

CITY OF BURNABY

BYLAW NO. 14546

A BYLAW to amend various sections of the Zoning Bylaw to accommodate land uses and building forms supported in the Bainbridge and Lochdale Urban Village Community Plans

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 3, 2023.**

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

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

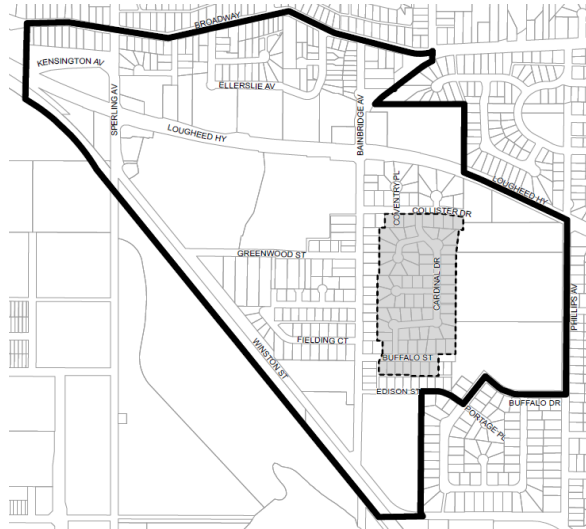
- “202. Multiple Family Residential District (RM2) (RM2r)
- 203. Multiple Family Residential District (RM3) (RM3r) (RM3s)
- 204. Multiple Family Residential District (RM4) (RM4r) (RM4s)
- 205. Multiple Family Residential District (RM5) (RM5r) (RM5s)”

and replacing it with the following:

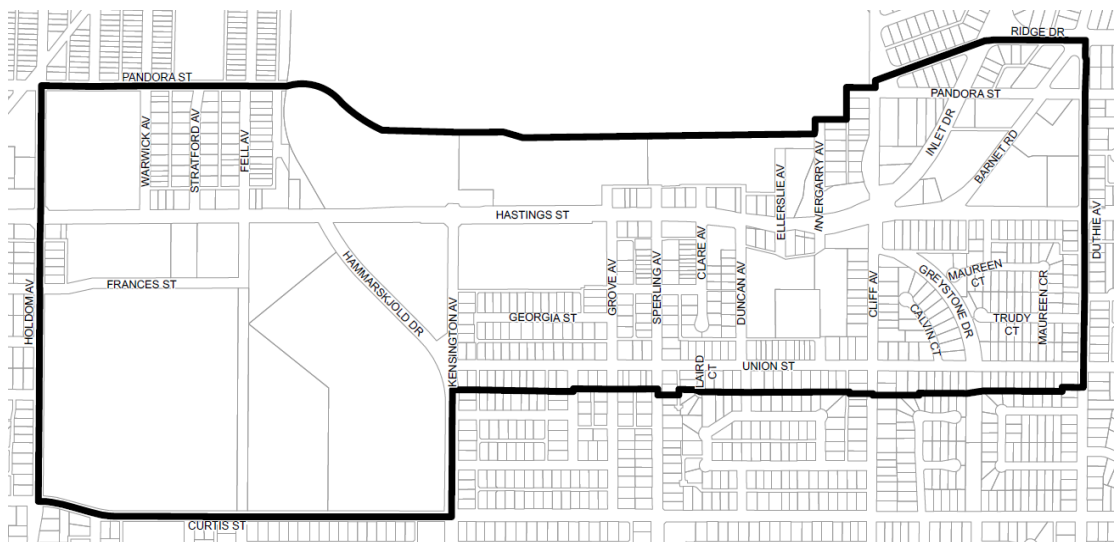
- “202. Multiple Family Residential District (RM2) (RM2r) (RM2uv)
- 203. Multiple Family Residential District (RM3) (RM3r) (RM3s) (RM3uv)
- 204. Multiple Family Residential District (RM4) (RM4r) (RM4s) (RM4uv-a) (RM4uv-b) (RM4uv-c)
- 205. Multiple Family Residential District (RM5) (RM5r) (RM5s) (RM5uv-a) (RM5uv-b) (RM5uv-c)”

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

“BAINBRIDGE URBAN VILLAGE COMMUNITY PLAN AREA” means the geographical area shown outlined in bold black line on the following map, but excluding the geographical area shown outlined in dashed black line with grey shading:



“LOCHDALE URBAN VILLAGE COMMUNITY PLAN AREA” means the geographical area shown outlined in bold black line on the following map:



- (c) at Section 202.1 by repealing the heading in its entirety and replacing it with the following:

“202.1 Uses Permitted in the RM2 and RM2uv Zoning Districts:”

(d) at Section 202.5 by adding the following as subsection (3):

“(3) The maximum floor area ratio in the RM2uv District 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 0.40 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 RM2uv District in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area exceed 1.10.”

(e) at Section 203.1 by repealing the heading in its entirety and replacing it with the following:

“203.1 Uses Permitted in the RM3 and RM3uv Zoning Districts:”

(f) at Section 203.6, by repealing subsection (1) in its entirety and replacing it with the following:

“(1) The maximum floor area ratio in the RM3, RM3s, RM3uv 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, RM3uv 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, RM3s, or RM3uv District.”

(g) at Section 203.6, by adding the following as subsections (5) and (6):

“(5) Notwithstanding subsection (1) of this section, in the RM3uv District in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area, the floor area ratio may be increased by 0.36 multiplied by the floor area ratio utilized under subsection (1), rounded to the nearest two decimal places, 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 RM3uv 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.
- (6) Notwithstanding subsections (1), (4) and (5) of this section, the combined floor area ratio of the RM3uv and RM3r Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area shall not exceed 1.75.”
- (h) at Section 204.1 by repealing the heading in its entirety and replacing it with the following:

“204.1 Uses Permitted in the RM4, RM4uv-a, RM4uv-b, and RM4uv-c Zoning Districts:”
- (i) at Section 204.6 by repealing subsection (1) in its entirety and replacing it with the following:

“(1) The maximum floor area ratio in the RM4, RM4s, RM4uv-a, 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, RM4uv-a 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, RM4s, RM4uv-a, RM4uv-b, or RM4uv-c District.”

(j) at Section 204.6 by adding the following as subsections (1.1) and (1.2):

“(1.1) The maximum floor area ratio in the RM4uv-b District shall be 1.30. 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 RM4uv-b District exceed 1.60.

(1.2) The maximum floor area ratio in the RM4uv-c District shall be 1.10. 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 RM4uv-c District exceed 1.40.”

(k) at Section 204.6 by adding the following as subsections (5) and (6):

“(5) Notwithstanding subsections (1), (1.1) and (1.2) of this section, in the RM4uv-a, RM4uv-b, and RM4uv-c Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area, the floor area ratio may be increased by 0.36 multiplied by the floor area ratio utilized under subsection (1), (1.1), or (1.2), as applicable, rounded to the nearest two decimal places, 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 RM4uv-a, RM4uv-b, or RM4uv-c District floor area ratio, as applicable; 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.
- (6) Notwithstanding subsections (1), (1.1), (1.2), (4) and (5) of this section:
 - (a) the combined floor area ratio of the RM4uv-a and RM4r Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area shall not exceed 2.70;
 - (b) the combined floor area ratio of the RM4uv-b and RM4r Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area shall not exceed 2.50; and
 - (c) the combined floor area ratio of the RM4uv-c and RM4r Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area shall not exceed 2.20.”
- (l) at Section 205.1 by repealing the heading in its entirety and replacing it with the following:

“205.1 Uses Permitted in the RM5, RM5uv-a, RM5uv-b, and RM5uv-c Zoning Districts:”
- (m) at Section 205.6 by repealing subsection (1) in its entirety and replacing it with the following:

“(1) The maximum floor area ratio in the RM5, RM5s, RM5uv-b 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, RM5uv-b 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, RM5s, RM5uv-a, RM5uv-b, or RM5uv-c District.”
- (n) at Section 205.6 by adding the following as subsections (1.1) and (1.2):

“(1.1) The maximum floor area ratio in the RM5uv-a District 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 0.60 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 RM5uv-a District exceed 2.40.

- (1.2) The maximum floor area ratio in the RM5uv-c District shall be 1.50. 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 RM5uv-c District exceed 1.90.”

- (o) at Section 205.6 by adding the following as subsections (5) and (6):

“(5) Notwithstanding subsections (1), (1.1), and (1.2) of this section, in the RM5uv-a, RM5uv-b, and RM5uv-c Districts in the Bainbridge Urban Village Community Plan Area, the floor area ratio may be increased by 0.36 multiplied by the floor area ratio utilized under subsection (1), (1.1), or (1.2), as applicable, rounded to the nearest two decimal places, 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 RM5uv-a, RM5uv-b, or RM5uv-c District floor area ratio, as applicable; 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.

- (6) Notwithstanding subsections (1), (1.1), (1.2), (4) and (5) of this section:
 - (a) the combined floor area ratio of the RM5uv-a and RM5r Districts in the Bainbridge Urban Village Community Plan Area shall not exceed 3.75;
 - (b) the combined floor area ratio of the RM5uv-b and RM5r Districts in the Bainbridge Urban Village Community Plan Area shall not exceed 3.50; and
 - (c) the combined floor area ratio of the RM5uv-c and RM5r Districts in the Bainbridge Urban Village Community Plan Area shall not exceed 3.00.”

(p) at Section 700.1 by repealing subsection (1) in its entirety and replacing it with the following:

“(1) Uses permitted in R and RM Districts including the Districts with an “a”, “b”, “r”, “s”, “uv”, “uv-a”, “uv-b” or “uv-c” suffix.”

Read a first time this	day of	2023
Read a second time this	day of	2023
Read a third time	day of	2023
Reconsidered and adopted this	day of	2023

MAYOR

CITY CLERK