



CITY OF BURNABY

PUBLIC HEARING

The Council of the City of Burnaby hereby gives notice that it will hold a Public Hearing

TUESDAY, 2018 NOVEMBER 20 AT 7:00 PM

in the Council Chamber, 4949 Canada Way, Burnaby, B.C. to receive representations in connection with the following proposed amendments to "Burnaby Zoning Bylaw 1965".

A G E N D A

<u>CALL TO ORDER</u>	<u>PAGE</u>
<u>ZONING BYLAW AMENDMENTS</u>	
1) <u>Burnaby Zoning Bylaw 1965,</u> <u>Amendment Bylaw No. 41, 2018 - Bylaw No. 13944</u>	1
Rez. #16-57	
Portion of 7650 Winston Street	
From: M5 Light Industrial District	
To: CD Comprehensive Development District (based on M5r Light Industrial District as a guideline, and in accordance with the development plan entitled "El Comal Restaurant" prepared by Gabbot3Drafting)	
The purpose of the proposed zoning bylaw amendment is to permit a restaurant (El Comal Mexican Restaurant) within an existing multi-tenant industrial development, to serve the day-to-day needs of adjacent industrial developments and their employees.	
2) <u>Burnaby Zoning Bylaw 1965,</u> <u>Amendment Bylaw No. 42, 2018 - Bylaw No. 13945</u>	6
Rez. #18-10	

8750 University Crescent

From: CD Comprehensive Development District (based on P11e SFU Neighbourhood District)

To: Amended CD Comprehensive Development District (based on the P11e SFU Neighbourhood District and SFU Community Plan as guidelines, and in accordance with the development plan entitled "SFU Lot 19" prepared by Ramsay Worden Architects)

The purpose of the proposed zoning bylaw amendment is to permit construction of a mid-rise apartment building, atop three levels of underground parking.

3) **Burnaby Zoning Bylaw 1965,**
Amendment Bylaw No. 43, 2018 - Bylaw No. 13946

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Rez. #18-22

4162 Norland Avenue

From: CD Comprehensive Development District (based on P1 Neighbourhood Institutional District and B1 Suburban Office District)

To: Amended CD Comprehensive Development District (based on P1 Neighbourhood Institutional District, B1 Suburban Office District and the Central Administrative Area as guidelines, and in accordance with the development plan entitled "Classroom Renovation & Play Area Addition" prepared by Principle Architecture)

The purpose of the proposed zoning bylaw amendment is to permit an increase in capacity for the existing child care facility from 35 half-day and 15 after-school spaces to 71 full day spaces, to permit the child care use in the existing basement space, and to expand the existing outdoor play space.

4) **Burnaby Zoning Bylaw 1965,**
Amendment Bylaw No. 40, 2018 - Bylaw No. 13940

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TEXT AMENDMENT

The purpose of the proposed zoning bylaw amendment is to amend the Burnaby Zoning Bylaw 1965 to create new rental zoning sub-districts, permit multiple-family rental dwelling units in the C1, C2 and C3 District, adjust minimum parking and unit size requirements, and amend other development

standards in the RM Districts.

All persons who believe that their interest in property is affected by a proposed bylaw shall be afforded a reasonable opportunity to be heard:

- **in person** at the Public Hearing
- **in writing** should you be unable to attend the Public Hearing;
 - **Email:** clerks@burnaby.ca
 - **Letter:** Office of the City Clerk, 4949 Canada Way, Burnaby V5G 1M2
 - **Fax:** (604) 294-7537

Please note all submissions must be received by 4:45 p.m. on 2018 November 20 and contain the writer's name and address which will become a part of the public record.

The Director Planning and Building's reports and related information respecting the zoning bylaw amendments are available for public examination at the offices of the Planning Department, 3rd floor, in Burnaby City Hall.

Copies of the proposed bylaws may be inspected at the Office of the City Clerk at 4949 Canada Way, Burnaby, B.C., V5G 1M2 from 8:00 a.m. to 4:45 p.m. weekdays until 2018 November 20.

**NO PRESENTATIONS WILL BE RECEIVED BY COUNCIL
AFTER THE CONCLUSION OF THE PUBLIC HEARING**

K. O'Connell
CITY CLERK



Item
Meeting 2018 October 29

COUNCIL REPORT

TO: CITY MANAGER 2017 October 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-57**
Proposed M5‘r’ Restaurant

ADDRESS: Portion of 7650 Winston Street (see *attached* Sketch #1)

LEGAL: Lot 104, DL 42, Group 1, NWD Plan 45236

FROM: M5 Light Industrial District

TO: CD Comprehensive Development District (based on M5r Light Industrial District as a guideline, and in accordance with the development plan entitled “El Comal Restaurant” prepared by Gabbot3Drafting)

APPLICANT: Gabbott3Drafting
21156 Cutler Place,
Maple Ridge, BC, V2X 8R1
Attn: Stephen Gabbott

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2018 November 20 at 7:00 pm.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be advanced to First Reading on 2018 October 29 and to a Public Hearing on 2018 November 20 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.

R E P O R T**1.0 REZONING PURPOSE**

The purpose of the proposed rezoning bylaw amendment is to permit a restaurant (El Comal Mexican restaurant) within an existing multi-tenant industrial development, to serve the day-to-day needs of adjacent industrial developments and their employees.

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #16-57
 Proposed M5'r' Restaurant

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2.0 BACKGROUND

- 2.1 The subject site comprises three tenant spaces (units 7650, 7652, and 7654 Winston Street) within a one-storey multi-tenant industrial building on the subject property. The tenant spaces have an area of approximately 756.23 m² (8,140 sq. ft.) and are currently used by El Comal Mexican Foods Corporation for manufacturing and warehousing of food products. The front portion of 7652 Winston Street is also currently utilized for the accessory retail sale of foods produced on the premises. A small restaurant use operated in the facility for a period of time, without the necessary approvals and permits. This operation has since ceased pending Council consideration of the subject rezoning.

The subject property (7650 Winston Street) is located south of Winston Street, between McConnell Drive and Lozells Avenue (see Sketch #1 *attached*). This property, which is zoned M5 Light Industrial District, is located within the Government Road neighbourhood and is designated General Industrial in the Official Community Plan (OCP). The property is not located within a Community Plan Area. The subject property is adjacent to M5 Light Industrial District zoned properties to the east, south, and west and R1 Residential District zoned properties to the north, across Winston Street. Vehicular access to the site is from Winston Street.

- 2.2 On 1979 April 02, Council gave Final Adoption to a text amendment to the Burnaby Zoning Bylaw to create the M'r' zoning district, which accommodates cafes or restaurants serving the day-to-day needs of industrial developments and their employees. The provision of restaurants in industrially zoned areas was considered appropriate in recognition of the apparent lack of public restaurant facilities in certain industrial areas. However, due to the potential issues that could result from the blanket addition of cafes and restaurants as a permitted principal use in industrial zones, it was considered prudent for Council to consider each application on its own merits, through the utilization of a sub-category in each zoning district. A set of locational policy guidelines have also been adopted by Council to assist in the evaluation of each proposed rezoning to an M'r' District.
- 2.3 On 2017 January 30, Council received the initial report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to continue to work with the applicant in preparing a suitable plan of development, with the understanding that a further and more detailed report would be submitted at a later date. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

- 3.1 The applicant is requesting that an approximately 107.58 m² (1,158 sq. ft.) portion of the subject site be rezoned from the M5 Light Industrial District to the CD Comprehensive Development District (based on M5'r' Light Industrial District) to permit a restaurant

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 Proposed M5'r' Restaurant
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with a maximum of 50 seats. The restaurant area would occupy the front portion of units 7654 and 7652 Winston Street. The proposed restaurant would operate Monday to Saturday, from 9:00 a.m. to 5:00 p.m., and would meet the general meal service needs of employees within the industrial building on-site and in the surrounding industrial area. The restaurant would primarily serve foods that are made with products that are produced on the premises. There are no proposed changes to the façade of the building, and the overall development has sufficient parking provisions to accommodate the proposed restaurant use.

3.2 The following is an assessment of this rezoning proposal utilizing Council adopted guidelines for M 'r' restaurants:

3.2.1 *Existing commercial restaurant facilities should not be situated in close proximity nor within easy walking distance of the people working within the industrial area.*

The nearest restaurants and commercially zoned lands are located at Lougheed Highway and Bainbridge Avenue, and at Lougheed Highway and Production Way, both of which are approximately 2.0 km away from the subject site. There is one M1'r' restaurant located approximately 350.0 m (1,148 ft.) to the southwest (4171 McConnell Drive) as well as one M5'r' zoned property which does not currently have a restaurant, located approximately 2.0 km from the site to the east (3610 Bonneville Place). The existing restaurant facilities in the area are beyond an easy walking distance (122.0 m [400.26 ft.]) of the people working within the subject industrial area.

3.2.2 *M'r' restaurants should not be located in close proximity, nor have direct access to a major traffic thoroughfare.*

While the proposed restaurant is fronting Winston Street, which is classified as a Major Collector – Primary, it is partially screened by a landscaped buffer along the south side of Winston Street. The subject building is located approximately 23.0 m (76 ft.) from the street due to the location of the existing parking in front of the building.

3.2.3 *The accessibility to industrial development guidelines state that the site of M'r' restaurants should be centrally located, convenient, and accessible to the employees of the industrial area it will serve.*

The proposed restaurant is centrally located on the northern edge of industrial properties in the area, adjacent to Winston Street which has bike lanes on both sides. This property is considered to be conveniently located to serve the day-to-day needs of the surrounding industrial area.

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 Proposed M5'r' Restaurant

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3.2.4 *The restaurant facility should have a sufficient market in the industrial area to support it. Alternatively, the restaurant is not likely to draw a significant proportion of its patronage from outside locations and thus attract large volumes of traffic into the area.*

Considering the absence of restaurant facilities within an easy walking distance from the site, there is a sufficient market to support the proposed restaurant. It should be noted that the operation of the accessory retail use for number of years and the demand to expand this operation is an indicator of a sufficient market in the industrial area to support the restaurant. Furthermore, given the relatively small size of the proposed restaurant and limited hours of operation, it is not likely to draw a significant portion of its patronage from outside locations

In summary, the proposed restaurant generally meets Council-adopted guidelines for assessing rezoning applications for M'r' restaurants.

4.0 DEVELOPMENT PROPOSAL

4.1 Floor Area of Subject Site

Office	- 21.09 m ² (227 sq. ft.)
Retail/Restaurant	- 107.58 m ² (1,158 sq. ft.)
Manufacturing	- 357.21 m ² (3,845 sq. ft.)
Warehouse	- 270.35 m ² (2,910 sq. ft.)
Total	- 756.23 m² (8,140 sq. ft.)

4.2 Floor Area to be Rezoned (M5'r' District) - 107.58 m² (1,158 sq. ft.)

4.3 Off-Street Parking - 60 spaces on the subject property
(no change)

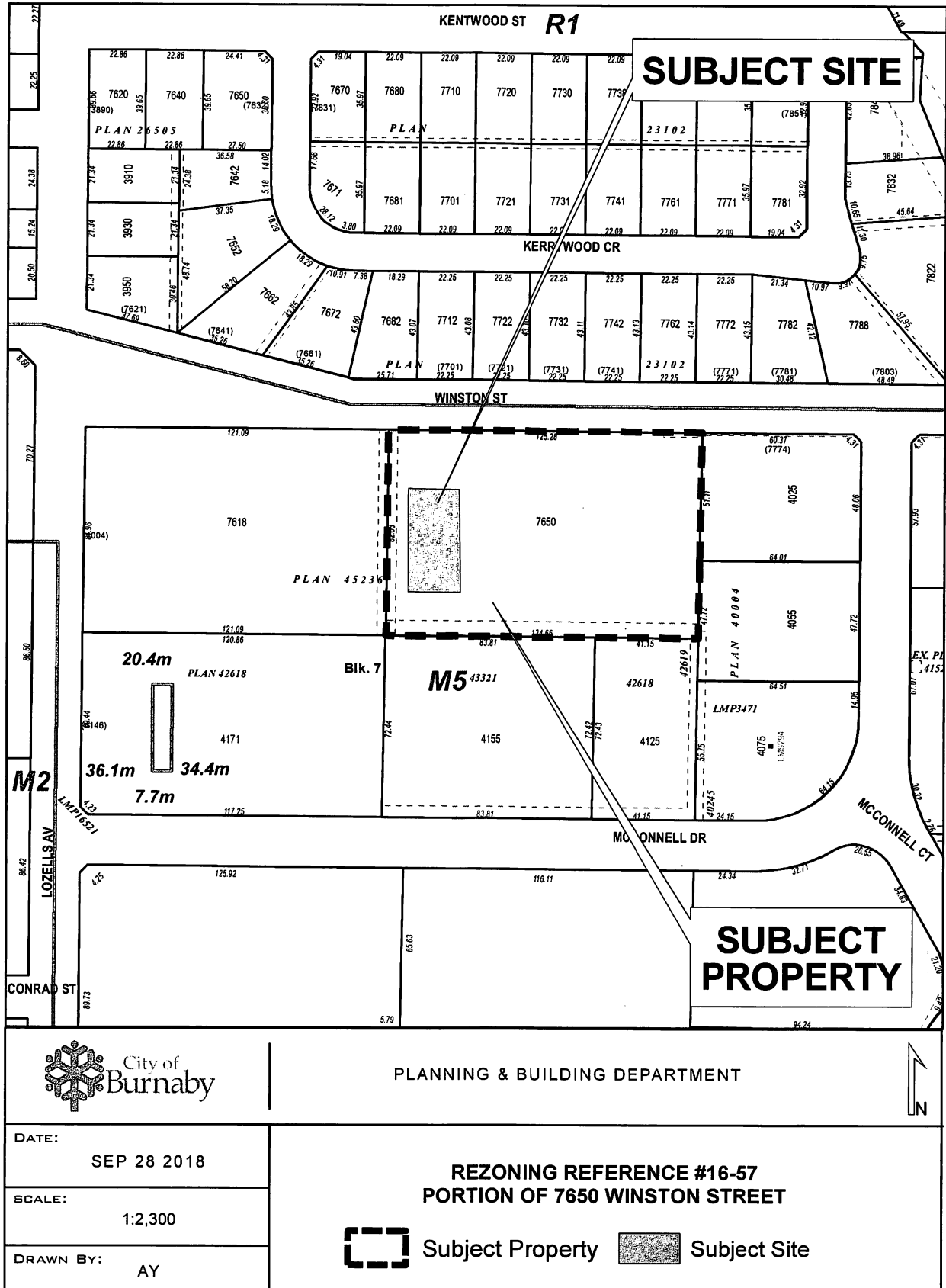
4.4 Off-Street Loading - 16 spaces on the subject property
(no change)


 Lou Pelletier, Director
 PLANNING AND BUILDING

MN:tn

Attachment

cc: City Solicitor City Clerk





Item
Meeting 2018 October 29

COUNCIL REPORT

TO: CITY MANAGER 2018 October 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #18-10
A mid-rise apartment building, atop three levels of underground parking.

ADDRESS: 8750 University Crescent (see *attached* Sketches #1 and #2)

LEGAL: Lot 19, DL 211, Group 1, NWD Plan BCP45523

FROM: CD Comprehensive Development District (based on P11e SFU Neighbourhood District)

TO: Amended CD Comprehensive Development District (based on the P11e SFU Neighbourhood District and SFU Community Plan as guidelines, and in accordance with the development plan entitled "SFU Lot 19" prepared by Ramsay Worden Architects)

APPLICANT: Mosaic Avenue Development Ltd
 500 – 2609 Granville Street
 Vancouver, BC, V6H 3H3
 (Attn: Chris Lee)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2018 November 20.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be advanced to First Reading on 2018 October 29 and to a Public Hearing on 2018 November 20 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design.

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One of the conditions for the release of occupancy permits will be the completion of all requisite services.

- c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d. The granting of any necessary statutory rights-of-way, easements, and covenants.
- e. The review of a detailed Sediment Control System by the Director Engineering.
- f. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- g. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- h. Compliance with the Council-adopted sound criteria.
- i. The provision of covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- j. Compliance with the guidelines for underground parking for visitors.
- k. The provision of facilities for cyclists in accordance with this report.
- l. The deposit of the applicable GVS & DD Sewerage Charge.
- m. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

REPORT

To: City Manager
 From: Director Planning and Building
 Re: Rezoning Reference #18-10
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1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit construction of a mid-rise apartment building, atop three levels of underground parking.

2.0 COMMUNITY PLAN BACKGROUND

- 2.1 The Simon Fraser University Official Community Plan (SFU OCP), which forms a part of the Official Community Plan for Burnaby, was adopted in 1996 by Council, and provides for the development of up to 3,049 market residential units to the east of the university campus at UniverCity.
- 2.2 UniverCity is a multi-phased community, comprised of four distinct neighbourhoods: East Highlands, the High Street, West Highlands, and the Slopes. The first two phases of UniverCity included completion of the East Highlands neighbourhood, Richard Bolton Park, the East Highlands Elementary School, and the first two mixed-use sites and town square on UniverCity High Street. Phase 3 includes completion of the UniverCity Childcare Centre, the West Highlands neighbourhood, and the remaining University High Street mixed-use sites. Phase 4 includes the completion of the Slopes neighbourhood, including an expanded park at the corner of University Crescent and Slopes Mews.
- 2.3 Of the 28 residential and mixed-use sites within the UniverCity community, 20 sites have been developed or approved for development, and 4 residential sites (including the subject site) are currently undergoing rezoning. Three residential sites and 1 mixed-use site are yet to be developed. To date, a total of 2,192 residential units have been constructed or approved for development, including 60 below market units on Lot 11. There are 510 residential units currently in the rezoning application stages, including 90 below market purpose built rental units on Lot 21. An additional 445 residential units have been developed in three mixed-use developments on University High Street (these units on mixed-use sites are permitted in addition to the 3,049 unit total). These figures do not account for accessory rental suites within multi-family flex units, as provided for in the P11e zoning regulations.
- 2.4 In summary, UniverCity, under the guidance of the SFU OCP, is providing for a broad range of housing options and services for the community. The subject application is consistent with the adopted housing policy established in the SFU OCP.

3.0 SITE BACKGROUND

- 3.1 The subject site is located on the northwest side of University Crescent, north of Highland Court, and is currently treed and undeveloped (Sketch #1 *attached*). To the northeast of the subject site are "The Peak" and "The Terraces" multi-family residential developments on lots 18 (approved under Rezoning Reference #15-03) and 17 (approved under Rezoning Reference #16-23) respectively, both of which are under development.

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To the east, across University Crescent, is a site that is currently undeveloped and undergoing rezoning (Rezoning Reference #17-10007) to accommodate a multi-family residential development. To the south is another undeveloped site undergoing rezoning (Rezoning Reference #17-06) to accommodate a multi-family residential development, and to the west, across East Campus Road, is SFU's north surface parking lot.

- 3.2 The subject site is located within a designated residential area of the Simon Fraser University Community Plan (Sketch #2 *attached*). It comprises Lot 19 within Phase 3 of the UniverCity community, which was created by Rezoning Reference #06-65 and Subdivision Reference #07-51. The site slopes from the southeast down to the northwest. A tree retention area has been established along the southern boundary of the property to ensure the health of the existing trees and to provide privacy between the subject site and the property to the south. Two trees in the northwest of the site have also been designated for retention, and a 5 m (16 ft.) wide utility and public pathway statutory right-of-way has been established along the northern boundary of the property. The development guidelines and statistics established for the site through Rezoning Reference #06-65 permit a maximum development density of 2.1 FAR (providing a maximum gross floor area of 91,424 sq. ft., subject to legal survey), and a maximum building height of 12 storeys.
- 3.3 On 2018 April 09, Council received the report of the Planning and Building Department regarding the rezoning of the subject site, and authorized the Department to continue to work with the applicant in the preparation of a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

4.0 GENERAL COMMENTS

- 4.1 The applicant is proposing to construct a 12 storey apartment building atop three levels of underground parking. The proposed apartment building has an alternate form compared to that established for Lot 19 under Rezoning Reference #06-65. In addition, vehicular access is proposed to be taken from the lower side of the site along East Campus Road, rather than from University Crescent. As well, an additional 19 units are proposed over and above the 96 units projected for the site under Rezoning Reference #06-65. These changes from the adopted CD guidelines are considered supportable as they respond to the site's challenging topography and result in a superior urban form at grade, with a stronger relationship between the proposed building and the street. The additional proposed units are also accommodated within the allotted development density of 2.1 FAR, and the overall planned unit count (1,255 units) for Phase 3 of the UniverCity community.

In total, 115 units are proposed, with a unit mix of one, two and three bedroom units. Seventy-seven units are adaptable, which exceeds the minimum 20% of single-level units that are required to be adaptable in accordance with Council adopted policy. As permitted

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under the adopted policy, 1.86 m² (20 sq. ft.) of each adaptable unit and 0.93 m² (10 sq. ft.) of each adaptable bedroom in excess of the first adaptable bedroom within an adaptable unit is exempt from gross floor area, resulting in a total adaptable unit exemption of 158.01 m² (1,700 sq. ft.).

Proposed finishing materials include a combination of white brick, black insulated metal panel, glass, architectural concrete, and black metal railings.

To complement the built form and aesthetic, extensive on-site landscaping is proposed, including landscaped seating areas and pathways, with a plant palette consisting of native and adapted species based on the UniverCity guidelines. The development will be required to meet UniverCity's current stormwater, habitat protection, building, and energy requirements.

Overall, the proposal generally meets the development guidelines established for the UniverCity neighbourhood and is considered suitable for presentation to Public Hearing.

- 4.2 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to:
- standard requirements for water main, sanitary sewers, and storm sewers;
 - construction of University Crescent to its final standard along the development frontage (concrete curb and gutter, boulevard grass, landscaping, trees, sidewalk, driveway, road pavement, street lighting, and raised crosswalk); and
 - construction of East Campus Road to its final standard along the development frontage.
- 4.3 Any necessary statutory right-of-ways, easements, and covenants are to be provided, including, but not necessarily limited to Section 219 Covenants:
- restricting enclosure of balconies; and
 - ensuring that all accessible parking spaces remain as common property.
- 4.4 An amendment to the existing pedestrian pathway statutory right-of-way is required in order to reflect the proposed public pathway configuration as shown on the landscape drawings.
- 4.5 The required Community Association Covenant, which includes the Community Amenities Agreement, will need to be submitted and reviewed by the City Solicitor.
- 4.6 In accordance with the Burnaby Tree Bylaw, a tree cutting permit will be required for the removal of any tree over 20.3 cm (8 in.) in diameter.

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- 4.7 As the site is influenced by traffic noise from East Campus Road, an acoustical report will need to be undertaken, and a Section 219 Covenant required, to ensure compliance with Council-adopted sound criteria.
- 4.8 The Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 4.9 A suitable engineered design to the approval of the Director Engineering will be required for the on-site stormwater management system as well as a Section 219 Covenant to guarantee its provision and continuing operation. The deposit of sufficient monies to guarantee the provision of the stormwater drainage and landscape features will be required.
- 4.10 Provision of an adequately sized and sited garbage handling and recycling material holding space, as well as separate car wash stalls are required.
- 4.11 The applicable GVS&DD Sewerage Charge applies at the time of payment. The Parkland Acquisition Charge and School Site Acquisition Charge do not apply as park and school sites have been provided in conjunction with the overall subdivision of the neighbourhood.

5.0 DEVELOPMENT PROPOSAL

- 5.1 Site Area - 4,045.57 m² (43,546 sq. ft.)
- 5.2 Site Coverage - 20.88 % excluding parking structure
- 5.3 Density and Gross Floor Area - 2.10 FAR 8,495.7 m² (91,447 sq. ft.)
- 5.4 Unit Mix
- | | | |
|-----------------------------------|---|--|
| 68 One BR adaptable units | - | 50.00 to 50.18 m ² (538 to 540 sq. ft.) per unit |
| 38 Two BR units | - | 71.46 to 74.72 m ² (769 to 804 sq. ft.) per unit |
| 1 Two BR adaptable units | - | 99.57 m ² (1072 sq. ft.) |
| 1 Two BR + Den units | - | 96.84 m ² (1,042 sq. ft.) |
| <u>7 Three BR adaptable units</u> | - | 93.96 to 106.91 m ² (1,011 to 1,151 sq. ft.) per unit |
| 115 units total | | |
- 5.5 Building Height - 12 storeys
- 5.6 Vehicle Parking and Loading
- | | <u>Required</u> | <u>Provided</u> |
|---|-----------------|-----------------|
| - Residential @ 1 per One BR unit, 1.1 per Two BR unit, and 1.2 per Three BR unit | - 121 spaces | - 121 spaces |

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- Visitor @ 0.2 per unit
- 23 spaces
- 24 spaces (13 on-site and 11 off-site)

Total Vehicle Parking Provided - 145 spaces

- Accessible Spaces (included in parking total) - 3 spaces
- EV Ready (Level 2) Parking Spaces Required and Provided - 121 spaces
- Loading Bays Required and Provided - 1 loading bay
- Car Wash Stalls Required and Provided - 2 car wash stalls

5.7	<u>Bicycle Parking</u>	<u>Required</u>	<u>Provided</u>
	Residential Racks @ 1 per unit	- 115 spaces	- 122 spaces
	Visitor Racks @ 0.2 per unit	- 23 spaces	- 23 spaces

Total Bicycle Parking Provided - 145 spaces

- 5.8 Storage Lockers Provided - 56 lockers

5.9 Communal Facilities

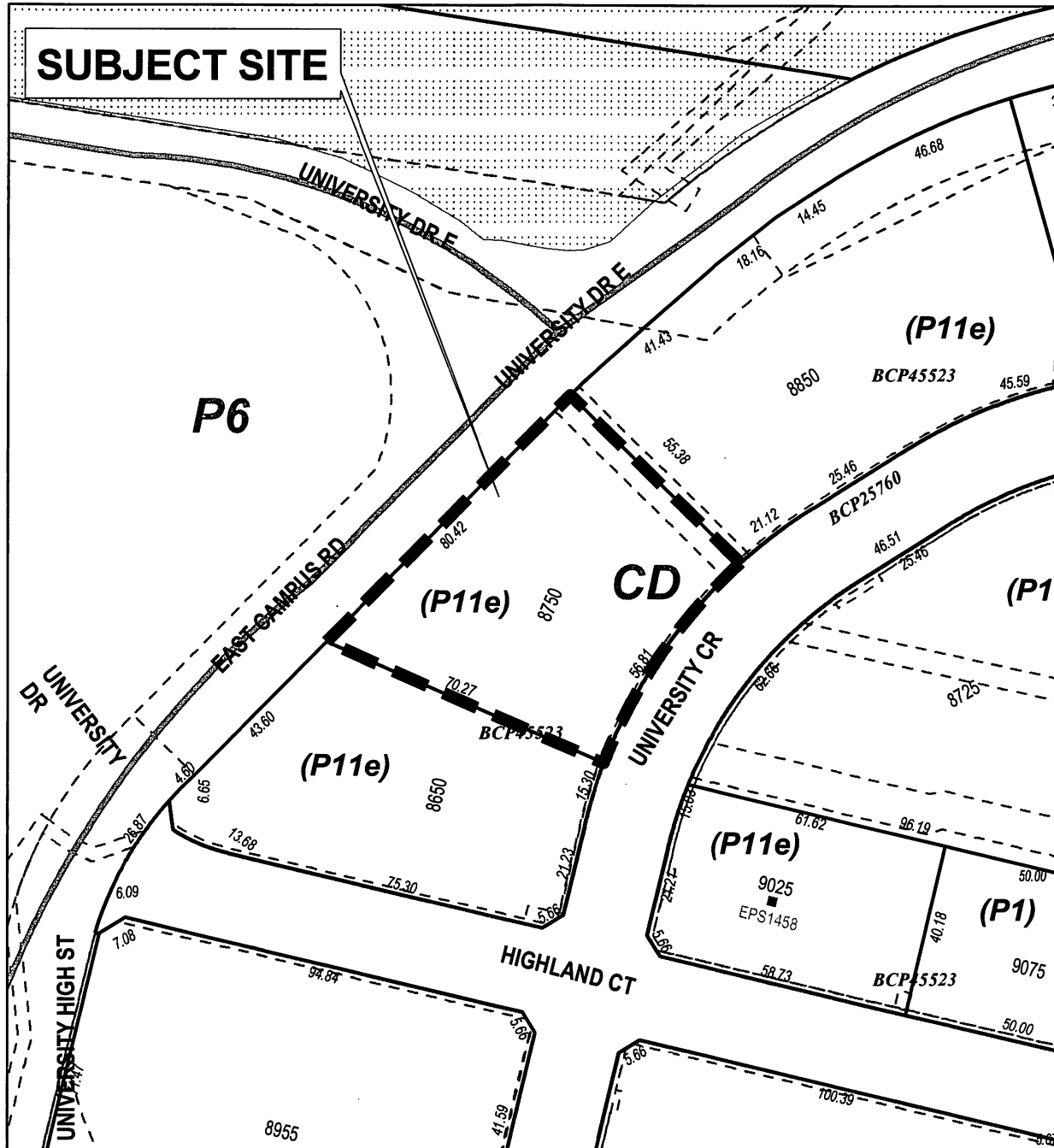
Communal facilities for residents include an amenity lobby, a meeting room, and study spaces. The total amenity area amounts to 134 m² (1,442 sq. ft.), which is below the 5% (424.8 m² or 4,572 sq. ft.) gross floor area exemption permitted by the Zoning Bylaw. The development proposal also includes a child's play area and a rooftop amenity patio, complete with picnic tables and common cooking facilities.


 Lou Pelletier, Director
 PLANNING AND BUILDING

MN:tn

Attachments

cc: City Solicitor
 City Clerk



PLANNING & BUILDING DEPARTMENT



DATE:
OCT 03 2018

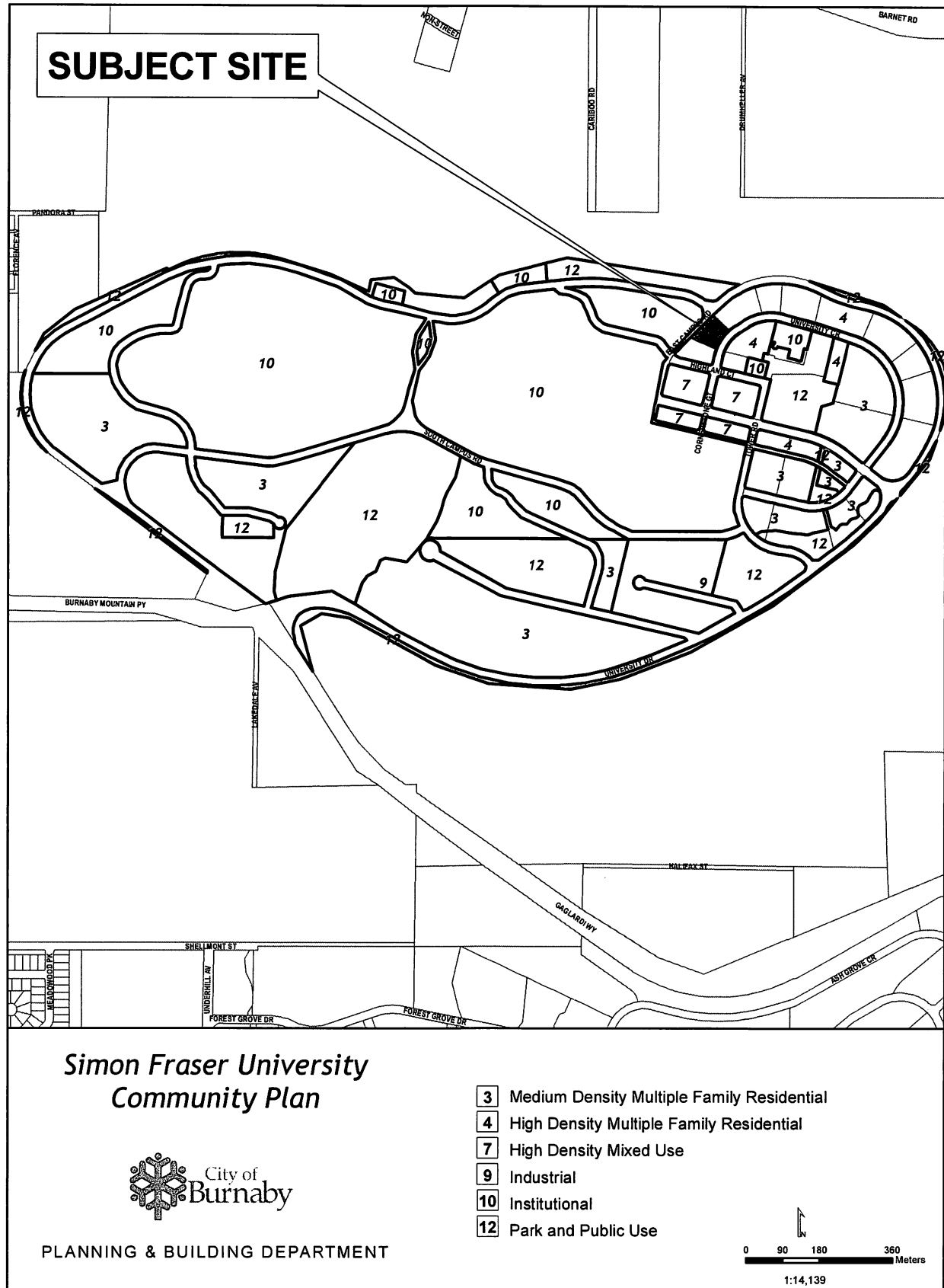
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REZONING REFERENCE #18-10
8750 UNIVERSITY CRESCENT

 Subject Site

Sketch #1





Item
Meeting 2018 October 29

COUNCIL REPORT

TO: CITY MANAGER 2018 October 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #18-22
Expansion of Licensed Childcare Facility
Central Administrative Area
(71 Children and 15 Staff Members)

ADDRESS: 4162 Norland Avenue (see *attached* Sketches #1 and #2)

LEGAL: Lot B, DL 79, Group 1, NWD Plan BCP12188

FROM: CD Comprehensive Development District (based on P1 Neighbourhood Institutional District and B1 Suburban Office District)

TO: Amended CD Comprehensive Development District (based on P1 Neighbourhood Institutional District, B1 Suburban Office District and the Central Administrative Area as guidelines and in accordance with the development plan entitled "Classroom Renovation & Play Area Addition" prepared by Principle Architecture)

APPLICANT: Principle Architecture
 1447 Hornby Street
 Vancouver, BC V6Z 1W8
 Attention: Daniel Irvine

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2018 November 20.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2018 October 29 and to a Public Hearing on 2018 November 20 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The approval of the Ministry of Transportation to the rezoning application.

City Manager
 Director Planning and Building
 REZ#18-22, 4162 Norland Avenue
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- c) Compliance with all requirements of the Fraser Health Authority, including the applicable sections of the Child Care Licensing Regulation of the *Community Care and Assisted Living Act*.

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit an increase in capacity for the existing child care facility from 35 half-day and 15 after-school spaces to 71 full day spaces, to permit the child care use in the existing basement space, and to expand the existing outdoor play space.

2.0 BACKGROUND

- 2.1 The subject property is located in the Central Administrative Area on Norland Avenue, mid-block between Canada Way and Ledger Avenue. The subject property contains a small single-storey building with the main floor occupied by a child care and a basement that is currently not occupied. To the north of the subject property is a three storey office building, beyond which are city-owned single family lots; to the east and south, are vacant city-owned lots currently under Rezoning Reference #17-10015 to permit a temporary works yard during the Laurel Street works yard construction; beyond which is a newly constructed city-owned parking lot (Rezoning Reference #17-06); and to the west, across Norland Avenue, is the Dania Society's two-storey, 102 bed senior's complex care facility.
- 2.2 On 1975 November 17, Council gave Final Adoption to Rezoning Reference #74-10 to permit the construction of a small single storey office building with a basement and surface parking, for the BC Teachers' Credit Union, utilizing CD Comprehensive Development District (based on P2 Administration and Assembly District). The building was used for many years as a credit union and was vacant from approximately 2000 to 2003.
- 2.2 On 2004 July 19, Council gave Final Adoption to Rezoning Reference #03-60 to permit a child care facility to operate on the subject site for approximately 35 children in the morning and a second group of 35 children in the afternoon, plus approximately 15 school-age children for after-school care within the main floor of the existing building (approximately 351.45 m² [3,783 sq. ft.]), utilizing Amended CD Comprehensive Development District (based on P1 Neighbourhood Institutional District and B1 Suburban Office and the Deer Lake Business Centre Community Plan guidelines). Under this rezoning, a fenced outdoor children's play area of approximately 200 m² (2,200 sq. ft.) was also provided; the basement was proposed for continued office use.

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3.0 GENERAL COMMENTS

- 3.1 The applicant is requesting the rezoning in order to expand the existing licenced child care facility use into the existing basement space, to expand the existing outdoor play space where four parking stalls currently exist and, to permit a licensed child care facility with up to 71 full day licensed spaces and 15 staff on the subject property. The proposed facility would accommodate two age groups of children, 0 to 36 months and 30 months to school age, for the full day. The intent is to operate the facility within the main floor and basement of the building, occupying approximately 636.29 m² (6,849 sq. ft.) of internal floor area, and to provide outdoor play space on the property. The proposed hours, 8:30 a.m. to 5:30 p.m. with an 8:00 a.m. extended option (for parents who wish to drop their kids off early), would be the same as current hours of operation.
- 3.2 The subject site has a total of 31 surface off-street parking spaces. Four spaces are designated to become outdoor play space for the child care facility, leaving a remainder of 27 parking spaces available for the child care facility. The Zoning Bylaw requires one parking space per 46 m² (495 sq. ft.), which means there will be a surplus of 13 parking spaces available on the site. As such, there is sufficient parking on site to accommodate the proposed child care facility interior expansion.
- 3.3 The applicant is proposing to increase the outdoor play space area to support the proposed increase in the number of licenced child care spaces. The applicant is proposing to provide total of 306 m² (3,304 sq. ft.) of outdoor play space and 65.3 m² (702 sq. ft.) of covered outdoor play space, which meets the *Community Care and Assisted Living Act, Child Care Licensing Regulation*.
- 3.4 The subject rezoning amendment is necessary in order to permit the proposed increase in capacity and space for the child care use. It is proposed to retain the existing P1 and B1 underlying zoning districts which would both allow the expanded child care use, as well as to permit the future adaptive reuse of the building for office purposes. Other uses, such as places of worship, would not be permitted within the underlying P1 zoning district.
- 3.5 The P1 District requires a minimum lot area and width of 890 m² (9,580 sq. ft.) and 24.5 m (80 ft.) respectively, except that the lot area shall be increased by 19 m² (205 sq. ft.) for each child over 20 in number accommodated by a child care facility. The subject site has an area of 3,545 m² (38,159 sq. ft.), which exceeds the minimum lot area of 1,859 m² (20,010 sq. ft.) required for 71 children.
- 3.6 Compliance with all requirements of the Fraser Health Authority, including the applicable sections of the Child Care Licensing Regulation of the Community Care and Assisted Living Act is required. Fraser Health Authority has submitted a letter stating that there are no objections to the proposal, for the existing child care, to permit an

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increase in the capacity, to permit the child care use in the existing basement space and to expand the existing outdoor play space.

- 3.7 The proposed child care facility would contribute to an increase in the supply of licensed child care spaces in Burnaby. It is noted that there is one 45 space multi-service child care facility located approximately 250 m (820 ft.) from the subject property at 3905 Norland Avenue and one 82 space multi-service child care facility located approximately 400 m (1,312 ft.) from the subject property at 4970 Canada Way.
- 3.8 Approval of the Ministry of Transportation would be required for this rezoning as the subject site is within 800 m (2,624 ft.) of the Trans-Canada Highway.
- 3.9 The Director Engineering has advised that no servicing is required in relation to this rezoning application.

4.0 DEVELOPMENT PROPOSAL

4.1	Site Area:	-	3,545 m ² (38,159 sq. ft.)	(unchanged)
4.2	Site Coverage:	-	11.3%	(unchanged)
4.3	Floor Area (existing building):			
	Main floor	-	284.8 m ² (3,066 sq. ft.)	(unchanged)
	Basement	-	351.5 m ² (3,784 sq. ft.)	(unchanged)
	Total	-	636.2 m ² (6,848 sq. ft.)	(unchanged)
4.4	Height:	-	1 storey with a basement	(unchanged)
4.5	Off-street Parking:			
	Total parking required	-	14 spaces	
	Total parking provided	-	27 spaces	
4.6	Uncovered outdoor play space:			
	Required and provided	-	306 m ² (3,294 sq. ft.)	


 Lou Pelletier, Director
 PLANNING AND BUILDING

KL:tn

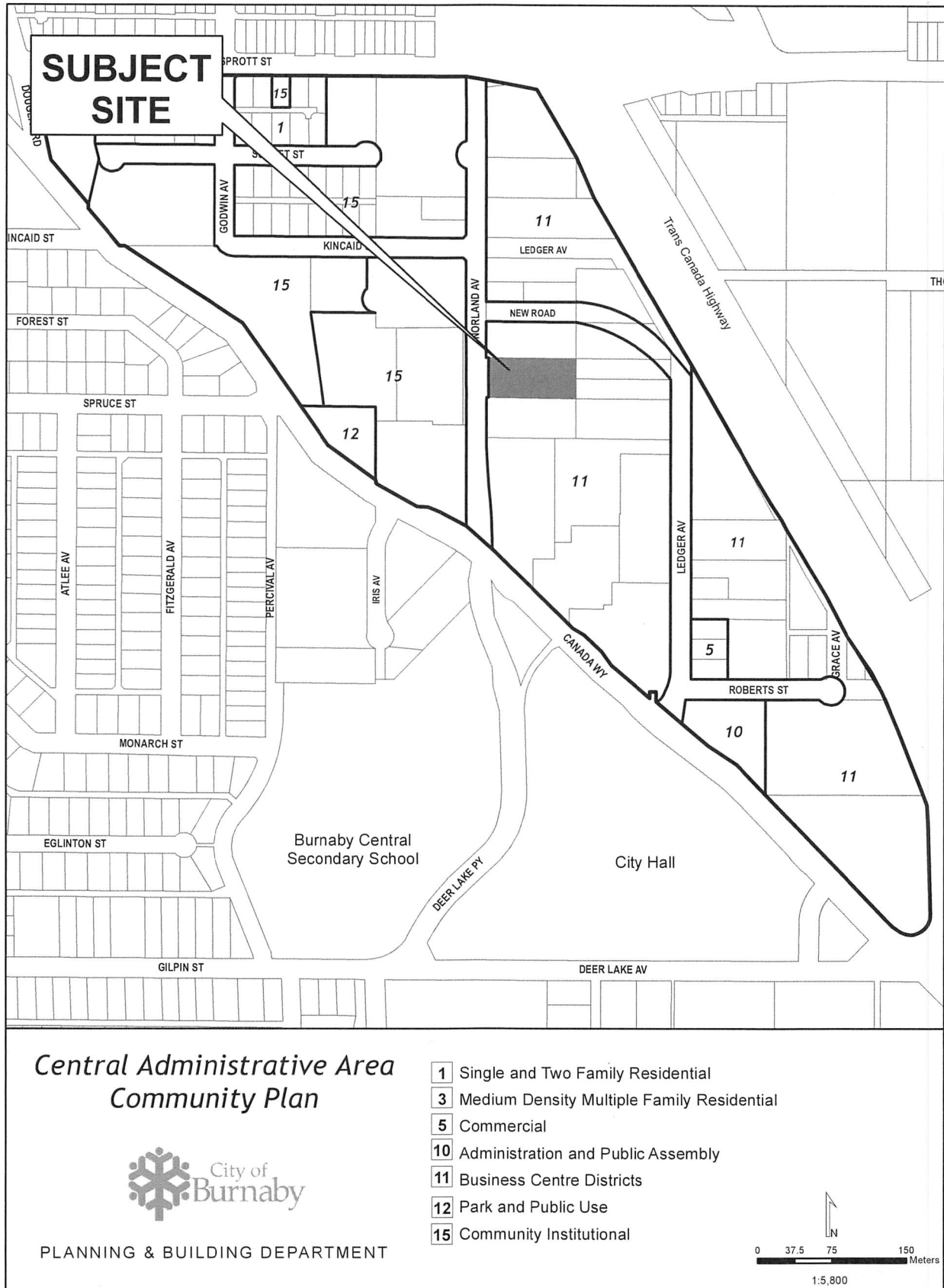
Attachments

cc: Director Engineering

City Solicitor

City Clerk

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Meeting 2018 Sep 24

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2018 September 19

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 42000 20
Reference: Bylaw Text Amendment

SUBJECT: PROPOSED ZONING BYLAW TEXT AMENDMENT
Rental Tenure Zoning

PURPOSE: To request Council approval of proposed amendments to the Burnaby Zoning Bylaw to create rental tenure zoning districts and regulations.

RECOMMENDATIONS:

1. **THAT** Council approve the proposed rental tenure zoning provisions, as outlined in this report.
2. **THAT** Council authorize the preparation of a bylaw amending the Burnaby Zoning Bylaw, as outlined in Section 4.0 and Appendix A of this report, for advancement to a Public Hearing on 2018 November 20.

REPORT**1.0 INTRODUCTION**

On 2018 May 31, the Provincial government enacted the *Residential Rental Tenure Zoning Amendment Act*, which enables local governments to enact zoning bylaws governing rental tenure. The legislation gives local governments the ability to establish rental tenure housing as a specific land use.

Based on the legislation, on 2018 July 23, Council passed a motion requesting that staff begin the process of implementing a rental zoning bylaw. In response, this report presents bylaw amendments to establish rental-only zoning sub-districts in the Multiple Family Residential (RM) Districts, Commercial (C) Districts, and Institutional (P) District Schedules of the Burnaby Zoning Bylaw. The text of the proposed bylaw amendments is *attached* as Appendix A. These amendments provide the necessary bylaw provisions to allow for implementation of rental zoning policies. Policy recommendations for applying the new rental zoning sub-districts will be the subject of subsequent reports to Council.

2.0 CITY POLICY FRAMEWORK

The proposed bylaw amendments are supported by the following City-wide policies:

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The Social Sustainability Strategy

- **Strategic Priority 1 - Meeting Basic Needs**
- **Strategic Priority 5 – Enhancing Neighbourhoods**

The Economic Development Strategy

- **G1 Building a Strong, Liveable, Healthy Community**
 - A diverse and affordable housing stock which is appropriate to resident's needs
 - Non-market Housing -- Explore possible ways to use the rezoning of land for market residential development as a means of helping achieve more non-market housing

The Official Community Plan

- **Goal 4: Special and Affordable Housing Needs - To help ensure that the needs of people with special and affordable housing requirements are met**
 - to continue to provide for increased housing opportunities in the City with particular encouragement for groundoriented housing forms
 - to broaden housing options within the City and its neighbourhoods to allow more residents to stay in familiar neighbourhoods as they age and their housing needs change
 - to seek new methods, regulations and partnerships to encourage the development and protection of affordable and special needs housing in the City
- **Goal: Social Planning - To facilitate the development and ongoing sustainability of a community which enhances the physical, social, psychological and cultural well-being of Burnaby residents**

Further to the above, the proposed approach also aligns with the following goals and sub-goals of the Corporate Strategic Plan:

- **A Connected Community**
 - Social Connection – Enhance social connections throughout Burnaby
 - Partnership – Work collaboratively with businesses, educational institutions, association, other communities and governments
- **A Dynamic Community**
 - Economic Opportunity – Foster an environment that attracts new and supports existing jobs, businesses and industries
 - Community Development – Manage change by balancing economic development with environmental protection and maintaining a sense of belonging
- **An Inclusive Community**
 - Serve a diverse community – Ensure City services fully meet the needs of our dynamic community

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- Create a sense of community – Provide opportunities that encourage and welcome all community members and create a sense of belonging

3.0 OVERVIEW OF PROVINCIAL LEGISLATION

3.1 Application

The *Residential Rental Tenure Zoning Amendment Act* enables local governments to establish rental tenure for multiple family residential uses in zoning bylaws. The Province has indicated that multiple family residential is defined as having at least two or more dwelling units. Therefore, rental zoning can be established under the City's multiple family districts (RM Districts) and where two or more dwelling units are permitted, such as in the Hastings Village Commercial (C8) District, Urban Village Commercial (C9) District and the SFU Neighbourhood (P11) District. It can also apply to Comprehensive Development (CD) zoning based on the above Districts. These rental tenure zoning districts can be used and applied on the same basis as other zoning districts.

3.2 Non-Conforming Forms of Tenure

Rental tenure zoning is subject to the existing provisions of the *Local Government Act* pertaining to non-conforming uses and structures. For example, where a rental tenure zoning bylaw is adopted for any given property, the tenure of existing dwelling units (including those that have received rezoning approval) are permitted to continue. A change in property owners or tenants would also not affect any non-conforming tenure status of a property.

However, redevelopment of the property and/or any new units added to a non-conforming structure, on a property zoned for rental tenure, would typically be subject to the rental tenure provisions of the zoning bylaw, and other applicable legislation provisions.

3.3 Tenure Analogous to Use and Density

Under the new legislation, tenure is subject to similar regulatory conditions as use and density. Specifically, tenure is classed alongside use and density as an aspect of zoning that can be less easily varied. For instance, following a public hearing on a bylaw, a council cannot alter a part of a zoning bylaw that requires rental housing without further notice and the required bylaw amendment and public hearing process. This aligns with the public hearing requirements for zoning bylaw changes to use and density. Likewise, tenure cannot be varied through Board of Variance appeals.

4.0 PROPOSED ZONING BYLAW AMENDMENTS

This report presents amendments to the Burnaby Zoning Bylaw in order to define rental housing as a distinct use and establish rental zoning districts in the Multiple Family Residential (RM), Commercial (C), and Institutional (P) zoning schedules. These amendments establish a regulatory framework for rental housing development, and ensure that rental housing proposals are subject to Council approval and public input through the rezoning process. The proposed

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amendments provide the flexibility to support a variety of rental housing policies, and provide a basis for more detailed policy development for application of the bylaw provisions. The text of the proposed bylaw amendments is *attached* as Appendix A.

4.1 Definition

In order to implement rental zoning, a definition of rental housing that distinguishes it from other uses must be provided. As noted above, the new rental zoning legislation applies to multiple family residential developments only, and can be applied on the same basis as other zoning districts to regulate land use and development.

It is recommended that the use be defined at the level of a single rental dwelling unit, and that standard characteristics of rental tenure, such as monthly or yearly terms, and compliance with the *Residential Tenancy Act*, be referenced. In addition, compliance with other requirements or legal instruments, such as Housing Agreements, would continue to apply, especially in relation to the provision of non-market or ‘affordable’ units.

4.2 Amendments to the RM, C8, C9, and P11 Districts

To apply the new legislation, it is proposed that new rental zoning sub-districts be created. It is proposed that the new rental tenure zoning be created as sub-districts within the RM1, RM2, RM3, RM4, RM5, RM6, RM7, C8, C9, and P11 Districts, with an “r” suffix (e.g. RM1r, RM2r, etc.).

Dwelling units zoned to these sub-districts would be limited to purpose-built rental units within a multiple family development. The densities of these new sub-districts would be the same as each of the corresponding parent districts, and the other development controls, such as setback and height limitations, would also be the same as the parent district. This approach integrates rental housing into the existing zoning framework of the Burnaby Zoning Bylaw, and ensures consistency in building form and density, while minimizing redundant text within the bylaw.

These new rental sub-districts would be able to be applied to a multiple family development site in conjunction with other zoning districts, or on a standalone basis through the rezoning process.

4.3 Amendments in the C1, C2, and C3 Districts

Staff have identified an additional opportunity, within the Burnaby Zoning Bylaw, for the application of rental tenure zoning within the C1, C2 and C3 Commercial Districts.

Development under these districts typically do not use the floor area (FAR) permitted under the Bylaw. This occurs as there can be a lack of market demand for office and other commercial uses that occupy above-grade floors. For example, the C3 Commercial District permits an FAR of up to 6.0; however, typical uptake is much less than that, at around 1.0 – 2.5 FAR. The result in such circumstances is that significant amount of permitted gross floor area is not realized when properties redevelop, despite that density being accounted for in adopted Community Plans. Therefore, permitting a controlled amount of rental units in these Commercial Districts

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represents an innovative approach to the creation of new rental supply, within the densities already accounted for by existing Community Plans.

To enable rental tenure zoning in commercial districts, staff recommend permitting rental dwelling units in the C1, C2, and C3 Districts subject to the following conditions:

- that the use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
- that all rental dwelling units are located above the first storey;
- that a completely separate public entrance to the residential accommodation be provided from the first storey front elevation, except:
 - on a corner lot access may be from the first storey side street elevation, or
 - where a public pedestrian walkway exists, access may be from the first storey walkway's elevation; and,
- that the Gross Floor Area (GFA) attributable to the rental dwelling units, including access, is less than the GFA attributable to all other permitted commercial uses.

The condition that the use be included as part of a comprehensive development plan allows for discretionary review and approval by Council to ensure that the building form and location are suitable for inclusion of rental housing.

The condition that the GFA of the rental housing component be less than the GFA attributed to other permitted commercial uses is intended to ensure that office and other commercial uses remain a primary use, and to encourage the construction of more commercial uses to allow for a greater provision of rental housing. For example, an applicant utilizing 2.0 FAR of C3 District density for office would only be permitted to develop 1.99 FAR of rental housing. To increase the provision of rental housing, additional commercial FAR would need to be constructed. The rental use would not be permitted where the required commercial component was not provided. Application of these bylaw provisions would be developed further in future policy reports and specific proposals under Comprehensive Development zoning.

4.4 Supportive Rental Tenure Zoning Amendments

To further support the affordability of rental housing in the City, staff are also proposing a number of supporting amendments to the Zoning Bylaw as it relates to parking and unit size requirements. Further amendments in the RM1 through RM7 Districts are also proposed to bring development standards into line with current planning practices and objectives for these Districts (it should be noted that no greater development potential is being provided to these districts by way of the proposed amendments).

4.4.1 Off-Street Parking Requirements

Research published in the 2012 Metro Vancouver Apartment Parking Study noted that parking demand for purpose-built rental sites is generally much lower than in non-rental apartments, with demand ranging from 0.58 to 0.72 spaces per rental unit, and demand for visitor parking is typically below 0.1 spaces per rental unit. However, currently the Burnaby Zoning Bylaw's off-

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street parking requirements for dwelling units are calculated based on use (e.g. single family vs multiple family), and do not account for form of tenure. This means the parking requirement for a rental apartment is the same as a non-rental apartment, unless otherwise varied through the provisions of the CD District (which has been applied by the City in applications involving rental).

This is particularly salient in the context of rental housing, given that a reduced parking requirement can result in lower development costs, which can ultimately contribute to the viability, provision and affordability of the housing. Therefore, to help support rental housing projects, staff recommend introducing a new rental parking standard in line with recorded demand. For rental dwelling units provided as part of a multiple family development, the minimum parking requirement is proposed to 0.6 spaces per rental dwelling unit, of which 0.1 is visitor parking. This standard may be further varied through the CD rezoning process.

4.4.2 Minimum Unit Size

The square footage of a dwelling unit is one of the major factors in construction costs and economic viability of projects. Currently, the Zoning Bylaw permits a reduced minimum unit size for units located in the P11e District.

It is recommended that the Zoning Bylaw be amended to allow rental dwelling units to be based on the minimum unit sizes specified within the P11e District, which includes:

(a) Studio unit –	30 m ² (322.93 sq.ft.)
(b) 1 bedroom suite –	50 m ² (538.21 sq.ft.)
(c) 1 bedroom + den suite	56 m ² (602.80 sq.ft.)
(d) 2 bedroom suite –	65m ² (699.68 sq.ft.)
(e) 2 bedroom + den suite –	70 m ² (753.50 sq.ft.)
(f) 3 bedroom suite –	80 m ² (861.14 sq.ft.)

4.4.3 Development Parameters in the RM Districts

Many of the current development standards in the RM Districts, such as setbacks, open space, and height requirements, were established at a time when suburban development forms were looked-for. Burnaby has since evolved to a more urban form that activates street edges, adds visual interest, and facilitates density in strategic locations across the City. Currently, this is achieved through the application of CD zoning, which permits a variance to certain development parameters where there is an improved relationship between various parts of the proposed development and to the surrounding area. Therefore, to help ensure that a superior urban form can be achieved on a range of development sites, amendments in the RM1 through RM7 Districts are recommended to bring development guidelines into line with current planning practices and objectives for these Districts. The proposed amendments primarily address siting (setbacks) and internal on-site open space, which currently results in “towers in the park” forms of development, as well as normalizing building heights to be consistent with both current practices and to account for previous amendments to the RM4 and RM5 Districts (‘s’ Category Zoning). While these amendments would apply to both rental and non-rental tenures, they would

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particularly benefit rental tenure zoning as they would enable the necessary building podium elements which are likely to accommodate much of the rental tenure zoned units on mixed-tenure sites.

4.4.4 Purpose Statements for the RM and C Districts

The proposed text amendments update the purpose statements of the RM1, RM2, RM3, RM4, RM5, RM6 and RM7 Districts to more clearly specify the permitted densities and remove reference to the types of households to be accommodated in each zone. These references, which pinpoint “families with children,” “small families,” “married couples,” and “adults,” are inconsistent with permitted uses in these Districts, such as Category A and B supportive housing, that have been subsequently added. More broadly, these designations do not reflect the City’s objective to accommodate diverse households in all zoning districts. The proposed text amendments also add descriptive language to the C1, C2, and C3 Districts, for the purposes of clarity and consistency with regard to these matters.

5.0 CONCLUSION AND NEXT STEPS

As a first step in implementing rental zoning, this report recommends amendments to the Burnaby Zoning Bylaw to create new rental zoning sub-districts, permit multiple-family rental dwelling units in the C1, C2, and C3 Districts, adjust minimum parking and unit size requirements, and amend other development standards in the RM Districts. It is recommended that Council approve the proposed text amendments, as outlined in Section 4.0 and Appendix A of this report, for advancement to a Public Hearing on 2018 November 20. The proposed amendments provide a basis for more specific housing policy work that would provide recommendations for applying the new zoning sub-districts, implementing a replacement rental approach, and ensuring the suitable provision of non-market and rental housing. These policy recommendations will be presented in subsequent reports to Council.


 Lou Pelletier, Director
 PLANNING AND BUILDING

MN:tn

Attachment

cc: Director Engineering
 Chief Building Inspector
 Director Public Safety and Community Services
 City Clerk
 City Solicitor

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Appendix A – Proposed Zoning Bylaw Amendments

Zoning Bylaw Table of Contents and Section 5

1. **THAT** the table of contents and Section 5.1 Schedule II in the Zoning Bylaw be amended to include reference to the RM1r, RM2r, RM3r, RM4r, RM5r, RM6r, RM7r, C8r, C8a/r, C9r, P11r, and P11e/r Districts.

Definitions

2. **THAT** Section 3.0 of the Zoning Bylaw be amended to add a definition of “Dwelling Unit, Rental” with wording the same or similar to the following:

“DWELLING UNIT, RENTAL” means a dwelling unit that is rented on a month-to-month basis or fixed term not exceeding twelve (12) months according to the provisions of the Residential Tenancy Act. For clarity, rental dwelling units shall not include rental accommodation in multi-family flex units, secondary suites, hotel accommodations, or sleeping units.

Minimum Unit Sizes

3. **THAT** Section 6.10(2.1) of the of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

(2.1) In the case of dwelling units in the P11e District, and rental dwelling units in the RM, C, and P11 Districts, the following minimum suite floor areas shall apply:

(a) Studio unit –	30 m ² (322.93 sq.ft.)
(b) 1 bedroom suite –	50 m ² (538.21 sq.ft.)
(c) 1 bedroom + den suite	56 m ² (602.80 sq.ft.)
(d) 2 bedroom suite –	65 m ² (699.68 sq.ft.)
(e) 2 bedroom + den suite –	70 m ² (753.50 sq.ft.)
(f) 3 bedroom suite –	80 m ² (861.14 sq.ft.)

RM District Schedules

4. **THAT** Section 201 the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

201. MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM1)

This District provides for low density multiple family development.

201.1 Uses Permitted

- (1) Uses, other than group homes, permitted in the R6 Residential District, subject to the regulations contained therein.
- (2) Multiple family dwellings, or groups of multiple family dwellings.

- (3) Dormitory units, or groups of dormitory units, provided that such development is situated within 300 m (984.25 ft.) of the boundaries of the lands and premises occupied by the institution which it serves.
- (4) Boarding, lodging and rooming houses, subject to the condition that such use is included as part of a comprehensive development plan to which the provisions of the Comprehensive Development District apply.
- (5) Accessory buildings and uses.
- (6) Child care facilities.
- (7) Category A supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District; and
 - (b) each living unit shall have a minimum floor area of 27 m² (290.6 sq.ft.).
- (8) Category B supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
 - (b) each living unit shall have a minimum floor area
 - (i) of 33 m² (355.22 sq.ft.) for a studio unit
 - (ii) of 41 m² (441.4 sq.ft.) for a junior one-bedroom unit
 - (iii) of 46 m² (495.16 sq.ft.) for a one bedroom unit;
 - (c) the number of studio units shall not be more than 25 percent of the total number of living units in the facility; and
 - (d) the number of studio units and junior one-bedroom units together shall not be more than 50 percent of the total number of living units in the facility.

201.2 Uses Permitted in the RM1r Zoning District

- (1) Multiple family dwellings, or groups of multiple family dwellings, provided that dwelling units are restricted to rental dwelling units only.
- (2) Home occupations.
- (3) Accessory buildings and uses.

201.3 Height of Buildings

The height of a building shall not exceed 9.0 m (29.53 ft.) nor 2 1/2 storeys.

201.4 Lot Area and Width

Each lot shall have an area of not less than 1 340 m² (14,424.11 sq.ft.) and a width of not less than 37 m (121.39 ft.).

201.5 Floor Area Ratio

- (1) The maximum floor area ratio shall be 0.45, except where underground parking is provided, an amount may be added to the floor area ratio equal to 0.15 multiplied by the ratio of parking spaces provided in the underground parking to the total parking spaces provided, but in no case shall the floor area ratio exceed 0.60.
- (2) Notwithstanding subsection (1) of this section, where amenities or affordable or special needs housing are provided in accordance with section 6.22 the floor area ratio may be increased by 0.10.
- (3) Notwithstanding subsections (1) and (2) of this section, in the RM1r District, the maximum floor area ratio shall be 0.45, except where underground parking is provided, an amount may be added to the floor area ratio equal to 0.15 multiplied by the ratio of parking spaces provided in the underground parking to the total parking spaces provided, but in no case shall the floor area ratio exceed 0.60. For clarity, the maximum floor area ratio permitted in the RM1r District shall be in addition to the FAR permitted for any other zoning district on the lot.

201.6 Front Yard

A front yard shall be provided of not less than 4.57 m (15 ft.) in depth.

201.7 Side Yard:

A side yard shall be provided on each side of the building of not less than 4.57 m (15 ft.) in width.

201.8 Rear Yard

A rear yard shall be provided of not less than 4.57 m (15 ft.) in depth.

201.9 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw.

201.10 Car Wash Stall

One car wash stall with a "No Parking" sign affixed to it shall be provided for each 100 dwelling units.

5. **THAT** Section 202 the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

202. MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM2)

This District provides for a low to medium density multiple family area.

202.1 Uses Permitted

- (1) Uses, other than group homes, permitted in the R6 Residential District, subject to the regulations contained therein.
- (2) Multiple family dwellings, or groups of multiple family dwellings.
- (3) Dormitory units, or groups of dormitory units, provided that such development is situated within 300 m (984.25 ft.) of the boundaries of the lands and premises occupied by the institution which it serves.
- (4) Boarding, lodging and rooming houses, subject to the condition that such use is included as part of a comprehensive development plan to which the provisions of the Comprehensive Development District apply.
- (5) Accessory buildings and uses.
- (6) Child care facilities.
- (7) Category A supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District; and
 - (b) each living unit shall have a minimum floor area of 27 m² (290.6 sq.ft.).
- (8) Category B supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
 - (b) each living unit shall have a minimum floor area
 - (i) of 33 m² (355.22 sq.ft.) for a studio unit
 - (ii) of 41 m² (441.4 sq.ft.) for a junior one-bedroom unit
 - (iii) of 46 m² (495.16 sq.ft.) for a one bedroom unit;
 - (c) the number of studio units shall not be more than 25 percent of the total number of living units in the facility; and
 - (d) the number of studio units and junior one-bedroom units together shall not be more than 50 percent of the total number of living units in the facility.

202.2 Uses Permitted in the RM2r Zoning District

- (1) Multiple family dwellings, or groups of multiple family dwellings, provided that dwelling units are restricted to rental dwelling units only.
- (2) Home occupations.
- (3) Accessory buildings and uses.

202.3 Height of Buildings

The height of a building shall not exceed 12.0 m (39.37 ft.) nor 3 storeys.

202.4 Lot Area and Width

Each lot shall have an area of not less than 890 m² (9580.19 sq.ft.) and a width of not less than 24.5 m (80.38 ft.).

202.5 Floor Area Ratio

- (1) The maximum floor area ratio shall be 0.70, except where underground parking is provided, an amount may be added to the floor area ratio equal to 0.20 multiplied by the ratio of parking spaces provided in the underground parking to the total parking spaces provided, but in no case shall the floor area ratio exceed 0.90.
- (2) Notwithstanding subsection (1) of this section, where amenities or affordable or special needs housing are provided in accordance with section 6.22 the floor area ratio may be increased by 0.10.
- (3) Notwithstanding subsections (1) and (2) of this section, in the RM2r District, the maximum floor area ratio shall be 0.70 except, where underground parking is provided, an amount may be added to the floor area ratio equal to 0.20 multiplied by the ratio of parking spaces provided in the underground parking to the total parking spaces provided, but in no case shall the floor area ratio exceed 0.90. For clarity, the maximum floor area ratio permitted in the RM2r District shall be in addition to the FAR permitted for any other zoning district on the lot.

202.6 Front Yard

A front yard shall be provided of not less than 4.57 m (15 ft.) in depth.

202.7 Side Yard

A side yard shall be provided on each side of the building of not less than 4.57 m (15 ft.) in width.

202.8 Rear Yard

A rear yard shall be provided of not less than 4.57 m (15 ft.) in depth.

202.9 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw.

202.10 Car Wash Stall

One car wash stall with a "No Parking" sign affixed to it shall be provided for each 100 dwelling units.

6. **THAT** Section 203 the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

203. MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM3)

This District provides for a medium density multiple family area.

203.1 Uses Permitted

- (1) Uses, other than group homes, permitted in the R6 Residential District, subject to the regulations contained therein.
- (2) Multiple family dwellings, or groups of multiple family dwellings.
- (3) Dormitory units, or groups of dormitory units, provided that such development is situated within 300 m (984.25 ft.) of the boundaries of the lands and premises occupied by the institution which it serves.
- (4) Boarding, lodging and rooming houses, subject to the condition that such use is included as part of a comprehensive development plan to which the provisions of the Comprehensive Development District apply.
- (5) Accessory buildings and uses.
- (6) Child care facilities.
- (7) Category A supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District; and
 - (b) each living unit shall have a minimum floor area of 27m² (290.6 sq.ft.).
- (8) Category B supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
 - (b) each living unit shall have a minimum floor area
 - (i) of 33 m² (355.22 sq.ft.) for a studio unit
 - (ii) of 41 m² (441.4 sq.ft.) for a junior one-bedroom unit
 - (iii) of 46 m² (495.16 sq.ft.) for a one bedroom unit;
 - (c) the number of studio units shall not be more than 25 percent of the total number of living units in the facility; and
 - (d) the number of studio units and junior one-bedroom units together shall not be more than 50 percent of the total number of living units in the facility.
- (9) Rest homes and private hospitals, subject to the condition that such use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District.

203.2 Uses Permitted in the RM3s Zoning District

Uses permitted in the RM3 District, excluding uses permitted in the R6 District, dormitory units or groups of dormitory units, and boarding, lodging and rooming houses.

203.3 Uses Permitted in the RM3r Zoning District

- (1) Multiple family dwellings, or groups of multiple family dwellings, provided that dwelling units are restricted to rental dwelling units only.
- (2) Home occupations.
- (3) Accessory buildings and uses.

203.4 Height of Buildings

The height of a building shall not exceed 12.0 m (39.37 ft.) nor 3 storeys.

203.5 Lot Area and Width

Each lot shall have an area of not less than 1,110 m² (11,948.33 sq.ft.) and a width of not less than 30 m (98.43 ft.).

203.6 Floor Area Ratio

- (1) The maximum floor area ratio shall be 0.90, except where underground parking is provided, an amount may be added to the floor area ratio equal to 0.20 multiplied by the ratio of parking spaces provided in the underground parking to the total parking spaces provided, but in no case shall the floor area ratio exceed 1.10.
- (2) Notwithstanding subsection (1) of this section, where amenities or affordable or special needs housing are provided in accordance with section 6.22 the floor area ratio may be increased by 0.15, but except as provided in subsection (3) in no case shall the floor area ratio exceed 1.25.
- (3) Notwithstanding subsection (1) of this section, in the RM3s District where amenities or affordable or special needs housing are provided in accordance with section 6.22 the floor area ratio may be increased by a further 0.25, but in no case shall the floor area ratio exceed 1.50.
- (4) Notwithstanding subsections (1) and (2) of this section, in the RM3r District, the maximum floor area ratio shall be 0.90, except where underground parking is provided, an amount may be added to the floor area ratio equal to 0.20 multiplied by the ratio of parking spaces provided in the underground parking to the total parking spaces provided, but in no case shall the floor area ratio exceed 1.10. For clarity, the maximum floor area ratio permitted in the RM3r District shall be in addition to the FAR permitted for any other zoning district on the lot.

203.7 Front Yard

A front yard shall be provided of not less than 4.57 m (15 ft.) in depth.

203.8 Side Yard

A side yard shall be provided on each side of the building of not less than 4.57 m (15 ft.) in width.

203.9 Rear Yard

A rear yard shall be provided of not less than 4.57 m (15 ft.) in depth.

203.10 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw.

203.11 Car Wash Stall

One car wash stall with a "No Parking" sign affixed to it shall be provided for each 100 dwelling units.

7. **THAT** Section 204 the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

204. MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM4)

This District provides for a medium to high density multiple family area.

204.1 Uses Permitted

- (1) Multiple family dwellings, or groups of multiple family dwellings.
- (2) Home occupations.
- (3) Accessory buildings and uses.
- (4) Child care facilities.
- (5) Category A supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District; and
 - (b) each living unit shall have a minimum floor area of 27 m² (290.6 sq.ft.).
- (6) Category B supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
 - (b) each living unit shall have a minimum floor area
 - (i) of 33 m² (355.22 sq.ft.) for a studio unit
 - (ii) of 41 m² (441.4 sq.ft.) for a junior one-bedroom unit
 - (iii) of 46 m² (495.16 sq.ft.) for a one bedroom unit;
 - (c) the number of studio units shall not be more than 25 percent of the total number of living units in the facility; and

- (d) the number of studio units and junior one-bedroom units together shall not be more than 50 percent of the total number of living units in the facility.
- (7) Rest homes and private hospitals, subject to the condition that such use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District.

204.2 Uses Permitted in the RM4s Zoning District

Uses permitted in the RM4 District, excluding home-based child care facilities.

204.3 Uses Permitted in the RM4r Zoning District

- (1) Multiple family dwellings, or groups of multiple family dwellings, provided that dwelling units are restricted to rental dwelling units only.
- (2) Home occupations.
- (3) Accessory buildings and uses.

204.4 Lot Area and Width

Each lot shall have an area of not less than 1,670 m² (17,976.32 sq.ft.) and a width of not less than 37 m (121.39 ft.).

204.5 Building Separation

Notwithstanding section 6.3 of this bylaw, portions of a building above 6 storeys shall be set back from all other buildings by not less than

- (a) 24.38 m (80 ft.) as measured corner to corner, and
- (b) 30.48 m (100 ft.) as measured face to face.

204.6 Floor Area Ratio

- (1) The maximum floor area ratio shall be 1.40, except where underground parking is provided, the floor area ratio may be increased by 0.30 multiplied by the ratio of underground parking spaces to the total parking spaces, but in no case shall the increase exceed 0.30.
- (2) Notwithstanding subsection (1) of this section, where amenities or affordable or special needs housing are provided in accordance with section 6.22 the floor area ratio may be increased by 0.30, but except as provided in subsection (3) in no case shall the floor area ratio exceed 2.00.
- (3) Notwithstanding subsection (1) of this section, in the RM4s District where amenities or special needs housing are provided in accordance with section 6.22 the floor area ratio may be increased:
 - (a) up to a further 0.8 determined in accordance with section 6.22(3); plus

(b) an additional supplement equal to the increase under subsection (a); but in no case shall the floor area ratio exceed 3.6.

- (4) Notwithstanding subsections (1) and (2) of this section, in the RM4r District, the maximum floor area ratio shall be 1.40 except, where underground parking is provided, the floor area ratio may be increased by 0.30 multiplied by the ratio of underground parking spaces to the total parking spaces, but in no case shall the increase exceed 0.30. For clarity, the maximum floor area ratio permitted in the RM4r District shall be in addition to the FAR permitted for any other zoning district on the lot.

204.7 Front Yard

A front yard shall be provided of not less than 4.57 m (15 ft.) in depth.

204.8 Side Yard

A side yard shall be provided on each side of the building of not less than 4.57 m (15 ft.) in width.

204.9 Rear Yard

A rear yard shall be provided of not less than 4.57 m (15 ft.) in depth.

204.10 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw.

204.11 Car Wash Stall

One car wash stall with a "No Parking" sign affixed to it shall be provided for each 100 dwelling units.

8. **THAT** Section 205 the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

205. MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM5)

This District provides for a high density multiple family area.

205.1 Uses Permitted

- (1) Multiple family dwellings, or groups of multiple family dwellings.
- (2) Home occupations.
- (3) Dormitory units or groups of dormitory units, provided that such development is situated within 300 m (984.25 ft.) of the boundaries of the lands and premises occupied by the institution which it serves.
- (4) Accessory buildings and uses.
- (5) Child care facilities.

- (6) Category A supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District; and
 - (b) each living unit shall have a minimum floor area of 27 m² (290.6 sq.ft.).
- (7) Category B supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
 - (b) each living unit shall have a minimum floor area
 - (i) of 33 m² (355.22 sq.ft.) for a studio unit
 - (ii) of 41 m² (441.4 sq.ft.) for a junior one-bedroom unit
 - (iii) of 46 m² (495.16 sq.ft.) for a one bedroom unit;
 - (c) the number of studio units shall not be more than 25 percent of the total number of living units in the facility; and
 - (d) the number of studio units and junior one-bedroom units together shall not be more than 50 percent of the total number of living units in the facility.
- (8) Rest homes and private hospitals, subject to the condition that such use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District.

205.2 Uses Permitted in the RM5s Zoning District

Uses permitted in the RM5 District, excluding dormitory units or groups of dormitory units and home-based child care facilities.

205.3 Uses Permitted in the RM5r Zoning District

- (1) Multiple family dwellings, or groups of multiple family dwellings, provided that dwelling units are restricted to rental dwelling units only.
- (2) Home occupations.
- (3) Accessory buildings and uses.

205.4 Lot Area and Width

Each lot shall have an area of not less than 1,670 m² (17,976.32 sq.ft.) and a width of not less than 37 m (121.39 ft.).

205.5 Building Separation

Notwithstanding section 6.3 of this bylaw, portions of a building above 6 storeys shall be set back from all other buildings by not less than

- (c) 24.38 m (80 ft.) as measured corner to corner, and
- (d) 30.48 m (100 ft.) as measured face to face.

205.6 Floor Area Ratio

- (1) The maximum floor area ratio shall be 1.80 except
 - (a) where underground parking is provided the floor area ratio may be increased by 0.40 multiplied by the ratio of underground parking spaces to the total parking spaces, but in no case shall the increase exceed 0.40.
 - (b) in the case of category B supportive housing facilities the floor area ratio may be increased by 0.20.
- (2) Notwithstanding subsection (1) of this section, where amenities or special needs housing are provided in accordance with section 6.22 the floor area ratio may be increased by 0.40, but except as provided in subsection (3) in no case shall the floor area ratio exceed
 - (a) 2.80 for a category B supportive housing facility, or
 - (b) 2.60 for a use other than a category B supportive housing facility
- (3) Notwithstanding subsection (1) of this section, in the RM5s District where amenities or special needs housing are provided in accordance with section 6.22 the floor area ratio may be increased:
 - (a) up to a further 1.2 determined in accordance with section 6.22(3); plus
 - (b) an additional supplement equal to the increase under subsection (a); but in no case shall the floor area ratio exceed 5.0.
- (4) Notwithstanding subsections (1) and (2) of this section, in the RM5r District, the maximum floor area ratio shall be 1.80, except where underground parking is provided, the floor area ratio may be increased by 0.40 multiplied by the ratio of underground parking spaces to the total parking spaces, but in no case shall the increase exceed 0.40. For clarity, the maximum floor area ratio permitted in the RM5r District shall be in addition to the FAR permitted for any other zoning district on the lot.

205.7 Front Yard

A front yard shall be provided of not less than 4.57 m (15 ft.) in depth.

205.8 Side Yard

A side yard shall be provided on each side of the building of not less than 4.57 m (15 ft.) in width.

205.9 Rear Yard

A rear yard shall be provided of not less than 4.57 m (15 ft.) in depth.

205.10 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw.

205.11 Car Wash Stall

One car wash stall with a "No Parking" sign affixed to it shall be provided for each 100 dwelling units.

9. **THAT** Section 206 the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

206. MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM6)

This District provides for the development of 2 1/2 storey ground-orientated townhouses in the Hastings Street Area.

206.1 Location

RM6 Zoning Districts are limited to the locations designated for 2 1/2 storey townhouses in the Hastings Street Area Plan adopted by Council June 3, 1991.

206.2 Uses Permitted

- (1) Townhouse dwellings.
- (2) Single-family dwellings or two-family dwellings subject to the regulations of the R5 District.
- (3) Home occupations.
- (4) Accessory buildings and uses.

206.3 Uses Permitted in the RM6r Zoning District

- (1) Townhouse dwellings, provided that dwelling units are restricted to rental dwelling units only.
- (2) Home occupations.
- (3) Accessory buildings and uses.

206.4 Height of Buildings

The height of a building shall not exceed 2 1/2 storeys and a height of

- (a) 9.0 m (29.5 ft.) if it has a sloping roof, or
- (b) 7.4 m (24.3 ft.) if it has a flat roof.

206.5 Lot Area and Width

Each lot shall have an area of not less than 620 m² (6,673.84 sq.ft.) and a width of not less than 20.12 m (66 ft.).

206.6 Minimum Width of Dwelling Units

Each dwelling unit shall have a width of not less than 5.03 m (16.5 ft.).

206.7 Floor Area Ratio

In the RM6 and RM6r Districts, the maximum floor area ratio shall be 0.70.

206.8 Front Yard

Each lot shall have a front yard of not less than 4.57 m (15 ft.) in depth.

206.9 Side Yard

Each lot shall have a side yard on each side of the building of not less than 1.5 m (4.92 ft.) in width, except that a corner lot shall have a side yard abutting the street of not less than 3.0 m (9.84 ft.).

206.10 Rear Yard

A rear yard shall be provided of not less than 4.57 m (15 ft.) in depth.

206.11 Width of Building

The width of the building shall at no point exceed 30.48 m (100 ft.).

206.12 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw.

206.13 Car Wash Stall

One car wash stall with a "No Parking" sign affixed to it shall be provided for each 100 dwelling units.

- 10. THAT** Section 207 the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

207. MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM7)

This District provides for the development of 3 1/2 storey ground-orientated townhouses in the Hastings Street Area.

207.1 Location

RM7 Zoning Districts are limited to the locations designated for 3 1/2 storey townhouses in the Hastings Street Area Plan adopted by Council June 3, 1991.

207.2 Uses Permitted

- (1) Townhouse dwellings.
- (2) Home occupations.
- (3) Accessory buildings and uses.
- (4) Category A supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District; and
 - (b) each living unit shall have a minimum floor area of 27 m² (290.6 sq.ft.).
- (5) Category B supportive housing facilities, subject to the following conditions:
 - (a) the use shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
 - (b) each living unit shall have a minimum floor area
 - (i) of 33 m² (355.22 sq.ft.) for a studio unit
 - (ii) of 41 m² (441.4 sq.ft.) for a junior one-bedroom unit
 - (iii) of 46 m² (495.16 sq.ft.) for a one bedroom unit;
 - (c) the number of studio units shall not be more than 25 percent of the total number of living units in the facility; and
 - (d) the number of studio units and junior one-bedroom units together shall not be more than 50 percent of the total number of living units in the facility.

207.3 Uses Permitted in the RM7r Zoning District

- (1) Townhouse dwellings, provided that dwelling units are restricted to rental dwelling units only.
- (2) Home occupations.
- (3) Accessory buildings and uses.

207.4 Height of Buildings

The height of a building shall not exceed 3 1/2 storeys and a height of 12.0 m (39.97 ft.).

207.5 Lot Area and Width

Each lot shall have an area of not less than 1,240 m² (13,347.69 sq.ft.) and a width of not less than 40.23 m (131.99 ft.).

207.6 Floor Area Ratio

In the RM7 and RM7r Districts, each lot shall have a maximum floor area ratio of 0.90, except where underground parking is provided, an amount may be added to the floor area ratio equal to 0.20 multiplied by the ratio of the underground parking spaces provided to the total parking spaces provided, but in no case shall the floor area ratio exceed 1.1.

207.7 Front Yard

Each lot shall have a front yard of not less than 4.57 m (15 ft.) in depth.

207.8 Side Yard

Each lot shall have a side yard on each side of the building of not less than 4.57 m (15 ft.) in width.

207.9 Rear Yard

A rear yard shall be provided of not less than 4.57 m (15 ft.) in depth.

207.10 Width of Building

The width of the building shall at no point exceed 50 m (164.04 ft.).

207.11 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw.

207.12 Car Wash Stall

One car wash stall with a "No Parking" sign affixed to it shall be provided for each 100 dwelling units.

C1 District Schedule

11. **THAT** the zoning district description in Section 301 (C1) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

This District provides for the convenience shopping of persons residing in the adjacent residential areas and permits only such uses as are necessary to satisfy those limited basic shopping needs which occur daily or frequently. This District also provides for rental dwelling units located above the business premises.

12. **THAT** Section 301.1 (C1) of the Zoning Bylaw be amended by adding subsections 13 and 14 with wording the same or similar to the following:

- (13) Two or more rental dwelling units located above the first storey, subject to the following conditions:

- (a) that the use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
 - (b) that a completely separate public entrance to the residential accommodation shall be provided from the first storey front elevation, except:
 - on a corner lot access may be from the first storey side street elevation, or
 - where a public pedestrian walkway exists, access may be from the first storey walkways elevation; and
 - (c) that the gross floor area attributable to the rental dwelling units, including access, is less than the gross floor area attributable to all other permitted commercial uses.
- (14) Home occupations other than the operation of a home-based childcare facility.

C2 District Schedule

13. **THAT** the district description in Section 302 (C2) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

This District provides for the daily and occasional shopping needs of residents of several neighbourhoods, as well as providing for rental dwelling units located above the business premises.

14. **THAT** Section 302.1 (C2) of the Zoning Bylaw be amended by adding subsections 18 and 19 with wording the same or similar to the following:

- (18) Two or more rental dwelling units located above the first storey, subject to the following conditions:
- (a) that the use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
 - (b) that a completely separate public entrance to the residential accommodation shall be provided from the first storey front elevation, except:
 - on a corner lot access may be from the first storey side street elevation, or
 - where a public pedestrian walkway exists, access may be from the first storey walkways elevation; and
 - (c) that the gross floor area attributable to the rental dwelling units, including access, is less than the gross floor area attributable to all other permitted commercial uses.
- (19) Home occupations other than the operation of a home-based childcare facility.

15. **THAT** Section 302.2(3) (C2) of the Zoning Bylaw be repealed.

C3 District Schedule

16. **THAT** the district description in Section 303 (C3) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

This District is designed to serve the needs of a large consumer population, both on a local and a municipal level, as well as providing for rental dwelling units located above the business premises.

17. **THAT** Section 303.1(20) (C3) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

- (20) Two or more rental dwelling units located above the first storey, subject to the following conditions:
- (a) that the use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District;
 - (b) that a completely separate public entrance to the residential accommodation shall be provided from the first storey front elevation, except:
 - on a corner lot access may be from the first storey side street elevation, or
 - where a public pedestrian walkway exists, access may be from the first storey walkways elevation; and
 - (c) that the gross floor area attributable to the rental dwelling units, including access, is less than the gross floor area attributable to all other permitted commercial uses.

C8 District Schedule

18. **THAT** the Section 308.1 (C8) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

- (1) C8 and C8r lots are intended as the core commercial district designated in the Hastings Street Area Plan adopted by Council June 3, 1991.
- (2) C8a and C8a/r lots are intended as the non-core commercial district designated in the Hastings Street Area Plan adopted by Council June 3, 1991.

19. **THAT** the Section 308 (C8) of the Zoning Bylaw be amended by adding subsections 308.2B and 308.2C with wording the same or similar to the following:

308.2B Uses Permitted in the C8r Zoning District

Uses permitted in the Urban Village Commercial District (Hastings) C8, subject to the conditions therein, except that dwelling units shall be rental dwelling units only, and at least two dwelling units shall be provided.

308.2C Uses Permitted in the C8a/r Zoning District

Uses permitted in the Urban Village Commercial District (Hastings) C8a, subject to the conditions therein, except that dwelling units shall be rental dwelling units only, and at least two dwelling units shall be provided.

20. **THAT** the Section 308.2(11)(b) be amended by removing the text “and 1.0 on-site parking space which is located in such a way that utilization of any secondary access of the commercial premises is not impaired”.

C9 District Schedule

21. **THAT** the Section 309 (C9) of the Zoning Bylaw be amended by adding subsection 309.2B with wording the same or similar to the following:

309.2B Uses Permitted in the C9r Zoning District:

Uses permitted in the Urban Village Commercial District C9, subject to the conditions therein, except that dwelling units shall be rental dwelling units only, and at least two dwelling units shall be provided.

P11 District Schedule

22. **THAT** Section 511.1A be inserted into the Zoning Bylaw with wording the same or similar to the following:

511.1A Uses Permitted in the P11r Zoning District

Uses permitted in the S.F.U Neighbourhood District P11, expect that dwelling units shall be limited to rental dwelling units only.

23. **THAT** Section 511.2A be inserted into the Zoning Bylaw with wording the same or similar to the following:

511.2A Uses Permitted in the P11e/r Zoning District

Uses permitted in the S.F.U Neighbourhood District P11e, expect that dwelling units shall be limited to rental dwelling units only.

24. **THAT** Section 511.5(1) of the Zoning Bylaw be amended by replacing the text “In a P11 Zoning District” with the text “In the P11 and P11r Zoning Districts”.
25. **THAT** Section 511.5(2) of the Zoning Bylaw be amended by replacing the text “In a P11e Zoning District” with the text “In the P11e and P11e/r Zoning Districts”.
26. **THAT** Section 511.7(1) of the Zoning Bylaw be amended by replacing the text “In a P11 Zoning District” with the text “In the P11 and P11r Zoning Districts”.
27. **THAT** Section 511.7(2) of the Zoning Bylaw be amended by replacing the text “In a P11e Zoning District” with the text “In the P11e and P11e/r Zoning Districts”.
28. **THAT** Section 511.8(a) of the Zoning Bylaw be amended by replacing the text “In a P11 Zoning District” with the text “In a P11 or P11r Zoning District”.
29. **THAT** Section 511.8(b) of the Zoning Bylaw be amended by replacing the text “In a P11e Zoning District” with the text “In a P11e or P11e/r Zoning District”.

CD District Schedule

30. THAT Section 700.1(1) (CD District) of the of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

- (1) Uses permitted in R and RM Districts including the Districts with an “a”, “b”, “s” or “r” suffix.

31. THAT Section 700.1(2) (CD District) of the of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

- (2) Uses permitted in the C1, C2, C3, C4, C5, C6, C7, C8, and C9 Districts including the Districts with an “a”, “b”, “c”, “d”, “e”, “f”, “g”, “h”, “i”, “r”, or “a/r” suffix.

32. THAT Section 700.1(3) (CD District) of the of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

- (1) Uses permitted in P1, P2, P3, P4, P5, P6, P7, P8, P9, P10, or P11 Districts including Districts with an “e”, “f”, “r”, or “e/r” suffix.

Off-Street Parking Schedule

33. THAT Section 800.4 of the of the Zoning Bylaw be amended by adding subsections 2.1 and 2.2 with wording the same or similar as the following:

- | | |
|---|--|
| <p>(2.1) Rental dwelling units in the RM and P Districts, all of their sub-districts, and the Comprehensive Development District, or portion thereof, based on the above noted Districts.</p> | <p>0.6 for each rental dwelling unit inclusive of 0.1 visitor parking, or as determined through a parking study approved by the Director of Planning and Building.</p> |
| <p>(2.2) Rental dwelling units in the C1, C2, C3, C8, C9 Districts, all of their sub-districts, and the Comprehensive Development District, or portion thereof, based on the above noted Districts.</p> | <p>0.6 for each rental dwelling unit, or as determined through a parking study approved by the Director of Planning and Building.</p> |