

CITY OF BURNABY

BYLAW NO. 13838

A BYLAW to amend the Zoning Bylaw provisions
to various sections

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 1, 2018.**

2. Burnaby Zoning Bylaw 1965, as amended, is further amended:

(a) at Section 3, Definitions by deleting the definitions of “Garage, Private” and “Lot Area” and substituting the following, in alphabetical order:

“**GARAGE, PRIVATE**” means a detached accessory building or a portion of a principal or accessory building used solely for the parking or temporary storage of private motor vehicles and in which there are no facilities for repairing or servicing such vehicles. Private garages located within structured parking or underground parking shall only be permitted on lots that are subject to rezoning to the CD (Comprehensive Development) District.”

“**LOT AREA**” means the total horizontal area within the lot lines of a lot, except for lots that are rezoned on or after 2018 April 01 to the CD (Comprehensive Development) District based in whole or in part on the RM, C, M, B and P Districts, lot area shall be inclusive of the area of street and lane dedication immediately adjacent to the lot, as shown on the subdivision plan pertaining to the lot, approved as a prerequisite to the CD zoning of the site.”

(b) at Section 3, Definitions by adding the following in alphabetical order:

“**CANNABIS PRODUCTION FACILITY**” means a building or portion thereof providing for the production, finishing, packaging, warehousing and/or distribution of cannabis.

“**PARKING, STRUCTURED**” means an area that

- a) contains parking spaces and associated driveways and maneuvering aisles,
- b) is located within a building, and
- c) has its roof or the finished floor next above it more than 800 mm (2.62 ft.) above the adjacent finished grade.”

(c) at Section 3, Definitions by deleting the definition of “Medical Marihuana” in its entirety;

(d) by deleting subsection 6.4(2) and substituting the following:

“(2) Except in the C2, R1, R2, R3, R4, R5, R9, R10, R11, R12, RM6 and P11 Districts, the height of a principal building shall be measured from the front average elevation to the highest point of the structure, subject to the applicable exceptions in subsections (3) and (4); and where no front yard setback is required the height shall be measured from the curb.”;

(e) by adding the following after subsection 6.4(5)

“(6) The height of a detached accessory building shall be measured from the calculated average natural grade of all sides of the building to the highest point of the structure, subject to the applicable exceptions in subsections (3) and (4), except that the height of a detached garage or carport may be measured from the finished grade at the point used for vehicular access.”;

(f) by repealing Section 6.6(1)(a.1) in its entirety and marking it “Repealed”;

(g) by deleting subsections 104.3(1), (2), and (3) and substituting the following:

“(1) Lot coverage shall not exceed 40 percent, except that lots having a garage or carport detached from the principal building shall have a maximum lot coverage of 45 percent.

(2) Notwithstanding subsection (1), lot coverage shall not exceed 40 percent for lots in an R4a District.”;

(h) by deleting subsections 105.3(1), (2) and (3) and substituting the following:

“(1) Lot coverage shall not exceed 40 percent, except that lots having a garage or carport detached from the principal building shall have a maximum lot coverage of 45 percent.

(2) Notwithstanding subsection (1), lot coverage shall not exceed 40 percent for lots in an R5a District.”;

(i) by deleting subsections 109.3(1) and (2) and substituting the following:

“Lot coverage shall not exceed 40 percent, except that lots having a garage or carport detached from the principal building shall have a maximum lot coverage of 45 percent.”;

(j) by deleting subsections 112.3(1) and (2) and substituting the following:

“Lot coverage shall not exceed 40 percent, except that lots having a garage or carport detached from the principal building shall have a maximum lot coverage of 45 percent.”;

(k) by deleting subsection 401.1(23) and substituting the following:

“(23) Cannabis production facility provided that the use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District.”;

(l) by deleting subsection 404.1(18) and substituting the following:

“(18) Cannabis production facility provided that the use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District.”; and

(m) by deleting subsection 405.1(19) and substituting the following:

“(19) Cannabis production facility provided that the use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District.”.

Read a first time this	day of	2018
Read a second time this	day of	2018
Read a third time	day of	2018
Reconsidered and adopted this	day of	2018

MAYOR

CLERK