

CITY OF BURNABY

BYLAW NO. 14317

A BYLAW to amend the Zoning Bylaw

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 10, 2021.**

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

- (a) at Section 3.0, Definitions by deleting the definitions of: “BOARDING, LODGING OR ROOMING HOUSE”, “DORMITORY UNIT”, “MULTIPLE FAMILY DWELLING”, “PURPOSE-BUILT RENTAL HOUSING”, “RESIDENTIAL USE BUILDING” and “SLEEPING UNIT” and replacing them with the following, in alphabetical order:

“**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.”

- (b) at Section 3.0, Definitions, by adding the following definition of ‘COLLEGE AND UNIVERSTIY’ in alphabetical order:

““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.”

- (c) at Section 3.0, Definitions, under the definition of “FAMILY” by repealing sub-section (b) and replacing it with 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,”

- (d) at Section 3.0, Definitions, by adding the definition of ‘SANITARY FACILITY’ in alphabetical order:

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

- (e) at Section 3.0, Definitions, by repealing the definitions of “SCHOOL, COMMERCIAL” and “SCHOOL, PUBLIC” and replacing them with the following, in alphabetical order:

“**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.”

(f) at Section 3.0, Definitions, by repealing the definition of “SCHOOL, SELF-IMPROVEMENT” in its entirety.

(g) at Section 201.1 by repealing sub-section (3) and replacing it with 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.”

(h) at Section 202.1 by repealing sub-section (3) and replacing it with 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.”

(i) at Section 203.1 by repealing sub-section (3) and replacing it with 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.”

(j) at Section 203.2 by repealing sub-section (1) and replacing it with the following:

“(1) Uses permitted in the RM3 District, excluding uses permitted in the R6 District, dormitories, and boarding, lodging and rooming houses.”

- (k) at Section 205.1 by repealing sub-section (3) and replacing it with 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.”

- (l) by repealing Section 205.2 in its entirety and replacing it with 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.”

- (m) at Section 302.1 by repealing sub-section (15) and replacing it with the following:

“(15) Commercial Schools.”

- (n) at Section 303.1 by repealing sub-section (7) and replacing it with the following:

“(7) Commercial Schools.”

- (o) at Section 304.1 by repealing sub-section (37) and replacing it with the following:

“(37) Commercial Schools.”

- (p) at Section 308.2 by repealing sub-section (17) in its entirety.

- (q) at Section 309.2 by repealing sub-section (5) and replacing it with the following:

“(5) Commercial Schools.”

- (r) at Section 505.1 by repealing sub-section (7) and replacing it with 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.”

- (s) at Section 506.1 by repealing sub-section (4) and replacing it with the following:

“(4) Dormitories, provided that they are located on the same site as the institution they serve.”

- (t) at Section 506.1 by repealing sub-section (2) and replacing it with the following:

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

- (u) at Section 506.1 by adding the following after sub-section (9)”

“(10) Colleges and universities.”

- (v) at Section 511.2A by repealing sub-sections (2) and (3) in their entirety;

- (w) at Section 800.4 by repealing sub-section (6) and replacing it with the following:

“(6)	Children’s institutions, and rest homes.	1 for each 3 employees, plus 1 for each 6 beds
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(x) at Section 800.4 by adding the following after sub-section (6):

“(6.1) Dormitories.	Subject to sub-section 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.”
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(y) at Section 800.4 by repealing sub-section (10) and replacing it with the following:

“(10) Colleges and universities, commercial schools, and trade schools.”	1 for each staff member plus 1 or each 10 students.
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(z) at Section 800.4 by repealing sub-section (10.1) in its entirety.

(aa) at Section 800.5 by repealing sub-section (2) and replacing it with 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.”

- (bb) at Section 800.5 by repealing sub-section (4) and replacing it with 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.”

- (cc) at Section 800.5 by adding the following after sub-section (4):

“(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 sub-section (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 sub-section (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.”

Read a first time this	day of	2021
Read a second time this	day of	2021
Read a third time	day of	2021
Reconsidered and adopted this	day of	2021

MAYOR

CLERK