

CITY OF BURNABY

BYLAW NO. 13983

A BYLAW to amend the Zoning
Bylaw provisions for cellars in certain
R Districts

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 4, 2019.**
2. Burnaby Zoning Bylaw 1965, as amended, is further amended:
 - (a) at Section 6.9, by adding the following as subsection (6):

“(6) In the R1, R2, R3, R4, R5, and R9 Districts, on a lot developed with a single family dwelling a cellar exceeding a floor area of 32 m² (345 sq. ft.) shall meet the requirements of the British Columbia Building Code and all other requirements of this Bylaw for a secondary suite.”
 - (b) at Section 6.20, by adding the following as subsection (7):

“(7) Notwithstanding Section 6.20(6)(c), in the R1, R2, R3, R4, R5 and R9 Districts on a lot developed with a single family dwelling, a garage or carport located in a cellar shall be included as floor area of the cellar.”
 - (c) at Section 101.4, by repealing subsection (1) and replacing it with the following:

“(1) In an R1a District the gross floor area of all floors shall not exceed the floor area ratio of:

 - (a) 0.60 for lots having a width of 37 m (121.4 ft.) or more;
 - (b) 0.55 for lots having a width of less than 37 m (121.4 ft.) but

equal to or more than 35.35 m (116 ft.);

- (c) 0.50 for lots having a width of less than 35.35 m (116 ft.) but equal to or more than 34 m (111.6 ft.).”

- (d) at Section 101.4 by adding the following as subsection (4):

“(4) A cellar constructed in the R1 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”

- (e) at Section 101.5 by adding the following as subsection (4):

“(4) For a single family dwelling, other than one located in an R1a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

- (f) at Section 102.4 by repealing subsection (1) and replacing it with the following:

“(1) In an R2a District the gross floor area of all floors shall not exceed the floor area ratio of:

- (a) 0.60 for lots having a width of 27.5 m (90.2 ft.) or more;
- (b) 0.55 for lots having a width of less than 27.5 m (90.2 ft.) but equal to or more than 26.5 m (86.9 ft.);
- (c) 0.50 for lots having a width of less than 26.5 m (86.9 ft.) but equal to or more than 25.5 m (83.7 ft.).”

- (g) at Section 102.4 by adding the following as subsection (4):

“(4) A cellar constructed in the R2 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”

- (h) at Section 102.5 by adding the following as subsection (4):

“(4) “For a single family dwelling other than one located in an R2a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

- (i) at Section 103.4 by repealing subsection (1) and replacing it with the following:

“(1) In an R3a District the gross floor area of all floors shall not exceed the floor area ratio of:

- (a) 0.60 for lots having a width of 22.5 m (73.8 ft.) or more;
- (b) 0.55 for lots having a width of less than 22.5 m (73.8 ft.) but equal to or more than 21.8 m (71.5 ft.);
- (c) 0.50 for lots having a width of less than 21.8 m (71.5 ft.) but equal to or more than 21 m (68.9 ft.).”

(j) at Section 103.4 by adding the following as subsection (4):

“(4) “A cellar constructed in the R3 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”

(k) at Section 103.5 by adding the following as subsection (4):

“(4) For a single family dwelling, other than one located in an R3a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

(l) at Section 104.4 by repealing subsection (1) and replacing it with the following:

“(1) The density of development shall not exceed:

- (a) in an R4 District on a lot developed with a two-family dwelling, the lesser of a floor area ratio of 0.60 or 440 m² (4736.1 sq. ft.).
- (b) in an R4a District, a floor area ratio of:
 - i. 0.60 for lots having a width of 27.5 m (90.2 ft.) or more;
 - ii. 0.55 for lots having a width of less than 27.5 m (90.2 ft.) but equal to or more than 26.3 m (86.3 ft.);
 - iii. 0.50 for lots having a width of less than 26.3 m (86.3 ft.) but equal to or more than 25.5 m (83.7 ft.).”

(m) at Section 104.4 by adding the following as subsection (4):

“(4) A cellar constructed in the R4 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”

(n) at Section 104.5 by adding the following as subsection (6)

“(6) For a single family dwelling, other than one located in an R4a District,

the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

- (o) at Section 105.4 by repealing subsection (1) and replacing it with the following:

“(1) The density of development shall not exceed:

- (a) in an R5 District on a lot developed with a two-family dwelling, the lesser of a floor area ratio of 0.60 or 370 m² (3982.6 sq. ft.).
- (b) in an R5a District, a floor area ratio of:
 - i. 0.60 for lots having a width of 22.5 m (73.8 ft.) or more;
 - ii. 0.55 for lots having a width of less than 22.5 m (73.8 ft.) but equal to or more than 21.8 m (71.5 ft.);
 - iii. 0.50 for lots having a width of less than 21.8 m (71.5 ft.) but equal to or more than 21 m (68.9 ft.)”.

- (p) at Section 105.4 by adding the following as subsection (4):

“(4) A cellar constructed in the R5 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”

- (q) at Section 105.5 by adding the following as subsection (6):

“(6) For a single family dwelling, other than one located in an R5a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

- (r) at Section 109.4 by repealing subsection (1) and replacing it with the following:

“(1) In an R9a District, the gross floor area of all floors shall not exceed the floor area ratio of 0.60.”

- (s) at Section 109.4 by adding the following as subsection (4)

“(4) A cellar constructed in the R9 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey

next above it.”

(t) at Section 109.5 by adding the following as subsection (4):

“(4) For a single family dwelling, other than one located in an R9a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

Read a first time this	day of	2019
Read a second time this	day of	2019
Read a third time	day of	2019
Reconsidered and adopted this	day of	2019

MAYOR

CLERK