRO VANCOUVER REGIONAL GROWTH STRATEGY
REQUEST FOR MUNICIPAL COMMENT**

RECOMMENDATIONS:

1. THAT Council advise the Metro Vancouver Board that the *draft RGS*, in its present form, is not supportable as a basis for subsequent acceptance and approval.
2. THAT Council advise the Metro Vancouver Board that the RGS should be based on the adoption of key regional designations, directions, guidelines and actions for *recommended implementation* by municipalities, rather than the presently proposed regional regulatory approach to which municipalities would be required to strictly comply.
3. THAT Council advise the Metro Vancouver Board that while it is supportive of many of the municipal implementation action items contained in the *draft RGS*, it is concerned with the required commitment for local governments to implement all 75 listed actions, several of which would require significant financial and operating resources to pursue and implement, and would commit the City to a scope of work and positions that have not been considered in relationship to City resources, mandates, interests, priorities; and instead, Council proposes that these items be included as "*recommended implementation actions and opportunities*" instead of mandated commitments.
4. THAT Council seek assurances that the current description of appropriate uses for designated conservation-recreation lands within the *draft RGS* would not preclude the necessary future accommodation of public developments to also meet the indoor recreational, cultural and other public service needs of the community on appropriate City owned lands currently shown within the adopted Green Zone.

<p>Copied to: City Manager City Solicitor Chief Licence Inspector OIC, RCMP Director Planning & Building</p>
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To: His Worship, the Mayor and Councillors
From: Community Development Committee
Re: Draft-Metro Vancouver Regional Growth Strategy
Request for Municipal Comment

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5. THAT Council advise that if the current description of appropriate uses for designated conservation-recreation lands within the *draft RGS* is not amended, this will necessitate a need for the City to remove significant public park areas from the proposed conservation-recreation green zone designation.
6. THAT Council request that the *draft RGS* be amended to ensure that municipalities are provided with the necessary discretion to define the form, density, character and function of individual city centres in relation to their defined roles and local context as specified within their OCPs and RCSs.
7. THAT Council request that the *draft RGS* be amended to provide for a variation and potential mix of uses and densities within Frequent Transit Development Corridors, as deemed appropriate through municipal planning processes.
8. THAT Council inform the Metro Vancouver Board that it is not accepting of the proposed approach for the protection of industrial lands, characterised by the associated land use restrictions as presented in the *draft RGS*, given its impact on long standing land use commitments; the necessary removal of permitted uses from prevailing industrial districts; the creation of legal non-conforming uses; the limitation of current and future development options; the impact on the City's potential employment base; the loss of economic viability of our industrial lands; and the creation of a more complex and extensive land use change approval process.
9. THAT Council suggest that the Board consider an alternative to the approach proposed in the *draft RGS* by allowing instead a broader land use objective involving '*employment uses of an industrial nature*' for the lands identified for industrial protection to help maintain local decision making autonomy and allow for the continuation of intra-regional differences in industrial land utilization.
10. THAT Council advise that a finalized *RGS* should acknowledge, recognize and respect the City's designated Business Centre areas that accommodate a range of industrial, research and development, and business and professional office uses under the City's adopted OCP by way of designation, zoning and/or approved community plans, and that it is necessary to maintain the ability of the City to plan for the appropriate transition of lands in the City which in specific circumstances may involve creation of additional business centre lands.
11. THAT Council convey its concern with TransLink becoming a general third approval body in the *draft RGS* for land use decisions, as this would further erode local decision making and further complicate approval processes resulting in increased uncertainty for the development community: that such reviews be limited to consulting with Translink on those proposed major developments that require an amendment to an adopted OCP and RCS.

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12. THAT Council request that, prior to advancement of a finalized RGS, Metro Vancouver undertake a consultative and collaborative process to allow member municipalities to review the methodology used to develop population, unit and employment projections, comment on the appropriateness of underlying assumptions, and develop municipal responses as to the acceptability, achievability and implications of proposed current projections.
13. THAT Council send a copy of this report to:
 - a) the Metro Vancouver Board;
 - b) Metro Vancouver member municipalities;
 - c) the TransLink Board; and
 - d) the Urban Development Institute, NAIOP, and Burnaby Board of Trade.

REPORT

The Community Development Committee, at its meeting held on 2009 March 24, received and adopted the *attached* report responding to the request from the Metro Vancouver Board for City comment on the *draft "Metro Vancouver 2040: Shaping Our Future: -- Regional Growth Strategy (RGS) dated 2009 February.*

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor P. Calendino
Member

TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT
COMMITTEE

DATE: 2009 March 18

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 71000-01
Ref: Metro Vancouver
Draft RGS

SUBJECT: **DRAFT - METRO VANCOUVER REGIONAL GROWTH STRATEGY
REQUEST FOR MUNICIPAL COMMENT**

PURPOSE: To respond to the request from the Metro Vancouver Board for City comment on the *draft "Metro Vancouver 2040: Shaping Our Future" -- Regional Growth Strategy (RGS)* dated 2009 February.

RECOMMENDATIONS:**That the Committee recommend to Council:**

1. **THAT** Council advise the Metro Vancouver Board that the *draft RGS*, in its present form, is not supportable as a basis for subsequent acceptance and approval.
2. **THAT** Council advise the Metro Vancouver Board that the RGS should be based on the adoption of key regional designations, directions, guidelines and actions for ***recommended implementation*** by municipalities, rather than the presently proposed regional regulatory approach to which municipalities would be required to strictly comply.
3. **THAT** Council advise the Metro Vancouver Board that while it is supportive of many of the municipal implementation action items contained in the *draft RGS*, it is concerned with the required commitment for local governments to implement all 75 listed actions, several of which would require significant financial and operating resources to pursue and implement, and would commit the City to a scope of work and positions that have not been considered in relationship to City resources, mandates, interests, priorities; and instead, Council proposes that these items be included as ***"recommended implementation actions and opportunities"*** instead of mandated commitments.
4. **THAT** Council seek assurances that the current description of appropriate uses for designated conservation-recreation lands within the *draft RGS* would not preclude the necessary future accommodation of public developments to also meet the indoor

recreational, cultural and other public service needs of the community on appropriate City owned lands currently shown within the adopted Green Zone.

5. **THAT** Council advise that if the current description of appropriate uses for designated conservation-recreation lands within the *draft RGS* is not amended, this will necessitate a need for the City to remove significant public park areas from the proposed conservation-recreation green zone designation.
6. **THAT** Council request that the *draft RGS* be amended to ensure that municipalities are provided with the necessary discretion to define the form, density, character and function of individual city centres in relation to their defined roles and local context as specified within their OCPs and RCSs.
7. **THAT** Council request that the *draft RGS* be amended to provide for a variation and potential mix of uses and densities within Frequent Transit Development Corridors, as deemed appropriate through municipal planning processes.
8. **THAT** Council inform the Metro Vancouver Board that it is not accepting of the proposed approach for the protection of industrial lands, characterised by the associated land use restrictions as presented in the *draft RGS*, given its impact on long standing land use commitments; the necessary removal of permitted uses from prevailing industrial districts; the creation of legal non-conforming uses; the limitation of current and future development options; the impact on the City's potential employment base; the loss of economic viability of our industrial lands; and the creation of a more complex and extensive land use change approval process.
9. **THAT** Council suggest that the Board consider an alternative to the approach proposed in the *draft RGS* by allowing instead a broader land use objective involving '*employment uses of an industrial nature*' for the lands identified for industrial protection to help maintain local decision making autonomy and allow for the continuation of intra-regional differences in industrial land utilization.
10. **THAT** Council advise that a finalized *RGS* should acknowledge, recognize and respect the City's designated Business Centre areas that accommodate a range of industrial, research and development, and business and professional office uses under the City's adopted OCP by way of designation, zoning and/or approved community plans, and that it is necessary to maintain the ability of the City to plan for the appropriate transition of lands in the City which in specific circumstances may involve creation of additional business centre lands.
11. **THAT** Council convey its concern with TransLink becoming a general third approval body in the *draft RGS* for land use decisions, as this would further erode local decision making and further complicate approval processes resulting in increased uncertainty for the development community: that such reviews be limited to

consulting with Translink on those proposed major developments that require an amendment to an adopted OCP and RCS.

12. **THAT** Council request that, prior to advancement of a finalized RGS, Metro Vancouver undertake a consultative and collaborative process to allow member municipalities to review the methodology used to develop population, unit and employment projections, comment on the appropriateness of underlying assumptions, and develop municipal responses as to the acceptability, achievability and implications of proposed current projections.
13. **THAT** Council send a copy of this report to:
 - a) the Metro Vancouver Board;
 - b) Metro Vancouver member municipalities;
 - c) the TransLink Board; and
 - d) the Urban Development Institute, NAIOP, and Burnaby Board of Trade.

REPORT

1.0 INTRODUCTION

At its meeting of 2009 February 27, the Metro Vancouver Board adopted a recommendation from its Regional Development Committee to invite review and comment by member municipalities on Metro Vancouver's *draft Regional Growth Strategy (RGS)*, entitled "*Metro Vancouver 2040: Shaping Our Future*". A copy of this report has been provided to Members of the Committee and Members of Council under separate cover.

This review and comment was solicited prior to Metro Vancouver starting a general public consultation process. The broader public consultation process is expected to commence as of 2009 April 15, immediately following the submission deadline of 2009 April 8 for City comments. The Region has also requested that municipalities submit a short summary of comments on the draft RGS suitable for use in their public consultation process. *Attachment 1* of this report provides the requested summary material.

Within the time available, staff have reviewed the principal components of the *draft Regional Growth Strategy* in relation to the City's adopted area plans, Official Community Plan (OCP), Regional Context Statement (RCS), and policies and procedures. Based on the staff review, this report presents proposed *recommendations* along with accompanying *noted areas of concern* with regard to key aspects of the *draft RGS* for Council adoption and submission to the Regional Board as part of the Board's current consultation process. As

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such, this review has not given consideration to the detailed aspects of the maps, strategies and individual actions contained in the *draft RGS*.

Unfortunately, it does not appear that there will be an opportunity for a reconsideration of, and necessary amendments to, the *draft RGS* proposals following receipt of municipal responses prior to the public consultation process. Instead, it is staff's understanding that a summary of submissions received from municipal Councils will be made available for review as part of the materials presented in the consultation process.

The City of Burnaby has traditionally been a strong supporter and advocate for strategic planning at the regional level. As a central, inner municipality within the region, the City has recognized the benefits that can come from a strong regional planning concept. To this end, Burnaby's existing Official Community Plan (OCP) emphasizes the regional context directly and provides a policy response that balances local and regional interests. Notwithstanding this established commitment to regional planning, it is the view of staff that **the *draft RGS*, is not in a form that is supportable by the City as a basis for subsequent acceptance and approval.** While there is support in principle for many of the policy based goals, objectives and directions for the *draft RGS*, staff is not recommending that Council endorse the *draft RGS* as it does not: appropriately reflect and accommodate local government plans, policies and directions; appropriately maintain local land use and priority setting decision making authority; nor maintain an appropriate level of accountability between Council and its citizens. As will be noted, there are a number of outstanding areas within the draft that are of significant concern and warrant the development of new directions to achieve a level of acceptance.

During the technical meetings associated with the preparation of the *draft RGS*, staff have repeatedly and strongly voiced its concerns over a range of issues. Notwithstanding, many of these same concerns remain with the current *draft RGS* presently before Council.

This report provides the City's initial official response to the proposals contained in the *draft RGS* and is presented for consideration of the Committee and Council for submission to the Metro Vancouver Board.

2.0 BACKGROUND

Metro Vancouver's current RGS, the *Liveable Region Strategic Plan (LRSP)*, was adopted by the then GVRD Board of Directors in 1996. As noted, the Region has initiated a process to establish a new RGS looking forward to 2040. In 2007 November, public input was obtained by Metro Vancouver on a renewed RGS. This process sought public and municipal input for development of a new RGS based on an options document entitled "*Choosing a Sustainable Future for Metro Vancouver*" that presented varying degrees of regulatory control by the Region ranging from setting goals and directions for the region to establishing mandatory regulatory requirements for implementation at the municipal level.

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On 2008 March 03, Council adopted a report from the Community Development Committee to provide City input on the 'options' document. The City submission provided detailed comments on material prepared by the Region, with a particular focus on the regulatory options presented for implementation of an RGS which typically involved choices of setting:

- a goals and objectives based RGS to guide municipal actions;
- key regional designations, directions and guidelines for recommended implementation by municipalities; or
- regional designations and regulations to which municipalities must comply.

The goals and objectives approach would leave actions for implementation at the complete discretion of municipalities, and would represent a more voluntary implementation role for municipalities in comparison to that utilized in the current LRSP. The second approach is generally consistent with that adopted for the current LRSP while, the third establishes a significantly higher regulatory and approval role for the region.

The City's 2008 March 03 submission to the Board expressed the position that the establishment of '*regional designations and regulations to which municipalities must comply*' would not be acceptable or appropriate for implementation of a renewed RGS, and proposed that regional municipalities be given an opportunity to work with Metro Vancouver on refining detailed aspects of the *draft RGS* to achieve a '*mutually agreeable approach*' on a RGS prior to release for broad public review. The City's response was generally aligned with the established approach in the adopted LRSP. The Region's decision on the selection of the desired approach to implementation represents a critical point of departure in the preparation of final *draft RGS* policy directions – a choice between a continuation of the current partnership approach between Metro Vancouver and its member municipalities versus a more highly regulated approach requiring regional intervention in the municipal planning and land use decision making processes.

3.0 THE PROPOSED REGULATORY APPROACH

Since the City's 2008 March 03 submission, Regional planning staff, through Metro Vancouver's Regional Development Committee, have continued to advance and refine content for a renewed RGS, with preparation of a number of internal *draft RGS* documents, including "*An Incomplete Draft – Metro Vancouver's Growth Strategy: Actions for a Sustainable Region 2008 April 25*"; and a "*Preliminary Draft – Our Livable Region 2040: Metro Vancouver's Growth Strategy, 2008 September*"; prior to the public release of the current document "*Metro Vancouver 2040: Shaping Our Future, 2009 February draft*."

In preparation of the current *draft RGS* document, Regional staff have continued to seek input from municipal staff representatives on the Region's Technical Advisory Committee (TAC). This process with municipal staff has allowed the Region to further refine the content of the *draft RGS*, but from our view, has not achieved the desired '*mutually agreeable approach*' nor a '*general municipal consensus*' on the appropriate regulatory

framework presented in the *draft RGS*, as envisioned in the City's 2008 March submission and pursued by staff at the TAC table. Instead, the *draft RGS* continues to embody an approach utilizing new and significant regional regulations to which municipalities would be required to comply.

The existing regional plan, the LRSP, is based on a policy, goals and principle approach with set directions for the Region and allows for implementation decisions to be made by local government as reflected within their respective RCS's. This approach has been successful from both a local and regional viewpoint in areas where local commitment and follow through on incorporation and implementation of the policies and principles of the RGS have been made. Burnaby's 1998 Official Community Plan is an excellent example of how a community has used regional goals and directions as a shaping influence within the local community planning context.

3.1 Land Use Designations and Categories

As compared to the 1996 LRSP, the *draft RGS* presents a significantly increased directive and regulatory role for the Region. The *draft RGS* proposes the establishment of a number of new land use designations and categories, that once established within an adopted RGS, will require municipalities to prepare OCP's and RCS's that are compliant. This compliance extends to permitted uses for land use designations and categories, as well as varying degrees of precision as to the actual boundaries for each designation and category. This is significant because, once the RGS is adopted by the Metro Vancouver Board, deviation from those land uses with a regional designation or category will require an amendment to RCS and/or to the RGS and consequently further Metro Vancouver Board approval. It is noted that, under prevailing legislation, a change to a RCS requires municipalities to complete a full amendment process with consultation and a public hearing. On this basis, the process requires a considerable and necessary commitment of time and resources at the local level, prior to seeking Regional approval for a proposed change.

In addition, as currently presented, the approach in the *draft RGS* requires municipal acceptance for RCS's to not only show the 'relationship' between an OCP and the RGS, but to *identify how the City's OCP 'is' consistent with each strategy in the RGS document and demonstrate how all Municipal RGS Actions will be implemented*. Generally, the requirement that municipalities indicate how each of the required actions will be implemented reinforces the new regulatory approach entrenched within the *draft RGS*.

The designation of lands within the region to the various zoning or land use categories defined in the *draft RGS* is proposed to be established by Metro Vancouver in relation to RCS's and OCP's according to three compliance standards that include:

- *Fully Consistent*: definition of areas and boundaries by the Region to which areas and boundaries established in municipal RCS's and OCP's must be fully consistent. Under these criteria, the Region would establish the boundary for each land use designation, with the requirement that municipal RCS's and

OCP's be made to match the Regional designation. These land designations include:

- *Urban Containment Boundary*
- *Rural Area*
- *Agricultural Area*
- *Conservation-Recreation Area*

- *Generally Consistent with Locations*: definition of general locations is established by the Region, with opportunities for municipalities to define the boundaries of 'general locations' in their RCS's and OCP's for acceptance by the Region. This category includes:
 - *Urban Centres*
 - *Frequent Transit Development Corridors*

- *Generally Consistent with Boundaries*: the Region defines the locations and boundaries of the land use designation with municipalities establishing similar locations and boundaries in their RCS's and OCP's. This criteria appears to establish some opportunity to address minor boundary issues, but would not generally permit full local autonomy in defining locations and land areas for the following categories:
 - *Industrial Area*
 - *Industrial-Commercial Area*

3.2 *A Direct Regulatory Role*

On the above basis, the *draft RGS* establishes a direct land use regulatory role for Metro Vancouver that would extend its current Green Zone land use designation powers to the new land use "designations" and "categories". Once established in an adopted RGS and the subsequently accepted municipal RCS's and adopted OCP's, proposed amendments to a regional land use designation initiated by a municipality would require an amendment to the RGS through a Metro Vancouver Board approval process. Amendment to a regional **land use designation** would require a regional public consultation process (including a public hearing) and a two-thirds majority vote of Metro Vancouver's Board of Directors. An amendment to a **regional land use category** would require a Regional Context Statement (RCS) amendment approved by a majority vote by the Metro Vancouver Board (no public hearing).

At the municipal level, as noted, a change to a RCS under this regulatory framework would require completion of a full OCP amendment process, thus obligating a municipality to consider pursuing public consultation with neighbouring municipalities, provincial and federal governments, first nations and school boards in addition to conducting a Public

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Hearing, prior to seeking Metro Vancouver Board approval following 3rd Reading of a rezoning amendment bylaw by a local Council.

The proposed regulatory approach for land use categories and designations, as represented in the *draft RGS*, will have significant impact on the ability of local government to effectively manage and regulate land use as has been the past practice. Specifically, the regulatory approach in the *draft RGS* would result in a much more extensive amendment process for desired local land use changes, at both a local and regional level. The net result is a regulatory framework for a regional plan that would appear to supersede municipal zoning and local land use decision making powers by establishing the Region as the final approving authority for changes not only to the lands in the new green zone designations, but to Urban, Industrial, and other land use designations and categories defined in the RGS, likely at a parcel level.

A key point is that once these designations are established within the RGS, the City will no longer be able to make changes to a designation, or a boundary adjustment, without obtaining regional approval. To this point, should this approach continue to be pursued in a finalized RGS, the City would require adequate opportunity to review and amend maps associated with the proposed land use designations and categories prepared by the region for the finalized RGS given the legal implications of the RGS on permitted land uses. It is noted that mapping for certain land use designations such as Urban Centres and Frequent Transit Development Corridors are proposed to be prepared by municipalities for subsequent approval by the region.

In summary, staff has a fundamental concern with the regulatory approach and consistency requirements of the *draft RGS*. As presented, these proposals represent a significant transfer of City authority – land use regulation, policy approval and priority setting – to the Regional level.

3.3 Diminished Local Accountability

At the core of the local planning function is the accountability Council has with its citizens. Council establishes long range goals and objectives for the community as a whole through the process associated with the adoption of its Official Community Plan. Within that context, local area plans are prepared with the full opportunity for community input as a shaping element. This is often an iterative process based on a dialogue with the community that establishes a plan consensus that strives to best meet City wide and more locally based needs, while making substantive and important contributions to the overall benefit of the region.

The City has countless examples of such processes. If considering the process associated with the creation of a new plan for the Holdom Station Area, the City, in consultation with area property owners and the surrounding community, reached a solution for the future plan of development involving residential, supporting commercial, business centre and compatible light industrial uses, based on sound planning principles to utilize adjacent transit infrastructure, provide for employment and integrate supporting commercial services. If, for

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example, the Legacy Towers site at the southwest corner of Lougheed Highway and Holdom Avenue, had been designated for a specific use under the proposals presented in the *draft RGS*, say industrial, then the whole planning process between Council and the local community would have been subject to the scrutiny and final decision of the Metro Board, as it would have required a land use category change to the RGS. It is conceivable that the highly successful Legacy development would not be approved under the current draft of the RGS given the site's former industrial use. This not only directly erodes Council accountability with its citizens; it would suggest that the Metro Board is in a better position to make such a decision. While one can appreciate the need for regional consideration on major developments outside of established urban development areas, the highly regulatory structure of the *draft RGS* means that the generalized definitional and locational aspects underlying the plan will lead to a diminished degree of flexibility in local area planning, an acceptance of a Regional approval role, and resignation to the fact that future requests for RGS amendments will need to be more commonplace.

A second illustrative example of where municipal decision making would be directly affected relates to a City property within the Central Administrative area that is currently designated for Business Centre use. Council has, however, also given consideration to seniors housing on those lands. This potential alternate use may be supported from a local community planning perspective. However, under the proposed *draft RGS* framework which indicates the site for the industrial commercial land use category, a Council decision involving a change in the designation would require Regional approval. In the view of staff, resolution of this local land use decision would not have significance at the regional level, but certainly would at the local level, particularly if the local community felt it was not in control of the outcome of the ultimate decision. The City is in the best position through its planning process to determine the most appropriate use in relation to the local context, neighbourhood and city needs.

Another significant concern relates to the level of detail and permitted use descriptions in the *draft RGS*. The specifics associated with use definitions for the industrial, industrial-commercial, urban centres, frequent transit development corridors and conservation-recreation land use categories and designations present concerns from a local land use perspective. If adopted as presented, the City would also be faced with a high degree of non-conformity in relation to established zoning throughout the City, which has been in existence for over 40 years.

In many ways, the 1996 LRSP represented a partnership between the member municipalities that advanced regional directions through their respective planning and land use decisions. It respected the intentions and abilities of local Councils to consider the regional consequences of their decisions, while at the same time allowing the necessary flexibility and judgment in the local decision making. In contrast, the *draft RGS* utilizes a more directive and regulatory approach that undermines the local autonomy, accountability and flexibility in its land use planning processes.

Recommendations:

THAT Council advise the Metro Vancouver Board that the *draft RGS*, in its present form, is not supportable as a basis for subsequent acceptance and approval.

THAT Council advise the Metro Vancouver Board that the RGS should be based on the adoption of key regional designations, directions and guidelines for **recommended implementation** by municipalities, rather than the presently proposed regional regulatory approach to which municipalities would be required to more strictly comply.

3.4 Mandatory Municipal Implementation Actions

As previously noted, the current LRSP is essentially a goals-based regional plan that, while strong in its vision, has been primarily guided in its implementation by local municipal commitments as expressed in OCP's and RCS's. As clearly indicated above, the proposed *draft RGS* does not assume this same basic approach. Rather, it proposes a regional land use framework and requires specific commitment to strategies and actions by municipalities through a proposed expanded application of the prevailing legislation. Specifically, the *draft RGS* commits local governments to some 75 such actions that must be incorporated into OCP's and appropriately demonstrated in Regional Context Statements.

While noting the previously stated concerns with the proposed regulatory framework, staff are supportive of the primary goals and strategies represented in the *draft RGS*, as from both a regional and local perspective, they generally represent desirable policy directions for urban development, environmental protection, economic growth, complete communities and other aspects of sustainability. With regard to the approach to implementation, and the scope and extent of defined municipal policies, programs and actions, staff have significant concern with the current expression of these items as 'requirements' and 'commitments' for municipal implementation as: some are considered to be somewhat contrary to City policy positions; they would commit the City to a scope of work and positions that have not been considered in relationship to City resources, mandates, interests, and priorities; they would require significant financial and operating resources to pursue and implement; and would in many cases supplant municipal policies, plans, interests and priorities.

Many of the proposed actions are relatively minor and are typically otherwise included in OCP's. Others, however, obligate municipalities to new areas of policy, some of which are not a core function of local government; while still others necessitate consistency with regional projections for such matters as: affordable housing, rental housing, population, dwellings and employment. In other words, the goals and principles of the LRSP have become municipal obligations and appear to be moving towards becoming hard targets and requirements under the proposed *draft RGS*.

The following is a partial listing of the various municipal commitments, required by the *draft RGS* through OCP's and related RCS's, for each municipality to take actions to specify:

- how specified regional growth targets will be met;
- policies which support the development of office space in Urban Centres, possibly including zoning reserves, density bonusing and other financial incentives;
- policies that create city-owned district heating systems and renewable energy generation;
- policies that reduce residential and commercial parking in Urban Centres and Frequent Transit Development Corridors;
- designation of an industrial land reserve consistent with regional maps;
- policies which prevent non-industrial uses in industrial areas;
- Housing Action Plans which specify strategies and policies to:
 - meet the estimated future demand for rental and ownership units as set out in the *draft RGS*;
 - increase the supply of units affordable to households with low to moderate incomes as set out in the *draft RGS*;
 - assess local market conditions including affordability of existing ownership and rental housing options
 - increase the supply of diversity of the existing housing stock through infill developments and smaller lot sizes as well as more compact housing forms;
 - secure additional “affordable” rental units for households with low or low to moderate incomes through tools such as adopting density bonus provisions, the use of inclusionary housing policies or other mechanisms;
 - limit the loss of existing rental housing stock as well as policies to mitigate the impact on tenants who may be displaced; and
 - identify opportunities to work with other levels of government to secure additional social housing units to meet the needs of low income families, seniors and those with special housing needs, as well as to address the needs of those who are homeless and/or at risk of homelessness;
- policies which design or retrofit streets to be safe, accessible and compatible for enhanced transit services, cycling and walking;
- policies which pursue parking pricing and supply management, car-sharing and other initiatives that support transportation demand management;
- priority for transit in any expansion of road capacity; and
- policies which support urban food production.

The above sampling of requirements for municipalities is varied and far reaching. In many instances, the objectives of the requirements for municipalities are supportable. At the same time, as previously indicated, there are requirements that are somewhat contrary to City policy positions; require significant financial and operating resources to pursue and implement; would commit the City to a scope of work and positions that have not been considered in relationship to City resources, mandates, interests, priorities; or would

duplicate efforts of other municipalities in the region. Nevertheless, the *draft RGS* currently proposes that the City's Official Community Plan specifically demonstrate how **all** of the prescribed "Municipal Actions" will be implemented.

Recommendation:

THAT Council advise that while it is supportive of many of the municipal implementation action items contained in the *draft RGS*, it is concerned with the required commitment for local governments to implement all 75 listed actions, several of which would require significant financial and operating resources to pursue and implement; and would commit the City to a scope of work and positions that have not been considered in relationship to City resources, mandates, interests, priorities; and instead, Council proposes that these items be included as "***recommended implementation actions and opportunities***" instead of mandated commitments.

4.0 KEY LAND USE ELEMENTS OF THE DRAFT RGS

4.1 Land Use Framework

The *draft RGS* defines and represents a regional land use framework consisting of 'designations' and 'categories' based largely on prevailing land use designation and development patterns in the Region. This land use framework, together with required commitments of member municipalities, creates the proposed Regional land use zoning and approval regulatory approach.

As currently presented, the proposed regional land use framework is not fully consistent with or supportive of fundamental aspects of the existing, well-established land uses and approved zoning, community plan designations or OCP directions for Burnaby. In relation to Burnaby's long standing and well defined urban structure, its OCP and various community plans, as well as its Zoning Bylaw, staff have identified some specific material concerns relating to the proposed *draft RGS* land use designations and categories.

The following summarizes the land use framework in the *draft RGS*, along with related comments and concerns.

4.1.1 An Urban Containment Boundary (UCB): *is used to define the extent of urban growth, protect ecological, recreation, agricultural and rural lands, reduce travel distances, and promote cost-efficient transit and infrastructure provision.*

The UCB includes all lands designated for urban development under the *draft RGS*, and by definition appears to exclude designated Rural, Agricultural and Conservation-Recreation areas. It corresponds to the *draft RGS* approach to urban containment and growth concentration, and replaces the currently established Growth Concentration Area (GCA). All of Burnaby appears to be situated within the Urban Containment Boundary.

The 1996 LRSP adopted a strategy of concentrating increased residential growth within the inner core municipalities identified as the “Growth Concentration Area” with accompanying targets reflective of that proposed directed growth. The *draft RGS* appears to make no such distinction within its strategic makeup and instead allows growth to be accommodated on all those developable lands within the UCB to be guided by application of its various goals and objectives.

4.1.2 General Urban Area: *is defined as the developed portion of the region, within the Urban Containment Boundary, and not including other land use categories such as Urban Centres, Frequent Transit Development Corridors, Industrial, Industrial-Commercial areas, industrial facilities, and major employment generators.*

The purpose of the General Urban Area appears to be to capture the balance of development lands on the Regional ‘zoning map’ within the UCB that are not assigned to other land use categories (*Urban Centres, Frequent Transit Development Corridors, Industrial, Industrial-Commercial, and Special Activity areas*), as part of the approach to establish regional land use designations and zoning. It excludes the Rural, Agricultural and Conservation-Recreation land use designation areas that collectively establish the majority of lands within the current Green Zone that may be located inside the UCB.

The General Urban Area also captures the balance of park lands, water bodies, conservation areas, cemeteries, and other lands -- that are not specifically designated as rural, agricultural or conservation-recreation -- but may not be intended for future urban development.

There is a minor concern related to the Regional definition of local municipal park lands, water bodies, conservation areas and other lands, as not being in the Regional ‘Green Zone’ but being within of the General Urban Area - that it could result in a misinterpretation that these lands could be available for development.

4.1.3 New Green Zone Designation for:

Rural Areas: *to capture existing rural land use areas that include low density residential development, agricultural and small-scale commercial uses in the region that are defined as being outside the Urban Containment Boundary.*

Agricultural Areas: *to define designated agricultural lands that are within the Agricultural Land Reserve.*

Conservation-recreation Areas: *to protect ecological and outdoor recreation areas such as drinking watersheds, conservation areas, habitat, forests, wetlands, major parks and recreation areas.*

An important point of departure from the current LRSP, the *draft RGS* proposes to split the current ‘Green Zone’ designation into three separate parts – *Conservation-Recreation*, which focuses on outdoor recreation and ecological conservation, *Rural*,

which proposes to preserve rural landscapes and character from urban development and *Agricultural*, which is intended to protect agricultural lands for use for food production.

The Rural and Agricultural designations do not generally have any impact on Burnaby. Within the *draft RGS*, Burnaby does not appear to have any designated rural areas as all Burnaby lands are within the UCB. With respect to agricultural lands, the *draft RGS* accurately reflects the City's current and long standing approach to preserve designated agricultural lands for agricultural purposes. With regard to the Conservation-Recreation designation, however, it has a purist focus on natural conservation and 'outdoor' recreation lands. More specifically, the designation does not provide for the need to use certain City park lands to meet a broader range of community purposes for 'indoor' recreation, development of cultural, community, and other public institutional uses. If not amended, this approach could require the City to re-assess its current commitment and designation of lands within the current Green Zone to more accurately reflect City lands that are specifically intended for conservation and outdoor recreation, as opposed to those (or a portion of those) required for 'indoor' recreation, cultural, and community uses. This would necessarily result in a need for the City to remove significant public park areas (such as Central Park and Deer Lake Park) from the proposed Green Zone Conservation-Recreation designation.

Recommendations:

THAT Council seek assurances that the current description of appropriate uses for designated conservation-recreation lands within the *draft RGS* would not preclude the necessary future accommodation of public developments to also meet the indoor recreational, cultural and other public service needs of the community on appropriate City owned lands currently shown within the adopted Green Zone.

THAT Council advise that if the current description of appropriate uses for designated conservation-recreation lands within the *draft RGS* is not amended, this will necessitate a need for the City to remove significant public park areas from the proposed conservation-recreation green zone designation.

4.1.4 Urban Centres: *are defined to establish a hierarchy of urban centres to establish focal locations to accommodate much of the Region's growth for higher density and intensity office, retail, community, cultural, institutional and residential uses to support transit, complete community, and trip reduction objectives.*

The Metropolitan Core (Vancouver's downtown area) and Surrey Metro Centre are designated 'core areas' intended to accommodate the region's most dense forms of residential and commercial development and be the region's primary focus for jobs. Supporting the two metropolitan cores areas, a series of Regional City Centres, of

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which Metrotown Town Centre is one. Regional City Centres are intended to be centres of activity for the sub-regions, with opportunities for regional or sub-regional office locations, large-scale, high density commercial uses and medium and high density residential development forms. Municipal City Centres, which Lougheed, Brentwood and Edmonds Town Centres are designated, are proposed locations for services and activities oriented to the *local* needs of the municipality, are focal points for accommodating medium and *some* higher density housing forms, and are intended to accommodate business and commercial activities which are *local-serving*.

Generally speaking, the notion of directing growth to urban centres is supportable. However, some significant definitional concerns are noted in relation to Municipal City Centres which would restrict the development and function of these centres to be ‘oriented to local needs’, to contain ‘medium and some higher density housing forms’, and to accommodate ‘local serving commercial activities’. Even the existing LRSP document acknowledges the expanded role of Municipal Town Centres in its description that they are to “*contain a mixture of region-serving and local services ...*”.

Within Burnaby, the four town centres of Metrotown, Brentwood, Lougheed and Edmonds are fundamental components of the City’s long established urban structure. This reality will not change. As such, while Metrotown is recognized as having a Regional City Centre designation, it does not restrict to the ability for the City to also accommodate significant office growth in Brentwood, Lougheed or Edmonds Town Centres. It is questioned whether the several high-density residential and office developments either under construction or in the approvals process that have already occurred within the Brentwood Town Centre which are consistent with City plans and objectives would potentially have been precluded by the Urban Centres designation/category in the *draft RGS* had it been in place at the time as currently proposed. If so, then the intended character of our designated Municipal City Centres (specifically Edmonds, Lougheed and Brentwood Town Centres) within the RGS needs to be re-evaluated to include higher-density residential and commercial uses based on their long standing purpose and intended role. It is a primary concern to City staff that there be no misrepresentation in the *draft RGS* Urban Centre designations and categories that would preclude a significant component of the currently existing, approved and planned higher density development forms and types within the Edmonds, Lougheed and Brentwood Town Centres. Each are equally positioned to develop with substantial medium to high density forms, and to accommodate local, sub-regional and regional serving retail, commercial, and office development in close proximity to major road and transit facilities, and institutional and recreation amenities that are associated with our well established town centres. As such, the current limited definition of Municipal City Centres in the *draft RGS* is contrary to Burnaby’s established urban structure, based on the concept of four town centres sharing in their intention to accommodate urban growth in high and medium-density, and commercial and residential development forms recognizing their foci of services, facilities and transit facilities.

Clearly, the defined roles for Edmonds, Lougheed and Brentwood Town Centres, strictly based on the multi-town centre approach adopted by this community some 40 years ago, exceed those for example of smaller town centres in the Region such as Fleetwood in Surrey or Lynn Valley in North Vancouver. The RGS strategy needs to incorporate these differences in the intended roles and scale of Municipal City Centres throughout the region through changes to the land use descriptions currently incorporated in the *draft RGS*.

Contained in the *draft RGS* as an appendix are the Regional Growth Strategy tables showing dwelling unit and employment targets for urban centres and corridors. Staff have not been directly involved in the development of the targets, and therefore are not aware of the underlying methodology and assumptions. However, with reference to the employment projections, it shows 208,000 new jobs being created within Regional and Municipal City Centres, **excluding those in Vancouver Metro Centre and the Surrey Metro Centre**. Even with these exclusions, the 208,000 jobs represents 35% of all new employment growth between 2006 and 2041 within the entire region. This is a very significant shift in employment location to municipal centres, and does not, on a preliminary basis, seem to be consistent with our expectations for distribution of employment growth as defined in the City's current OCP. In relation to the *draft RGS* directions, this would indicate that the region has assumed less or reduced employment in areas outside of Centres, while at the same time, the draft RGS also discounts Municipal City Centres and Frequent Transit Development Corridors as appropriate locations for new employment. On this basis, most of this significant shift in employment would be expected to only be accommodated in the Regional City Centres, of which Metro Town would be expected to respond to the challenge of accommodating this significant shift in employment location for Burnaby.

Recommendation:

THAT Council request that the *draft RGS* be amended to ensure that municipalities are provided with the necessary discretion to define the form, density, character and function of individual town centres in relation to their defined roles and specific local context as specified within their OCPs and RCSs.

4.1.5 Frequent Transit Development Corridors: to focus higher density residential development along transit corridors in relation to transit stations to achieve compact growth and support transit investments.

The *draft RGS* proposes development areas along the Regional Transit Network Concept for higher density residential uses, particularly in association with station areas. The concept also provides for some opportunity for local serving commercial uses. The proposals do not support the development of employment based activities such as office, business centre or other uses in these corridors on the premise that they

should be more appropriately located within urban centre areas. In its current form, the draft RGS requires that municipalities prepare maps showing the Frequent Transit Development Corridors for submission to, and approval by the region.

Burnaby has long supported its historical transit development corridors of Kingsway, Edmonds Street and Hastings Street by encouraging a mix of uses that would reduce dependence on the automobile and make transit more viable. More specifically, the City has support of this concept through the introduction of higher density apartment development opportunities within designated nodes along the Expo and Millennium Lines.

The City has also taken a leadership role in promoting medium and high density residential and employment-based development at appropriate locations along transit corridors within the City in our Town Centre, Urban Village, mixed-use shopping street and Business Centre locations. Town Centres, Urban Villages and established mixed-use shopping streets have been designated and developed to accommodate residential, retail, commercial and other community services and amenities. The City's Business Centres have been designated primarily to accommodate employment objectives for a range of uses that include light industrial, specialized production, research and development, corporate headquarters and other business and professional office uses.

Staff are concerned that the Frequent Transit Development Corridor model, if applied literally in relation to the Frequent Bus Concept map contained in the *draft RGS*, would undermine key aspects of the City's land use framework by establishing land use directions for urban intensification of lands currently designated for other uses and purposes. For example, it could establish a policy direction for more intensive residential development of current City park, industrial, Business Centre, and single and two family residential areas. It could also negatively impact the viability of the City's Urban Centres model by distributing rather than focusing higher density development opportunities across the City's land base. The *draft RGS* policy for transit development corridors also does not recognize that employment areas, such as established Business Centres, are also appropriate for transit focused development.

The City is strongly supportive of and has taken concrete actions to promote medium and high density residential development at appropriate locations along the Frequent Transit Development Corridors. However, the City is not intending to permit residential uses within our designated Business Centre areas along these transit corridors. Moreover, while the City has long supported its historical development corridors of Kingsway, Edmonds Street and Hastings Street, by encouraging a mix of uses that would reduce dependence on the automobile and make transit more viable, the general expansion of this model as proposed in the *draft RGS* requires careful consideration. Specifically, it needs to reflect supportable segments and locations for corridor development and to recognize more than the solely residential and ancillary commercial uses that have been proposed.

The above is proposed rather than the singular approach presented in the *draft RGS* to support 'primarily medium and higher density residential use' along transit corridors to ensure that it does not set land use planning directions that would impact or intrude on the City's established park lands and single and two-family residential areas; reduce the viability of focused Town Centres and Urban Village development in station areas; and result in the proposed introduction of residential development that displaces necessary and established industrial and employment uses along transit corridors that the City intends to maintain for these purposes.

As such, the Frequent Transit Development Corridor Model, as presented, could not be accepted in Burnaby to adequately define and establish supportable areas for appropriate corridor development.

Recommendation:

THAT Council request that the *draft RGS* be amended to provide for a variation and potential mix of uses and densities within Frequent Transit Development Corridors, as deemed appropriate through municipal planning processes.

4.1.6 Industrial Lands: *to protect existing industrial lands from development for other uses to meet the economic goals of the draft RGS. Lands within the industrial designation are defined for manufacturing, processing, repair, warehousing, distribution, transportation, utilities, laboratory, and minor ancillary uses only.*

Within the *draft RGS*, these lands have been identified on a map for application of the proposed Regional industrial land use category. The lands identified as "industrial" generally appear to include the City's heavy industrial and general industrial lands that are currently designated and zoned for industrial use, and exclude the City's Business Centre lands and current industrial lands (with some limited exceptions) that have been specifically designated for alternate use in line with the City's adopted OCP and community plans.

The *draft RGS* would establish protection for industrial land through an approach that essentially incorporates an industrial land reserve. It would extend the same level of protection to industrial lands as is currently afforded the Green Zone. The objective of the *draft RGS* for this industrial designation and definition of industrial use is to protect identified industrial lands only for the traditional production activities listed above.

In application, this regional land use approach for protection of industrial lands would establish Regional Zoning for the City's industrial land base that would supersede municipal industrial zoning definitions and use categories. Under the *draft RGS*, to meet the commitment to the industrial land reserve, municipalities would be

obligated to amend their industrial zoning districts to be consistent with the definition of uses contained in the regional industrial land use category. This would necessitate the removal of some existing permitted uses from the prevailing zoning districts. The removal of permitted uses from the City's Zoning Bylaw for these lands, such as business and professional offices, specified commercial uses, and other uses that do not match the regional definition, would result in significant legal non-conformity, and significantly impact the current and future use options for industrial land owners in the City.

Staff have consistently challenged Metro Vancouver's narrow definition of industrial activities being limited to "*manufacturing, processing, repair, warehousing, distribution, transportation, utilities, biomedical facilities and other laboratories used for scientific and medical research*", and to only consider office uses as ancillary.

Over the history of the City's development, our industrial land districts have evolved to meet the needs of the community and industry. This recognizes that over the years there have been market forces at play that have seen a gradual migration outward of less intensive, large land-based industrial users to more intensive and varied users. The current zoning districts provide opportunities for the full range of industrial activities from heavy industrial to light industrial to office and high technology uses. The distribution of these uses in the City have been determined by historical development patterns, surrounding uses, access considerations, soil conditions and other factors. This has been an iterative process that has resulted in an industrial development framework that contributes to the City's diversity of employment and broad tax base, and makes significant contributions to the local and regional economy. As conditions change, the City has made the necessary adjustments to these industrial zoning districts and associated designated lands to ensure that they remain contemporary and meet community needs. It is essential that the City protect its existing autonomy in managing its industrial zoning framework and categories.

Any suggestion that the City should change its policies to narrow opportunities for a diversity of industrial uses, at the expense of employment diversity and efficient and intensive use of its remaining industrial land, is not supportable. The City for its part has identified the benefits of encouraging even small increases in the floor area ratios of general industrial development for the purposes of increasing the efficiency of the use of the City's heavy, general and light industrial lands in its current OCP. Business owners and developers have all made significant infrastructure investments consistent with the City's Official Community Plan and have been the recipients of Comprehensive Development (CD) Zoning to safeguard their investments over the longer term. The City for its part expects to honour those commitments.

An alternative to the approach proposed in the *draft RGS* is to apply the objective for '*employment uses of an industrial nature*', rather than creation of an industrial land use category, to the lands identified for industrial protection. This would maintain

local decision making autonomy, and would allow for the continuation of intra-regional differences in industrial land utilization.

In summary, from staff's view, the *draft RGS* approach results in the removal of long standing permitted uses from our Industrial Districts; it creates significant legal non-conforming uses; it limits current and future development options; it reduces the City's potential employment base; and, it impacts the economic viability of our industrial lands.

Recommendations:

THAT Council inform the Metro Vancouver Board that it is not accepting of the proposed approach for the protection of industrial lands, characterised by the associated land use restrictions as presented in the *draft RGS*, given its impact on long standing land use commitments; the necessary removal of permitted uses from prevailing industrial districts; the creation of legal non-conforming uses; the limitation of current and future development options; the impact on the City's potential employment base; the loss of economic viability of our industrial lands; and the creation of a more complex and extensive land use change approval process.

THAT Council suggest that the Board consider an alternative to the approach proposed in the *draft RGS* by allowing instead a broader land use objective involving '*employment uses of an industrial nature*' for the lands identified for industrial protection to help maintain local decision making autonomy and allow for the continuation of intra-regional differences in industrial land utilization.

4.1.7 Industrial-Commercial Lands: *to recognize industrial areas in the region that have already 'transformed' to accommodate a broader range of employment activities such as office, business, retail, and other quasi industrial-commercial uses.*

The needs of industry have changed dramatically over the last several decades to reflect an evolving regional and provincial economy that is as much shaped by global markets as it is local. As such, new technology, particularly relating to information, new media and communications, is blurring the traditional lines between industrial, office and production business classifications.

Burnaby has recognized the need to accommodate and encourage new businesses indicative of an emerging "quasi-industrial" sector in its OCP and local area plans by establishing Business Centre designations for key employment areas in designated centres such as Discovery Place, Glenlyon, Lake City and other high quality, high amenity and high employment centres. These areas also provide the basis for a more intensive and efficient use of the City's remaining industrial and business use lands. The role for these Business Centre lands is significant as demonstrated within the

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City's OCP which projected employment growth in these areas from about 19,900 in 1996 to approximately 48,400 by 2021.

The *draft RGS* proposes to accommodate Burnaby's Business Centre areas as lands that have already transitioned, either by development, zoning or designation, from the more limited RGS "industrial" definition by categorizing them to a 'Industrial-Commercial' land use category. The proposed approach, generally addresses a long-standing and often repeated staff concern that the *draft RGS* should appropriately reflect and protect the established directions, designations and zoning of the City's Business Centre lands. The intent to respect current designations of Business Centre lands is reflected in the statement in the *draft RGS* that: "*The Strategy identifies Industrial-Commercial areas to acknowledge that some industrial areas have already transformed to these uses and are not likely to re-develop as industrial areas.*". The "Industrial-Commercial" land use designation would capture Burnaby's **existing Business Centre areas** that have 'transitioned' through Council approved designations, zoning and/or development to accommodate a range of employment activities that range from traditional industrial uses to research and development and corporate headquarter and office uses.

Confirmation of this view was also presented in the maps provided to the City by the Region with respect to the land use designations and categories incorporated into the *draft RGS*. The intent of the draft appears to be to preclude the future creation of new Business Centres and employment intensive development outside of designated Urban Centres on industrial or other General Urban Area lands.

The Region's approach would, however, exclude lands from this land use category that have Council directions for future transition to other uses, but have yet to achieve approval in a designation, zoning bylaw and/or development forms. Subject to final designations and identification of lands for land use categories in a finalized RGS, this may apply to such lands as the TransLink property on the north-east corner of Boundary Road and Lougheed Highway, the Provincial institutional lands at Canada Way and Willingdon, and any future area for which Council may consider establishing a residential, mixed use and/or Business Centre designation. Staff believe that it is necessary to maintain the ability of the City to plan for the appropriate transition of lands in the City which in specific circumstances may involve creation of additional business centre lands.

Unlike some other jurisdictions in the region, the City's approach to Business Centre employment lands does not, and would not, accommodate the retail use referenced in the *draft RGS*. These lands will continue to play a significant role in the City's strategy to intensify land use and employment densities within these Business Centre areas.

Recommendations:

THAT Council advise that a finalized *RGS* should acknowledge, recognize and respect the City's designated Business Centre areas that accommodate a range of industrial, research and development, and business and professional office uses under the City's adopted OCP by way of designation, zoning and/or approved community plans, and that it is necessary to maintain the ability of the City to plan for the appropriate transition of lands in the City which in specific circumstances may involve creation of additional business centre lands.

4.2 TransLink Approval Requirements

Further to the list of municipal obligations is the requirement for municipalities to have Translink review and approve OCPs and major development proposals. In two places the proposed RGS states:

1.2.6 Refer to Translink for review, as set out in provincial legislation, the proposed adoption or amendment of an Official Community Plan, or major development proposals for the purpose of determining whether such measures warrant a revision to the Regional Context Statement.

2.1.6 Translink review proposed major developments to ensure compliance with 2.1.5 (a) in accordance with the provisions of the South Coast British Columbia Transportation Authority Act.

At the time of writing, staff have been unable to ascertain what qualifies as a "major development proposal", but what is clear is the intent to have Translink's authority under the South Coast British Columbia Transportation Authority (SCBCTA) Act asserted and thus another layer of approvals added. This is a serious concern. Apart from a further erosion of local decision-making autonomy, is the added layer of development approvals that would negatively affect development in the region by removing clarity and certainty in the approvals process which increases risk to developers. There is no concern related to TransLink being consulted where a major development is proposed to occur beyond the outlined terms and scope of an approved OCP or RCS, or for a major development that requires an amendment to an adopted OCP and RCS. However, if a "major development proposal" is defined primarily by its size (major), one would question what purpose would be served by TransLink having to review a corporate headquarters building in one of our designated centres for such a use, when it clearly would be expected on the basis of the adopted OCP, RCS and the RGS.

Recommendation:

THAT Council convey its concern with TransLink becoming a general third approval body in the draft RGS for land use decisions, as this would further erode local

decision making and further complicate approval processes resulting in increased uncertainty for the development community: that such reviews be limited to consulting with Translink on those major developments that require an amendment to an adopted OCP and RCS.

4.3 Projections – Population, Units, Employment, Housing

The *draft RGS* established projections for growth to 2041 by municipality. For Burnaby, the stated projections are:

- **Population:** increasing from 212,100 in 2006 to 348,000 by 2041, an increase of 64% or about 1.8% per year.
- **Unit Count:** increasing from 82,000 in 2006 to 150,000 by 2041, an increase of 83%, or about 2.4% per year.
- **Employment:** increasing from 137,000 in 2006 to 204,000 by 2041, an increase of 49%, or about 1.4% per year.

The *draft RGS* would require municipalities to demonstrate how they would accommodate the population, dwelling unit and employment growth projected in the *draft RGS*. It is expected that the citizens from the local community would also have the same expectations.

The 1996 LRSP was explicit in its vision to pursue a compact metropolitan region model that would see most of the projected residential growth in the region concentrated in its core municipalities, identified in the Strategic Plan as the “Growth Concentration Area”. The LRSP goal was to have about 70% of the region’s population located in the Growth Concentration Area by 2021, up from 65% in 1991. For its part, Burnaby, in the LRSP was projected to have a relative decrease in its regional share of population and households from 1991 to 2021, declining from 9.9% to 8.9% for population and from 10.3% to 9.7% for households.

The *draft RGS* is less explicit about its strategic growth management directions other than the reference to the urban containment boundary and urban areas designations. A review of the municipal projections in the *draft RGS* does suggest some relative new growth allocation in comparison with the LRSP document. In the *draft RGS*, Burnaby is projected to have a relative increase in both population and dwelling units (from 9.6% in 2006 to 10.2% in 2041 for population and from 10.2% in 2006 to 10.6% in 2041 for dwellings). On the other hand, it is projected that total employment in Burnaby will show a relative decline from 11.7% in 2006 to 11.6% in 2041. In comparison with the growth management directions within the LRSP, the *draft RGS* proposes a relative increase for Burnaby for population and dwelling unit growth and a relative marginal decrease in employment growth. There is no information in the *draft RGS* that would indicate the intended proposed internal distribution of population, dwelling units and employment within individual municipalities as related to the various land use designations and categories. However, Table 1.5 showing population,

dwelling unit and employment projections by municipalities would suggest some expectations at the municipal level as a whole. Whether these expectations are realistic, or not, at the municipal level would need to be determined through a more detailed review of RGS proposals following the current general public consultation process being advanced by the Region.

Given that the *draft RGS* was just recently sent to local government for comment, following the Board meeting of 2009 February 27, staff have not been able to analyze the implications for the City in terms of current development capacity and/or required City responses to address the stated expectations for Burnaby. In addition, through the Regional process undertaken to date, local governments have not been engaged in a formal process to review the figures presented in the *draft RGS through their Councils*, to comment on the methodology and assumptions used to develop the projections directly, or to determine whether and how the projections and targets could or would be supported by established OCPs and other community plans. As such, only a very preliminary review of the projections has been completed to date.

It is important that the City have a good understanding of the methodology associated with the projections, and more importantly how Burnaby actually could, or would, respond to its growth target allocations. The key questions for the City are the extent to which existing policies would address the projected population growth and secondly, to what extent any new policies would have to be introduced for review and discussion as a means to accommodate projected growth. The same applies for employment growth and the need for the City to maintain a healthy tax base and favourable labour force to employment ratio. Acceptance of the allocated growth projections for the City will require a “ground up” analysis of the various development opportunities (either existing or new) to ensure that the population and employment targets are indeed achievable. Experience from the last LRSP review demonstrated the importance of the City having a general understanding how the City would be reaching its expected growth allocations prior to the public review process. Typically, residents sought to have assurances that the anticipated growth would not be the expense of massive changes to lower density residential areas or conversions of conservation lands.

Recommendation:

THAT Council request that, prior to advancement of the RGS, Metro Vancouver to undertake a consultative and collaborative process to allow member municipalities to review the methodology used to develop population, unit and employment projections, comment on the appropriateness of underlying assumptions, and develop municipal responses as to the acceptability, achievability and implications of proposed current projections prior to finalizing the draft.

4.4 Parcel Based Approach

As noted throughout this report, the proposed regulatory approach developed for inclusion in the *draft RGS* establishes land use designations and categories that ultimately will need to be

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reflected at a parcel by parcel level within a finalized RGS and in local OCP's and RCS's. There remains outstanding concerns as to the accuracy and completeness of the lands shown on the maps in the draft RGS under the various land use designations and categories, if the regulatory approach were adopted by the Region, given the significant process and legal implications of the proposed regional land use designations. Staff are not actively pursuing the completion of the mapping exercise based on the current draft RGS given the City's fundamental concerns with the regulatory approach. If the approach were to be adopted despite the City's strong objections, it would be imperative that the City's land based be properly categorized by the City in relation to Council's prevailing OCP and other land use directions.

5.0 CONCLUSIONS AND NEXT STEPS

This report has provided an overview and assessment of the *Metro Vancouver 2040: Shaping Our Future* document released for municipal comment. This *draft RGS* document provides the first opportunity for municipal comment on major elements of a renewed RGS for Metro Vancouver. This report offers a range of staff comments and *Council Position Statements* for submission to the Metro Vancouver Board for consideration in this component of the public consultation process.

At this stage of the *draft RGS* development, Burnaby staff is of the view that **the *draft RGS*, in its present form, is not supportable for endorsement or acceptance by the City as a basis for subsequent approval.** While there is support in principle for many of the policy based goals, objectives and directions for the *draft RGS*, staff are recommending against Council endorsement as it does not appropriately reflect and accommodate local government plans, policies and directions, nor does it appropriately maintain local land use and priority setting decision making authority or maintain an appropriate level of accountability between Council and its citizens.

There remain many fundamental issues to be resolved in order to achieve an acceptable level of consensus between the City and the Region. These include needed agreement on the:

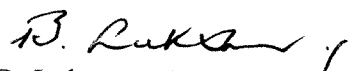
- adoption of a policy based approach based on key regional designations, directions, guidelines and actions for ***recommended implementation*** by municipalities, rather than the presently proposed regional regulatory approach at the parcel level, to which municipalities must strictly comply;
- provision of necessary permitted discretion for municipalities to define the form, density, character and function of individual city centres in relation to their defined roles and local context as specified in their existing OCP and RCS;
- amended guidelines and descriptions for land use categories that recognize the concerns outlined in this document, specifically in relation to Industrial, Frequent Transit Development Corridors, Urban Centres, Urban and "Green Zone lands";

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- amended approach for an industrial land reserve at a policy level;
- appropriate accommodation of additional designated Business Centre areas;
- amendment of the current requirement for local governments to implement all 75 listed municipal actions to “*recommended implementation actions and opportunities*” instead of mandated commitments;
- the limitation of land use reviews by TransLink as a general third approval body in the *draft RGS* being limited to consulting on those major developments that are proposed for locations and purposes outside the terms and scope as defined in a City’s OCP and RCS;
- provision of ample opportunity for a collaborative review process to allow member municipalities to assess the methodology used to develop population, dwelling unit and employment projections, comment on the appropriateness of the underlying assumptions and develop municipal responses as to the acceptability, achievability and implications from a municipal perspective prior to finalization of the drafting process; and,
- provision of ample opportunity to review and amend maps associated with the proposed land use designations and categories in the *draft RGS*.

The City remains a strong supporter of the regional planning process. However, the City objects to the significant regional regulatory approach being advanced in the *draft RGS*. The City believes strongly that a collaborative partnership approach will provide the optimum means to advance regional objectives, while concurrently addressing local needs and aspirations. The recommendations of this report are reflective of that belief and are intended to assist with the RGS update review process, and as directed by Metro Vancouver, provide this City’s initial response to the *draft RGS*. They are also to be made available for public consideration as part of the Region’s ongoing public consultation process expected to be initiated on 2009 April 15. To assist in this process, it is also recommended that this report be sent to the Metro Vancouver Board, other member municipalities, Translink, the Urban Development Institute, NAIOP and the Burnaby Board of Trade.

It is recommended that the Committee seek Council adoption of the recommendations of this report.



B. Luksun, Director
PLANNING AND BUILDING

LP/EK/JSB:tn

cc:	City Manager	Director Finance
	Director Engineering	OIC – RCMP
	Chief Librarian	Fire Chief
	City Solicitor	Director Parks, Recreation & Cultural Services

P: Gulzar Edward Kozak RGS RGS Committee Report V7.1.doc

Attachment 1: Summary Statement of Concerns and Recommendations

City of Burnaby Submission to Metro Vancouver RGS Consultation Process

Burnaby's Areas of Concern	Burnaby's Recommendations
Regulatory Approach	
<ul style="list-style-type: none"> • New regional regulation (and approvals) • Municipalities required to comply • OCP's must be consistent with specifics of the RGS (including all municipal RGS actions) 	<ol style="list-style-type: none"> 1. THAT Council advise the Metro Vancouver Board that the <i>draft RGS</i>, in its present form, is not supportable as a basis for subsequent acceptance and approval. 2. THAT Council advise the Metro Vancouver Board that the RGS should be based on the adoption of key regional designations, directions and guidelines for recommended implementation by municipalities, rather than the presently proposed regional regulatory approach to which municipalities would be required to strictly comply.
Proposed Land Use Designations and Categories	
<ul style="list-style-type: none"> • New regional (RGS) land use designations and categories (varying precision – some at parcel level) • Changes to locked in designation/category land use would require OCP and RGS Amendment (consultation and public hearing) • Significant increase in length and complexity of the development approval process when a designation or category change is required 	
A Direct Regulatory Role for Metro Vancouver	
<ul style="list-style-type: none"> • Proposed transfer of significant regulatory powers – from municipalities to Metro Vancouver • Restricts cities' ability to manage and regulate land use • RGS designations and categories would supersede Burnaby's zoning 	
Diminished Local Accountability	
<ul style="list-style-type: none"> • Metro Board would have final decision making role • Erodes Council's ability to be responsive to local needs and concerns • In the future, restricts consideration of additional alternative land uses 	

Burnaby's Areas of Concern	Burnaby's Recommendations
<p>Mandatory RGS "Municipal Actions"</p> <ul style="list-style-type: none"> • Shift from performance based guidelines to regional land use framework coupled with commitment to municipal actions <ul style="list-style-type: none"> ○ hard targets and requirements (75 in all) ○ inflexible – mandatory compliance • Requirements are varied and far reaching – some outside core City functions, some contrary to existing City policy, and some with significant resource requirements 	<p>3. THAT Council advise that while it is supportive of many of the municipal implementation action items contained in the draft RGS, it is concerned with the required commitment for local governments to implement all 75 listed actions, several of which would require significant financial and operating resources to pursue and implement; and would commit the City to a scope of work and positions that have not been considered in relationship to City resources, mandates, interests, priorities; and instead, Council proposes that these items be included as "recommended implementation actions and opportunities" instead of mandated commitments.</p>
<p>TransLink Approval Requirements</p> <ul style="list-style-type: none"> • TransLink would review "major development" proposals, OCP adoptions, and OCP amendments – potentially adding a third review/approval agency to the new role suggested for Metro Vancouver and the City's existing development approval role. • "Major development" review process has yet to be defined. • Could add a significant amount of uncertainty and risk to the development review process. 	<p>4. THAT Council convey its concern with TransLink becoming a general third approval body in the <i>draft RGS</i> for land use decisions, as this would further erode local decision making and further complicate approval processes resulting in increased uncertainty for the development community: that such reviews be limited to consulting with Translink on those proposed major developments that require an amendment to an adopted OCP and RCS.</p>

Burnaby's Areas of Concern	Burnaby's Recommendations
Key Land Use Elements of the Draft RGS	
<ul style="list-style-type: none"> RGS land use framework is not fully consistent with or supportive of fundamental aspects of Burnaby's OCP, community plans and Zoning Bylaw. 	
<p>"Green Zone" and "General Urban Areas"</p> <p>New "Green Zone" definition:</p> <ul style="list-style-type: none"> Focused on natural conservation/outdoor recreation. This could preclude "indoor" uses (recreation, cultural, public/community). To protect for future flexibility, the City would likely have to remove significant amounts of land (e.g., Central Park, Deer Lake) from the "Green Zone". <p>"General Urban Areas" definition (<u>minor</u> concern):</p> <ul style="list-style-type: none"> Local municipal parks, conservation areas, other lands and water bodies are within "General Urban Area" and not "Green Zone" – this could be misinterpreted as being potentially available for development. 	<p>5. THAT Council seek assurances that the current description of appropriate uses for designated conservation-recreation lands within the <i>draft RGS</i> would not preclude the necessary future accommodation of public developments to also meet the indoor recreational, cultural and other public service needs of the community on appropriate City owned lands currently shown within the adopted Green Zone.</p> <p>6. THAT Council advise that if the current description of appropriate uses for designated conservation-recreation lands within the <i>draft RGS</i> is not amended, this will necessitate a need for the City to remove significant public park areas from the proposed conservation-recreation green zone designation.</p>
<p>Municipal City Centres</p> <p>Definition:</p> <ul style="list-style-type: none"> Potential to restrict the development and function of Burnaby's town centres to: <ul style="list-style-type: none"> be 'oriented to <u>local</u> needs', contain '<u>medium</u> and <u>some</u> higher density housing forms', and accommodate '<u>local</u> serving commercial activities'. This could significantly downgrade the intensity of mixed uses currently envisioned for the Edmonds, Lougheed and Brentwood Town Centres. The draft RGS needs to reflect the varied differences in role and scale of municipal city centres across the region. <p>Employment projections:</p> <ul style="list-style-type: none"> Significant shift to Municipal City Centres as concentrations of employment, with a primary reliance upon Regional City Centres (inconsistent with Burnaby OCP). 	<p>7. THAT Council request that the <i>draft RGS</i> be amended to ensure that municipalities are provided with the necessary discretion to define the form, density, character and function of individual city centres in relation to their defined roles and specific local context as specified within their OCPs and RCSs.</p>

Burnaby's Areas of Concern	Burnaby's Recommendations
<p>Frequent Transit Development Corridors</p> <ul style="list-style-type: none"> • Suggests a residential intensification of lands currently designated for other uses. • Could reduce the viability of focused town centres and urban village development immediately surrounding SkyTrain stations. • Does not recognize that employment areas are also an appropriate fit for transit focused development. • City parks, industrial, Business Centre and single/two family residential uses could be impacted. 	<p>8. THAT Council request that the <i>draft RGS</i> be amended to provide for a variation and potential mix of uses and densities within Frequent Transit Development Corridors, as deemed appropriate through municipal planning processes.</p>
<p>Industrial Lands</p> <ul style="list-style-type: none"> • RGS proposes an industrial land reserve – essentially, the same level of protection that is currently afforded the “Green Zone”. • Would establish regional industrial zoning – based on a traditional definition of production oriented industrial uses – precluding business and professional offices, specified commercial uses, and other non-production industrial uses. • Ignores the blurring of traditional lines between industrial, office and production business classifications that is taking place in the marketplace. • Would necessitate the removal of some long-standing existing permitted uses from existing Burnaby zoning districts – resulting in a significant: <ul style="list-style-type: none"> ○ impact on current and future land use options for industrial land owners; and ○ amount of legal non-conforming uses. • Would marginalize the significant infrastructure investments already made by land owners and the City to support Burnaby's current policies of land use intensification within designated areas. 	<p>9. THAT Council inform the Metro Vancouver Board that it is not accepting of the proposed approach for the protection of industrial lands, characterised by the associated land use restrictions as presented in the <i>draft RGS</i>, given its impact on long standing land use commitments; the necessary removal of permitted uses from prevailing industrial districts; the creation of legal non-conforming uses; the limitation of current and future development options; the impact on the City's potential employment base; the loss of economic viability of our industrial lands; and the creation of a more complex and extensive land use change approval process.</p>

Burnaby's Areas of Concern	Burnaby's Recommendations
<ul style="list-style-type: none"> • Would require changing policies to encourage lower order traditional industrial uses at the expense of more intensive/efficient commercial uses – which could impact the City's: <ul style="list-style-type: none"> ○ potential Tax base; and ○ potential employment base. • Should consider the application of "employment uses of an industrial nature". 	<p>10. THAT Council suggest that the Board consider an alternative to the approach proposed in the draft RGS by allowing instead a broader land use objective involving 'employment uses of an industrial nature' for the lands identified for industrial protection to help maintain local decision making autonomy and allow for the continuation of intra-regional differences in industrial land utilization.</p>
<p>Industrial-Commercial Lands</p> <ul style="list-style-type: none"> • Would not allow for any future transition from industrial to Business Centre uses which are not already approved by Council. – in designation, zoning bylaw or development form (examples would include the TransLink property on the north-east corner of Boundary/Lougheed, and the Provincial institutional lands at Willingdon/Canada Way). • Retail uses permitted by the <i>draft RGS</i> in this category would not be allowed in Burnaby. 	<p>11. THAT Council advise that a finalized RGS should acknowledge, recognize and respect the City's designated Business Centre areas that accommodate a range of industrial, research and development, and business and professional office uses under the City's adopted OCP by way of designation, zoning and/or approved community plans, and that it is necessary to maintain the ability of the City to plan for the appropriate transition of lands in the City which in specific circumstances may involve creation of additional business centre lands.</p>
<p>Projections – Population, Units, Employment, Housing</p> <ul style="list-style-type: none"> • <i>Draft RGS</i> projects an increase in population and a decrease in employment relative to the LRSP projections. • <i>Draft RGS</i> does not indicate the intended purpose of the proposed changes in the distribution of population and employment at a regional level. • The limited timeframe since release of <i>draft RGS</i> has not allowed for a complete analysis of the projections. It is difficult to determine: <ul style="list-style-type: none"> ○ if the RGS projections are realistic for Burnaby at this time – we have not been able to compare the projections to current capacity or potential responses; ○ what the implications of established Burnaby policies – OCP and community plans; and ○ potential impact on tax base or labour force/employment ratio. 	<p>12. THAT Council request that, prior to advancement of the RGS, Metro Vancouver undertake a consultative and collaborative process to allow member municipalities to review the methodology used to develop population, unit and employment projections, comment on the appropriateness of underlying assumptions, and develop municipal responses as to the acceptability, achievability and implications of proposed current projections prior to finalizing the draft.</p>