

PLANNING AND DEVELOPMENT COMMITTEE

TO: MAYOR AND COUNCILLORS

SUBJECT: PROPOSED ZONING BYLAW AMENDMENTS AND REZONING OF R DISTRICT PROPERTIES – SMALL-SCALE MULTI-UNIT HOUSING

RECOMMENDATION:

THAT the proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.0 of the report titled “Proposed Zoning Bylaw Amendments and Rezoning of R District Properties – Small-Scale Multi-Unit Housing” dated April 8, 2024, be approved;

THAT the proposed rezoning of all current R District properties and portions of properties that are split-zoned as R District, to the proposed R1 Small-Scale Multi-Unit Housing District, as described in Section 2.2 of the report be approved;

THAT the City Solicitor be authorized to bring forward amendments to *Burnaby Zoning Bylaw, 1965*, substantially as set out in **Attachment 1** and **Attachment 2** of the report effective July 1, 2024, for advancement to First and Second Reading;

THAT the City Solicitor be authorized to bring forward an amendment to the *Burnaby Zoning Bylaw, 1965*, to rezone all current R District properties and portions of properties that are split-zoned as R District to the R1 Small-Scale Multi-Unit Housing District, effective July 1, 2024, for advancement to First and Second Reading; and

THAT a Public Hearing not be held for the other proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.5 of the report, as they are consistent with the Burnaby Official Community Plan

REPORT

The Planning and Development Committee, at its meeting held on April 8, 2024, received and adopted the attached report proposing amendments to the *Burnaby Zoning Bylaw* to implement the *Local Government Act* requirements related to small-

scale multi-unit housing in single and two-family neighbourhoods, and other supplementary amendments, and to rezone all current R District properties to R1 SSMUH District.

On behalf of the Planning and
Development Committee,

Mayor M. Hurley
Chair

Councillor P. Calendino
Vice Chair

TO: PLANNING AND DEVELOPMENT COMMITTEE (PDC)
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **PROPOSED ZONING BYLAW AMENDMENTS AND REZONING OF R DISTRICT PROPERTIES – SMALL-SCALE MULTI-UNIT HOUSING**
PURPOSE: To propose amendments to the *Burnaby Zoning Bylaw* to implement *Local Government Act* requirements related to small-scale multi-unit housing in single- and two-family neighbourhoods, and other supplementary amendments, and to rezone all current R District properties to R1 SSMUH District.

RECOMMENDATIONS

THAT the proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.0 of the report titled “Proposed Zoning Bylaw Amendments and Rezoning of R District Properties – Small-Scale Multi-Unit Housing” dated April 8, 2024, be approved;

THAT the proposed rezoning of all current R District properties and portions of properties that are split-zoned as R District, to the proposed R1 Small-Scale Multi-Unit Housing District, as described in Section 2.2 of the report be approved;

THAT the City Solicitor be authorized to bring forward amendments to *Burnaby Zoning Bylaw, 1965*, substantially as set out in **Attachment 1** and **Attachment 2** of the report effective July 1, 2024, for advancement to First and Second Reading;

THAT the City Solicitor be authorized to bring forward an amendment to the *Burnaby Zoning Bylaw, 1965*, to rezone all current R District properties and portions of properties that are split-zoned as R District to the R1 Small-Scale Multi-Unit Housing District, effective July 1, 2024, for advancement to First and Second Reading; and

THAT a Public Hearing not be held for the other proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.5 of the report, as they are consistent with the Burnaby Official Community Plan.

EXECUTIVE SUMMARY

This report outlines the proposed *Burnaby Zoning Bylaw, 1965* (“Zoning Bylaw”) amendments to implement the requirements introduced under the *Local Government Act* (“LGA”) as part of *Bill 44-2023 Housing Statutes (Residential Development)*

Amendment Act, 2023 (“Bill 44”), which came into force on December 7, 2023. These changes to the LGA impose restrictions on the City’s zoning authority in relation to residential development and mandate small-scale multi-unit housing (SSMUH) requirements in areas currently zoned for single- and two-family residential use. Additional supplementary amendments, as described in Section 3.5 of this report, are proposed that support aspects of SSMUH implementation or represent housekeeping amendments previously identified for the R Districts.

1.0 POLICY SECTION

The proposed amendments to the Zoning Bylaw generally align with the following provincial and municipal laws, bylaws and policies, including:

- *Local Government Act* (2015)
- Corporate Strategic Plan (2022)
- Burnaby Housing Needs Report (2021)
- HOME: Burnaby’s Housing and Homelessness Strategy (2021)
- Mayor’s Task Force on Community Housing Final Report (2019)

Many of the proposed Zoning Bylaw amendments to comply with the new SSMUH requirements under section 481.3 of the LGA and associated regulations are inconsistent with the City’s current OCP. This is permitted under section 788 of the LGA, which provides that zoning bylaw amendments adopted by a local government for the purpose of permitting the use or density of use required to be permitted under section 481.3 of the LGA are permitted to be inconsistent with a municipality’s official community plan (OCP) until December 31, 2025. The City’s OCP is currently in the process of being updated and the proposed amendments outlined in this report are in keeping with the early directions of the OCP update.

2.0 BACKGROUND

Bill 44

On November 01, 2023, the BC Legislature introduced Bill 44 as part of the Province’s Homes for People Action Plan, which aims “to deliver more homes for people faster” through the following four pillars:

- Unlocking more homes, faster;
- Delivering better, more affordable homes;
- Supporting those with the greatest housing needs; and
- Creating a housing market for people, not speculators

Bill 44 came into force on December 7, 2023, and introduced new municipal requirements in relation to SSMUH, housing needs reports, Official Community Plans, and public hearings for rezonings that involve all or a majority of residential development. Under the new legislation, municipalities must adopt new SSMUH zoning regulations by June 30, 2024.

This legislation impacts the work program that had been set out for the City’s Housing Choices program. To comply with this legislation, the City set up a new work program to focus on implementing the provincial housing mandates, which has been incorporated into the City’s Zoning Bylaw Rewrite project.

Additional Legislation

Two additional pieces of legislation were introduced by the Province in November 2023 in support of the Homes for People Action Plan relating to development financing and transit-oriented areas. Along with Bill 44, these legislative changes significantly impact how development is processed, financed, and approved. A comprehensive summary of these legislative changes, including how they relate to Bill 44 and other City initiatives and programs being carried out to respond to these changes, was provided to Council in the Council report titled “Local Government Act Update – Provincial Homes for People Action Plan”, dated December 11, 2023.

Zoning Bylaw Rewrite

In late 2023, the City began the Zoning Bylaw Rewrite project to comprehensively review and update zoning regulations and create a new bylaw to replace the current Zoning Bylaw, first adopted in 1965. The objectives of the Zoning Bylaw Rewrite include:

- Provide more flexible and modern regulations;
- Reduce complexity to improve ease of understanding;
- Enhance user-friendliness for residents, applicants, and City staff; and
- Implement and align with City plans and policies and Provincial legislation

Phase 1 of the Zoning Bylaw Rewrite was developed to address the implementation of the new Provincial housing legislation in a timely matter to meet the Provincial deadlines. The amendments proposed within this report constitute a major amendment to the current Residential Districts (“R Districts”) within the Zoning Bylaw and are a key deliverable of Phase 1. Further phases of the Zoning Bylaw Rewrite will be coordinated with several key City projects, including the Burnaby 2050 Official Community Plan update and amendments to the Rental Use Zoning Policy.

Other Supplementary Text Amendments

As described in Section 3.5 of this report, several text amendments are proposed that are not a direct requirement of Provincial SSMUH legislation but are necessary to make other districts consistent with related SSMUH amendments or are identified as housekeeping amendments with implications for R Districts. These include:

- Proposed text amendments for the RM6 and M4 Districts, which are required to align with newly proposed definitions and residential dwelling types;

- Housekeeping amendment relating to solar panels that was identified through internal technical review to bring the City’s regulations in line with current practice, and which is supported by Climate Action and OCP policy;
- Proposed text amendments in support of a regulatory framework approved by Council in the report titled “Proposed Framework for the Keeping of Backyard Chickens in Residential Districts”, dated March 10, 2022; and
- Housekeeping amendment to align the A2 District lot sizes to better support their agricultural and rural intent under existing legislation.

2.1 Small-Scale Multi-Unit Housing Requirements

Legislative Requirements

Bill 44 and accompanying regulations require the City to permit the following minimum number of housing units in land use zones that are otherwise restricted to single family dwellings or duplexes (two-family housing) as a principal use of a lot:

- 3 units on residential lots that are up to 280m² (3,014 sq.ft.);
- 4 units on residential lots that are greater than 280m² (3,014 sq.ft.); and
- 6 units on residential lots that are at least 281m² (3,025 sq.ft.) and within 400 m of bus stops with frequent service.

The Province has also mandated that for lots within 400 m of bus stops with frequent service (a “Frequent Transit Network Area”), there shall be no minimum on-site parking requirements. The Provincial regulations define a bus stop with frequent service as being a bus stop served by at least one bus route in respect of which a bus is scheduled to stop:

- at least every 15 minutes, on average, between the hours of 7 am and 7 pm, Monday to Friday; and
- at least every 15 minutes, on average, between the hours of 10 am and 6 pm on Saturdays and Sundays.

Provincial Recommendations

On December 7, 2023, the Province released the Provincial Policy Manual & Site Standards (the “Policy Manual”) to provide guidance on zoning regulations and municipal implementation of SSMUH. Additional zoning provisions recommended by the Province within the Policy Manual include, but are not limited to:

- reduce on-site parking requirements for lots outside a Frequent Transit Network Area to improve housing development viability, support on-site stormwater management, enhance livability, and support transportation mode shift – consider a rate of 0.5 parking spaces per dwelling unit for lots within 400 m to 800 m of bus stops with frequent service
- provide a universal maximum height limit of at least three above-grade storeys to support reduced lot coverage and provide more lot area for tree retention, permeable surfaces, outdoor amenity space for residents, and parking

- be flexible in terms of permitting the full range of combinations and configurations for SSMUH buildings to meet the needs of diverse household compositions
- create a buildable area through setbacks, lot coverage, and height regulations instead of specifying floor area requirements to provide greater flexibility in unit sizes that meet the needs of the local market
- adopt reduced lot line setbacks, particularly for front and rear yards, that encourage landowners to add additional housing units on their lots and provide flexibility for the development of new units through multiple configurations
- adopt zero lot line setbacks, such as in a rowhouse or townhouse style, in areas that permit six units on a lot to improve viability of units proximate to transit
- provide lot coverage maximums that increase with the number of permitted dwelling units on a lot to improve the viability of lots with multiple units
- be open to permitting strata titling of SSMUH for new and existing buildings
- be aware that mandating certain tenure types through regulation may diminish the viability of some SSMUH projects and/or impact their ability to respond to changing community needs and market conditions

Additionally, the Province’s Policy Manual discourages the establishment of new development permit area (DPA) guidelines for SSMUH development, which can negatively impact the creation of new housing units by adding additional delays, costs, and uncertainty for projects.

2.2 Proposed Implementation Approach

The following approach is proposed to meet the intent of the new legislation, better align zoning provisions with existing City policies, and streamline implementation and administration of SSMUH. It was informed by the legislative requirements and Provincial guidance outlined in Section 2.1, a review of similar small-scale multi-unit zones in other jurisdictions, and thorough technical review with staff across various City departments.

R District Consolidation and Rezoning of Current R District Properties to R1 SSMUH District

To implement SSMUH requirements, the existing twelve R Districts (R1 through R12) within the Zoning Bylaw are proposed to be consolidated under one new R1 Small-Scale Multi-Unit Housing District (“R1 SSMUH District”). This will simultaneously align the current R Districts with Provincial SSMUH legislation and recommendations under one consistent set of regulations.

This proposed approach will require:

- Repealing the following R Districts and replacing them with the proposed, consolidated R1 SSMUH District Schedule (**Attachment 1**):
 - R7 Mobile Home Park District and R1, R1a, R2, R2a, R3, R3a, R4, R4a, R5, R5a, R6, R8, R9, R9a, R10, R11, R12, and R12s Residential Districts

- Rezoning all current R District properties and portions of properties that are split-zoned as R District (generally shown in **Attachment 3**) to the proposed R1 SSMUH District

As summarized in Section 3.1 of this report, the permitted uses in the current existing R Districts are proposed to be retained, with the addition of new permitted housing types to meet the SSMUH requirements.

Removing FAR and GFA

Current R District zoning regulations rely on floor area ratio (FAR) and gross floor area (GFA) provisions to dictate the maximum permitted size of single- and two-family dwellings and laneway homes. However, these requirements add complexity and uncertainty for applicants, increase review and coordination time for City administrators, and create unintended design constraints.

As such, the R1 SSMUH District amendments propose to remove FAR and GFA in favour of using height, setback, and lot coverage regulations to define the siting and massing of buildings on a lot, in alignment with Provincial recommendations.

Design Guidelines

As compulsory development permit area guidelines are discouraged by the Province, a new set of voluntary design guidelines are proposed to be created for SSMUH to provide additional guidance to applicants and builders.

Housing Flexibility and Diversity

As increasing housing diversity is a key objective supported by City and Provincial policy, the proposed amendments support flexibility in building forms, dwelling unit configurations, and housing tenure.

Accordingly, the proposed R1 SSMUH District: (1) permits one or more principal buildings on a lot (e.g. one or more single-family dwellings, duplex dwellings, or multiplex dwellings) up to a maximum of 6 dwelling units; (2) supports any configuration of primary dwelling units and secondary suites permitted by the *British Columbia Building Code (BCBC)*; and (3) generally does not regulate tenure beyond *BCBC* requirements that prevent a secondary suite from being sold separately from the primary dwelling unit within which it is contained. This approach provides flexibility for builders to meet the City’s housing needs over time and reduces development complexity and staff review time, enabling housing to be delivered quicker and more cost-effectively.

Laneway Homes

Building forms currently referred to as laneway homes will continue to be permitted under the proposed amendments. However, these housing forms will now be regulated the same as any other principal building on a lot, in accordance with the *BCBC*. Additionally, given these housing forms will be permitted on lots without lanes, as per

the new legislation, it is proposed that the term “laneway home” be deleted in the Zoning Bylaw.

Rowhouse Dwellings

In addition to small-scale multi-unit forms, the proposed R1 SSMUH District will include provisions for fee simple rowhouse dwelling. This is in alignment with the range of housing forms recommended by the Province; the existing R6 Residential District; and Action 1.1 of HOME: Burnaby’s Housing and Homelessness Strategy, which proposes introducing rowhouse dwellings to all R District neighbourhoods as well as permitting secondary suites within rowhouse dwellings as permitted under the BCBC.

Family-Oriented Housing

Recognizing that small-scale multi-unit housing forms are intended to be family-oriented, family-sized dwelling units are encouraged within the proposed amendments. This includes proposed zoning provisions that support larger unit sizes (e.g. up to an average of 2,000 sq.ft. per dwelling unit for 6-unit multiplexes on standard 6,000 sq.ft. lots). It is proposed that lots with 1 to 3 dwelling units be required to include at least one dwelling unit with at least 3-bedrooms, and that lots with 4 to 6 dwelling units be required to include at least 2 dwelling units with at least 3-bedrooms. It is also proposed that an outdoor space with a minimum area of 10 m² be provided for the exclusive use of each primary dwelling unit on a lot to support the general livability of the units.

3.0 GENERAL INFORMATION

Sections 3.1 to 3.4 of this report provide an overview of the proposed Zoning Bylaw amendments as they pertain to the new R1 SSMUH District and supporting amendments and regulations in other sections of the Zoning Bylaw. Section 3.5 of this report describes additional supplementary amendments with implications for districts other than R Districts or that implement housekeeping amendments identified for the R Districts. The proposed text amendments are detailed in **Attachments 1 and 2**. These amendments are proposed to come into effect on July 1, 2024.

3.1 Proposed R1 Small-Scale Multi-Unit Housing District

The following zoning provisions are proposed as part of a new Section 101, R1 Small-Scale Multi-Unit Housing District, within the Zoning Bylaw:

- Permit the following principal uses:
 - Small-scale multi-unit housing, which would permit up to 6 dwelling units on a lot, depending on the lot size and proximity to a bus stop with frequent service
 - Rowhouse dwellings, which would permit up to 3 dwelling units on a lot that is typically no larger than 280 m²
 - Boarding, lodging, or rooming house, subject to Comprehensive Development rezoning, which is permitted in the current R5 and R6 Districts

- Group home, which is permitted in the current R1, R2, R3, R4, R5, R6, R10, R11, and R12 Districts
- Category A supportive housing, subject to Comprehensive Development rezoning, which is permitted in the current R1, R2, R3, R4, R5, R6, R10, R11, and R12 Districts
- Permit the following accessory uses:
 - Boarding use (which permits up to 2 boarders)
 - Home occupations
 - Urban agriculture
 - Accessory buildings, structures, and uses
- Regulate subdivision of lots within the R1 SSMUH District as follows:
 - For rowhouse dwellings, require a minimum lot width of 5 m to 8 m
 - For SSMUH, future subdivisions require a minimum lot width of 10 m and minimum lot area of 281 m²
 - Subdivision to create panhandle lots will continue to be restricted, with individual consideration of irregular shaped lots to be determined by the Approving Officer.
- Permit the following number of dwelling units on a lot (existing or created through future subdivision) as mandated by the Province under the changes to the LGA:
 - Up to 3 dwelling units on lots up to 280m² (3,014 sq.ft.)
 - Up to 4 dwelling units on lots greater than 280m² (3,014 sq.ft.)
 - Up to 6 dwelling units on lots that are at least 281m² (3,025 sq.ft.) within 400 m of bus stops with frequent service, as described by the *Local Government Act* and enabling regulations
- Restrict lot coverage to the following maximums:
 - 40% for 1 to 3 SSMUH dwelling units
 - 45% for 4 SSMUH dwelling units
 - 50% for 5 to 6 SSMUH dwelling units
 - 55% for rowhouse dwellings
- Retain the current 70% maximum impervious surface requirement to support more lot area for stormwater management, tree retention, and outdoor amenity space for residents
- Permit residential building heights up to a maximum of 12.0 m and 4 storeys, inclusive of any basement or cellar storey, and change the current height calculation method to align with Provincial policy manual recommendations
- Reduce yard setbacks for buildings, generally in alignment with Provincial Policy Manual recommendations, and introduce the concept of “street yards” to provide consistent setbacks from all property lines adjacent to streets
- Require a minimum separation of 2.4 m between principal buildings and/or accessory buildings and a minimum separation of 6.0 m between front and rear principal buildings on the same lot
- Require a minimum of 10.0 m² of outdoor amenity space for the exclusive use of each primary dwelling unit on a lot

- Introduce a dedicated set of heritage provisions that provide more flexibility in siting and massing of buildings for lots on the Community Heritage Register to support retention of heritage assets
- Include additional supporting provisions relating to dwelling unit entrance orientation, minimum 3-bedroom unit requirements, pedestrian circulation and access, accessory uses, permitted projections, fire safety and access, and measurements and calculations

3.2 Changes to Section 3 Definitions

- Introduce the following new definitions:
 - Community Heritage Register
 - Dwelling, Multiplex
 - Frequent Transit Network Area
 - Small-Scale Multi-Unit Housing
 - Street Yard
 - Urban Agriculture
- Amend the following current definitions:
 - Accessory Building
 - Accessory Use
 - Carport
 - Cellar
 - Dwelling, Duplex
 - Dwelling, Multiple Family
 - Dwelling, Row Housing
 - Dwelling, Townhouse
 - Lot Coverage
 - Primary Dwelling Unit
 - Storey
- Repeal the following current definitions:
 - Dwelling, Semi-Detached
 - Dwelling, Two-Family
 - Ground Level Suite
 - Laneway Home
 - Rough-In Secondary Suite

3.3 Changes to Section 6 Supplementary Regulations

- Change current references to "R Districts" to "R1 District" throughout Section 6 where provisions still apply
- Repeal or exclude the R1 SSMUH District from the following provisions that either will be addressed within the proposed R1 SSMUH District Schedule, or are no longer relevant or necessary given the R1 SSMUH District framework:
 - accessory building height calculation provisions under Section 6.4(6) [Height of Buildings and Structures]
 - provisions for the minimum distance between buildings under Section 6.3.1 [Distances Between Buildings in R Districts]

- Section 6.7.2 [Laneway Homes]
- floor area calculation exclusions for garages, carports, and category A supportive housing facilities in the R Districts under Section 6.20 (2) and (3) [Calculation of Gross Floor Area]
- floor area calculation provisions under Section 6.20.1 [Calculation of Gross Floor Area in a Building with Over-height Ceilings]
- Repeal or exclude the R1 SSMUH District from the following provisions that will not apply to the proposed R1 SSMUH District:
 - gross floor area requirements for accessory buildings under Section 6.6(2) [Accessory Buildings, Structures, and Uses]
 - rough-in secondary suite requirements for cellars exceeding 30.0 m² in gross floor area under Section 6.9(6) [Cellars and Basements]
 - lot area and width requirements for R4 and R5 Districts under Section 6.11(1)(b) [Lot Area and Width]
 - front yard averaging provisions under Section 6.12(2.1) [Yards]
 - exceptions to side yard requirements for narrow lots under Section 6.12(3) [Yards]
 - exceptions to rear yard requirements for laneway homes under Section 6.12(5) [Yards]
- Amend Section 6.7.1 [Secondary Suites] so that the current regulations apply to all housing forms permitted under the *BCBC* to contain secondary suites
- Amend Section 6.9(4) [Cellars and Basements] to exclude sunken patios from building height calculations when they align with the minimum per primary dwelling unit outdoor amenity area requirements of the proposed R1 SSMUH District
- Align the language in Section 6.10 [Minimum Floor Area for Dwelling Units] with the new housing forms permitted within the R1 SSMUH District while continuing to maintain the current minimum dwelling unit floor areas for primary dwelling units and secondary suites, recognizing that laneway homes are proposed to be regulated the same as primary dwelling units
- Consolidate requirements of the following two sections under a single new Section 6.17 while maintaining their current intent:
 - Section 6.17 [Parking or Storage of Commercial Vehicles, Recreation Vehicles, Trucks, Trailers, Boats or Equipment in R6, R7, R8 and RM Districts]; and
 - Section 6.17.1 [Parking or Storage of Commercial Vehicles, Trucks, Recreation Vehicles, or Boats in R1 to R5 and R9 to R12 Districts]
- Align the language in Section 6.29 [Short-term Rentals] with the new housing forms permitted within the R1 SSMUH District while maintaining the intent of the current regulations

3.4 Changes to Section 800 Off-Street Parking

- Remove required parking minimums for residential uses within a Frequent Transit Network Area in alignment with Provincial legislation

- Require a minimum of 0.5 parking spaces per primary dwelling unit on lots with 3 or more primary dwelling units outside of a Frequent Transit Network Area (Section 800.4(1)(b)). No parking space is required for lots with 2 or fewer primary dwelling units given that one parking space can be accommodated on the street in place of where driveway access would otherwise be required.
- Permit parking spaces to be provided as regular or accessible parking stall sizes or in the form of outdoor parking pads, carports, and/or garages to increase flexibility of siting and design
- Introduce a maximum number of surface parking spaces for R1 SSMUH District lots to support tree retention, on-site stormwater management, and outdoor amenity space (Section 800.6(7) and (8))
- Clarify required parking space setbacks from lot lines (Section 800.6(7) and (8))

3.5 Other Text Amendments

The following proposed text amendments are those with implications for districts other than R Districts or that implement identified changes to the R Districts not directly related to SSMUH.

- Add solar panels to the list of structures excluded from building height calculations for all districts, including the R1 SSMUH District, in Section 6.4(4) [Height of Buildings and Structures] and exclude them from the 10% maximum roof area coverage restriction to support the City’s climate action objectives and align with supporting OCP policy and the City’s current practice
- Add a new Section 6.30 [Urban Agriculture] that consolidates current beekeeping regulations under the definition for “Accessory Use” with new regulations on the keeping of backyard chickens. The proposal to permit the keeping of backyard chickens in single family dwellings was approved by Council in the report titled “Proposed Framework for the Keeping of Backyard Chickens in Residential Districts”, dated March 10, 2022. The proposed amendments restrict the keeping of backyard chickens to lots that contain only a single family dwelling without a secondary suite.
- Update current R5 District uses permitted within the RM6 District to include small-scale multi-unit housing and rowhouse dwellings as per the proposed R1 SSMUH District
- Revise instances of “two family dwellings” to “duplex dwellings” within the M4 District to align with new definitions
- Round up the minimum lot area within the A2 District from 0.4 ha (0.9884 acre) to 4,050 m² (1.0 acre) to maintain the agricultural and rural intent of the A2 District

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

As outlined in the report titled “Housing Choices Program Update”, dated January 10, 2024, community engagement on small-scale multi-unit housing was undertaken through Phase 1b of the recently discontinued Housing Choices program. In anticipation of the introduction of Bill 44, this included the launch of a public survey in July 2023 to determine the level of interest in introducing these housing forms to the City’s R Districts.

Key input received from the 1,143 responses included strong support for permitting 4 dwelling units on all single- and two-family lots in Burnaby (71% to 83% support or strong support depending on housing form) and for permitting up to 6 dwelling units on properties close to transit (73% to 82% support or strong support depending on the lot type).

Subsequent communications and engagement work on SSMUH is being advanced in concert with the Burnaby 2050 Official Community Plan (OCP) and Zoning Bylaw Rewrite processes. Recent and upcoming initiatives include launching a project webpage for the Zoning Bylaw Rewrite in February 2024, website and housing eNewsletter updates on proposed SSMUH amendments to be released in April 2024, and multiple OCP engagement initiatives scheduled for spring 2024.

Furthermore, public and applicant feedback will continue to be monitored following the initial implementation of SSMUH as part of the broader Zoning Bylaw Rewrite project. SSMUH zoning provisions will be revisited and amended as necessary prior to final adoption of a new Zoning Bylaw by the end of 2025.

Section 464(4) of the LGA prohibits a local government from holding a public hearing on zoning bylaw amendments proposed for the sole purpose of complying with section 481.3 [*Zoning Bylaws and small-scale multi-family housing*] of the LGA. Accordingly, a Public Hearing is not being held for the Zoning Bylaw amendments proposed in Sections 3.1 to 3.4 this report.

Under Section 464(2) of the LGA, a local government is not required to hold a public hearing on zoning bylaw amendments that are consistent with the OCP. As the proposed text amendments under Section 3.5 of this report are consistent with the OCP, it is recommended that a Public Hearing not to be held.

As a Public Hearing is prohibited to be held in respect of the amendments proposed in Sections 3.1 to 3.4 of this report, and is proposed to not be held in respect of the amendments proposed in Section 3.5 of this report, public notice of the proposed Zoning Bylaw amendments will be completed prior to bringing forward the amendment bylaw for First Reading, in accordance with section 467 of the *Local Government Act*, the City’s Public Notice Bylaw and Council policy. A public notice will be published on the City’s website and distributed as part of the City’s online newsletter.

5.0 FINANCIAL CONSIDERATIONS

Financial impacts to the City resulting from the legislative changes are anticipated. City staff have begun to identify resulting financial opportunities and challenges and are reviewing the current reserve funds and reserves. As outlined in the Council report titled “Development Funding Program (DFP) - Proposed Development Cost Charges and Amenity Cost Charges”, dated February 26, 2024, staff are advancing a Development Funding Program and new Development Cost Charges and Amenity Cost Charges framework to support growth-related costs over the next 25 years.

Respectfully submitted,

Edward W. Kozak, General Manager Planning and Development

ATTACHMENTS

- Attachment 1 – Proposed R1 Small-Scale Multi-Unit Housing District Schedule
- Attachment 2 – Proposed Text Amendments
- Attachment 3 – Current R District Properties Map

REPORT CONTRIBUTORS

This report was prepared by Andrew Macaulay, Planner 2, and reviewed by Kaitlynn Given, Planner 1, Mark Norton, Senior Planner, Johannes Schumann, Director Neighbourhood Planning and Urban Design, and Jennifer Wong, Assistant City Solicitor.