

**TO:** MAYOR & COUNCILLORS  
**FROM:** GENERAL MANAGER PLANNING AND DEVELOPMENT  
**SUBJECT:** **PROPOSED BYLAW AMENDMENTS – ZONING BYLAW REWRITE PROJECT – NEW NON-RESIDENTIAL ZONING DISTRICTS**  
**PURPOSE:** To propose amendments to the *Burnaby Zoning Bylaw* to establish five new zoning districts and related changes to implement the Burnaby 2050 OCP land use framework.

## RECOMMENDATION

**THAT** the proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.1 of the report titled “Proposed Bylaw Amendments – Zoning Bylaw Rewrite Project – New Non-Residential Zoning Districts” dated January 13, 2026, 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; and

**THAT** a Public Hearing not be held for the proposed amendments to *Burnaby Zoning Bylaw, 1965* as described in the report, as they are consistent with the Burnaby 2050 Official Community Plan.

## EXECUTIVE SUMMARY

This report presents proposed amendments to the *Burnaby Zoning Bylaw, 1965* (“Zoning Bylaw”) as part of Phase 3 of the Zoning Bylaw Rewrite project, to establish five new zoning districts that will facilitate implementation of the Burnaby 2050 Official Community Plan (“OCP”) land use framework. The proposed amendments build on materials presented to the Planning and Development Committee (PDC) on November 4, 2025, and incorporate updates based on PDC direction provided in response. Consistent with the objectives of the Zoning Bylaw Rewrite project and the City’s new height-based development framework, these changes create a simplified and modernized development framework.

### 1.0 POLICY SECTION

The proposed amendments outlined in this report align with the following provincial and municipal laws, bylaws, and policies, including:

- *Local Government Act* (2015)
- Metro Vancouver Regional Growth Strategy (2023)
- Corporate Strategic Plan (2022)
- Burnaby Housing Needs Report (2021; interim update 2024)
- HOME: Burnaby’s Housing and Homelessness Strategy (2021)
- Mayor’s Task Force on Community Housing Final Report (2019)
- Burnaby 2050 Official Community Plan (2025)

## **2.0 BACKGROUND**

### **2.1 New Land Use and Development Framework**

On June 10, 2025, Council adopted a height-based approach to development for the City of Burnaby, as outlined in the Council report titled “Proposed Bylaw Amendments - Height-Based Development Framework,” dated April 22, 2025. This included the adoption of new height-based multi-family residential and commercial zoning districts that align with the Burnaby 2050 OCP land use framework, which was developed in support of this approach. Council directed staff to use Comprehensive Development (CD) rezonings to facilitate height-based applications until the City’s new OCP, Development Permit Area (DPA) form and character guidelines, and new Zoning Bylaw were adopted.

In alignment with the Development Approval Process (DAP) project, the new framework streamlines development regulations and enhances transparency, while conforming with the Burnaby 2050 OCP land use framework.

As described in Section 3.1 of this report, the amendments are proposed to several sections of the Zoning Bylaw to implement the five remaining height-based zoning districts, which, once adopted, will allow the City to implement the Burnaby 2050 OCP land use framework. The proposed amendments include the following:

- The introduction of five new zoning districts:
  - Employment (E1)
  - Industrial (I1)
  - Agricultural (“AM1” in interim)
  - Parks, Open Spaces, and Natural Areas (“PM1” in interim)
  - Institutional (“PM2” in interim)
- The introduction of overlay zoning conditions to align with OCP land use overlays.
- Amendments to other sections of the Zoning Bylaw, including new and amended definitions as well as supporting amendments to administrative, supplementary, and parking regulations.

## 2.2 Zoning Bylaw Rewrite

In late 2023, the City initiated the Zoning Bylaw Rewrite project, which involves a comprehensive review and update of the City’s Zoning Bylaw. The objectives of the 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.

The final adoption of a new Zoning Bylaw is targeted for Q2 2026, when the City’s new DPA form and character guidelines are also anticipated for adoption.

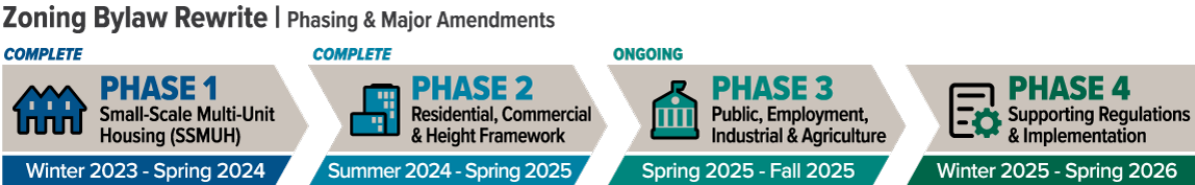
The Zoning Bylaw Rewrite is a 4-phase project structured around a series of major amendments to implement the new Burnaby 2050 OCP land use framework and address new legislation on small-scale multi-unit housing, transit-oriented areas, and other new development requirements.

Phase 1 of the project introduced the R1 Small-Scale Multi-Unit Housing District, adopted by Council on June 10, 2024.

Phase 2 introduced the next major amendment, adopted by Council on June 10, 2025, which introduced a new height-based development framework, including new interim multi-family residential and commercial districts. Related to this phase of work was the introduction of new Community Benefit Bonus and Inclusionary Rental requirements, adopted by Council on October 14, 2025.

The amendments within this report are the culmination of Phase 3 of the project. Similar to the Phase 2 amendments, they represent an interim state that will allow the City to continue its transition to the height-based framework and support early implementation of the new Burnaby 2050 OCP land use framework. Additionally, the interim period will provide an opportunity to assess and further refine regulations, as needed, and offer a more gradual integration of zoning regulations with forthcoming DPA guidelines over Phase 4—the final phase of the project.

Figure 1 – Zoning Bylaw Rewrite Project Timeline and Phasing



### **2.3 Implementation Approach**

The new development framework introduced by the Burnaby 2050 OCP, working in conjunction with the Zoning Bylaw and DPA form and character guidelines, prioritizes built form and its relationship to the public realm, shifting the focus from density metrics to physical design. While this approach emphasizes building height and form, land use designations and zoning districts will continue to define permitted uses.

The framework is designed to achieve the following objectives:

- Increase transparency and clarity on building height and form;
- Simplify development regulations and the approvals process;
- Allow greater flexibility and support for mixed-use development;
- Enhance urban design standards;
- Align with the OCP & new Provincial Legislation on Small-Scale Multi-Unit Housing, development financing, and development in Transit-Oriented Areas; and
- Maintain opportunities for affordable housing.

This approach includes:

- Establishing permitted building heights for OCP land use designations and corresponding zoning districts.
- Removing FAR as a development control mechanism.
- Introducing DPA form and character guidelines as a new development tool.
- Aligning major planning policies with the new framework.
- Reducing the number of distinct zoning districts for greater efficiency.
- Enhancing opportunities for mixed-use development.

The full implementation of this approach is expected before the end of Q2 2026, following the adoption of the new OCP, Zoning Bylaw, and DPA guidelines. In the interim, the five new zoning districts outlined in this report will coexist with the existing FAR-based zoning districts, as was done for the new height-based multi-family residential and commercial districts adopted in June 2025. A CD rezoning approach will be used in the interim to:

- Support mixed-use development.
- Ensure greater control over design outcomes in the absence of DPA guidelines.
- Allow in-stream applications under the existing FAR-based system to proceed without disruption.

Table 1 provides a comparative summary of the interim and future implementation approach.

Table 1 – Established Interim and Future Implementation Approach

Implementation Mechanism	Interim State (Q2 2025-Q1 2026)	Future State (Q2 2026+)
<b>OCP</b>	<p>Prior to its replacement, the Burnaby OCP (1998) supported the range of uses and intensities proposed with the new height-based zoning regulations. The new Burnaby 2050 OCP defines and is fully supportive of the height-based framework, providing greater site-specific guidance for development.</p> <p>The approval of a rezoning application that does not comply with an OCP land use designation for a given site would continue to be subject to an OCP amendment, as set out in the <i>Local Government Act</i>.</p>	<p>The height-based framework fully aligns with the Burnaby 2050 OCP land use designations and policies.</p> <p>The approval of a height-based rezoning application that does not comply with an OCP land use designation for a given site would be subject to an OCP amendment, as set out in the <i>Local Government Act</i>.</p>
<b>Zoning Bylaw</b>	<p>New interim height-based zoning districts and associated regulations added to the Zoning Bylaw. Existing legacy districts and their FAR-based requirements remain to support in-stream applications. Properties rezoned to new height-based zoning districts on a site-by-site basis.</p>	<p>FAR-based zoning districts removed from the new Zoning Bylaw. Interim height-based districts amended to fully align with new form and character DPA guidelines and Burnaby 2050 OCP land use designations, as per Table 2 below. All properties without CD zoning in the City zoned to new height-based zoning districts, including base and overlay districts.</p>
<b>DPA Guidelines</b>	<p>The City currently has no DPA guidelines. Design and development requirements primarily guided by provisions within existing community plans, master plans, best practices for urban design, streamside protection provisions in the Zoning Bylaw, City policies (such as Rental Use Zoning Policy and Tenant Protection Policy), etc.</p>	<p>New form and character DPA guidelines and permitting process adopted to provide clearer expectations and greater control over design and development outcomes. New Streamside DPA guidelines for protection of riparian areas and also new Tenant Protection DPA guidelines to accompany new Tenant Protection Bylaw.</p>
<b>CD Rezoning</b>	<p>CD rezoning continues to be used to support mixed-use development and provide greater control over design outcomes. This includes being able to reference new height-based districts as underlying districts for CD sites.</p>	<p>With new zoning districts that support a greater mix of uses (including through overlay zoning districts) and new DPA guidelines providing more design control and riparian area and tenant protection, CD rezoning is used less often. CD rezoning will typically be used for unique development proposals not contemplated or reasonably</p>

		regulated by another standard zoning district, such as master plan sites.
--	--	---

### 2.3.1 Transition for In-Stream Applications

The approach for the management of rezoning applications is outlined in section 4.3 in the report titled “Burnaby 2050 Official Community Plan – Final Version”, dated September 9, 2025. Under this approach, rezoning applications based on the existing zoning districts—the districts that do not align with the Burnaby 2050 OCP land use framework outlined in Table 2 of this report—will not be accepted after the date of adoption of the new Burnaby 2050 OCP, with a transition period offered for certain applications able to meet the conditions outlined in the September 9, 2025 report.

## 3.0 GENERAL INFORMATION

Section 3.1 of this report provides an overview of the proposed Zoning Bylaw amendments as they pertain to the five new zoning districts, as well as supporting amendments and regulations in other sections of the Zoning Bylaw. The proposed amendments detailed in **Attachments 1 and 2** are proposed to come into effect upon Final Adoption of the proposed amendment bylaw.

### 3.1 Proposed Zoning Bylaw Amendments

Five zoning districts are proposed to be added to the Zoning Bylaw (**Attachment 1**):

- One new Employment “E1” District;
- One new Industrial “I1” District;
- One new Agricultural District – designated in the interim as “AM1” to differentiate it from the existing A1 District; and
- Two new public “P” Districts: “Parks, Open Spaces, and Natural Areas” and “Institutional” – designated in the interim as “PM1” and “PM2,” respectively, to differentiate them from the existing P Districts.

These districts will live alongside the City’s existing M, P, and A Districts in the interim but are anticipated to replace them as part of the full rewrite of the Zoning Bylaw and in alignment with the new OCP 2050.

Going forward, each new OCP land use designation will correspond to one zoning district in the new Zoning Bylaw. This approach is being pursued to create a transparent, user-friendly development framework that provides clarity regarding the future potential of a site. Table 2 of this report outlines the land use designations introduced through the Burnaby 2050 OCP project and associated zoning districts being advanced through the Zoning Bylaw Rewrite project, with emphasis on the new districts being advanced through this report.

**Table 2 – Land Use Designations in the OCP and Corresponding Zoning Districts in the new Zoning Bylaw**

Land Use Designation		Zoning District	Implementation Timing
	Neighbourhood Commercial	C1 (Interim CM1)	Adopted & Effective June 10, 2025
	General Commercial	C2 (Interim CM2)	Adopted & Effective June 10, 2025
	Employment	E1	Early 2026 (this report)
	Industrial	I1	Early 2026 (this report)
	Agricultural	A1 (Interim AM1)	Early 2026 (this report)
	Parks, Open Spaces & Natural Areas	P1 (Interim PM1)	Early 2026 (this report)
	Institutional	P2 (Interim PM2)	Early 2026 (this report)
	Small-Scale Multi-Unit Housing	R1	Adopted June 10, 2024 Effective July 1, 2024
	Townhouse	R2	Adopted & Effective June 10, 2025
	Low-Rise Apartment 1	R3	Adopted & Effective June 10, 2025
	Low-Rise Apartment 2	R4	Adopted & Effective June 10, 2025
	Mid-Rise Apartment 1	R5	Adopted & Effective June 10, 2025
	Mid-Rise Apartment 2	R6	Adopted & Effective June 10, 2025
	High-Rise Apartment 1	R7	Adopted & Effective June 10, 2025
	High-Rise Apartment 2	R8	Adopted & Effective June 10, 2025

### **3.1.1 Proposed Employment District**

#### Uses

The proposed Employment District (E1) is intended to allow for a range of commercial, light industrial, and private recreational uses that are compatible with nearby residential areas while providing for employment-generating opportunities. The district also supports residential rental tenure housing, with a mandatory non-market rental housing component, located above ground-level employment uses and within 200 m of a SkyTrain station, as supported by the Metro Vancouver Regional Growth Strategy and the Burnaby 2050 OCP.

Commercial self-storage facilities are proposed to be limited within the E1 District surrounding SkyTrain stations to ensure that land closest to transit is available for higher-intensity employment and transit-oriented uses. In response to PDC feedback, the previously proposed 200 m restriction around SkyTrain stations has been expanded to 400 m to further support these objectives while still maintaining reasonable opportunities for new self-storage facilities. Future work, including initiatives such as the

Mayor’s Task Force on Economic Growth and Resilience or other employment-related land use studies, can provide opportunities to revisit and refine this approach.

**Building Form**

Supporting up to 8 storeys in height, building forms in the proposed E1 District would vary from shorter light industrial uses to taller low-rise office buildings, similar to the wide range of forms and uses supported in the current M and B Districts, with the exception of heavy industrial forms and uses, which are not permitted in the E1 District.

**Setbacks**

Minimum required setbacks for the E1 District generally align with the lower range of setback regulations within the City’s existing M and B Districts. The intent of the lesser setback requirements is to encourage flexibility of potential uses and building forms where appropriate, which will generally encourage the intensification of employment-generating uses desired in these areas. The minimum required setbacks for the E1 District are displayed in Table 3 below.

*Table 3 – Proposed Minimum Building Setbacks from Property Lines in the E1 District*

<b>Setback</b>	<b>Manufacturing, General, Heavy, and Special Industrial (M1-M4)</b>	<b>Light Industrial, Truck Terminal, and Marine (M5-M7)</b>	<b>Advanced Tech. Research &amp; Business Centre (M8, B1, B2)</b>	<b>Proposed E1</b>
<b>Street – Front</b>	6.0 m	6.0 – 9.0 m	9.0 m	6.0 m
<b>Street – Flanking</b>	4.5 m	6.0 m	6.0 m	4.5 m
<b>Lane</b>	3.0 m	9.0 m	9.0 m	3.0 m
<b>Side – Interior</b>	3.0 m	6.0 m	6.0 m	3.0 m
<b>Rear – Interior</b>	3.0 m	6.0 m	9.0 m	3.0 m

Consistent with the existing M1 through M3 Districts, where an E1 District lot is across the street from or abutting a lot with a residential use, greater setbacks are required of up to 9.0 m for a front yard and up to 6.0 m for all other yards, similar to the standard minimum setbacks for the other M and B Districts.

**3.1.2 Proposed Industrial District**

**Uses**

Permitted uses in the proposed Industrial District (I1) include a full range of industrial activities at different scales, intensities and functions, such as manufacturing, distribution, storage, warehousing and processing of raw materials and goods. Given that the new I1 District consolidates all of the City’s existing light to heavy industrial districts, some use categories have been redefined, simplified, or consolidated to

provide more flexibility and a broader range of industrial uses than previously contained under any one M District previously.

As with the E1 District, the I1 District will include more stringent regulations for commercial self-storage facilities. More specifically, such facilities located in the I1 District must be located above the ground level in an effort to retain and encourage core industrial uses at the ground level.

To provide additional development control and mitigation over more impactful industrial activities, the proposed I1a sub-district supports heavy industrial uses and a range of related functions that are more likely to result in nuisances to nearby sensitive uses (i.e. residential, childcare, and educational uses) through their regular operation in the form of noise, dust, vibration, odour, and other negative impacts.

These particular I1a sub-district uses must be sited a minimum of 100 m from the above-mentioned sensitive uses, as measured from the building face (for indoor uses) or fence line (for outdoor uses) of the I1a sub-district use to the property line where the sensitive use is located. Further, crematoria must be located a minimum of 150 m from sensitive uses.

**Building Form**

Building forms in the proposed I1 District would generally be characterized by larger, more expansive building footprints up to 4 storeys in height. Building scales would vary widely depending on intended use and function. Given the importance of outdoor space in the I1 District (e.g. for loading, storage, fueling, landscaping, parking, delivery, and other functions), the integration between building form and outdoor spaces in the I1 District will be important, and will be informed partially by new form and character DPA guidelines for industrial uses.

**Setbacks**

Minimum required setbacks for the I1 District generally align with the City’s existing Manufacturing (M1), General Industrial (M2), and Heavy Industrial (M3) Districts, which offer more siting flexibility than the other M Districts while requiring greater setbacks when located near residential uses. The minimum required setbacks for the I1 District are consistent with the proposed E1 District and are displayed in Table 4 below.

*Table 4 – Proposed Minimum Building Setbacks from Property Lines in the I1 District*

<b>Setback</b>	<b>Manufacturing, General, Heavy, and Special Industrial (M1-M4)</b>	<b>Light Industrial, Truck Terminal, and Marine (M5-M7)</b>	<b>Advanced Tech. Research &amp; Business Centre (M8, B1, B2)</b>	<b>Proposed I1</b>
<b>Street – Front</b>	6.0 m	6.0 – 9.0 m	9.0 m	6.0 m
<b>Street – Flanking</b>	4.5 m	6.0 m	6.0 m	4.5 m
<b>Lane</b>	3.0 m	9.0 m	9.0 m	3.0 m

<b>Side – Interior</b>	3.0 m	6.0 m	6.0 m	3.0 m
<b>Rear – Interior</b>	3.0 m	6.0 m	9.0 m	3.0 m

Consistent with the M1 through M3 Districts, where an I1 District lot is across the street from or abutting a lot with a residential use, greater setbacks are required of up to 9.0 m for a front yard and up to 6.0 m for all other yards.

As with the existing M1 through M5 Districts, the proposed I1 District would allow an interior side yard to be reduced to 0.0 m, provided it does not abut a lot outside of the I1 District with a residential use and provided that the other side yard has a width of not less than 6.0 m.

Greater locational setback conditions are required in the I1 District for high impact uses, as described above.

**3.1.3 Proposed Agricultural District**

The proposed Agricultural District (AM1) is intended to support and protect agricultural activities on lands within and outside of the Agricultural Land Reserve (ALR), in alignment with Provincial legislation and ALR use regulations. Within the City of Burnaby, approximately 75% of agricultural-designated land is within the ALR.

Moving towards a single zoning district for regulating agricultural lands helps meet the following objectives:

- aligns with the Agricultural designation in the OCP land use framework;
- prevents the erosion of agricultural uses outside of the ALR;
- reduces the need for split-zoning of lots that fall partly within the ALR; and
- reduces the redundancy of the City’s current A Districts, all of which have some lots within the ALR and all of which support many of the same building forms, siting requirements, and uses.

Any potential benefit to creating separate zoning districts for these areas—one for land within the ALR and one for agricultural land outside the ALR—could be explored more comprehensively as part of a dedicated future agricultural land strategy.

Uses

Permitted uses in the proposed AM1 District generally support agriculture and related activities. Since ALR lands are regulated by Provincial legislation, permitted uses and their related conditions of use can vary between ALR lands and non-ALR lands.

Principal permitted uses in the proposed district consist of agriculture, community garden, and park to protect agricultural activities and support existing uses. Secondary and accessory permitted uses include a range of uses that support and complement agriculture, such as agri-tourism and animal care. Conditions of use for ALR lands align with Provincial legislation and support local growing opportunities. Conditions of use for

non-ALR lands may limit certain uses in some cases to support small-scale agricultural activities due to the generally smaller lot sizes on non-ALR lands.

The district also designates single-family dwellings as a secondary use in order to protect agricultural activities as the principal use in these areas while still continuing to support limited opportunities for residential development, similar to the existing A3 District.

**Building Form and Subdivision Lot Size Requirements**

Building forms vary depending on whether buildings and structures are intended for residential use or farm operations.

The maximum permitted height of residential buildings is 10.5 m and 2.5 storeys, which is unchanged from the current permissions in the A Districts. Structures required for farm operations are permitted up to 15.0 m, which ensures a wide range of farm structures can be constructed, and aligns with Provincial guidelines on minimum heights for agricultural buildings.

Minimum subdivision lot size requirements vary depending on whether the lot is outside or within the ALR. The minimum permitted lot size outside of the ALR is 5,000 m<sup>2</sup> to generally align with existing A2 District lots, which make up the greatest share of lots outside of the ALR, while protecting them from further subdivision. The minimum permitted lot size within the ALR is 220,000 m<sup>2</sup> to discourage subdivision and preserve the economies of scale necessary to support the widest range of agricultural activity possible, in alignment with Agricultural Land Commission (ALC) guidance. Within the ALR, subdivision will be subject to the approval of the ALC.

**Setbacks**

Minimum setbacks are outlined in Table 5 below. The smaller proposed *minimum* setbacks, and newly proposed *maximum* setback of 9.0 m for residential uses, are intended to maximize efficient farmable spaces to support economical farm operations, in alignment with Provincial guidance.

*Table 5 – Proposed Minimum Building Setbacks from Property Lines in AM1 District*

<b>Setback</b>	<b>A1-A3</b>	<b>Proposed AM1</b>
<b>Street</b>	4.5 – 9.0 m	3.0 m (Max: 9.0 m)
<b>Lane</b>	4.5 – 9.0 m	1.5 m
<b>Side – Interior</b>	3.0 – 4.5 m	1.5 m*
<b>Rear – Interior</b>	9.0 m	1.5 m*

*\*setback of up to 3.0 m required to mirror the required setback of abutting R District lots*

The AM1 District applies greater setback conditions for specific higher impact uses, such as structures used for kennels, keeping of livestock, mushroom growing, cannabis production, and processing or storage of agricultural by-products and waste materials.

Setbacks for these uses are informed by setbacks in the existing A Districts and by Provincial guidelines for farm structures, which seek to strike a balance to reduce conflict between uses while still supporting economical farm operations.

### **3.1.4 Proposed Parks, Open Spaces and Natural Areas District**

The proposed Parks, Open Spaces and Natural Areas District (PM1) is intended to regulate the preservation and enhancement of both public natural and recreational areas of the city, much as the existing Park and Public Use District (P3) does now.

To that end, the PM1 District supports a similar range of uses and building forms as the current P3 District, which ensures uses currently present in City parks do not become arbitrarily prohibited in the future, while also adding new protections for natural areas through the proposed PM1a sub-district.

#### New Tool for Protecting Natural Areas

The PM1a sub-district gives the City a new regulatory mechanism to further limit development in areas of environmental or ecological significance identified for protection, such as forested parks, watercourse and riparian habitats, and other areas where public access may be permitted but limited (e.g. in the form of fixed trails or paths).

This adds a level of protection for natural areas that the Zoning Bylaw does not otherwise currently provide.

#### Uses

In addition to supporting and protecting natural areas and places of passive recreation, the proposed PM1 District also regulates active recreational green spaces, such as urban parks, sports fields, and courts, as well as associated civic, recreational, or cultural facilities, as the current P3 District does now.

Other complementary principal uses, which also reflect uses supported on current P3 District lots, include child care facilities, education services, and golf facilities, as well as a limited range of secondary and accessory uses, such as community gardens, restaurant (e.g. Barnet Marine Park Cafe), and retail (e.g. Deer Lake Boat Rentals).

A newly proposed principal use is Heritage Adaptive Use, which would support the conservation and ongoing use of a heritage building or structure listed on the Community Heritage Register for a variety of functions that might not otherwise be permitted in a park (e.g. short-term visitor accommodation, Artist in Residence program, etc.). Research and Development is a newly proposed accessory use, which would permit uses intended for study and stewardship of a specific existing natural park feature or ecological habitat (e.g. a salmon hatchery associated with a particular stream).

**Building Form**

Where new buildings are supported, their forms are likely to vary depending on location, type of facility, and intended use. As per the existing P3 District, the PM1 District has no specific maximum height restrictions to provide flexibility for a diverse mix of public amenities, which may include civic structures within Town Centres.

**Setbacks**

Proposed minimum building setbacks from property lines are largely informed by the City’s existing P3 District. As outlined in Table 6 below, a 6.0 m minimum setback from all property lines is proposed. This generally aligns with the existing P3 regulations but, recognizing that most park sites have multiple frontages and no functional distinction between interior rear and interior side property lines, the rear setback is slightly reduced to provide more consistency, predictability, and siting flexibility of buildings.

Furthermore, recognizing that existing setback requirements can currently create siting constraints for smaller urban parks, the proposed PM1 District would allow for the street or lane yard setback to be further reduced up to 0.0 m, subject to approval of a circulation plan that demonstrates sufficient public right-of-way to meet pedestrian and vehicle circulation, maneuvering, vision clearance, and access needs.

*Table 6 – Proposed Minimum Building Setbacks from Property Lines in the PM1 District*

<b>Setback</b>	<b>Park and Public Use District (P3)</b>	<b>Proposed PM1</b>
<b>Street – Front/Flanking</b>	6.0 m	6.0 m
<b>Side – Interior/Lane</b>	6.0 m	6.0 m
<b>Rear – Interior/Lane</b>	9.0 m	6.0 m

**3.1.5 Proposed Institutional District**

**Uses**

The proposed Institutional District (PM2) is similar to the City’s existing Administration and Assembly District (P2), which permits a wide range of institutional uses, including government office; emergency services; public transportation centres; public utility buildings; and various other civic, recreational, cultural, health, assembly, and child care facilities.

The proposed PM2 District would continue to support these uses while also effectively consolidating the City’s other P Districts, which generally each regulate very narrow sets of uses (e.g. the P4 Cemetery District, the P8 Parking District, etc.). As such, the proposed PM2 District would permit a wider range of community-serving institutional uses at various scales and intensities, which would effectively add cemeteries, correctional and parole facilities, parking garages, hospitals, hotels, marinas, and educational facilities to the already broad set of existing P2 District uses.

The proposed PM2 District also includes various institutional residential uses, similar to the existing Community Institutional District (P5), including congregate housing (e.g. residential care facilities, assisted living residences), supportive housing, and non-market rental housing.

Principal and secondary uses in the PM1 District are also permitted in the PM2 District, which allows for an even wider and more flexible range of permitted community-serving uses on institutional sites and improves flexibility of siting for parks-related uses, which are often co-located on or adjacent to institutional sites (e.g. Bob Prittie Library and adjacent Burnaby Civic Square and greenspace).

For crematoria uses, an additional distancing requirement of 150 m from sensitive uses (i.e. residential uses, childcare facilities, and schools) is introduced as an additional measure, in recognition that crematoria uses are increasing in demand, but require forethought for where they are sited so as not to create a nuisance for nearby uses.

A PM2a sub-district is proposed to identify lands for existing or potential public school lands, as designated with institutional overlays in the Burnaby 2050 OCP. For further clarity, lands designated in the OCP for future public school lands with existing residential or other uses that are zoned with a P2a sub-district overlay would not be restricted from developing in accordance with other applicable base zoning district (e.g. R1 District) use permissions. See section 3.1.6 of this report for more information on the approach to base and overlay zoning districts.

### Building Form

Institutional building forms in the proposed PM2 District vary widely depending on intended use and type of facility or building. Permitted heights vary from 4 to 20 storeys with additional height possible for institutional residential uses where there is a residential R District overlay.

Generally, a maximum building height of 8 storeys is supported in the proposed PM2 District for most types of institutional facilities, with the lowest heights applied to cemeteries and the tallest heights applied to hospitals to support expansion for critical healthcare needs.

### Setbacks

Permitted setbacks in the proposed PM2 District are displayed in Table 7 below. Minimum setbacks that are similar to the P2 District—but otherwise align with the recently adopted commercial CM Districts—are proposed to increase flexibility of uses and forms as well as provide consistency in development patterns in Town Centres and other commercial areas. Where PM2 District lots abut lots with residential use, greater side yard setbacks are required of up to 3.0 m.

As with the PM1 District, conditions under the proposed new PM2 District would allow for the street or lane yard setback to be reduced to 0.0 m in certain cases, subject to approval of a circulation plan that demonstrates sufficient public right-of-way to meet pedestrian and vehicle circulation, maneuvering, vision clearance, and access needs.

Table 7 – Proposed Minimum Building Setbacks from Property Lines in the PM2 District

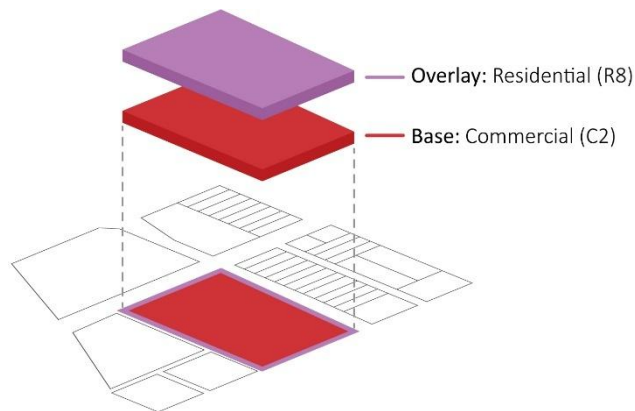
Setback	RV Park, Utility Corridors (P10, P12)	Admin. & Assembly (P2)	Neighbourhood, Community, Special Institutional; Parking (P1, P5, P7, P8)	Cemetery, Regional, Marine, and SFU (P4, P6, P9, P11)	Proposed PM2
Street – Front	1.5 – 3.0 m	6.0 m	7.5 – 9.0 m	7.5 – 9.0 m	2.0 m
Street – Flanking	0.9 – 3.0 m	0.0 m	4.5 – 6.0 m	7.5 – 9.0 m	2.0 m
Lane	0.9 – 3.0 m	0.0 m	4.5 - 9.0 m	7.5 – 9.0 m	1.2 m
Side – Interior	0.9 – 3.0 m	0.0 m	4.5 – 6.0 m	7.5 – 9.0 m	0.0 m
Rear – Interior	1.5 – 3.0 m	6.0 m	6.0 – 9.0 m	7.5 – 15.0 m	3.0 m

As is the case with the previously adopted height-based R and CM Districts, the setbacks for the five new districts contained within this report will be reviewed and potentially further refined to ensure alignment with related siting and separation considerations in the new form and character DPA guidelines in 2026.

### 3.1.6 Proposed Base and Overlay Zoning District Conditions

The City’s current zoning districts provide limited opportunities for mixed-use development, contributing to the prevalence and necessity of CD rezonings. To support complete communities, the proposed zoning amendments introduce new regulations for base and overlay zoning districts, mirroring the base and overlay designations introduced through the Burnaby 2050 OCP, and as described in the Council report titled “Proposed Height-Based Development Framework”, dated October 7, 2024.

Figure 2 – Mixed-Use Site



Where identified in the OCP, an overlay zoning district can be added to a base zoning district to allow for additional uses. As per Burnaby 2050 OCP Table 2, Permitted Uses on Sites with Overlay Designations, many combinations of base and overlay zoning districts would permit uses from the base district, the overlay district, or a combination of both, without any conditions of use. However, the OCP does identify specific conditions

for certain combinations of base and overlay districts, which the proposed zoning amendments define in greater detail.

These include the following combinations and OCP conditions:

- Commercial base with residential overlay: base designation uses must be present on the site.
- Employment base with residential or neighbourhood commercial overlay: base designation uses must be present on the site.
- Institutional base with residential overlay: (non-residential) base designation uses must be present on the site and if residential uses are added to the site, they must include a component of non-market housing.

The zoning regulations for these conditions are proposed to be added as a new Section 6.32 in the interim and are detailed in **Attachment 2**.

However, until the new Zoning Bylaw and DPA guidelines are adopted and fully implemented, CD rezonings will continue to be used to combine use permissions on sites identified with an overlay in the OCP but would now be able to reference the regulations in Section 6.32.

### Secondary Use

As with the earlier-adopted multi-family residential R and commercial CM Districts, mixed-use development in the five new proposed districts is further supported by secondary uses, which can only be established when a principal use is present or proposed on the lot. Unlike accessory uses, which must exclusively serve the principal use, secondary uses can operate independently of the principal use.

For example, office use is not a permitted principal I1 Industrial use—so a fully standalone office development would not be permitted in the I1 District—but office is permitted as a separate secondary use on storeys above the ground level when a principal industrial use is present on the lot. Office use is only permitted at ground-level as an accessory use in direct support of an associated ground-level industrial operation.

### **3.1.7 Other Supporting Amendments**

The following zoning provisions are proposed to other sections of the Zoning Bylaw in support of the new districts and are detailed in **Attachment 2**.

### Changes to Section 3 Definitions

A number of new and amended definitions are proposed. Most of the new definitions do not introduce new supported uses but rather serve the following functions:

- create a new umbrella term that encompasses multiple sub-categories of use, which will enable the phasing out of the definitions of those sub-categories of use as part of future amendments; and/or
- formalize and clarify the intent of uses that are already permitted but not adequately defined.

The following changes to Section 3 Definitions are proposed:

- Introduce new definitions for the following terms:
  - Aftercare and Rehabilitation Centre
  - Agriculture
  - Agricultural Liquid Waste
  - Agricultural Processing
  - Agricultural Solid Waste
  - Agri-Tourism
  - Animal Shelter
  - Assisted Living Residence
  - Autobody Repair Services
  - Catering Establishment
  - Cemetery
  - Channelized Stream
  - Confined Livestock Area
  - Commissary Kitchen
  - Congregate Housing
  - Correctional and Parole Facilities
  - Crematoria
  - Dangerous Goods
  - Ditch
  - Farm Product
  - Farm Retail Sales
  - Freight Depot or Terminal
  - Heritage Adaptive Use
  - Industrial, Light
  - Industrial Port or Harbour Use
  - Marina
  - Marine Mooring Facility
  - Natural Areas
  - Nurseries and Greenhouses
  - Open Space
  - Park
  - Parking Facility
  - Post-Secondary Institution
  - Production and Rehearsal Studio
  - Recycling and Waste Processing Facility
  - Religious Assembly
  - Residential Care Facility
  - Salvage Yard
  - Seasonal Feeding Areas
  - Stream
  - Top of Bank
  - Transitional Housing
  - Utility Services
  - Works Yard
  - Zoning District, Base
  - Zoning District, Overlay
  
- Amend definitions for the following terms:
  - Animal Care
  - Artist Studio
  - Civic Facility
  - Commercial Kitchen
  - Community Garden
  - Dwelling Unit
  - Educational Services
  - Group Home
  - Supportive Housing

### Changes to Section 6 Supplementary Regulations

- Add references to the new districts in Section 6 regulations that will apply to them, including Sections 6.2, 6.4, 6.4.1, 6.6, 6.7.1, 6.8A, 6.10, 6.12, 6.14.2, 6.15, 6.20, 6.20.1, 6.27, 6.28, and 6.29.
- Simplify existing language in Section 6.2, *Location and Siting of Buildings and Uses*, for clarity without changing requirements or intent.
- Amend Section 6.4.1, *Height of Buildings in the R (Except R1) and CM Districts*, to remove exemptions relating to double-height lobbies in 6.4.1.1(3)(c), to

remove height conditions in 6.4.1.1(4) now addressed by overlay conditions in proposed Section 6.32, and to clarify height averaging eligibility and methodology in 6.4.1.3.

- Amend Section 6.6, *Accessory Buildings, Structures, and Uses*, to remove a regulation made redundant by prior amendments to the accessory building definition and to move another regulation regarding projections to Section 6.12, *Yards*, where it is most relevant.
- Include parking areas in Section 6.7, *Temporary Buildings*, to apply the same conditions to sites temporarily used for parking, which supports scenarios where empty lots may be used for parking without the erection of a building or structure, such as to better accommodate film and television productions.
- Amend Section 6.8, *Home Occupation*, to clarify and modernize regulations and better align with existing City licencing practices.
- Repeal outdated Section 6.26, *Temporary COVID-19 Pandemic Reopening Measures*.
- Amend the list of uses permitted outside of an enclosed building in Section 6.27 to better align with new or amended terms in Section 3 Definitions and to provide greater clarity for uses already permitted outdoors by definition but not explicitly listed, such as outdoor play areas for animal care uses, recycling centres, and impound lots.
- Clarify language in Section 6.28, *Temporary Use Permits*, without changing the requirements or intent.
- Add new Section 6.32, *Base and Overlay Zoning Districts*, to support the base and overlay conditions outlined in Section 3.1.6 of this report.

#### Changes to Section 700 Comprehensive Development Districts

- Add the new E, I, PM, and AM Districts to the list of permitted district uses in Section 700.1

#### Changes to Parking Section 800

- Add and/or clarify use terms for existing parking rate categories in Section 800.4 to reflect the changes to Section 3 Definitions, without changing existing parking rates (e.g. add “religious assembly” to the existing places of public worship parking rate category and keep existing parking rate)
- Add references to the new districts and clarify that requirements apply to “provided” parking rather than “required” parking in Sections 800.4.3, 800.5, 800.5A, 800.6, 800.8, and 800.9

#### Other Text Amendments

- Update the Table of Contents to include new Zoning Districts
- Add reference to new E, I, PM, and AM Districts in Section 5.1
- Update cover pages for Section 400 M Districts, Section 500 P Districts, and Section 600 A Districts

#### **4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT**

Communications and engagement work on the new development framework, including the land use policy intent of the new Zoning Districts, was advanced together with the Burnaby 2050 OCP and Zoning Bylaw Rewrite processes. Completed and upcoming initiatives include:

- three Burnaby 2050 OCP open houses that presented proposed policy directions in alignment with the proposed new districts in May and June 2024;
- four open houses for the Edmonds, Royal Oak, and Cascade Heights community plans that presented proposed policy directions in alignment with the proposed districts in May and June 2024;
- Zoning Bylaw Rewrite project staff participation and communication materials presented at the aforementioned open house events in May and June 2024;
- Burnaby 2050 OCP land use public engagement initiatives that presented proposed land use mapping in alignment with the development framework in August through October 2024;
- Zoning Bylaw Rewrite website and housing eNewsletter updates on the related height framework and R and CM Districts released in June and July 2025, respectively;
- Burnaby 2050 OCP open houses to present the draft plan and detailed land use policies in alignment with the proposed districts and development framework in April 2025;
- agricultural focus group session in August 2025 with residents and agricultural businesses that informed the community about the upcoming Zoning Bylaw updates to the A1, A2, and A3 Agricultural Districts and other agriculture-related initiatives underway at the City, and gathered feedback on potential permitted uses;
- Zoning Bylaw Rewrite website and eNewsletter updates, along with summary resource guides on the new districts, will be prepared to coincide with anticipated adoption of the proposed Phase 3 amendment in February 2026; and
- staff have been carrying out ongoing direct engagement with business owners, the development industry, and utility providers on the height-based development framework and proposed Zoning Districts since Council endorsement of the height-based framework in October 2024 and will continue to engage them on the proposed interim Phase 3 amendments and final Phase 4 updates.

Furthermore, public and applicant feedback will continue to be monitored following the initial implementation of the new districts as part of the broader Zoning Bylaw Rewrite project. Zoning provisions will be revisited and amended as necessary prior to final adoption of a new Zoning Bylaw in Q2 2026.

Under Section 464(2) of the LGA, a local government may decide to not hold a public hearing on zoning bylaw amendments that are consistent with the OCP. As the

proposed amendments described under Section 3.0 of this report are consistent with the Burnaby OCP 2050 that is anticipated to receive Final Adoption prior to consideration of the bylaws amendments proposed in this report in early 2026, it is recommended that a Public Hearing not be held.

As a Public Hearing is proposed to not be held in respect of the amendments proposed in Section 3.0 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**

There are no financial considerations related to the proposed Zoning Bylaw amendments.

Respectfully submitted,

E.W. Kozak, General Manager Planning and Development

## **ATTACHMENTS**

Attachment 1 – Proposed E1, I1, PM1, PM2, and AM1 District Schedules

Attachment 2 – Proposed Supplementary Zoning Bylaw Text Amendments

## **REPORT CONTRIBUTORS**

This report was prepared by Andrew Macaulay, Senior Planner, and reviewed by Johannes Schumann, Senior Director Development Services, May Leung, City Solicitor and Lee-Ann Garnett, Deputy General Manager Planning and Development.