



Item .....
Meeting.....2021 March 30

## COMMITTEE REPORT

**TO:** CHAIR AND MEMBERS  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** 2021 March 24

**FROM:** DIRECTOR PLANNING AND BUILDING

**FILE:** 42000 20  
*Reference: Bylaw Amendments*

**SUBJECT:** PROPOSED ZONING BYLAW AMENDMENTS –  
MARCH 2021

**PURPOSE:** To propose a number of amendments to the Burnaby Zoning Bylaw.

### RECOMMENDATION:

1. **THAT** Council be requested to authorize the preparation of a bylaw amending the *Burnaby Zoning Bylaw, 1965*, as outlined in Section 3.0 of this report, for advancement to a future Public Hearing.

## REPORT

### 1.0 BACKGROUND INFORMATION

As part of the ongoing review of the Burnaby Zoning Bylaw, which usually takes place in the context of development enquiries and discussions regarding the intent of the Zoning Bylaw and the general need to update the Zoning Bylaw, text amendments are brought forward from time to time. These text amendment reports are submitted in order to provide clarification and improvements to the wording of the Zoning Bylaw, and to respond to changes in related legislation and changes in forms of development, land uses and social trends.

This report presents three Zoning Bylaw amendments regarding:

- 1) dormitories;
- 2) colleges and universities, and commercial schools; and
- 3) places of public worship.

### 2.0 CITY POLICY FRAMEWORK

The proposed amendments to the *Zoning Bylaw* align with the following City policies:

#### Corporate Strategic Plan:

- enhance social connections throughout Burnaby, and work collaboratively with businesses, institutions, and associations.
- create more opportunities to celebrate diversity, welcome all community members, and create a sense of belonging.

- encourage opportunities for healthy living and well-being, and enhance environmental health, resilience and sustainability.
- foster an environment that attracts new and supports existing jobs, businesses and industries.

**Official Community Plan:**

- provide a varied range and choice of living opportunities within the City.
- foster a close relationship between post-secondary facilities and the community in terms of maximizing educational and business opportunities and partnerships.
- provide opportunities, as necessary and appropriate, for the development of religious facilities to meet the spiritual needs of Burnaby residents.

**Social Sustainability Strategy:**

- meet basic needs of the community with a focus on affordable and suitable housing.
- provide opportunities for learning for life.

**Economic Development Strategy:**

- build a strong, livable, and healthy community.

### **3.0 ZONING BYLAW TEXT AMENDMENTS**

#### **3.1 Dormitories**

**Issue**

Currently, dwelling units are not permitted in a dormitory unit as an accessory residential accommodation to institutional uses. Considering the need to accommodate persons with family that are affiliated with the institutions, it is recommended that dwelling units (self-contained units with cooking facilities) be permitted in dormitory units.

**Discussion**

Under Section 3.0 of the Zoning Bylaw, a “dormitory unit” is a building containing sleeping units for occupancy by students or staff members affiliated with colleges, hospitals, private schools, rest homes, religious orders, universities, or similar institutions. A dormitory unit may contain communal dining facilities, but shall not include a self-contained unit with cooking facilities.

Dormitory units are permitted in a number of Multiple Family Residential (RM1, RM2, RM3, and RM5 Districts), P5 Community Institutional, P6 Regional Institutional, and P11 SFU Neighbourhood Districts, provided that they are located on the same site or within 300 m (984.25 ft.) of the institutions which they serve. It should be noted that in the P6 and P11 Districts, dormitory units are permitted under the “residential accommodation” land use.

In 1968, Council adopted a Zoning Bylaw amendment to replace “dormitory unit” as a permitted use with “residential accommodation”, including “student accommodation”, in the P6 District, and later also in the P11 District. The purpose of this amendment was to allow self-contained units (dwelling units) on campus, for the accommodation of students, faculty and staff with family. However, at the time, a definition for “residential accommodation” was not added to the Zoning Bylaw to clarify that this use may encompass both sleeping units and dwelling units.

The need for dwelling units in addition to sleeping units, for the accommodation of staff and their families is not limited to only educational institutions, such as SFU and BCIT, and also applies to hospitals, rest homes, private schools, and similar institutions. It is therefore recommended that the definition of “dormitory” be amended to include “dwelling units”. It is further recommended that the family members of persons affiliated with an institution who may reside in a dormitory be limited to such person’s spouse, child and spouse’s child. For clarity, it is also recommended that the term “dormitory unit” be replaced with “dormitory” throughout the Zoning Bylaw.

The proposed definition for “dormitory” is as follows:

**“DORMITORY”** means a building consisting of sleeping units or dwelling units, or both, for the accommodation of faculty, staff, students, or other persons affiliated with an educational institution, private school, hospital, religious order, rest home, or other similar institution, and their family members, and which is regulated by such institution. A dormitory may contain communal dining facilities, but does not include a boarding, lodging or rooming house. For the purposes of this definition, the term “family member” means a person’s spouse, a person’s child, and a person’s spouse’s child.

According to the new definition, a “dormitory”:

- may contain either dwelling units (a self-contained unit with cooking facilities), or sleeping units, or both;
- should be used only for the accommodation of persons who are affiliated with the institutions and their family members;
- should be regulated by such institution concerning maximum family size occupying each unit type, duration of occupancy after conclusion of education or employment with the institution, unit sizes, unit types, maximum number of occupants in each unit, etc; and,
- may contain communal dining facilities.

If Council adopts the above recommendations, further amendments to the Zoning Bylaw will be required as follows:

- considering that dwelling units will be permitted under “dormitory” use, for consistency purposes, it is recommended that “residential accommodation” use permitted in the P6 and P11 Districts be replaced with “dormitory” use. Accessory residential accommodation for the exclusive use of persons affiliated with an institution and their family members would then be permitted under “dormitory” use in the RM1, RM2, RM3, RM5, P5, P6, and P11 Districts.
- according to the Zoning Bylaw, a dwelling unit is a self-contained unit used as a principal residence of one family only. The Zoning Bylaw also defines a “family”, with respect to unrelated persons, as “a group of not more than three unrelated non-transient persons living together as a single non-profit group in a dwelling unit and using common cooking facilities. Considering that the accommodation of more than three students, staff or faculty that are not related by blood or marriage may be permitted in a sleeping unit, dwelling unit, or dormitory pods in a dormitory, it is recommended that dormitories be exempted from the limit on the maximum number of unrelated persons permitted to reside in a dwelling unit.

- for clarity purposes, it is recommended that “dormitories” be exempted from the definitions of “boarding, lodging, or rooming house”, “multiple family dwelling”, and “purpose-built rental housing”.
- “sleeping unit” is currently defined as “a number of habitable rooms used for sleeping, or sleeping and living purposes, but not including a sink or cooking facilities. A bathroom containing a water closet, wash basin and a bath or shower may be shared”. To clarify the Zoning Bylaw, it is recommended that a new definition for “sanitary facility” be added to section 3.0 of the Zoning Bylaw, and that the definition of “sleeping unit” be replaced with the following:

**“SLEEPING UNIT”** means one or more rooms used for sleeping and living purposes. A sleeping unit may contain sanitary facilities, but does not include a kitchen sink or cooking facilities.

**“SANITARY FACILITY”** means any toilet, urinal, bathtub, shower, hand basin, or combination thereof.

- Section 511.2A of the Zoning Bylaw sets out the uses that are permitted in the P11r and P11e/r Districts (rental zone in the P11 District). As discussed earlier, the term “residential accommodation” is not defined in the Zoning Bylaw. However, the intent of “residential accommodation” is to provide accessory rental housing for the exclusive use of persons associated with an institution. This use is generally being regulated by the institution which it serves. As such, “residential accommodation” use is not subject to the City’s Rental Use Zoning Policy and should not be permitted in the P11r and P11e/r Districts that are specifically created for the provision of market and non-market rental housing for the residents of Burnaby. It should be noted that “dormitories” are not permitted in other rental zones, such as RMr Districts. For consistency, it is recommended that subsection 511.2A(2) of the Zoning Bylaw be repealed in their entirety.

If Council adopts this recommendation, it is further recommended that section 511.2A(3) of the Zoning Bylaw, which permits a dwelling unit for a caretaker or watchman of such residential accommodation, be also repealed in its entirety.

### ***Minimum unit size in dormitories***

Section 506.1(4) of the Zoning Bylaw regulates the minimum floor area for a dwelling unit (studio, one-bedroom and two-bedroom units) in “residential accommodation” permitted in the P6 and P11 Districts. The required unit sizes in residential accommodation accessory to institutional uses are not consistent with the minimum unit sizes applicable to apartment buildings, townhouse dwellings, or rental units under Section 6.10 of the Zoning Bylaw. In general, the purpose of regulating the minimum unit size is to ensure functionality and livability of dwelling units in market and non-market developments throughout the City.

A review of dormitories in other jurisdictions indicates that there is a general desire to construct small dwelling units (micro apartment/suite) for dormitories to meet the needs of students, improve affordability and the provision of low-cost housing for smaller households living on campus.

Considering that dormitories are regulated and managed by the institutions which they serve, and rental housing projects accessory to institutional uses are generally proposed based on need and feasibility assessments, it is recommended that dwelling units located in dormitories be exempted from the minimum unit size requirements of the Zoning Bylaw. Should Council adopt this recommendation, the institution which a dormitory serves, will determine the minimum unit sizes based on their housing demands, household sizes, and affordability measures.

### ***Off-street parking spaces in dormitories***

According to Section 800.4(6) of the Zoning Bylaw, off-street parking space requirements for dormitories is one for each three employees, plus one for each six beds. The Zoning Bylaw does not regulate off-street parking spaces for “residential accommodation” containing dwelling units which is permitted in the P6 and P11 Districts.

Dormitories are rental housing developments on institutional sites for the exclusive use of persons affiliated with such institution. As such, off-street parking space requirements for dwelling units in a dormitory should be in line with the off-street parking requirements of the Zoning Bylaw for rental units. Accordingly, it is recommended that the off-street parking space requirements for a dwelling unit located in a dormitory be 0.6 for each dwelling unit, inclusive of 0.1 visitor parking. This parking requirement may be reduced subject to the provision of a parking study approved by the Director of Planning and Building. It should be noted that the off-street parking requirements of the Zoning Bylaw for sleeping units located in a dormitory will remain the same.

As required by the Zoning Bylaw, dormitories should be located on the same site (in the P5, P6, and P11 Districts) or within 300 m (984.25 ft.) of the institution which they serve (in the RM1, RM2, RM3, and RM5 Districts), and should be used for the accommodation of persons affiliated with such institution. These requirements in circumstances where the institution does not operate 24 hours a day provide an opportunity for the shared use of off-street parking spaces by dormitory residents, as well as, faculty, staff, students, or other persons affiliated with the institution. The shared use of off-street parking spaces by persons who are affiliated with the institution and by dormitory residents will result in a reduction in the total number of required off-street parking spaces, as well as an increase in affordability of the provided housing by reducing the cost of development.

According to Section 800.5(2) of the Zoning Bylaw, the shared use of off-street parking spaces by two or more uses, except for dwelling units located in residential districts, is permitted, provided that the hours of operation for such uses do not overlap significantly. Dwelling units were excluded from this shared use of off-street parking provision because the required off-street parking spaces for dwelling units may be used 24 hours a day, seven days a week, unlike the off-street parking spaces associated with retail and office uses which have a limited hours of operation. To allow the shared use of off-street parking spaces by dormitory residents and by persons affiliated with the institution, and to ensure the reduced off-street parking spaces will not put additional burden on adjacent street parking, the following is recommended:

- the shared use of off-street parking spaces may only be permitted for sleeping units and studio dwelling units in a dormitory. As sleeping units and studio dwelling units are generally occupied by a single resident, vehicle ownership associated with these units is expected to be lower than that associated with larger, family-sized dwelling units. It should be noted that the

required off-street parking spaces for dwelling units that are larger than studios in a dormitory may be reduced subject to a parking study approved by the Director Planning and Building;

- to ensure convenient access, the shared off-street parking area shall be located within 122 m (400.26 ft.) of the dormitory to be served; and,
- the number of off-street parking spaces for sleeping units and studio dwelling units located in a dormitory shall not be less than the number of off-street parking spaces in a shared off-street parking area.

The purpose of Sections 800.5(2) and 800.5(4) of the Zoning Bylaw is to restrict the provision of off-site, off-street parking spaces for dwelling units, regardless of the districts in which they are located. However, the current wording of the Zoning Bylaw limits dwelling units to those that are located in residential districts. According to the bylaw, dwelling units are also permitted in non-residential districts, including a number of commercial and institutional districts. As such, for consistency purposes, it is recommended that Sections 800.5(2) and 800.5(4) of the Zoning Bylaw be amended by replacing the current wording of “dwelling units in residential districts” with the words “dwelling units”. It is proposed that all off-street parking spaces provided for dwelling units shall be provided on-site.

The recommended Zoning Bylaw amendments related to dormitories that are discussed in this section, are in the *attached* appendix.

### **3.2 Colleges and Universities, and Commercial Schools**

#### **Issue**

There is a need to review and update the requirements of the Zoning Bylaw regarding educational institutions in order to clarify the difference between colleges and universities, technical and vocational schools, commercial and self-improvement schools.

#### **Discussion**

According to the Zoning Bylaw, major educational institutions including colleges, technical schools, universities, and vocational schools are permitted in the P6 and P11 Districts. Commercial schools and self-improvement schools, which are considered a different type of educational establishments, are not permitted in the P6 and P11 Districts, but are permitted in the C2, C3, C4, C8, and C9 Districts.

“Commercial school” is defined as an adult educational institution that has not more than 25% of the students, to a maximum of 50, who are under the age of 18 years and enrolled in secondary education courses. The Zoning Bylaw defines “Self-improvement school” as a school that provides training or instruction in dance, drama, music, art, self-defense or other similar disciplines, or learning centres.

Other educational institutions, such as colleges, universities, technical or vocational schools, are not defined in the Zoning Bylaw. The absence of definitions for college, university, technical school, or vocational school, and ambiguity in the definition of “commercial school” create difficulties in differentiating between these uses. In order to clarify the Zoning Bylaw and help to identify proper

zones for such educational institution, the following amendments to the Zoning Bylaw are recommended:

- although not clearly stated in the Zoning Bylaw, the purpose of the P6 and P11 Districts is to permit major regional educational institutions, such as SFU and BCIT, which are authorized and approved by the Province to grant undergraduate and graduate degrees. These educational institutions may also offer various training programs and courses. It is recommended that a new definition for “colleges and universities” be added to the Zoning Bylaw to specify that colleges and universities are degree-granting institutions and may include technical and vocational schools.
- to further clarify the difference between “colleges and universities”, and “commercial schools”, it is recommended that the current definition of “commercial school” be amended by specifying that commercial schools offer instruction and training in trades, skills, or services but are not authorized to grant undergraduate or graduate degrees. The recommended definition also clarifies that commercial schools do not include colleges and universities, public or private schools, or trade schools.
- self-improvement schools provide training and instruction in dance, drama, music and similar disciplines, while commercial schools provide general training and instruction in different areas of trade, skill and services. Similar to commercial schools, self-improvement schools are not authorized to grant undergraduate and graduate degrees, subject to the provincial regulations. As such, for clarification and to minimize the confusion in application of the Zoning Bylaw, it is recommended that “self-improvement school” be permitted under “commercial school” land use. If Council adopts this recommendation, “self-improvement school” as a permitted use, and its definition, will be removed from the Zoning Bylaw, and it will be permitted under the “commercial school” land use.

It should be noted that self-improvement schools and commercial schools are currently permitted in the same districts (C2, C3, C4, C8, and C9 Districts). Therefore, “self-improvement schools” as a type of “commercial school” will continue to be permitted in the same districts that they are currently permitted.

The recommended Zoning Bylaw amendments related to dormitories that are discussed in this section, are in the *attached* appendix.

### **3.3 Places of Public Worship**

#### **Issue**

Finding a suitable location to establish a place of public worship in Burnaby is reportedly challenging. This issue warrants a review of the Zoning Bylaw to allow this use in other districts that are generally compatible with the nature of public worship activities.

#### **Discussion**

Under the Zoning Bylaw, places of public worship are permitted in the P1 Neighbourhood Institutional, P2 Administration and Assembly, and P5 Community Institutional Districts. The majority of the

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existing religious institutions, particularly the smaller and more neighbourhood-oriented establishments, are located in the P1 District, adjacent to residential neighbourhoods. A number of existing religious institutions are located in the P2 and P5 Districts, often under a CD Comprehensive Development District, and the remaining existing religious institutions located in a number of other zoning districts as a legally non-conforming use.

Finding a suitable location for public worship establishments in Burnaby is challenging due to limited available locations within the allowable zoning districts. Alternatively, a rezoning in line with land use policy may be supported for a property with sufficient size and adequate parking spaces. However, due to the cost, length, and uncertainty of this process, rezoning is generally not a desirable option for those looking to establish a place of public worship in Burnaby.

Staff review indicates that there has been an increasing trend towards the development of public worship establishments as part of multi-use facilities, as these establishments provide social supports for the community and they can be used for community purposes (senior citizen group, youth group, social and entertainment services and events, etc.) outside of public worship regular services. These multi-use facilities that are primarily intended for public worship are similar in nature to “public assembly and entertainment use” as they allow gathering of religious groups for social, cultural and faith-based activities. In addition, their multi-functional spaces, such as gymnasium, meeting rooms, and classrooms, provide a great opportunity for gathering of non-religious groups for social, recreational and entertainment purposes.

Under the Zoning Bylaw, “public assembly and entertainment uses” are permitted in the C2 Community Commercial, C3 General Commercial, C4 Service Commercial, C8 and C9 Urban Village Commercial Districts. Public assembly and entertainment uses in the C8 and C9 Districts are limited to the second floor to promote the location of pedestrian-oriented uses, such as cafés and restaurants, adjacent to the public realm. Public assembly and entertainment uses are permitted in commercial districts in order to improve access to various social, cultural, educational and entertainment activities for different groups in the community, where a variety of services at local and municipal levels are concentrated.

Given the similarity of public worship to public assembly and entertainment uses, and to facilitate the establishment of places of public worship, in proximity to other services, uses, and activities, it is recommended that places of public worship be permitted in the C1, C2, C3, and C4 Districts. Considering that these facilities are generally located in stand-alone buildings, they are not recommended in the C8 and C9 Districts, as this would not be in line with the intent of the Zoning Bylaw to locate pedestrian-oriented uses at the ground level. In addition, to be consistent with other institutional districts, in which places of public worship are permitted, it is recommended that dwelling units for a minister or caretaker accessory to public worship establishments also be permitted in the C1, C2, C3, and C4 Districts.

For clarity, it is further recommended that a new definition for “place of public worship” be added to section 3.0 of the Zoning Bylaw. Public assembly and entertainment use is defined as an establishment for assembly or entertainment. Based on this definition, a place of public worship can be considered a public assembly and entertainment use as it permits gathering and assembly of persons. Considering that places of public worship are currently permitted in the P1 District where the establishment of a commercial entertainment use is not desirable due to its proximity to residential neighbourhoods (noise and traffic impacts), it is recommended that “place of public worship” be exempted from the definition



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of “public assembly and entertainment use”. If Council adopts this recommendation, public assembly and entertainment use will continue to be excluded in the P1, P2, and P5 Districts.

Under the Zoning Bylaw, the required number of off-street parking spaces for places of public worship is higher than that required for public assembly and entertainment uses. However, to ensure that the conduct of public worship activities, including regular services and recurring events, will not impinge upon the adjacent amenities and land uses, it is recommended that parking requirements for places of public worship remain unchanged.

If Council adopts this recommendation, places of public worship, in addition to the P1, P2, and P5 Districts, will be permitted in the C1, C2, C3, and C4 Districts as an outright permitted use, and subject to the PPA approval process.

The recommended Zoning Bylaw amendments related to places of public worship that are discussed in this section, are in the *attached* appendix.

#### 4.0 CONCLUSION

The above Zoning Bylaw text amendments are proposed in order to clarify certain aspects of zoning requirements, make amendments in support of existing practices and Council policies, and achieve other regulatory changes. It is recommended that Council approve the above proposed amendments, as outlined in Sections 3.0 of this report, and direct that the Zoning Bylaw text amendments be advanced to a future Public Hearing.



E.W. Kozak, Director  
PLANNING AND BUILDING

PS:tn

**Attachment**

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

**Recommended Bylaw Amendments Related to Dormitories**

1. **THAT** the definitions of, “boarding, lodging or rooming house”, “dormitory unit”, “multiple family dwelling”, “purpose-built rental housing”, “residential use building”, and “sleeping unit” in section 3.0 of the Zoning Bylaw be replaced with the following definitions with wording the same or similar to the following:

**“BOARDING, LODGING OR ROOMING HOUSE”** means a dwelling in which more than 2 sleeping units are rented, with or without meals being provided, to more than 2 and not exceeding 15 persons, other than members of the family of the lessee, tenant or owner, and excludes the preparation of meals within the rented units. Boarding, lodging and rooming house does not include a **dormitory**.

**“DORMITORY”** means a building consisting of sleeping units or dwelling units, or both, for the accommodation of faculty, staff, students, or other persons affiliated with an educational institution, private school, hospital, religious order, rest home, or other similar institution, and their family members, and which is regulated by such institution. A dormitory may contain communal dining facilities, but does not include a boarding, lodging or rooming house. For the purposes of this definition, the term “family member” means a person’s spouse, a person’s child, and a person’s spouse’s child.

**“DWELLING, MULTIPLE FAMILY”** means any building consisting of three or more dwelling units, but does not include a **dormitory**.

**“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, but does not include a **dormitory**. Purpose-built rental housing may include market and non-market rental housing.

**“RESIDENTIAL USE BUILDING”** means a dwelling, boarding, lodging or rooming house, or a dormitory.

**“SLEEPING UNIT”** means one or more rooms used for sleeping and living purposes. A sleeping unit may contain sanitary facilities, but does not include a kitchen sink or cooking facilities.

2. **THAT** paragraph (b) under the definition of “family” in Section 3.0 of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

(b) **with the exception of those persons who live in a dormitory**, a group of not more than three unrelated non-transient persons living together as a single non-profit group in a dwelling unit and using common cooking facilities,

3. **THAT** the definition of “sanitary facility” be added to Section 3.0 of the Zoning Bylaw with wording the same or similar to the following:

**“SANITARY FACILITY”** means any toilet, urinal, bathtub, shower, hand basin, or combination thereof.

4. **THAT** sections 201.1(3), 202.1(3), 203.1(3), and 205.1(3) of the Zoning Bylaw be repealed in their entirety and replaced with wording the same or similar to the following:  
  
(3) Dormitories, 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.
5. **THAT** section 203.2(1) of the Zoning Bylaw be repealed in its entirety and replaced with wording the same or similar to the following:  
  
(1) Uses permitted in the RM3 District, excluding uses permitted in the R6 District, dormitories, and boarding, lodging and rooming houses.
6. **THAT** section 205.2 of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:  
  
**205.2 Uses Permitted in the RM5s Zoning District:**  
  
Uses permitted in the RM5 District, excluding dormitories, and home-based child care facilities.
7. **THAT** section 505.1(7) of the Zoning Bylaw be repealed in its entirety and replaced with wording the same or similar to the following:  
  
(7) Dormitories, provided that they are located on the same lot, and serve a children institution, private hospital, private school, rest home, or senior citizens housing project.
8. **THAT** section 506.1(4) of the Zoning Bylaw be repealed in its entirety and replaced with wording the same or similar to the following:  
  
(4) Dormitories, provided that they are located on the same site as the institution they serve.
9. **THAT** sections 511.2A(2) and 511.2A(3) of the Zoning Bylaw be repealed in their entirety.
10. **THAT** section 800.4(6) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:  
  
(6) Children's institutions, and rest homes. 1 for each 3 employees, plus 1 for each 6 beds
11. **THAT** Section 800.4(6.1) be added to the Zoning Bylaw with wording the same or similar to the following:

## *Appendix*

(6.1) Dormitories.

Subject to subsection 800.5(5), 0.6 for each dwelling unit inclusive of 0.1 visitor parking, or as determined through a parking study approved by the Director of Planning and Building, plus 1 for each 3 employees, and 1 for each 6 beds in sleeping units.

12. **THAT** section 800.5(2) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

- (2) Except in the case of dwelling units, off-street parking spaces may be provided and used collectively by two or more buildings or uses, provided that the total number of parking spaces when used together is not less than the sum of the requirements for the various individual uses, and that such parking facilities are not located more than 122 m (400.26 ft.) from any building or use to be served.

13. **THAT** section 800.5(4) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

- (4) Shared use of off-street parking spaces by two or more uses, except for dwelling units, may be permitted, provided that the hours of operation for such uses do not overlap significantly, and that the shared off-street parking spaces are located not more than 122 m (400.26 ft.) from the uses to be served. The off-street parking spaces for any use at any given time during its hours of operation shall be provided and used in accordance with this Schedule.

14. **THAT** Section 800.5(5) be added to the Zoning Bylaw with wording the same or similar to the following:

- (5) Notwithstanding Sections 800.5(2) and (4), the off-street parking spaces required for dwelling units containing less than one bedroom in a dormitory, and for sleeping units in a dormitory, may be provided by and shared with one or more other buildings or uses associated with the same institution which the dormitory serves, provided that:
- (a) the off-street parking spaces are being shared only by the dormitory and such other buildings or uses;
  - (b) the number of off-street parking spaces referred to in subsection (a) shall not be less than the number of off-street parking spaces required for such dwelling units and sleeping units;
  - (c) the shared off-street parking spaces referred to in subsection (a) shall be located not more than 122 m (400.26 ft.) from the dormitory; and
  - (d) such other buildings or uses associated with the same institution which the dormitory serves do not operate 24 hours a day, 7 days a week.

**Recommended Bylaw Amendments Related to Colleges and Universities, and Commercial Schools**

15. **THAT** section 3.0 of the Zoning Bylaw be amended by adding a new definition for “college and university” with wording the same or similar to the following:

**“COLLEGE AND UNIVERSITY”** means an educational institution which:

- (a) provides specialized professional, technical and vocational training and education in various disciplines of advanced learning;
- (b) is authorized to grant degrees, under the *University Act*, *College and Institute Act*, *Degree Authorization Act*, or another Act of the Province; and,
- (c) may offer university transfer and applied degree programs, career and trade training programs, upgrading and preparatory programs, apprenticeship, continuing education, and similar programs.

16. **THAT** the definitions of “school, commercial”, and “school, public” in section 3.0 of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

**“SCHOOL, COMMERCIAL”** means an educational establishment which offers instruction and training in specific trades, skills, or services, including but not limited to secretarial skills, aviation, computer, banking, automotive driving, language, business, marketing, beauty, animal grooming, art, music, self-defense, and career. Commercial schools are not authorized to grant degrees, and do not include colleges and universities, private schools, public schools, or trade schools.

**“SCHOOL, PUBLIC”** means a place of instruction, other than a commercial or trade school, maintained at public expense pursuant to the School Act.

17. **THAT** the definition of “school, self-improvement” in section 3.0 of the Zoning Bylaw be repealed in its entirety.

18. **THAT** sections 302.1(15), 303.1(7), 304.1(37), and 309.2(5) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

Commercial schools.

19. **THAT** section 308.2(17) of the Zoning Bylaw be repealed in its entirety.

20. **THAT** section 506.1(2) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

(2) Offices of municipal, provincial and federal governments.

21. **THAT** section 506.1(10) be added to the Zoning Bylaw with wording the same or similar to the following:

(10) Colleges and universities.

22. **THAT** section 800.4(10) of the Zoning Bylaw be repealed and replaced with wording the same or similar to the following:

(10) Colleges and universities, 1 for each staff member, plus 1 for each 10  
commercial schools, and trade students.  
schools.

23. **THAT** section 800.4(10.1) of the Zoning Bylaw be repealed in its entirety.

**Recommended Bylaw Amendments Related to Places of Public Worship**

24. **THAT** the definition of “place of public worship” be added to section 3.0 of the Zoning Bylaw with wording the same or similar to the following:

**“PLACE OF PUBLIC WORSHIP”** means a building or portion of a building that is primarily used for the purpose of worship and/or faith-based activities, services, and events, but does not include a cemetery, crematoria, mausoleum, and public assembly and entertainment use.

25. **THAT** the definition of “public assembly and entertainment use” in section 3.0 of the Zoning Bylaw be replaced with wording the same or similar to the following:

**“PUBLIC ASSEMBLY AND ENTERTAINMENT USE”** means the use of a building or an establishment for assembly or entertainment, including bowling alleys, meeting halls, theaters, auditoriums, swimming pools, curling rinks and similar uses, but excluding **places of public worship**, cyber entertainment uses, billiard halls, discotheques, gaming facilities, and gaming houses.

26. **THAT** sections 301.1(17), 302.1(23), 303.1(33), and 304.1(42) be added to the Zoning Bylaw with wording the same or similar to the following:

Places of public worship.

27. **THAT** sections 301.1(18), 302.1(24), 303.1(34), and 304.1(43) be added to the Zoning Bylaw with wording the same or similar to the following:

A dwelling unit for a minister or caretaker, provided that such dwelling unit is located on the same lot as the place of public worship that it serves.