

**CITY OF BURNABY
BYLAW NO. 14694**

A BYLAW to amend
Burnaby 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. 22, 2024.**

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

(a) at Section 3 Definitions, by repealing the definition for “LOT COVERAGE” and replacing it with the following:

“**LOT COVERAGE**” means the combined area covered by all buildings and structures on the lot, expressed as a percentage of the lot area, measured as the area of the projection of the outline of the buildings and structures onto a horizontal plane but excluding:

- (a) belt courses, cornices, eaves, gutters, sills or other similar ornamental features;
- (b) bay windows;
- (c) chimneys, fire escapes and steps;
- (d) canopies and sun shades;
- (e) uncovered terraces;
- (f) balconies;
- (g) uncovered swimming pools;
- (h) fences and retaining walls;
- (i) parking areas that are:
 - (i) underground, or
 - (ii) open-sided and roofless;
- (j) accessibility ramps for the use of persons with disabilities; and

- (k) covered and uncovered decks, provided they project no more than 1.2 m from the exterior wall of the building.”
- (b) at Section 6.7.1(1), by repealing subsection (g) in its entirety and replacing it with the following:
 - “(g) neither a boarding use, the operation of a boarding, lodging or rooming house, the operating of a child care facility, the operation of a group home, private hospital or supportive housing facility, nor the operation of a home occupation that includes on-site client services, with the exception of a home-based child care facility, shall be permitted in a primary dwelling unit that contains a secondary suite, including within the secondary suite.”
- (c) at Section 6.8A, by repealing subsection (3) in its entirety and replacing it with the following:
 - “(3) In the R1 District a home-based child care facility shall be permitted in any dwelling unit, up to a maximum of two home-based child care facilities on a lot, and only if the owners of the other dwelling units on the lot provide written confirmation that they support the establishment of the home-based child care facility to the satisfaction of the Director Planning and Building.”
- (d) at Section 6.9, by repealing subsection (4) in its entirety and replacing it with the following:
 - “(4) In the R1 District, for the purpose of providing pedestrian access to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination between a basement and cellar or the calculation of principal building height, if the lowered surface is not on the same side of the building as a depressed vehicular access and does not exceed an area of 10.0 m² (107.6 sq. ft.), per primary dwelling unit, including stairs.”
- (e) at Section 6.12(1), by repealing subsection (b) in its entirety and replacing it with the following:
 - “(b) Belt courses, cornices, gutters, sills, chimneys, or other similar features,

but such projections shall not exceed 900 mm (2.95 ft.), or 600 mm (1.97 ft.) in the case of a side yard less than 1.5 m (4.92 ft.) in width.”

(f) at Section 6.12, by adding the following after subsection (1)(k):

“(l) Accessibility ramps for the use of persons with disabilities, provided they are no greater than 1.5 m (4.92 ft.) in width.

(m) Eaves that do not project more than 1.2 m (3.94 ft.), or 600 mm (1.97 ft.) in the case of a required yard less than 1.5 m (4.92 ft.) in width.

(n) In required side or rear yards, outdoor appliances (including heat pumps) that do not project more than 900 mm (2.95 ft.), or 600 mm (1.97 ft.) in the case of a required side or rear yard less than 1.5 m (4.92 ft.) in width.”

(g) at Section 6.20(3), by repealing the first paragraph and replacing it with the following:

“(3) In addition to the exclusions listed in Section 6.20(1), for the purpose of calculating gross floor area in districts other than the R1 and A Districts, the following shall be excluded:”

(h) at Section 6.20, by adding the following as subsection (4):

“(4) In addition to the exclusions listed in Section 6.20(1), for the purpose of calculating gross floor area in the RM Districts, the following shall be excluded:

(a) child care facilities.”

(i) by repealing Section 101.2 in its entirety and replacing it with the following:

“Permitted Uses

| Principal Use | Use-Specific Regulations |
|---|---------------------------------|
| Small-Scale Multi-Unit Housing | - |
| Rowhouse Dwellings | 101.5.2 |
| Boarding, Lodging, or Rooming House | 101.5.3 |
| Group Home | - |
| Supportive Housing (Category A) | 101.5.4 |
| Child Care Facilities | 101.5.6 |
| Accessory Use | Use-Specific Regulations |
| Boarding Use (up to 2 boarders) | - |
| Home Occupations | 6.8, 6.8A |
| Urban Agriculture | 6.30 |
| Accessory Buildings, Structures, and Uses | 101.5.5, 6.6 |

”

- (j) by adding the following as Section 101.5.6:

“101.5.6 Child Care Facilities

- (1) A child care facility in the R1 District must:
- (a) be limited to a maximum of 25 children;
 - (b) be located on a corner lot;
 - (c) comply with the development regulations under section 101.4 for 1 to 3 small-scale multi-unit dwelling units on a lot;
 - (d) be located on a lot that does not contain a dwelling unit or any other principal use; and
 - (e) comply with all other applicable regulations under this Bylaw.”

- (k) at Section 101.6.1, by repealing subsection (1) in its entirety and replacing it with the following:

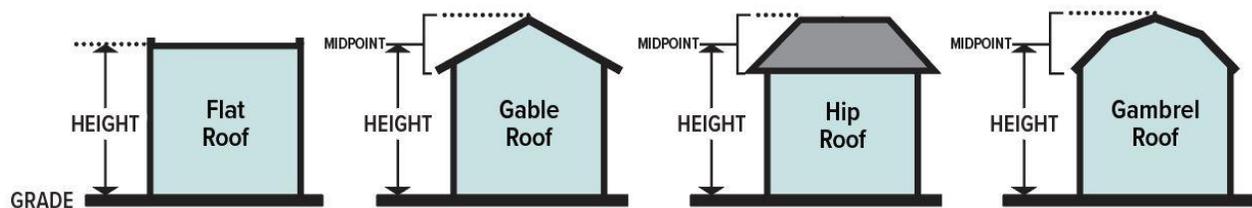
- “(1) The following features may project into the required minimum separation between buildings on the same lot:

- (a) steps and stairs;
- (b) ornamental features, such as arbors, trellises, fish ponds, flag poles, or similar landscape features;
- (c) terraces, decks, or other similar surfaces that are 1.0 m or less above grade;
- (d) balconies, covered decks, uncovered decks, canopies, sunshades, or other similar features, including supporting structures, that are greater than 1.0 m above grade up to a maximum of 25% of the width of a required separation;
- (e) belt courses, cornices, gutters, sills, chimneys, bay windows, or other similar features up to the lesser of 0.9 m or 25% of the width of a required separation;
- (f) sunken access areas and window wells as per Section 6.9;
- (g) outdoor appliances; and
- (h) eaves up to the lesser of 1.2 m (3.94 ft.) or 25% of the width of a required separation.”

- (l) at Section 101.7.1, by repealing subsection (1) in its entirety and replacing it with the following:

“(1) The height of a principal or accessory building shall be measured from the lower of the average natural grade or finished grade of all corners of the building to the midpoint of a sloped roof or the highest point of a flat roof. The midpoint of a sloped roof is considered to be one half of the vertical distance of a sloped roof structure measured from the top plate of the uppermost storey to the highest point of the roof.

Diagram: Height Measurement



”

- (m) at Section 201.1, by repealing subsection (1) in its entirety and replacing it with the following:

“(1) Uses, other than group homes, permitted in the R1 District, subject to the regulations contained therein.”

- (n) at Section 201.2, by repealing subsection (1) in its entirety and replacing it with the following:

“(1) Uses permitted in the RM1 District, excluding permitted uses in the R1 District, dormitory units or groups of dormitory units, and boarding, lodging and rooming houses, provided that the residential uses are restricted to purpose-built rental housing.”

- (o) at Section 202.1, by repealing subsection (1) in its entirety and replacing it with the following:

“(1) Uses, other than group homes, permitted in the R1 District, subject to the regulations contained therein.”

- (p) at Section 202.2, by repealing subsection (1) in its entirety and replacing it with the following:

“(1) Uses permitted in the RM2 District, excluding permitted uses in the R1 District, dormitory units or groups of dormitory units, and boarding, lodging and rooming houses, provided that the residential uses are restricted to purpose-built rental housing.”

- (q) at Section 203.1, by repealing subsection (1) in its entirety and replacing it with the following:

“(1) Uses, other than group homes, permitted in the R1 District, subject to the regulations contained therein.”

- (r) at Section 203.2, by repealing subsection (1) in its entirety and replacing it with the following:

“(1) Uses permitted in the RM3 District, excluding uses permitted in the R1 District, dormitories, and boarding, lodging and rooming houses.”

- (s) at Section 203.3, by repealing subsection (1) in its entirety and replacing it with the following:

“(1) Uses permitted in the RM3 District, excluding permitted uses in the R1 District, dormitory units or groups of dormitory units, rest homes and private hospitals, and boarding, lodging and rooming houses, provided that the residential uses are restricted to purpose-built rental housing.”

- (t) at Section 404.1, by adding the following as subsection (21):

“(21) Child care facilities.”

- (u) at Section 405.1, by adding the following as subsection (22):

“(22) Child care facilities.”

- (v) at Section 408.1, by adding the following as subsection (6):

“(6) Child care facilities.”

- (w) at Section 451.1, by adding the following as subsection (7):

“(7) Child care facilities.”

- (x) at Section 452.1, by adding the following as subsection (7):

“(7) Child care facilities.”

- (y) at Section 700.1, by adding the following as subsection (6)”

“(6) A child care facility shall be permitted in a CD Comprehensive Development District, or portion thereof, based on a District which

includes child care facilities as a permitted use, provided the child care facility complies with all applicable regulations under the relevant District and this Bylaw.”

- (z) at Section 800.4, by repealing subsection (5.1) in its entirety and replacing it with the following:

“(5.1) Child care facility 1 for each 55 m² (592.02 sq.ft.) of gross floor area. In the R1 District, up to a maximum of 4 spaces.”

- (aa) at Section 800.6, by repealing subsection (5) in its entirety and replacing it with the following:

“(5) Except in the R1 District, no part of any parking area shall be located closer than 3.5 m (11.48 ft.) to any multiple family dwelling.”

- (bb) at Section 900.4(2), by repealing the first paragraph in its entirety and replacing it with the following:

“(2) On every site used as an office building, place of public assembly, place for entertainment purposes, hospital, institution, hotel, club or lodge, auditorium, public utility, school or other similar use, with the exception of child care facilities, the minimum number of spaces shall be as follows:”

Public Notice Dates this 10th day of October, 2024, and 17th day of October, 2024

Read a first time this 21st day of October, 2024

Public Hearing held N/A

Read a second time this 21st day of October, 2024

Read a third time this _____ day of _____, 2024

Reconsidered and adopted this _____ day of _____, 2024

MAYOR

CORPORATE OFFICER

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