

CITY OF BURNABY

BYLAW NO. 14206

A BYLAW to amend the Zoning
Bylaw provisions for rental use zoning

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 32, 2020.**

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

(a) at the Table of Contents in Schedule III, by repealing the following in its entirety:

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| “308. Urban Village Commercial District (Hastings) (C8), (C8a), (C8f), (C8r) & (C8a/r) | C8, C8a, C8f, C8r, and C8a/r |
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| | |
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| 309. Urban Village Commercial District (C9), (C9a) & (C9r) | C9, C9a & C9r District” |
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and replacing it with the following:

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| “308. Urban Village Commercial District (Hastings) (C8), (C8a) & (C8f) | C8, C8a & C8f District |
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| 309. Urban Village Commercial District (C9) & (C9a) | C9 & C9a District” |
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(b) at Section 3, by repealing the definition of “CMHC MARKET AVERAGE RENT” and replacing it with the following:

““**CMHC MARKET MEDIAN RENT**” means the median residential rent applicable to areas within the City of Burnaby, based on rental market data collected by the Canadian Mortgage and Housing Corporation (CMHC) for specific rental unit types, age of buildings, size of buildings, and geographic areas.”

- (c) at Section 3, by repealing the definition of “DWELLING UNIT, RENTAL” in its entirety and adding the following in alphabetical order:

“**PURPOSE-BUILT RENTAL HOUSING**” means a multi-unit building or portion of a multi-unit building where dwelling units are held in common ownership and used only for rental purposes. Purpose-built rental housing may include market and non-market rental housing.”

- (d) at Section 3, by repealing the definition of “UNDERGROUND PARKING” and replacing it with the following in alphabetical order:

“**PARKING, UNDERGROUND**” 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 not more than 800 mm (2.62 ft.) above the adjacent finished grade.”

- (e) at Section 3, by adding the following definitions in alphabetical order:

“**ADJUSTED PRE-DEVELOPMENT RENT**” means rent charged to a returning tenant, in accordance with the City of Burnaby’s Tenant Assistance Policy, as amended or replaced from time to time, for a replacement rental unit in purpose-built rental housing, which is calculated based on the last rent of the pre-development unit when being vacated for the purpose of development, plus any annual rent increase established under the *Residential Tenancy Act* and its regulations for the duration of time between vacancy of the pre-development unit and occupancy of the replacement rental unit.

“**RENTAL UNIT**” means a dwelling unit within purpose-built rental housing.”

- (f) at Section 5.1 in Schedule III by repealing the words “C8r”, “C8a/r”, and “C9r” in their entirety.
- (g) at Section 5.1 in Schedule V by adding a reference to P11r District for the S.F.U. Neighbourhood District.
- (h) at Section 6.10 by repealing subsection (2.1) in its entirety and replacing it with the following:

“(2.1) Notwithstanding subsection (2) of this section, the minimum floor area of a dwelling unit in the P11e District, or a rental unit in the RM, C, and P11 Districts, and all of their sub-districts, and the Comprehensive Development District, or portion thereof, based on the above noted Districts, shall be as follows:

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| (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.)” |

- (i) at Section 201.2 by repealing it in its entirety and replacing it with the following:

“201.2 Uses Permitted in the RM1r Zoning District:

- (1) Uses permitted in the RM1 District, excluding permitted uses in the R6 District, dormitory units or groups of dormitory units, and boarding, lodging and rooming houses, provided that the residential uses are restricted to purpose-built rental housing.
- (2) 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.).
- (3) Child care facilities, in conjunction with purpose-built rental housing.
- (4) Home occupations.

(5) Accessory buildings and uses.”

(j) at Section 201.5 by repealing it in its entirety and replacing it with the following;

“201.5 Floor Area Ratio:

- (1) The maximum floor area ratio in the RM1 and RM1r Districts shall be 0.45. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.15 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM1 and RM1r Districts 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, including the RM1 District.
- (2) Notwithstanding subsection (1) of this section, in the RM1 District, where amenities, affordable or special needs housing, or cash-in-lieu contributions are provided in accordance with section 6.22 of this bylaw, the floor area ratio may be increased by 0.10.”

(k) at Section 202.2 by repealing it in its entirety and replacing it with the following:

“202.2 Uses Permitted in the RM2r Zoning District:

- (1) Uses permitted in the RM2 District, excluding permitted uses in the R6 District, dormitory units or groups of dormitory units, and boarding, lodging and rooming houses, provided that the residential uses are restricted to purpose-built rental housing.
- (2) 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.).
- (3) Child care facilities, in conjunction with purpose-built rental housing.
- (4) Home occupations.

(5) Accessory buildings and uses.”

(l) at Section 202.5 by repealing it in its entirety and replacing it with the following:

“202.5 Floor Area Ratio:

- (1) The maximum floor area ratio in the RM2 and RM2r Districts shall be 0.70. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.20 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM2 and RM2r Districts 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, including the RM2 District.
- (2) Notwithstanding subsection (1) of this section, in the RM2 District, where amenities, affordable or special needs housing, or cash-in-lieu contributions are provided in accordance with section 6.22 of this bylaw, the floor area ratio may be increased by 0.10.”

(m) at Section 203.3 by repealing it in its entirety and replacing it with the following:

“203.3 Uses Permitted in the RM3r Zoning District:

- (1) Uses permitted in the RM3 District, excluding permitted uses in the R6 District, dormitory units or groups of dormitory units, rest homes and private hospitals, and boarding, lodging and rooming houses, provided that the residential uses are restricted to purpose-built rental housing.
- (2) 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.).
- (3) Child care facilities, in conjunction with purpose-built rental housing.
- (4) Home occupations.

- (5) Accessory buildings and uses.”
- (n) at Section 203.6 by repealing subsections (1), (2), (3), (4) and (5) in their entirety and replacing them with the following:
- “(1) The maximum floor area ratio in the RM3, RM3s, and RM3r Districts shall be 0.90. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.20 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM3, RM3s, and RM3r Districts 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, including the RM3, or RM3s District.
- (2) Notwithstanding subsection (1) of this section, in the RM3 and RM3s Districts, where amenities, affordable or special needs housing, or cash-in-lieu contributions are provided in accordance with section 6.22 of this bylaw, 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 in the RM3 and RM3s Districts exceed 1.25.
- (3) Notwithstanding subsections (1) and (2) of this section, in the RM3s District, where amenities, affordable or special needs housing, or cash-in-lieu contributions are provided in accordance with section 6.22 of this bylaw, the floor area ratio may be increased by 0.25, but in no case shall the floor area ratio in the RM3s District exceed 1.50.
- (4) Notwithstanding subsections (1), (2), and (3) of this section, in the RM3, RM3s, and RM3r Districts, the floor area ratio may be increased by 0.55, but in no case shall the floor area ratio exceed 2.05, provided that:
- (a) the lot is rezoned to Comprehensive Development District;
- (b) a minimum number of rental units provided is equal to the greater of:
- i. that number equal to 20% of the total number of market rental and strata dwelling units calculated using the RM3 and RM3s District floor area ratios; and

- ii. that number equal to the number of rental units in any purpose-built rental housing located immediately prior to the rezoning referred to in paragraph (a), which has been or will be demolished; and
- (c) the rent for each rental unit referred to in paragraph (b) shall not exceed:
 - i. 20% below CMHC Market Median Rent rates for the applicable rental unit type; and
 - ii. the adjusted pre-development rent for the applicable rental unit type, if rented to a returning tenant in accordance with the City of Burnaby Tenant Assistance Policy, as amended or replaced from time to time.”
- (o) at Section 204.3 by repealing it in its entirety and replacing it with the following:

“204.3 Uses Permitted in the RM4r Zoning District:

- (1) Uses permitted in the RM4 District, excluding rest homes and private hospitals, provided that the residential uses are restricted to purpose-built rental housing.
 - (2) Child care facilities, in conjunction with purpose-built rental housing.”
- (p) at Section 204.6 by repealing subsections (1), (2), (3), (4) and (5) in their entirety and replacing them with the following:

“204.6 Floor Area Ratio:

- (1) The maximum floor area ratio in the RM4, RM4s, and RM4r Districts shall be 1.40. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.30 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM4, RM4s, and RM4r Districts exceed 1.70. 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, including the RM4, or RM4s District.

- (2) Notwithstanding subsection (1) of this section, in the RM4 and RM4s Districts, where amenities, affordable or special needs housing, or cash-in-lieu contributions are provided in accordance with section 6.22 of this bylaw, 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 in the RM4 and RM4s Districts exceed 2.00.
- (3) Notwithstanding subsections (1) and (2) of this section, in the RM4s District, where amenities, affordable or special needs housing, or cash-in-lieu contributions are provided in accordance with section 6.22 of this bylaw, the floor area ratio may be increased:
 - (a) up to a further 0.80 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 in the RM4s District exceed 3.60.
- (4) Notwithstanding subsections (1), (2), and (3) of this section, in the RM4, RM4s, and RM4r Districts, the floor area ratio may be increased by 0.85, but in no case shall the floor area ratio exceed 4.45, provided that:
 - (a) the lot is rezoned to Comprehensive Development District;
 - (b) a minimum number of rental units provided is equal to the greater of:
 - i. that number equal to 20% of the total number of market rental and strata dwelling units calculated using the RM4 and RM4s District floor area ratios; and
 - ii. that number equal to the number of rental units in any purpose-built rental housing located immediately prior to the rezoning referred to in paragraph (a), which has been or will be demolished; and
 - (c) the rent for each rental unit referred to in paragraph (b) shall not exceed:
 - i. 20% below CMHC Market Median Rent rates for the applicable rental unit type; and

- ii. the adjusted pre-development rent for the applicable rental unit type, if rented to a returning tenant in accordance with the City of Burnaby Tenant Assistance Policy, as amended or replaced from time to time.”
- (q) at Section 205.3 by repealing it in its entirety and replacing it with the following:

“205.3 Uses Permitted in the RM5r Zoning District:

- (1) Uses permitted in the RM5 District, excluding rest homes and private hospitals, and dormitory units or groups of dormitory units, provided that the residential uses are restricted to purpose-built rental housing.
 - (2) Child care facilities, in conjunction with purpose-built rental housing.”
- (r) at Section 205.6 by repealing subsections (1), (2), (3), (4) and (5) in their entirety and replacing them with the following:

“205.6 Floor Area Ratio:

- (1) The maximum floor area ratio in the RM5, RM5s, and RM5r Districts shall be 1.80. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.40 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM5, RM5s, and RM5r Districts exceed 2.20. 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, including the RM5 or RM5s District.
 - (2) Notwithstanding subsection (1) of this section, in the RM5 and RM5s Districts, where amenities, affordable or special needs housing, or cash-in-lieu contributions are provided in accordance with section 6.22 of this bylaw, 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 in the RM5 and RM5s Districts exceed 2.60.
 - (3) Notwithstanding subsections (1) and (2) of this section, in the RM5s District, where amenities, affordable or special needs housing, or cash-

in-lieu contributions are provided in accordance with section 6.22 of this bylaw, the floor area ratio may be increased:

- (a) up to a further 1.20 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 in the RM5s District exceed 5.00.

- (4) Notwithstanding subsections (1), (2), and (3) of this section, in the RM5, RM5s, and RM5r Districts, the floor area ratio may be increased by 1.10, but in no case shall the floor area ratio exceed 6.10, provided that:

- (a) the lot is rezoned to Comprehensive Development District;
- (b) a minimum number of rental units provided is equal to the greater of:
 - i. that number equal to 20% of the total number of market rental and strata dwelling units calculated using the RM5 and RM5s District floor area ratios; and
 - ii. that number equal to the number of rental units in any purpose-built rental housing located immediately prior to the rezoning referred to in paragraph (a), which has been or will be demolished; and
- (c) the rent for each rental unit referred to in paragraph (b) shall not exceed:
 - i. 20% below CMHC Market Median Rent rates for the applicable rental unit type; and
 - ii. the adjusted pre-development rent for the applicable rental unit type, if rented to a returning tenant in accordance with the City of Burnaby Tenant Assistance Policy, as amended or replaced from time to time.”

- (s) at Section 206.3 by repealing it in its entirety and replacing it with the following:

“206.3 Uses Permitted in the RM6r Zoning District:

Uses permitted in the RM6 District, excluding single-family dwellings or two-family dwellings, provided that the residential uses are restricted to purpose-built rental housing.”

- (t) at Section 206.7 by repealing it in its entirety and replacing it with the following:

“206.7 Floor Area Ratio:

The maximum floor area ratio in the RM6 and RM6r Districts shall be 0.70. For clarity, the maximum floor area ratio permitted in the RM6r District shall be in addition to the FAR permitted for any other zoning district on the lot, including the RM6 District.”

- (u) at Section 207.3 by repealing it in its entirety and replacing it with the following:

“207.3 Uses Permitted in the RM7r Zoning District:

Uses permitted in the RM7 District, provided that the residential uses are restricted to purpose-built rental housing.”

- (v) at Section 207.6 by repealing it in its entirety and replacing it with the following:

“207.6 Floor Area Ratio:

- (1) The maximum floor area ratio in the RM7, and RM7r Districts shall be 0.90. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.20 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM7, and RM7r Districts exceed 1.10. For clarity, the maximum floor area ratio permitted in the RM7r District shall be in addition to the FAR permitted for any other zoning district on the lot, including the RM7 District.
- (2) Notwithstanding subsection (1) of this section, in the RM7 and RM7r Districts, the floor area ratio may be increased by 0.55, but in no case shall the floor area ratio exceed 1.65, provided that:

- (a) the lot is rezoned to Comprehensive Development District;
- (b) a minimum number of rental units provided is equal to the greater of:
 - i. that number equal to 20% of the total number of market rental and strata dwelling units calculated using the RM7 District floor area ratio; and
 - ii. that number equal to the number of rental units in any purpose-built rental housing located immediately prior to the rezoning referred to in paragraph (a), which has been or will be demolished; and
- (c) the rent for each rental unit referred to in paragraph (b) shall not exceed:
 - i. 20% below CMHC Market Median Rent rates for the applicable rental unit type; and
 - ii. the adjusted pre-development rent for the applicable rental unit type, if rented to a returning tenant in accordance with the City of Burnaby Tenant Assistance Policy, as amended or replaced from time to time.”
- (w) at Section 301 by replacing the words “rental dwelling units” with the words “rental units”.
- (x) at Section 301.1 by repealing subsection (14) in its entirety and replacing it with the following:
 - “(14) Purpose-built rental housing located above the first storey, 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) a completely separate public entrance to the residential accommodation shall be provided from the first storey front elevation, except:
 - i. on a corner lot access may be from the first storey side street elevation; or

- ii. where a public pedestrian walkway exists, access may be from the first storey walkway elevation; and
- (c) the total gross floor area of the purpose-built rental housing, including areas exclusively providing access thereto, shall be less than the total gross floor area of all other permitted uses within the building.”
- (y) at Section 302 by replacing the words “rental dwelling units” with the words “rental units”.
- (z) at Section 302.1 by repealing subsection (19) in its entirety and replacing it with the following:
 - “(19) Purpose-built rental housing located above the first storey, 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) a completely separate public entrance to the residential accommodation shall be provided from the first storey front elevation, except:
 - i. on a corner lot access may be from the first storey side street elevation; or
 - ii. where a public pedestrian walkway exists, access may be from the first storey walkway elevation; and
 - (c) the total gross floor area of the purpose-built rental housing, including areas exclusively providing access thereto, shall be less than the total gross floor area of all other permitted uses within the building.”
- (aa) at Section 302.5 by repealing it in its entirety and replacing it with the following:

“302.5 Floor Area Ratio:

The maximum floor area ratio shall be 1.00. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.30 multiplied by the ratio of parking spaces provided in underground parking or such structured parking to the total parking spaces provided, but in no case shall the floor area ratio

exceed 1.30.”

- (bb) at Section 303 by replacing the words “rental dwelling units” with the words “rental units”.
- (cc) at Section 303.1 by repealing subsection (20) in its entirety and replacing it with the following:

“(20) Purpose-built rental housing located above the first storey, 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) a completely separate public entrance to the residential accommodation shall be provided from the first storey front elevation, except:
 - i. on a corner lot access may be from the first storey side street elevation; or
 - ii. where a public pedestrian walkway exists, access may be from the first storey walkway elevation; and
- (c) the total gross floor area of the purpose-built rental housing, including areas exclusively providing access thereto, shall be less than the total gross floor area of all other permitted uses within the building.”

- (dd) at Section 303.5 by repealing it in its entirety and replacing it with the following:

“303.5 Floor Area Ratio:

The maximum floor area ratio shall be 5.00. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 1.00 multiplied by the ratio of parking spaces provided in underground parking or such structured parking to the total parking spaces provided, but in no case shall the floor area ratio exceed 6.00.”

- (ee) at Section 308.1(1) by repealing the word “C8r” in its entirety.
- (ff) at Section 308.1(2) by repealing the word “C8a/r” in its entirety.

- (gg) at Section 308.2(11) by repealing it in its entirety and replacing it with the following:
- “(11) Dwelling units, including rental units, on the second storey or above, subject to the following conditions:
- (a) the first storey frontage of the building to a minimum depth of 10.0 m (32.80 ft.) shall be used for commercial purposes;
 - (b) each dwelling unit shall have a balcony;
 - (c) a completely separate public entrance to the residential accommodation shall be provided from the first storey front elevation, except that:
 - i. on a corner lot access may be from the first storey side street elevation; or
 - ii. where a public pedestrian walkway exists, access may be from the first storey walkway elevation; and
 - (d) a storey containing dwelling units shall have no other uses on that storey except parking.”
- (hh) at Section 308.2B by repealing it in its entirety.
- (ii) at Section 308.2C by repealing it in its entirety.
- (jj) at Section 308.4 by repealing subsection (2) in its entirety.
- (kk) at Section 308.6 by repealing subsection (1) in its entirety and replacing it with the following:
- “(1) The maximum floor area ratio shall be 2.00. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 1.00 multiplied by the ratio of parking spaces provided in underground parking or such structured parking to the total parking spaces provided, but in no case shall the floor area ratio exceed 3.00.”
- (ll) at Section 308.6 by adding the following as subsection (3):
- “(3) Notwithstanding subsection (1), the floor area ratio may be increased by 1.125, provided that:

- (a) the lot is rezoned to Comprehensive Development District;
 - (b) a minimum number of rental units provided is equal to the greater of:
 - i. that number equal to 20% of the total number of market rental and strata dwelling units calculated using the C8 District floor area ratio; and
 - ii. that number equal to the number of rental units in any purpose-built rental housing located immediately prior to the rezoning referred to in paragraph (a), which has been or will be demolished; and
 - (c) the rent for each rental unit referred to in paragraph (b) shall not exceed:
 - i. 20% below CMHC Market Median Rent rates for the applicable rental unit type; and
 - ii. the adjusted pre-development rent for the applicable rental unit type, if rented to a returning tenant in accordance with the City of Burnaby Tenant Assistance Policy, as amended or replaced from time to time.”
- (mm) at Section 308.8 by replacing the words “6.0 m (19.69 ft.)” with the words “4.57 m (15.00 ft.).”
- (nn) at Section 309.2 by repealing subsection (10) in its entirety and replacing it with the following:
- “(10) Dwelling units, including rental units, on the second storey or above, subject to the following conditions:
- (a) the first storey frontage of the building to a minimum depth of 10.0 m (32.80 ft.) shall be used for commercial purposes;
 - (b) each dwelling unit shall have a balcony;
 - (c) a completely separate public entrance to the residential accommodation shall be provided from the first storey front elevation, except that:
 - i. on a corner lot access may be from the first storey side street elevation; or

- ii. where a public pedestrian walkway exists, access may be from the first storey walkway elevation; and
- (d) a storey containing dwelling units shall have no other uses on that storey except parking.”
- (oo) at Section 309.2B by repealing it in its entirety.
- (pp) at Section 309.6 by repealing subsection (1) in its entirety and replacing it with the following:
 - “(1) The maximum floor area ratio shall be 1.20. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 1.00 multiplied by the ratio of parking spaces provided in underground parking, or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio exceed 2.20.”
- (qq) at Section 309.6 by adding the following as subsection (3):
 - “(3) Notwithstanding subsection (1), the floor area ratio may be increased by 0.825, provided that:
 - (a) the lot is rezoned to Comprehensive Development District;
 - (b) a minimum number of rental units provided is equal to the greater of:
 - i. that number equal to 20% of the total number of market rental and strata dwelling units calculated using the C9 District floor area ratio; and
 - ii. that number equal to the number of rental units in any purpose-built rental housing located immediately prior to the rezoning referred to in paragraph (a), which has been or will be demolished; and
 - (c) the rent for each rental unit referred to in paragraph (b) shall not exceed:
 - i. 20% below CMHC Market Median Rent rates for the applicable rental unit type; and

- ii. the adjusted pre-development rent for the applicable rental unit type, if rented to a returning tenant in accordance with the City of Burnaby Tenant Assistance Policy, as amended or replaced from time to time.”
- (rr) at Section 511.1A by repealing it in its entirety and replacing it with the following:

“511.2A Uses Permitted in the P11r and P11e/r Zoning Districts:

- (1) Multiple-family dwellings or groups of multiple-family dwellings, provided that they are restricted to purpose-built rental housing.
- (2) Residential accommodations, when located on the same site as the institution they serve, provided that they are restricted to purpose-built rental housing. Residential accommodation may include student accommodation which shall comply with the following minimum floor areas:

| | | |
|-----|----------------|-------------------------------------|
| (a) | Studio Unit | 33 m ² (355.22 sq. ft.) |
| (b) | 1 Bedroom Unit | 46 m ² (495.16 sq. ft.) |
| (c) | 2 Bedroom Unit | 70 m ² (753.50 sq. ft.). |
- (3) A dwelling unit for a caretaker or watchman, provided that such dwelling unit is located on the same lot as the institution which it serves.
- (4) Child care facilities, in conjunction with purpose-built rental housing.
- (5) Home occupations.
- (6) Accessory buildings and uses.
- (7) Temporary shelters.”
- (ss) at Section 511.2A by repealing it in its entirety.
- (tt) at Section 511.8 by repealing it in its entirety and replacing it with the following:

“511.8 Floor Area Ratio:

- (1) The maximum floor area ratio in the P11 and P11r Districts shall be 0.45. Where structured parking is provided due to topographic or

geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.45 multiplied by the ratio of parking spaces provided in underground parking or such structured parking to the total parking spaces provided, but in no case shall the floor area ratio in the P11 and P11r Districts exceed 0.90. For clarity, the maximum floor area ratio permitted in the P11r District shall be in addition to the FAR permitted for any other zoning district on the lot, including the P11 District.

- (2) The maximum floor area ratio in the P11e and P11e/r Districts shall be 0.45. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 1.25 multiplied by the ratio of parking spaces provided in underground parking, or such structured parking to the total parking spaces provided, but in no case shall the floor area ratio in the P11e and P11e/r Districts exceed 1.70. For clarity, the maximum floor area ratio permitted in the P11e/r District shall be in addition to the FAR permitted for any other zoning district on the lot, including the P11e District.”
- (uu) at Section 700.1 by repealing subsection (2) in its entirety and replacing it with 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”, or “i” suffix.”
- (vv) at Section 800.3.1(2)(e) by replacing the words “and rental dwelling units” with the words “and purpose-built rental housing,”
- (ww) at Section 800.4(2)(b.1) by replacing the words “sections 203.5(3), 204.7(3), or 205.7(3)” with the words “sections 203.6(3), 204.6(3), or 205.6(3)”.
- (xx) at Section 800.4 by repealing subsection (2.1) in its entirety and replacing it with the following:

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| “(2.1) Purpose-built rental housing in the RM and P Districts, all of their sub-districts, and the Comprehensive Development District, or portion thereof, | 0.6 for each rental unit inclusive of 0.1 visitor parking, or as determined through a parking study approved by the Director Planning and Building. |
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based on the above
noted Districts. ”

(yy) at Section 800.4 by repealing subsection (2.2) in its entirety and replacing it with the following:

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| “(2.2) Purpose-built rental housing in the C1, C2, C3, C8, and C9 Districts, all of their sub-districts, and the Comprehensive Development District, or portion thereof, based on the above noted Districts. | 0.6 for each rental unit inclusive of 0.1 visitor parking, or as determined through a parking study approved by the Director Planning and Building.” |
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|-------------------------------|--------|--------|
| Read a first time this | day of | , 2020 |
| Read a second time this | day of | , 2020 |
| Read a third time | day of | , 2020 |
| Reconsidered and adopted this | day of | , 2020 |

MAYOR

CLERK