

Attachment 1. Phase 1a: Final Program

This attachment provides details of the final program for Housing Choices: Phase 1a, to introduce laneway homes and suites in semi-detached homes to single and two family properties on lanes in Burnaby.

A “How-To” guide will be prepared to assist residents in understanding these regulations. A frequently asked questions (FAQ) section is also available on the Housing Choices website (www.burnaby.ca/HousingChoices). Any questions may be directed to HousingChoices@Burnaby.ca.

Details of the final program are provided in the following sections:

- 1.0 Laneway Homes
- 2.0 Suites In Semi-Detached Homes
- 3.0 Additional Information

1.0 LANEWAY HOMES

FINAL PROGRAM FOR PHASE 1A: LANEWAY HOMES	
Zoning Districts	R1, R2, R3, R4, R5, R6, R9, R10, R11, R12 and RM6.
Eligible Lots	<p>Eligible lots must have:</p> <ul style="list-style-type: none">• A single-family home; <i>and</i>• Vehicular access to the rear yard from the side or rear of the property, via an open lane or residential street. <p>Notes:</p> <ol style="list-style-type: none">1. Corner lots or double frontage lots (‘through lots’) that do not have access to an open lane will require access approval from the Engineering Department.2. If a lot is near a stream, Streamside Protection and Enhancement Area regulations may limit the ability to construct a laneway home. (See Section 6.23 of the Zoning Bylaw)
Units per Lot	Eligible lots may have up to 3 units. These may include a single family home with a secondary suite, and a laneway home.
Tenure	<ul style="list-style-type: none">• A lot with a laneway home must remain under a single title. This means that a laneway home cannot be stratified or otherwise subdivided, and cannot be sold separately from the main home.• A laneway home may be rented out as a long term rental unit. Short term rentals will not be permitted in laneway homes.• The owner will not be required to live on the property. If the owner lives off-site, an annual house rental business license will be required. Only one license will be required per lot.
Floor Area	<p>Maximum Floor Area for a Laneway Home:</p> <ul style="list-style-type: none">• Up to 20% of the lot area, but no larger than 140 m² (1,507 sq. ft.). <p>Minimum Floor Area for a Laneway Home:</p> <ul style="list-style-type: none">• 32.52 m² (350 sq. ft.) <p>Notes:</p> <ol style="list-style-type: none">1. The floor area calculation for a laneway home will exclude:<ul style="list-style-type: none">• Floor area of the principal dwelling• Floor area of carports that are attached to the laneway home• Floor area of any accessory buildings that are not attached to the laneway home (e.g. garages, sheds, workshops, bike sheds/lockers)

Height	<p>Maximum Height for a Laneway Home:</p> <ul style="list-style-type: none"> • No more than 2 storeys; and • Up to 7.6 m (24.9 ft.) for a sloping roof; or • Up to 6.7 m (22 ft.) for a flat roof. <p>Notes:</p> <ol style="list-style-type: none"> 1. The height of a laneway home will be measured from the lowest point on the perimeter of the laneway home. The lowest point will be the lower of the natural or finished grade. 2. A laneway home cannot exceed the maximum height permitted for the principal dwelling, as provided in the Zoning Bylaw. 3. Basements are permitted in laneway homes and will count as one storey.
Location on the lot	<ul style="list-style-type: none"> • A laneway home must be located in the rear yard. <p>Minimum setbacks for the laneway home:</p> <ul style="list-style-type: none"> • 2.4 m (7.87 ft.) from the main house • 2.4 m (7.87 ft.) from a detached garage or other accessory building • 1.2 m (3.94 ft.) from the rear lot line • 1.2 m (3.94 ft.) from the side lot line <p>Notes:</p> <ol style="list-style-type: none"> 1. On a corner lot, the rear yard is the area furthest from the front lot line. The front lot line is usually the narrowest street frontage. 2. On a corner lot, the side yard setback from the flanking street will be the same as for the main house. 3. On a double-fronted lot (also called a “through lot”) there is technically no rear yard, so a laneway home should be located behind the main residence. 4. If a lot is near a street/lane intersection, the regulations to maintain vision clearance at intersections may impact the siting of a laneway home (Zoning Bylaw section 6.13). 5. An unsprinklered laneway home may not be located further than 45m (147.64 ft.) from a lot line abutting a road.
Lot Coverage	<ul style="list-style-type: none"> • 45% maximum for buildings/structures • 70% maximum for impervious surfaces
Parking	<ul style="list-style-type: none"> • 1 parking space will be required on the property. This must be uncovered or in a carport, and meet the City standard for a van accessible parking space. <p>Notes:</p> <ol style="list-style-type: none"> 1. The parking space may be located within the side yard setback, subject to vision clearance at intersection regulations (Zoning Bylaw section 6.13). 2. The parking area must include an energized outlet capable of providing Level 2 charging for an electric vehicle. 3. Additional parking spaces may be provided on the property but will not be required. These may be uncovered, in a carport, or in a garage. 4. Parking/storage for bikes, strollers etc. may be provided in detached accessory buildings, attached “bikeports” or bike lockers.
Environmental Design	<ul style="list-style-type: none"> • Laneway homes must meet BC Energy Step Code Level 3 <p>Notes:</p> <ol style="list-style-type: none"> 1. Laneway homes are considered Part 9 residential buildings under the BC Building Code. As of May 1, 2023, Step Code Level 3 is the new provincial standard for all Part 9 buildings. 2. An additional 0.5 m (1.64 ft.) in height may be permitted to support passive house, net zero, or BC Energy Step Code 5 buildings.
Outdoor Space	<ul style="list-style-type: none"> • Trees must be retained or replaced as per the <i>Burnaby Tree Bylaw</i>. Additional information is provided in Section 3.0 of this attachment. • Private outdoor space for the laneway home will be encouraged: a minimum 4 m² (43.06 sq. ft.) private patio or minimum 3 m² (32.29 sq. ft.) deck or balcony.
Access/ Addressing	<ul style="list-style-type: none"> • A minimum 0.9m (3 ft.) wide pathway is required from the street to the laneway home. • An apartment-style address will be added to the main address to identify laneway homes (e.g. L1-1234 Main Street).

Servicing and Utilities	<ul style="list-style-type: none"> • Separate sewer, water and power services. • An annual supplementary utility fee will be charged for a laneway home. Additional information is provided in Section 3.0 of this attachment.
Application Process	<ul style="list-style-type: none"> • Building permit • A “How-To” guide will be provided to assist with building permit applications. • A preapproved design library will be set up to accompany the program. Additional information is provided in Section 3.0 of this attachment.
Heritage	Exceptions to these regulations may be considered to preserve heritage buildings, through the Heritage Revitalization Agreement process.

2.0 SUITES IN SEMI-DETACHED HOMES

FINAL PROGRAM FOR PHASE 1A: SUITES IN SEMI-DETACHED HOMES	
Zoning Districts	R4, R5, R6, R12 and RM6.
Eligible Lots	<p>To add a semi-detached home in the R4, R5, R6 or RM6 Districts a lot must be at least:</p> <ul style="list-style-type: none"> • 557.4 m² (6,000 sq. ft.) and 15.0 m (49.2 ft.) wide. <p>To add a semi-detached home in the R12 District a lot must be at least:</p> <ul style="list-style-type: none"> • 306.57 m² (3,300 sq. ft.) and 9.15 m (30 ft.) wide on lots <i>with</i> lanes, or • 306.57 m² (3,300 sq. ft.) and 13.7 m (45 ft.) wide on lot <i>without</i> lanes. <p>To add secondary suites to a semi-detached home, an eligible lot must have:</p> <ul style="list-style-type: none"> • A semi-detached home (two attached units placed side-by-side or front-to-back). • Vehicular access to the rear yard from the side or rear of the property, via an open lane or residential street.
Maximum Dwelling Units per Property	Eligible lots may have up to 4 units: two semi-detached units, each with one secondary suite per unit.
Ownership	<ul style="list-style-type: none"> • A semi-detached home may be stratified into two ‘primary’ units (each side may be sold separately). However, a secondary suite may not be separately stratified (sold separately) from a primary unit. • A secondary suite may be rented out as a long term rental unit. Short term rentals will not be permitted in secondary suites. • The owner will not be required to live on the property. If the owner lives off-site, an annual house rental business license will be required.
Floor Area	<p>Maximum Floor Area for a Secondary Suite:</p> <ul style="list-style-type: none"> • There will be no maximum floor area for a secondary suite, but it must be contained within a semi-detached unit. • Ground level suites, and basements containing secondary suites, may be added to a two-storey semi-detached home. The floor area of the secondary suite will not count toward the total floor area permitted for the semi-detached home. <p>Minimum Floor Area for a Secondary Suite:</p> <ul style="list-style-type: none"> • 32.52 m² (350 sq. ft.) <p>Notes:</p> <ol style="list-style-type: none"> 1. A “ground level suite” means a suite at or below ground level with an accessible path to the front door that is certified as meeting universal design standards. See additional details in Section 3.0. 2. The floor area of a basement or ground level suite must be no greater than the floor area of the storey above. 3. The top floor of a semi-detached home has no maximum size, but must be at least one third of the permitted above grade floor area.
Maximum Height	Semi-detached homes that include a suite: <ul style="list-style-type: none"> • Two storeys plus basement; and

	<ul style="list-style-type: none"> Up to 9.0 m (29.5 ft.) for a sloping roof or 7.4 m (24.3 ft.) for a flat roof. <p>Semi-detached homes that include a ground level suite:</p> <ul style="list-style-type: none"> Two storeys plus ground level suite; and Up to 10.5m (34.4 ft.) for a sloping roof, or 8.9m (29.2 ft.) for a flat roof.
Setbacks	<ul style="list-style-type: none"> Setbacks for semi-detached homes will be as per existing Zoning Bylaw regulations.
Lot Coverage	<ul style="list-style-type: none"> As per existing Zoning Bylaw regulations 70% maximum for impervious surfaces
Parking	<ul style="list-style-type: none"> 2 parking spaces will be required on the property (one per side of the semi-detached home). These must be uncovered or in a carport. Parking spaces for suites must meet the City standard for an accessible parking space. Parking spaces for ground level suites should meet the City standard for a van accessible parking space.
Environmental Design	Step Code Level 3
Outdoor Space	As per the <i>Burnaby Tree Bylaw</i> . Additional information is provided in Section 3.0 of this attachment. Private outdoor space for each suite will be encouraged: minimum 4 m ² (43.06 sq. ft.).
Access/ Addressing	S suffixes will be added to the main address to identify secondary suites. (e.g. S1- 1234 Main Street).
Servicing and Utilities	<ul style="list-style-type: none"> Servicing for secondary suites in semi-detached homes will be as per secondary suites in single-family homes. An annual supplementary utility fee will be charged for each secondary suite that is rented out. Additional information is provided in Section 3 of this attachment.
Application Process	<ul style="list-style-type: none"> Building permit A “How-To” guide will be provided to assist with the application process. A pre-approved design library will be set up to accompany the program. Additional information is provided in Section 3.0 of this attachment.

3.0 ADDITIONAL INFORMATION

This section provides additional details for implementing Phase 1a of the Housing Choices program. This includes:

1. Infrastructure Upgrades
2. Trees and Green Space
3. Universal Design Standards
4. Pre-approved Designs
5. Supplementary Utility Fees

1. Infrastructure upgrades

As laneway homes have their main access facing the back lane of the property, careful assessment of lane conditions and standards must be incorporated to ensure the infrastructure associated with these housing types meet the appropriate levels of service.

Lane infrastructure may include upgrading to formal drainage systems (storm sewers, catch basins, etc.) rather than ditches with driveway culverts, pavement rehabilitation and surface works such as full width lane paving, curbs, as well concrete letdowns on

either side of the lane. Consideration must also be given to proper lighting, garbage collection, and pedestrian and vehicular movements in the lane.

Based on historical construction costs, it is estimated that lane upgrades would be in the range of \$2,000 to \$3,000 per linear metre. It is important to note that these costs do not include other features to address site specific conditions such as fencing, steepness and grade differentials requiring structural walls between the property and the lane, and/or other environmental factors.

2. Protecting Trees and Green space

As the Housing Choices program progresses, protection of Burnaby's trees will be challenging. The Tree Bylaw is currently being reviewed and this is expected to be completed by the end of this year. However, under current legislation (*BC Community Charter*) the Tree Bylaw cannot prevent development of a lot in accordance with the density allowed under the Zoning Bylaw.

The final program for Phase 1a includes minimal setbacks and lowered parking requirements to maximize the options for locating buildings, and make it easier to retain existing trees. Reductions to front setbacks are also being considered for Phase 1b which will provide additional options for building placement. The existing maximum lot coverage requirement of 45% has been retained to try to protect greenspace, tree roots and manage stormwater runoff. The impervious surface maximum of 70% is also retained.

The Tree Bylaw can be used to require fees, tree-cutting permits and replacement trees or contributions to the Civic Tree Reserve Fund for planting new trees on public lands. As part of the review, options are being considered to maintain the goal of no net loss of trees, and if possible, net gain, via replacement tree planting.

3. Universal Design Standard

Semi-detached homes containing suites that meet a universal design standard will be provided with additional height to elevate these suites to ground level. This will result in a three-level home where all of the living space is fully above ground. The objective is to encourage the development of more rental suites in the City that can be used to the greatest extent possible, regardless of age, size, ability or disability.

Universal design is "a set of features, principles and strategies that can be incorporated into the design and construction of a home, to allow it to be adapted easily and cost-effectively to keep pace with changing needs. Universally designed houses allow their occupants to live safely, comfortably and independently in their home as they age, without the need for any costly upgrades or renovations." (*CMHC information on the SAFERhome Standard, 2017*).

To demonstrate that a suite has been built to a universal design standard, applicants will be asked to provide certification from the SAFERhome Standards Society as part of the building permit process. This standard is used by BC Housing and has been recommended by the Rick Hansen Foundation. The SAFERhome Standards Society keeps a registry of all of the units that have been certified as meeting the universal

design standard in BC, including laneway homes and secondary suites. This will be useful in tracking rental units in Burnaby that have been built to a Universal Design standards. See www.saferhomestandards.com for additional details on this standard.

4. Pre-approved Designs

A pre-approved design library will be set up to accompany the program. Plans for laneway homes or semi-detached homes with suites that have been permitted by the City, and that meet key City policy objectives, and/or demonstrate best practices will be added to a public design library following occupancy, and be available for purchase from the designer. Examples of key objectives are universal design standards, or higher levels of the BC Energy Step Code or Zero Carbon Step Code.

Building permit applications that use designs from the preapproved design library may receive faster approval than other designs.

5. Supplementary Utility Fees

i) Laneway Homes

Utility charges for laneway homes will be levied as follows:

- If there is an existing flat rate service for the primary residential property, waterworks and sanitary sewer utility fees will be levied for the laneway home upon receipt of an occupancy permit for the laneway home:
 - Utility fees for the laneway home will be charged for the calendar year, less the portion of the year before the laneway home occupancy permit was issued;
 - An additional utility notice will be issued to the property owner to reflect the laneway home;
 - Ongoing fees will be applied annually, and issued each January to the property owner on the annual utility notice;
 - Service disconnection: No adjustment will be made to utility fees for a period of 28 days following receipt of the disconnection request or notice of issuance of a demolition permit.

- If there is no existing flat rate service for the property, waterworks and sanitary sewer utility charges will be levied for the property in two parts:
 - Utility fees for the main house will be charged for the calendar year, less the portion of the year before the building permit for the main house was issued;
 - Utility fees for the laneway home will be charged for the calendar year, less the portion of the year before the laneway home occupancy permit home was issued;
 - Additional utility notices will be issued to the property owner to reflect each change in status;
 - Ongoing fees are applied annually, and issued each January to the property owner on the annual utility notice;

- Service disconnection: No adjustment will be made to utility fees for a period of 28 days following receipt of the disconnection request or notice of issuance of a demolition permit.

Utility Rates – Water and Sewer:

- Utility rates for a laneway home will match the rates listed in the City’s consolidated fees bylaw for “Single Family Dwellings with a Rental Suite.”
- Charges will be levied on a per unit basis

Single Family Dwelling Laneway Home example – based On Current 2023 Rental Suite Rates	Paid by March 15	Paid after March 15
Laneway Home – Water	\$309.86	\$326.17
Laneway Home - Sewer	\$293.80	\$308.45
Combined	\$602.89	\$634.62

Utility Rates – Garbage

- Property owners will not be required to add a new container;
- However, owners will be asked to upsize to a 360 litre receptacle before obtaining an additional container for the laneway home;
- Standard residential garbage rates will apply, based on the size of container provided;
- Garbage will be billed annually to the property owner in January as part of the utility notice;
- Garbage fees are not pro-rated during the year. Any changes will be in effect from January 1 of the next calendar year.

ii) Suites in Semi-Detached Homes

Utility charges for suites in semi-detached homes will follow the process that is currently in place for suites in single-family homes.

- Property owners will only be charged supplementary utility fees if their suite(s) are rented;
- Owners will be required to submit a *supplementary utility fees declaration* form to declare the rental status of each suite.

Utility Rates for Water and Sewer:

- Rates for suites in semi-detached homes are currently listed in the City’s consolidated fees bylaw, under “Rented Suite in a Two Family dwelling.”
- Charges will be levied on a per unit basis.

Suite in a Two Family Dwelling – example based On Current 2023 Rental Suite Rates	Paid by March 15	Paid after March 15
Suite – Water	\$232.37	\$244.60
Suite - Sewer	\$219.22	\$230.76
Combined	\$451.59	\$475.36

Utility Rates for Garbage:

- Property owners will not be not required to add a new container;
- Property owners may have one toter per side of a semi-detached home, to a maximum of 360 litres;
- Standard residential garbage rates will apply, based on the size of container provided;
- Garbage is billed annually to the property owner in January as part of the utility notice;
- Garbage fees are not pro-rated during the year. Any changes will be in effect from January 1 of the next calendar year.