

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **BURNABY ZONING BYLAW – PROPOSED REPEAL AND REPLACEMENT**
PURPOSE: To seek Council approval to repeal *Burnaby Zoning Bylaw 1965* and replace it with the proposed *Burnaby Zoning Bylaw 2026*, including new Development Permit Area Guidelines and zoning district reassignment.

RECOMMENDATION

THAT the proposed *Burnaby Zoning Bylaw 2026*, as described in Section 3.1 of the report titled “Burnaby Zoning Bylaw – Proposed Repeal and Replacement” dated April 28, 2026, be approved;

THAT the proposed Development Permit Area Guidelines, as described in Section 3.1 of the report, be approved;

THAT the proposed assignment of new zones to properties, as described in Section 3.1 of the report, be approved;

THAT the City Solicitor be authorized to bring forward *Burnaby Zoning Bylaw 2026*, substantially as collectively set out in **Attachments 1, 2, 3 and 4** of the report, effective July 1, 2026;

THAT a Public Hearing not be held for *Burnaby Zoning Bylaw 2026* as it is consistent with the Burnaby 2050 Official Community Plan;

THAT the approach to bringing forward in-progress rezoning bylaws for readings and the transition provisions for issued and in-progress Preliminary Plan Approvals after the effective date of *Burnaby Zoning Bylaw 2026*, as described in Section 2.2.1 of the report be endorsed;

THAT the City Solicitor be authorized to bring forward an amendment to *Burnaby Bylaw Notice Enforcement Bylaw 2009*, as described in Section 2.2.2 of the report, effective July 1, 2026; and

THAT the City Solicitor be authorized to bring forward an amendment to *Burnaby Waivers and Reductions of Amenity Cost Charges and Development Cost Charges Bylaw 2024*, as described in Section 2.2.2 of the report, effective July 1, 2026.

EXECUTIVE SUMMARY

This report presents the proposed *Burnaby Zoning Bylaw 2026* (“Zoning Bylaw 2026”) for Council’s consideration and advancement to First and Second Readings. If adopted, Zoning Bylaw 2026 will replace the City’s current *Burnaby Zoning Bylaw 1965* (“Zoning Bylaw 1965”). The proposed bylaw (**Attachment 1**) is the culmination of a multiyear, multi-phase process and represents the City’s first comprehensive zoning review in 60 years, serving as a key implementation tool for the Burnaby 2050 Official Community Plan (OCP). New Development Permit Area Guidelines (**Attachment 2**, **Attachment 3**, and **Attachment 4**), as enabled through the Burnaby 2050 OCP, are also presented as schedules to the proposed Zoning Bylaw 2026. Adoption of Zoning Bylaw 2026 will repeal Zoning Bylaw 1965, requiring many properties citywide to be assigned to the new zoning districts under Zoning Bylaw 2026.

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)
- Climate Action Framework (2020)
- Mayor’s Task Force on Community Housing Final Report (2019)
- Burnaby Housing Needs Report (2021; interim update 2024)
- Economic Development Strategy (2007)
- HOME: Burnaby’s Housing and Homelessness Strategy (2021)
- Burnaby Transportation Plan (2021)
- Urban Forest Strategy (2025)
- Burnaby 2050 Official Community Plan (2025)

2.0 BACKGROUND

2.1 Zoning Bylaw Rewrite

In late 2023, the City initiated the Zoning Bylaw Rewrite project, the first comprehensive review and update of the City’s Zoning Bylaw in 60 years. The objectives of the Rewrite included:

- 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.

Project Phasing

The Zoning Bylaw Rewrite was carried out as 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.

Phase 3 introduced five additional height-based zoning districts for employment, industrial, park, institutional, and agricultural land uses, which represented the remaining new zoning districts required to implement the Burnaby 2050 OCP land use framework. This major amendment was adopted by Council on March 10, 2026.

The first three phases represented an interim state that allowed the City to continue its transition to the height-based framework and support early implementation of the new Burnaby 2050 OCP land use framework while the full Zoning Bylaw 2026 was still being finalized.

Phase 4 Repeal and Replacement

Phase 4 of the Zoning Bylaw Rewrite is intended to complete the transition to a new Zoning Bylaw 2026, including establishment of Development Permit Area (DPA) Guidelines to implement the Form and Character, Streamside Protection and Enhancement, and Tenant Protection DPAs designated in the Burnaby 2050 OCP.

Phase 4, the culmination of the project as outlined in this report, introduces:

- a new Zoning Bylaw 2026 document, with improved formatting, organization, and visual aids;
- updates to the supplementary regulations of Zoning Bylaw 1965, including administrative and parking-related sections;
- finalized versions of the zoning districts introduced since Phase 1;
- new Development Permit Area (DPA) Guidelines that will form schedules to Zoning Bylaw 2026; and
- a strategy for assigning new zoning districts to properties citywide that are currently zoned with districts that will be repealed with Zoning Bylaw 1965.

The above-noted items would all come into effect through adoption of Zoning Bylaw 2026, which would contain the new DPA Guidelines and an updated Official Zoning Map of Burnaby. The proposed effective date of the new Zoning Bylaw 2026 is July 1, 2026.

Figure 1 – Zoning Bylaw Rewrite Project Timeline and Phasing



2.2 Implementation Approach

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 direction introduced new height-based zoning districts aligned with the Burnaby 2050 OCP land use framework. At that time, Council also directed staff to facilitate height-based development applications through Comprehensive Development (CD) rezonings until the City’s new OCP and Zoning Bylaw 2026 (which includes the DPA Guidelines) were adopted.

The height-based development framework shifts the City’s regulatory approach from density-based controls toward built form, with a greater emphasis on building height, massing, and the relationship of development to the public realm. While this framework prioritizes physical form, land use designations within the Burnaby 2050 OCP and corresponding zoning districts in Zoning Bylaw 2026 will continue to establish permitted uses. Working together, the OCP and Zoning Bylaw 2026 (which includes the DPA Guidelines) provide the primary tools for implementing this framework.

Consistent with the Development Approval Process (DAP) project, the framework is intended to streamline development regulations, improve transparency, and better align development outcomes with the Burnaby 2050 OCP land use framework. The approach is designed to achieve the following objectives:

- Increase transparency and clarity regarding permitted building height and form;
- Simplify development regulations and the approvals process;
- Support greater flexibility for mixed-use development;
- Enhance urban design standards and the relationship between buildings and the public realm;
- Align with the Burnaby 2050 OCP and new provincial legislation related to small-scale multi-unit housing, development financing tools, and development in Transit-Oriented Areas; and
- Maintain opportunities to support affordable housing.

To support these objectives, the framework introduces several key changes to the City’s development regulations, including:

- Establishing permitted building heights within OCP land use designations and corresponding zoning districts;
- Removing Floor Area Ratio (FAR) as a primary development control mechanism;
- Introducing Form and Character DPA Guidelines as a key regulatory tool;
- Aligning major planning policies with the new framework;
- Reducing the number of zoning districts to improve clarity and efficiency; and
- Enhancing opportunities for mixed-use development.

With adoption of Zoning Bylaw 2026 (which includes the Form and Character DPA Guidelines) and repeal of Zoning Bylaw 1965 (which includes the former FAR-based zoning districts), the new land use framework will be fully implemented.

Table 1 provides a comparative summary of the current and proposed implementation approach following adoption of Zoning Bylaw 2026.

Table 1 – Current and Proposed Development Framework Implementation Approach

| Mechanism | Current State (Q1-Q2 2026) | Proposed State (July 1, 2026) |
|-----------------------|--|--|
| OCP | The new Burnaby 2050 OCP, adopted December 9, 2025, defines and is fully supportive of the height-based framework, providing greater site-specific guidance for development than the former OCP. The approval of a rezoning application that does not comply with an OCP land use designation for a given site is subject to an OCP amendment, as set out in the <i>Local Government Act</i> . | |
| Zoning Bylaw | Interim height-based zoning districts and associated regulations added in phases to Zoning Bylaw 1965. Existing legacy districts and their FAR-based requirements remain to support in-progress applications. Properties may be rezoned in alignment with new height-based framework subject to CD rezoning to provide greater design control in the absence of Form and Character DPA Guidelines. | FAR-based zoning districts repealed with adoption of Zoning Bylaw 2026. Height-based zoning districts fully align with new Form and Character DPA Guidelines and Burnaby 2050 OCP land use designations, as per Table 4 below. All properties (other than those zoned R1 District or CD District) in the City assigned new height-based zoning district. In-progress applications based on legacy districts may be adopted up to December 9, 2026. |
| DPA Guidelines | The City 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 Zoning Bylaw 1965, and City policies (such as Rental Use Zoning Policy and Tenant Assistance Policy). | New Form and Character DPA Guidelines and permitting process to provide clearer expectations and greater control over design and development outcomes. New SPEA DPA Guidelines provide protection of streamside and riparian areas. New Tenant Protection DPA Guidelines, accompanied by new Tenant Protection Bylaw (to appear in a separate report) replace former policies. DPA guidelines attached as schedules to Zoning Bylaw 2026. |

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

2.2.1 Transition for In-Progress Applications

Preliminary Plan Approvals

To support the completion of recently approved and active applications made under Zoning Bylaw 1965, and also to provide clear direction on how much time an applicant has to act on an approved application, and when an application must be approved before it will be cancelled and a new application must be submitted under Zoning Bylaw 2026, a one year transition period is proposed for issued and valid Preliminary Plan Approval (PPA) as well as active PPA applications. The following transition approach is proposed for these situations:

- If, prior to the Zoning Bylaw 2026 effective date (July 1, 2026), a complete PPA application is received, or if a PPA was issued and remains valid on July 1, 2026, then Zoning Bylaw 2026 will not apply to the land that is the subject of the PPA application or issued PPA for 12 months (until July 1, 2027) and instead Zoning Bylaw 1965 will apply.
 - The related building permit (BP) must be applied for within 12 months of the effective date of Zoning Bylaw 2026 (on or before July 1, 2027), after which the PPA under Zoning Bylaw 1965 will cease to be valid and the submission of a new application under Zoning Bylaw 2026 and the new DPA Guidelines will be required.

Rezoning Applications

The approach for the management of rezoning applications made before the adoption of Burnaby 2050 OCP is outlined in section 4.3 of the Council report titled “Burnaby 2050 Official Community Plan – Final Version”, dated September 9, 2025, and is as follows:

- If a rezoning application was made prior to the adoption of Burnaby 2050 OCP (Dec. 9, 2025) and it does *not* align with new OCP, then it would need to be adopted by Dec. 9, 2026, after which it would be cancelled and a new rezoning application will be required, which will be subject to Burnaby 2050 OCP (per September 2025 OCP report), and Zoning Bylaw 2026 and new DPA Guidelines.

Rezoning Bylaws for In-Progress Rezoning Applications

As of July 1, 2026, being the effective date of Zoning Bylaw 2026 and repeal of Zoning Bylaw 1965, a number of amendment bylaws of Zoning Bylaw 1965 for in-progress rezoning applications (“in-progress rezoning bylaws”) will have received at least one reading but not been adopted. Provided there are no changes to the land use regulations applicable to the proposed development on the lands under an in-progress rezoning bylaw, it is proposed that minor alterations be made to the in-progress rezoning bylaw as may be required to allow the bylaw to be adopted under Zoning Bylaw 2026 as follows:

- For those in-progress rezoning bylaws that have received first or second reading as of July 1, 2026, it is proposed that minor alterations be made to the text of the in-progress rezoning bylaw either between first and second reading, or between second and third reading, as applicable, of the in-progress rezoning bylaw
- For those in-progress rezoning bylaws that have received third reading as of July 1, 2026, it is proposed that Council rescind third reading of the in-progress rezoning bylaw and give third reading to the in-progress rezoning bylaw, as amended.

2.2.2 Complementary Bylaw Amendments and Development Procedures Bylaw

Amendment to Burnaby Bylaw Notice Enforcement Bylaw

Currently Schedule “A” of the Burnaby Bylaw Notice Enforcement Bylaw establishes a contravention of Zoning Bylaw 1965, section 4.1 (which requires conformity with the Zoning Bylaw) as non-compliance that can be subject to bylaw violation penalties. Section 4.1 is proposed to remain unchanged and be included in Zoning Bylaw 2026 as Part 1, Section 5.1. Due to the repeal and replacement of Zoning Bylaw 1965 and section number change, Schedule “A” of the Bylaw Notice Enforcement Bylaw needs to be amended. In addition, it is proposed to update the associated penalty amounts to align with the maximum permitted under the Burnaby Bylaw Notice Enforcement Bylaw, increasing the penalty from \$400 to \$500 and the discounted penalty from \$320 to \$400. It is proposed that the following table replace the penalties for Zoning Bylaw 1965 under the Bylaw Notice Enforcement Bylaw:

Table 2 – Proposed Bylaw Violation Notice Penalties

| Bylaw Section | Description | A1 Penalty Amount | A2 Discounted Penalty (within 15 days) | A3 Compliance Agreement Available (50% reduction) |
|------------------|--|----------------------|---|--|
| | The following fines apply to the contraventions below: | | | |
| | Burnaby Zoning Bylaw 2026 | \$ | \$ | |
| Part 1-5.1(1)(a) | Use or occupation of land, building or structure, including the surface of water, in a manner that does not conform with the bylaw | 500 | 400 | YES |
| Part 1-5.1(1)(b) | Erecting, moving, altering or enlarging a building or structures in a manner that does not conform with the bylaw | 500 | 400 | YES |

Amendment to Burnaby Waivers and Reductions of Amenity Cost Charges and Development Cost Charges Bylaw

In response to proposed updates to inclusionary rental requirements, including the incorporation of rental replacement provisions (as described in Section 3.1.1 of this report), the following housekeeping amendments to definitions are proposed in the *Burnaby Waivers and Reductions of Amenity Cost Charges and Development Cost Charges Bylaw 2024* (“Waivers and Reductions Bylaw”):

Table 3 – Proposed Text Amendments to Definitions in Waivers and Reductions Bylaw

| Defined Term | Existing Definition | Proposed Definition |
|---------------------------|--|---|
| affordable housing | means any one of the classes of affordable housing prescribed in section 2 of the <i>Prescribed Classes of Affordable Housing (Local Government Act) Regulation</i> for the purposes of section 570.4(5) of the <i>Local Government Act</i> , but excludes any rental dwelling units provided in accordance with Stream 1 or Stream 2 of the Rental Use Zoning Policy | means any one of the classes of affordable housing prescribed in section 2 of the <i>Prescribed Classes of Affordable Housing (Local Government Act) Regulation</i> for the purposes of section 570.4(5) of the <i>Local Government Act</i> , but excludes any rental dwelling units provided in accordance with: <ul style="list-style-type: none"> (a) Stream 1 or Stream 2 of the Rental Use Zoning Policy; (b) Schedule XI of <i>Burnaby Zoning Bylaw, 1965</i>; or (c) Part 5-1.0 of the <i>Zoning Bylaw</i> |
| Zoning Bylaw | means the <i>Burnaby Zoning Bylaw, 1965</i> , as amended or replaced from time to time | means <i>Burnaby Zoning Bylaw 2026</i> , as amended or replaced from time to time |

Forthcoming Development Procedures Bylaw

A subsequent report will be brought forward to Council to introduce a new *Burnaby Development Procedures Bylaw* to repeal and replace the current *Development Procedures Bylaw 2022* (Bylaw No. 14427). Under section 460 of the *Local Government Act*, a local government that adopts an OCP or Zoning Bylaw must define procedures for applications to amend the OCP or Zoning Bylaw or permits under Part 14 of the *Local Government Act* (such as development permits, development variance permits, temporary use permits, etc.). Currently these procedures are separately set out in the Burnaby OCP, Zoning Bylaw 1965, and Development Procedures Bylaw 2022. It is proposed that these and other types of development applications be set out in a consolidated Development Procedures Bylaw. This consolidated approach will support implementation of Zoning Bylaw 2026 and the City’s updated development framework.

2.3 Committee of the Whole

On February 23, 2026, staff presented to Committee of the Whole key Phase 4 changes and implementation considerations proposed as part of the final repeal and replacement of Zoning Bylaw 1965 with Zoning Bylaw 2026. Key changes and new regulations discussed, included new approaches to:

- minimum building separations, maximum floorplate sizes, and minimum dwelling unit sizes;
- minimum permeable areas and R1 District tree requirements; and
- off-street parking, loading, and bicycle parking.

Section 3.1.2 of this report summarizes those topics where revisions were made in response to Committee of the Whole feedback.

3.0 GENERAL INFORMATION

This section of the report provides an overview of:

- the proposed Zoning Bylaw 2026 document (**Attachment 1**), including its structure, key revisions resulting from Committee of the Whole feedback, and a summary of all other supporting new or updated regulations in each section of Zoning Bylaw 2026;
- a summary of the three new sets of DPA Guidelines that will be included as schedules to Zoning Bylaw 2026:
 - Form and Character DPA Guidelines (**Attachment 2**);
 - Streamside Protection and Enhancement DPA Guidelines (**Attachment 3**);
 - Tenant Protection DPA Guidelines (**Attachment 4**); and
- the proposed approach to reassign zoning districts repealed with Zoning Bylaw 1965 to new zoning districts under Zoning Bylaw 2026.

3.1 Proposed Zoning Bylaw 2026

3.1.1 Zoning Bylaw 2026 Document

The proposed Zoning Bylaw 2026 will replace the City’s current Zoning Bylaw 1965 and earlier Zoning Bylaw Rewrite amendments with a fully consolidated and modernized regulatory document that introduces a clearer and more intuitive document structure.

Improvements include enhanced formatting, a clearer hierarchy of information, and the increased use of visual aids such as tables and diagrams. Large blocks of text present in Zoning Bylaw 1965 have been reorganized into shorter sections with clearer headings and sub-sections to improve readability and interpretation for applicants, staff, and the public.

Document Structure

The proposed bylaw is organized into the following major Parts:

- Part 1 Administration
- Part 2 Definitions
- Part 3 Zoning Districts
- Part 4 General Regulations
- Part 5 Rental Housing and Bonus Incentives
- Part 6 Use-Specific Regulations
- Part 7 Parking, Loading, and Mobility
- Schedules: Development Permit Area Guidelines

Part 1 Administration

The Administration section consolidates introductory provisions formerly located throughout Sections 1, 2, 4, 5, 6, 7, 8, and 9 of Zoning Bylaw 1965, to establish the administrative framework for Zoning Bylaw 2026, and includes enforcement provisions, and interpretation rules. Part 1 also contains the new Official Zoning Map of Burnaby that reflects proposed zoning district reassignment as further described in section 3.3 of this report.

Part 2 Definitions

The Definitions section will be updated primarily to remove outdated terms no longer in use, improve clarity and consistency of existing definitions, and introduce new definitions required to support the updated regulatory framework and DPA Guidelines.

Part 3 Zoning Districts

Part 3 will contain the City’s new zoning districts, which Council previously adopted as new interim zoning districts in Zoning Bylaw 1965. These districts will be reformatted within the new Zoning Bylaw 2026 and include minor adjustments to align with the proposed DPA Guidelines and improve consistency with other regulatory updates.

Table 4 – Land Use Designations in the OCP and Corresponding Zoning Districts in Zoning Bylaw 2026

| OCP Land Use Designation | | Zoning District | Adopted into Zoning Bylaw 1965 |
|--------------------------|---------------------------------------|------------------|--------------------------------|
| | Small-Scale Multi-Unit Housing | R1 | June 10, 2024 |
| | Townhouse | R2 | June 10, 2025 |
| | Low-Rise Apartment 1 | R3 | June 10, 2025 |
| | Low-Rise Apartment 2 | R4 | June 10, 2025 |
| | Mid-Rise Apartment 1 | R5 | June 10, 2025 |
| | Mid-Rise Apartment 2 | R6 | June 10, 2025 |
| | High-Rise Apartment 1 | R7 | June 10, 2025 |
| | High-Rise Apartment 2 | R8 | June 10, 2025 |
| | Neighbourhood Commercial | C1 (Interim CM1) | June 10, 2025 |
| | General Commercial | C2 (Interim CM2) | June 10, 2025 |
| | Employment | E1 | March 10, 2026 |
| | Industrial | I1 | March 10, 2026 |
| | Parks, Open Spaces, and Natural Areas | P1 (Interim PM1) | March 10, 2026 |
| | Institutional | P2 (Interim PM2) | March 10, 2026 |
| | Agricultural | A1 (Interim AM1) | March 10, 2026 |

Legacy zoning districts associated with Zoning Bylaw 1965, such as former FAR-based RM multi-family districts, will be repealed as part of the adoption of the Zoning Bylaw 2026, as further described in section 3.3 of this report.

Part 4 General Regulations

The General Regulations section will largely carry forward existing regulations from Section 6 Supplementary Regulations of Zoning Bylaw 1965. In particular, Part 4 will contain regulations related to such matters as lot configuration, building siting, projections, building height, and landscaping, and will introduce new requirements related to building separation, floorplate sizes, minimum dwelling unit sizes, and permeable area, as discussed at Committee of the Whole on February 23, 2026, and with revisions in response to comments received at that Committee of the Whole (see section 3.1.2 below).

Part 5 Rental Housing and Bonus Incentives

The Rental Housing and Bonus Incentives section will contain the City’s inclusionary rental housing and community benefit bonus provisions. No changes are proposed to existing community benefit bonus provisions, but changes are proposed to the inclusionary rental requirements to incorporate provisions for rental replacement units.

These changes were first introduced at Planning and Development Committee (PDC) in the report titled “Tenant Protection Framework and Tenant Protection Bylaw and Associated Bylaw Updates,” dated March 31, 2026.

The following requirements, previously part of Stream 1 of the Rental Use Zoning Policy (RUZP), are proposed to be carried forward without change:

- returning tenants shall be offered a replacement rental unit with the same number of bedrooms as the unit they occupied on the eligibility date; and
- returning tenants will pay the same rent they paid on the eligibility date, plus any annual increases permitted under the Residential Tenancy Act (RTA).

However, changes are proposed in relation to second tenancy, where a TPB-eligible tenant does not return or later moves out of their replacement rental unit.

Under the RUZP (Stream 1), once a replacement unit became vacant, it reverts to an inclusionary unit with rent set at 20% below CMHC median rents. Under the proposed update to inclusionary rental requirements in Zoning Bylaw 2026, once a replacement rental unit is no longer rented to a returning tenant, it will revert to the requirements of the inclusionary rental provisions in Part 5 of Zoning Bylaw 2026 instead of the RUZP.

The proposed inclusionary rental provisions outline:

1. Where the number of replacement rental units exceeds the required inclusionary obligation:
 - At second tenancy, replacement rental units shall be designated as inclusionary units until the required inclusionary threshold is met.
 - Any remaining replacement units beyond the required inclusionary threshold shall, at second tenancy, be designated as market rental units.
2. Where the number of replacement rental units is less than the inclusionary rental unit obligation:
 - Additional units shall be designated as inclusionary units to achieve the required inclusionary rental unit threshold (as described in Option 2B in the financial impact evaluation included as **Attachment 6**).
3. Where no inclusionary housing requirement applies to the development:
 - At second tenancy, all replacement rental units shall be designated as market rental units.

Attachment 7 provides an example illustrating how inclusionary and rental replacement requirements would be applied at both initial occupancy and second tenancy. The example demonstrates how units are designated as inclusionary, replacement, or

market rental depending on the number of replacement units provided and the applicable inclusionary requirement.

A financial analysis was completed by Coriolis on March 11, 2026 to review both of these instances for second tenancy cases, as outlined in **Attachment 6**.

In April 2026, a copy of the report titled “Tenant Protection Framework and Tenant Protection Bylaw and Associated Bylaw Updates,” introduced to PDC on March 31, 2026, was provided to the Urban Development Institute (UDI) as part of consultation with development industry stakeholders to inform implementation and receive feedback. City staff will hold a subsequent meeting with UDI in May to review the proposed changes and respond to questions.

Part 6 Use-Specific Regulations

Part 6 consolidates regulations previously contained within Section 6 Supplementary Regulations of Zoning Bylaw 1965 that are specific to use, such as provisions for Temporary Use Permits, or that apply conditions to particular uses across multiple zoning districts, such as home occupations, child care facilities, and secondary suites.

Part 7 Parking, Loading, and Mobility

The Parking, Loading, and Mobility section contains and reorganizes regulations previously under the Off-Street Vehicle Parking, Off-Street Loading, and Off-Street Bicycle Parking & End of Trip Facilities schedules in Zoning Bylaw 1965. Key changes were discussed at Committee of the Whole on February 23, 2026, and related revisions are further outlined in section 3.1.2 below.

Schedules: Development Permit Area Guidelines

Three schedules will be appended to Zoning Bylaw 2026 containing the new DPA Guidelines, as further described in section 3.2 of this report.

3.1.2 Proposed Changes in Response to Committee of the Whole Feedback

The following summarizes key changes resulting from Committee of the Whole feedback on February 23, 2026.

Building Separations

Within Zoning Bylaw 1965, Section 6.3 contains provisions for minimum separation between buildings on the same lot (not including the R1 District). These provisions establish a wide range of separation requirements—from 1.8 m to over 30 m—depending on factors such as building height, whether walls contain windows, and whether the building is residential or non-residential. For a typical windowed multi-family residential building, the Zoning Bylaw 1965 applies three different sets of requirements depending on building height and zoning district. Buildings up to three storeys require a minimum separation of 7.5 m, while buildings taller than three storeys are subject to a formula that increases separation with height. In the RM4 and RM5 Districts, buildings above the sixth storey must provide a fixed face-to-face tower separation of 30 m.

Table 5 – Example of Minimum Building Separations from Zoning Bylaw 1965

| Minimum Building Separation (Face-to-Face, Applies to All Storeys) | | | | |
|--|--|---|-------------------------|--|
| Building Height | Residential (w/ Windows) | Residential (w/o Windows) | Commercial (w/ Windows) | Commercial (w/o Windows) |
| 3 Storeys | 7.5 m | 3.5 m | 4.5 m | 1.8 m for accessory buildings – no explicit provisions for walls of principal commercial buildings without windows |
| 4 Storeys | 15.9 m | 3.5 m | 4.5 m | |
| 6 Storeys | 20.4 m | 3.5 m | 4.5 m | |
| 12 Storeys | 25.8 m (30 m above 6 th storey) | 3.5 m (30 m above 6 th storey) | 4.5 m | |
| 20 Storeys | 33 m | 3.5 m (30 m above 6 th storey) | 4.5 m | |
| 40 Storeys | 51 m | 3.5 m (30 m above 6 th storey) | 4.5 m | |

In practice, these provisions are complex to interpret and do not align well with contemporary development practices. Because the requirements vary depending on several factors and require calculations to determine compliance, they are frequently modified through Comprehensive Development (CD) rezonings to achieve appropriate built form outcomes.

Zoning Bylaw 2026 introduces simplified building separations that establish a consistent set of baseline distances applicable across multiple zoning districts. Rather than relying on formulas, the new requirements apply discrete separation distances based on storey ranges that correspond with common building components such as podiums, towers, and transitional floors between these forms. These distances are based on a review of existing and recently approved development projects in Burnaby and other Canadian cities, such as Vancouver and Toronto, and are generally consistent with separation standards achieved through recent CD rezonings. The new provisions will apply to buildings located both on the same lot and on adjacent lots.

In response to feedback from Committee of the Whole, building separations have been differentiated between residential and commercial buildings and are proposed to be increased by 3 m to 10 m for most storey ranges, with the greatest setbacks for residential buildings.

Table 6 – Proposed Minimum Building Separations for Zoning Bylaw 2026

| Minimum Building Separation (Clear Distance, Face-to-Face, w/ or w/o Windows) | | | |
|---|------------------|---------------------|--------------------|
| Storey Range | Proposed at COTW | Revised Residential | Revised Commercial |
| Storey 1 to 4 | 6.0 m | 6.0 m | 6.0 m |
| Storey 5 to 6 | 6.0 m | 12.0 m | 9.0 m |
| Storey 7 to 12 | 9.0 m | 15.0 m | 12.0 m |
| Storey 13 to 40 | 20.0 m | 25.0 m | 20.0 m |
| Storey 41+ | 20.0 m | 30.0 m | 25.0 m |

The updated framework maintains the objective of supporting privacy and access to light while allowing greater flexibility in building design. For example, podium storeys (up to the first six storeys) may be permitted to share a party wall with no separation where appropriate, reflecting conditions commonly seen in low-rise buildings and the podiums of taller buildings along commercial corridors.

While Zoning Bylaw 2026 establishes clear baseline separation distances, the Form and Character DPA Guidelines provide additional design guidance and allow site-specific refinement through the development permit process. For example, proposed guidelines will specifically address privacy considerations through design strategies such as window placement, glazing treatments, screening elements, and landscape buffers.

Minimum Permeable Lot Area

To help advance the City’s adopted Urban Forest Strategy and OCP, new requirements for landscaping were proposed and discussed at Committee of the Whole.

This included reframing existing maximum impervious surface area requirements, which currently only apply to the R1 District, to minimum permeable area requirements, and introducing new minimum permeable area requirements in all other zoning districts.

In response to feedback from Committee of the Whole, the proposed minimum permeable area, as a percentage of total lot area, increased from 5% to 10% for the Industrial (I1) District:

Table 7 – Proposed Minimum Permeable Lot Area for Zoning Bylaw 2026

| Minimum Permeable Area | | |
|------------------------|------------------|----------------|
| Zoning District | Proposed at COTW | Revised Values |
| SSMUH (R1) | 30-40% | 30-40% |
| Residential (R2-R8) | 30% | 30% |
| Commercial (C1, C2) | 20% | 20% |
| Employment (E1) | 10% | 10% |
| Industrial (I1) | 5% | 10% |
| Institutional P2) | 20% | 20% |

For all permeability requirements, at least half the permeable area must be provided as vegetated area (cannot be permeable pavers or other porous hardscape). Where there is an overlay Zoning District, the lower requirement between the Zoning Districts will apply. Vegetated areas (i.e. areas planted with trees and shrubs) contribute additional environmental benefits including evapotranspiration, air filtration, habitat, and reduced energy consumption through shade; and are therefore proposed to be credited at a higher rating than permeable surfaces on their own.

R1 District Tree Requirements

Proposed minimum tree requirements for R1 District lots were previously discussed with Committee of the Whole. In response to Committee feedback, staff will continue to review these requirements alongside updates to the Tree Bylaw and other Urban Forest Strategy implementation measures, to be brought forward to Council at a later date.

In the interim, an incentive-based approach is proposed for the R1 District to support tree retention. Areas identified as tree protection zones within an approved tree management plan may be credited toward the required minimum permeable lot area at a rate of 1.6 times the protected area. Additional details are provided in Part 4, Section 4.3 of **Attachment 1**.

Parking

Recent parking studies (e.g. from NAIOP, Bunt & Associates, and UDI) and consideration of changes made to parking rates in other Metro Vancouver municipalities generally suggest that current minimum required parking and loading rates in Burnaby, particularly for non-residential uses such as commercial, employment, and industrial properties, are resulting in parking space oversupply.

At the February 23, 2026, Committee of the Whole meeting, staff presented proposed reduced parking rates for various uses including commercial uses and office/healthcare facility uses for sites located within a Transit-Oriented Area (TOA) or Frequent Transit Network Area (FTNA).

Separate rates for these uses are proposed given that office and healthcare facilities will be permitted widely outside of commercial zones (e.g. in the E1 and P2 Districts) as principal uses, including outside TOAs and FTNAs.

For Employment and Industrial uses, the Committee discussed whether reduced parking rates for larger sites (i.e. sites exceeding 9,290 m²) should be limited to certain areas, citing concerns about potential parking spill-over effects into adjacent residential neighbourhoods. Specifically, employment and industrial areas in the Big Bend and Lake City (north of Lougheed Highway) community plan areas were identified as areas where further reduced parking rates for larger sites could be considered given they are located further or otherwise more isolated from residential areas, thus generating less concern about potential parking spill-over effects.

Required parking rates for civic uses were also discussed at Committee of the Whole, with concerns raised about not requiring minimum parking for such uses. Based on this discussion, staff have proposed a minimum rate of 1 space per 33.3 m² for civic uses.

Table 8 summarizes proposed revised parking rates for Zoning Bylaw 2026, in consideration of feedback from the February 23, 2026, COTW meeting.

Table 8 – Proposed Parking Rate Changes for Zoning Bylaw 2026

| Land Use | Current | Proposed |
|--|---|---|
| Business and Administrative Office, including health care facilities | 1 space / 55 m ² | 1 space / 93 m ² within TOA or FTNA; 1 space / 55 m ² outside TOA or FTNA |
| Commercial Uses (C2 on lots >250 m ²) or outside of C, R Districts | 1 space / 55 m ² | 1 space / 93 m ² |
| Employment and Industrial Uses | 1 space / 93 m ² , plus 1 space / 55 m ² used for indoor display, rental, or retail | 1 space / 186 m ² for sites ≤ 9,290 m ² ; 1 space / 385 m ² for sites > 9,290 m ² in the Big Bend and Lake City (north of Lougheed Highway) Community Plan Areas |
| Self-storage facilities | 1 space / 1,062 m ² | 1 space / 1,100 m ² |
| Civic Uses | As per Assembly, Entertainment, Recreation and Fitness use requirements | 1 space / 33.3 m ² |

Other Regulations Discussed at Committee of the Whole

Proposed approaches to requiring maximum floorplate sizes, aligning minimum dwelling unit sizes with BC Housing standards, defining new loading space classifications, removing payment-in-lieu of parking provisions, and reducing car wash and bike parking rates discussed at Committee of the Whole remain unchanged from those presented and are noted in section 3.1.3 below.

3.1.3 Other Supporting Changes

The following summarizes supporting changes proposed to all sections of Zoning Bylaw 2026 relative to the equivalent sections of Zoning Bylaw 1965 in support of the City's new development framework and are detailed in **Attachment 1**.

Part 1 Administration

Proposed Part 1, Administration, consolidates introductory provisions formerly located in Sections 1, 2, 4, 5, 6, 7, 8, and 9 of Zoning Bylaw 1965.

The following key changes are proposed:

- Add transitional provisions for in-progress PPA applications to provide a 1-year period following the effective date of the Zoning Bylaw 2026 (proposed to be July 1, 2026) for applications to receive final approval.
- Remove former Zoning Bylaw 1965 purpose statement.
- Remove provisions that will be addressed in the *Burnaby Development Procedures Bylaw* relating to administration of PPAs (being replaced by new Development Permit process), the Zoning Bylaw amendment process, and fees.
- Insert the Official Zoning Map reflecting assignment of new zoning districts as described in section 3.3 of this report.
- Add clarifying interpretation provisions on how numeric requirements should be rounded and how certain common bylaw language should be interpreted (e.g. when “including” is used in a provision).

Part 2 Definitions

The Definitions section of Zoning Bylaw 2026 has been streamlined and modernized, reducing the total number of defined terms while improving clarity and flexibility. A total of 30 new definitions have been introduced to support emerging policy areas, including environmental protection, tenant protection, and the City's updated development framework.

At the same time, 64 legacy definitions—primarily highly specific or outdated land use categories—have been removed or consolidated into broader use classifications. Many retained definitions have also been refined to improve clarity, consistency, and alignment with contemporary planning practices.

The following changes to Part 2 Definitions are proposed:

- Introduce new definitions for the following terms:
 - Active Floodplain
 - Building Separation
 - Deep Soil
 - Ditch, Class C
 - Driveway
 - Eligible Caretaker
 - Fish
 - Floor Plate Area
 - Growing Medium
 - Master Plan
 - Parking Space, Tandem
 - Permeable Surface
 - Ravine
 - Redevelopment
 - Replacement Rental Unit Rate
 - Returning Tenant
 - Riparian Area
 - Secondary Rental Unit
 - Significant Tree
 - Stepback
 - Stream, Non-Permanent
 - Stream, Permanent
 - Streamside Protection and Enhancement Area
 - Structural Soil
 - Top of Ravine Bank
 - Warehouse, Packaging, and Distribution Facility
 - Watercourse, Class A
 - Watercourse, Class A/O
 - Watercourse, Class B
 - Wetland
- Amend definitions for the following terms:
 - Accessory Building
 - Accessory Use
 - Active Mobility Hub
 - Adaptable Housing Unit
 - Adjusted Pre-Development Rent
 - Aftercare and Rehabilitation Centre
 - Apartment > Dwelling, Apartment
 - Bedroom
 - Channelized Stream
 - Ditch
 - Dwelling Unit
 - Family > Household
 - Flex Unit > Lock-off Unit
 - Freight Depot or Terminal
 - Home Occupation
 - Inclusionary Rental Rate
 - Inclusionary Rental Unit
 - Industrial Fuelling Installation > Industrial Fueling Station
 - Live-Work Unit
 - Lot Coverage
 - Marine Mooring Facility
 - Replacement Rental Unit
 - Residential Use Building
 - Public Assembly and Entertainment Use > Assembly and Entertainment
 - Salvage Yard
 - School, Commercial
 - Short-Term Rental
 - Storage Yard
 - Stream
 - Visitor Accommodation
 - Wholesale > Wholesale Facility
- Remove definitions for the following terms – note that most removed uses will be regulated under new, more broadly-defined use categories, as noted:
 - Amenity Space, Private Hospital and Supportive Housing Facility
 - Antique and Collectible Store > Retail

- Automobile Repair Services > Service Station
- Automobile Wrecking Yard > Salvage Yard
- Automotive Repair Shop > Service Station
- Bainbridge Urban Village Community Plan Area
- Beverage Container Return Centre > Recycling Centre
- Billiard Hall > Assembly and Entertainment
- Block Front
- Boarding, Lodging or Rooming House
- Body Rub Salon
- Building, Front Line of
- Building, Rear Line of
- Cartage, Delivery, and Express Facility > Warehouse, Packaging, and Distribution Facility
- Central Veterinary Hospital > Animal Care
- Children's Institution > Residential Care Facility
- College and University > Post-Secondary Institution
- Conforming Building or Use
- Court
- Curb Level
- Cyber Entertainment Use > Assembly and Entertainment
- Depth, Principal Building
- Discotheque > Assembly and Entertainment
- Drive-In Business
- Dwelling, Multiple Family > Dwelling, Townhouse / Dwelling, Apartment
- Floor Area Ratio
- Gaming Facility > Gaming Establishment
- Gaming House > Gaming Establishment
- Garage, Private
- Gasoline Service Station, Conventional > Service Station
- Gasoline Service Station, Self-Serve > Service Station
- Hospital, Private > Congregate Housing
- Hotel > Visitor Accommodation
- Hotel, All Suite > Visitor Accommodation
- Hotel, Motor > Visitor Accommodation
- Junior One-Bedroom Unit
- Junk Yard > Salvage Yard
- Learning Centre > Educational Services
- Liquor Licence Establishment
- Lochdale Urban Village Community Plan Area
- Lunch Bar
- Manufacturing or Processing > Industrial, Light
- Mausoleum > Cemetery
- Mini-Warehouse > Storage Facility
- Mobile Home
- Mobile Home Lot
- Mobile Home Park
- Motel or Auto Court > Visitor Accommodation
- Motor Vehicle Inspections > Service Station
- Multi-Family Flex Unit
- Outdoor Garden Shop > Retail
- Outdoor Produce Shop > Retail
- Parking Garage > Parking Facility

- Pawnshop > Retail
- Payment-in-Lieu of Parking
- Recreational Vehicle Park
- Recreational Vehicle Space
- Riding Academy > Agricultural Use
- Second-Hand Store > Retail
- Shopping Centre > Retail
- Taxi Dispatch Office > Office / Transportation Facility
- Taxi Service Centre > Transportation Facility
- Truck Terminal > Freight Depot or Terminal
- Utility Corridor > Utility Services

Part 3 Zoning Districts

The following changes are proposed to the previously adopted Zoning Districts:

R1 District

- Update the layout and organization of existing R1 District regulations.
- Remove Boarding, Lodging, and Rooming House as a permitted use, as this is an outdated use that previously required CD rezoning under Zoning Bylaw 1965.
- Add Home-Based Child Care Facility, Secondary Suite, and Short-Term Rental as permitted accessory uses, which were previously allowed under Section 6 (Supplementary Regulations) but not explicitly listed in the R1 District.
- Relocate former Section 6.17 (Cellars and Basements) to Section 1.1.5.2 (Height), as these provisions apply specifically to the R1 District and clarify how height is measured in relation to sunken basement access areas and window wells.
- Add new diagrams to support interpretation of height measurement methodology.

R2-R8 Districts

- Add Transitional Housing and Congregate Housing, which includes Assisted Living Residences and Residential Care Facilities (common forms of seniors housing), as permitted uses.
- Add Mobile Retail and Restaurant (e.g. food trucks) as permitted secondary commercial uses in the R2 and R3 Districts.
- Exempt child care facilities from the 250 m² floor area limit applicable to secondary commercial uses.
- Align minimum interior side yard setbacks in the R3 and R4 Districts with those in the R5 through R8 Districts, allowing a 0.0 m setback where low-rise buildings and/or podiums share a party wall, and otherwise requiring a minimum 3.0 m setback.

C1 and C2 Districts

- Add Social Service Centres (e.g. non-profit office space, neighbourhood houses) as a permitted use.
- Remove the condition related to visual obstruction of ground-level windows, as this will be addressed through the Form and Character DPA Guidelines.
- Remove the requirement for educational services to be located above the ground floor to improve flexibility and support business viability.
- Clarify conditions related to the residential and commercial components of live-work units.
- Increase the minimum street yard setback from 2.0 m to 3.0 m to align with the R2 through R8 Districts and support more consistent requirements for mixed-use developments.
- Redesignate storage facilities in the C2 District from a principal use to a secondary use, maintaining the requirement that they be located above the ground floor.

E1 District

- Remove Fleet Dispatch Centre from the list of permitted uses, as it is already permitted under Transportation Facility uses.
- Add Active Mobility Hub (e.g. bike-share kiosk) as a permitted secondary use, consistent with the C Districts.
- Remove the requirement for principal assembly and entertainment uses to be located above the ground floor to improve flexibility and support business viability.
- Remove the 250 m² floor area limit for secondary personal and business services, as it was originally carried over from the I1 District to restrict non-industrial uses and is not necessary within the context of the E1 District.

I1 District

- Remove Fleet Dispatch Centre from the list of permitted uses, as it is already permitted under Transportation Facility uses.
- Add Active Mobility Hub (e.g. bike-share kiosk) as a permitted secondary use.
- Introduce a condition of use requiring Salvage Yards to be located a minimum of 30 m from any A1 District lot to reduce the potential for ground contamination of adjacent agricultural lands.

P1 and P2 Districts

- Add a clarifying condition of use in the P2 District to allow secondary uses associated with a post-secondary institution to be located on a separate lot, provided the lot is owned, leased, or controlled by the institution, to support campus-wide siting flexibility.

- Increase the minimum street yard setback from 2.0 m to 3.0 m to align with the C and R2 through R8 Districts and support more consistent requirements for mixed-use developments (e.g. sites with a P2 base and R District overlay).

A1 District

- Clarify setback requirements for A1 District lots where they abut residential uses on non-A1-zoned lots.

CD Districts

- Update provisions to reflect the revised approach to CD Districts, which:
 - reduces reliance on CD rezonings by expanding mixed-use opportunities within standard zoning districts; and
 - enhances flexibility by allowing CD Districts to establish comprehensive site-specific regulations without referencing underlying zones.
- Add transitional provisions for existing and in-progress CD District sites.

Part 4 General Regulations

- Relocate lot coverage calculation exclusions from the former “lot coverage” definition to new Part 4, Section 1.1.
- Introduce building separation requirements in new Part 4, Section 1.2, as described in section 3.1.2 of this report.
- Add lot line setback requirements for the R3 through R8, C, and P2 Districts to clarify building form conditions related to setbacks and setbacks above the sixth storey.
- Clarify how height averaging provisions apply to master plan sites.
- Remove height-based districts from gross floor area calculation provisions, retaining floor area requirements for the R1 and A1 Districts.
- Revise minimum dwelling unit floor area requirements, as presented to the Committee of the Whole on February 23, 2026, to align with BC Housing guidelines and harmonize requirements for strata and rental units.
- Introduce maximum floorplate requirements for the R3 through R8 and C Districts, as presented to the Committee of the Whole on February 23, 2026.
- Update former SPEA regulations to align with the new SPEA DPA Guidelines.
- Introduce permeable surface requirements, as described in section 3.1.2 of this report.

Part 5 Rental Housing and Bonus Incentives

- Incorporate new rental replacement unit provisions into inclusionary rental requirements, as described in section 3.1.1 of this report.

Part 6 Use-Specific Regulations

- Remove the 10-year time limit for school portables to enable more responsive and flexible approaches to meeting school capacity needs.
- Remove the requirement for Temporary Use Permits (TUPs) to align with the OCP, as TUPs are intended to allow uses on a temporary basis that may not otherwise be permitted under current land use policy.
- Remove TUP conditions relating to land restoration and removal requirements, demolition undertakings, and the provision of security, as these are not universal requirements but may be applied on a case-by-case basis through individual permits.
- Add parks and natural areas as uses permitted in all districts.
- Consolidate related uses and add updated use terms, where applicable, for uses permitted outside of an enclosed building.
- Remove accessory building regulations already addressed within specific zoning district sections in Part 3.
- Add a clarifying condition that home-based child care facilities cannot operate within secondary suites that have internal access to the primary dwelling unit, in alignment with Fraser Health approval practices and the provincial Child Care Licensing Regulation.
- Relocate conditions for flex units from the former “multi-family flex-unit” definition to new Part 6, Section 3.2, and rename “flex units” as “lock-off units” to align with the British Columbia Building Code; “multi-family flex-units” are redefined as primary (apartment) dwellings containing a lock-off unit.
- Relocate the condition requiring CD rezoning for Supportive Housing in R Districts to Part 6 (Use-Specific Regulations), where it will apply to all zoning districts in which Supportive Housing is permitted, except the P2 District.
- Relocate the condition requiring Dormitories to be located within 800 m of the institution they serve from the R and P2 Districts to Part 6 (Use-Specific Regulations), where it will apply to all zoning districts in which this use is permitted.
- Relocate the 1.0 km separation requirement for liquor and cannabis stores from the C, E1, and I1 Districts to Part 6 (Use-Specific Regulations), where it will apply to all zoning districts in which these uses are permitted.
- Relocate conditions of use for industrial fueling stations and service stations from the C2, E1, and I1 Districts to Part 6 (Use-Specific Regulations), where they will apply to all zoning districts in which these uses are permitted.
- Update building-mounted antenna regulations by increasing the permitted height from 1.0 m to 3.0 m above the highest point of the building face, removing the maximum coverage area for a single antenna, and increasing the total permitted coverage area from 3.72 m² to 7.5 m², in response to industry input and a review of past variance requests.

Part 7 Parking, Loading, and Mobility

- Update parking rates as described in section 3.1.2 of this report.
- Update and reorganize use categories in the parking rate table to align with new use terminology, grouped under residential; institutional; and commercial, employment, and industrial categories.
- Formalize existing policy and design guideline standards for driveways within new Part 7 Section 1.4.2.
- Introduce tandem parking standards for R1 District lots, allowing parking requirements for a principal dwelling and associated secondary suite to be met through a shared tandem parking space.
- Establish new Class A, B, and C loading space standards, as presented at Committee of the Whole on February 23, 2026.
- Remove payment-in-lieu of parking provisions, as presented at Committee of the Whole on February 23, 2026.
- Increase the threshold for residential car wash facility requirements to developments with 50 or more parking spaces (from 11 or more), as presented at Committee of the Whole on February 23, 2026.
- Reduce bike parking rates from 2.0 to 1.25 spaces per unit, as presented at Committee of the Whole on February 23, 2026.
- Clarify the conditions under which variances to parking and loading provisions may be considered.

Schedules

- Add three new sets of DPA Guidelines as Schedules I, II, and III of Zoning Bylaw 2026 as described further in section 3.2 of this report.

3.2 Proposed Development Permit Area Guidelines

Three sets of DPA Guidelines, as enabled by the Burnaby 2050 OCP, are proposed to form schedules of Zoning Bylaw 2026:

- Schedule I: Form and Character Development Permit Area Guidelines (**Attachment 2**);
- Schedule II: Streamside Protection and Enhancement Development Permit Area Guidelines (**Attachment 3**);
- Schedule III: Tenant Protection Development Permit Area Guidelines (**Attachment 4**).

DPA Guidelines for Tenant Protection were developed in parallel with a separate, dedicated *Burnaby Tenant Protection Bylaw*, which will be introduced to Council in a separate report.

3.2.1 Form and Character Development Permit Area Guidelines

The Form and Character DPA Guidelines (**Attachment 2**) provide comprehensive design guidance across a range of topics, including building siting and orientation, architectural form and character, landscape and site design, site access, and the interface with the public realm.

Unlike the mandatory regulations contained in the Zoning Bylaw, the Guidelines are discretionary and allow for multiple design approaches to achieve their intended outcomes. They establish a framework to support consistent, high-quality urban design while recognizing the diversity of development contexts and allowing flexibility to respond to site-specific conditions.

During the development review process, applicants will be provided with the applicable guidelines, and staff will assess proposals based on how well they meet the objectives and intent of those guidelines.

Overall, the Guidelines are intended to promote a consistent standard of urban design across Burnaby, build on established best practices, and work in conjunction with the Zoning Bylaw and other development policies to support the creation of well-designed buildings and public spaces that contribute to the Burnaby 2050 OCP vision.

3.2.2 Streamside Protection and Enhancement Development Permit Area Guidelines

The Streamside Protection and Enhancement (SPEA) DPA Guidelines (**Attachment 3**) are designed to protect and enhance Burnaby's aquatic habitats and riparian areas where land is developed. The Guidelines build on the successful outcomes of Burnaby's existing approach for SPEA, in place since the late 1990s, and which has provided a standard of riparian protection comparable to or exceeding the Provincial Riparian Areas Protection Regulation.

Development of the SPEA Guidelines provided an opportunity to enhance Burnaby's approach for streamside protection in response to contemporary community development. Specific guidelines are proposed to address streamside protection on constrained lots in the R1 District and for parcels of land within Transit Oriented Areas, to ensure tree protection and preservation, and to provide a standard of riparian protection for constructed watercourses with significant habitat value. Overall, the guidelines help determine the size and extent of the SPEA for a specific parcel, how the SPEA and the stream are protected during construction, and how the SPEA is enhanced as a condition of development, for example by removing invasive plants and by planting native trees and shrubs.

Where development is proposed on lands adjacent to streams and riparian areas, a Streamside Protection and Enhancement Development Permit (Streamside DP) is required for subdivision, construction of buildings and structures, and site alteration activities such as vegetation clearing, grading, and landscaping changes. As part of the application process, applicants are required to retain qualified environmental professionals to undertake site assessments and prepare supporting documentation

demonstrating compliance with the streamside protection requirements set out in Part 4 (General Regulations) of the Zoning Bylaw and the SPEA DPA Guidelines.

3.2.3 Tenant Protection Development Permit Area Guidelines

The Tenant Protection DPA Guidelines (**Attachment 4**) establish how the City manages and evaluates Tenant Protection Development Permit (TPDP) applications. The TPDP, together with proposed amendments to the *Burnaby Development Procedures Bylaw* (to be brought forward in a separate report), sets out requirements for owners of applicable rental buildings—primarily purpose-built rental housing—before, during, and after redevelopment to ensure tenants receive the information, support, and benefits required under the proposed Burnaby Tenant Protection Bylaw (TPB). Exemptions from these requirements are defined in the TPB.

The Guidelines identify when a TPDP is required, when exemptions may apply, and the submission requirements for obtaining a permit. Within the designated area, activities such as demolition, subdivision, or significant building alterations cannot proceed until a TPDP has been issued.

Following permit issuance, property owners must continue to meet all obligations under the TPB, including providing required benefits to eligible households and caretakers, and maintaining ongoing communication with both the City and affected tenants throughout the redevelopment process. Where an owner fails to comply with TPDP conditions, the City may revoke the permit and issue a stop work order under the *Burnaby Building Bylaw* until compliance is achieved.

3.3 Proposed Zone Reassignment

To complete the repeal of Zoning Bylaw 1965 and implement Zoning Bylaw 2026 moving forward, properties citywide will need to be reassigned with new zoning districts. This exercise will inform the public of a property’s zoning designation and development potential under Zoning Bylaw 2026. Summarized in Table 9 is the general approach for the citywide zone reassignment exercise and rationale for the way reassignment is proposed for certain types and categories of properties.

Table 9 – Proposed Approach and Rationale for Zone Reassignment

| | Property Type/Category | Proposed Approach | Rationale |
|----------|--|--|--|
| 1 | Sites solely zoned Comprehensive Development (CD) District | No change or zone reassignment | To permit existing developments that are tied to complex and unique comprehensive development (CD) plans to remain in full zoning compliance until such time redevelopment is proposed and considered under Zoning Bylaw 2026. |
| 2 | Properties with standard zoning district or combination of standard districts | Reassignment to one or more new standard zoning districts that best matches previous district(s) in terms of permitted and current | To allow for consistency and smooth transition through the repeal and replace process between the existing and new bylaws. For clarification, no changes are proposed for properties already zoned to the R1 District with |

| | | | |
|---|---|---|--|
| | | land uses and building form. | the exception of select properties within dedicated park boundaries (see items 4 and 5 below). |
| 3 | Properties with combination of standard and CD Districts | Same approach as Item 2 above. Where opportunity exists, CD District to be removed where it no longer serves a purpose or is redundant. | To accommodate simplification and modernization of the Zoning Bylaw (e.g. in cases where a new, more flexible zoning district covers uses previously only permitted under a CD District). |
| 4 | Properties within dedicated park boundary | In coordination with Parks, Recreation and Culture (PRC) staff, city-owned properties currently located within dedicated park boundaries have been identified to be reassigned to the new P1 District, regardless of current zoning designation. | Reassignment to the P1 District in these cases represent housekeeping amendments and/or amendments to align zoning designation with existing park uses (e.g. Willingdon Linear Park) or future uses (e.g. currently undeveloped dedicated park sites) on city-owned lands. All applicable parcels are designated as Parks, Open Spaces and Natural Areas in the <i>Burnaby 2050 Official Community Plan (OCP)</i> . |
| 5 | Natural Areas | In coordination with PRC staff, select properties have been identified for reassignment to the P1a Sub-District. | Reassignment of lands to the P1a Sub-District allows for environmentally significant natural areas (e.g. waterways, ravines, forests, riparian habitat) to be protected and preserved under Zoning Bylaw 2026, in accordance with the intent of this sub-district. All applicable parcels are designated as Parks, Open Spaces and Natural Areas in the <i>Burnaby 2050 Official Community Plan (OCP)</i> . |
| 6 | Sites designated for Employment or Industrial use in the <i>Regional Growth Strategy (RGS)</i> and <i>Burnaby 2050 Official Community Plan (OCP)</i> | Sites that are designated for Employment or Industrial use in the OCP and RGS (except sites solely zoned CD District) are proposed to be reassigned to the Employment (E1) or Industrial (I1/I1a) Districts/Sub-districts accordingly. | To accommodate the preservation of the city's limited Employment and Industrial land base and encourage the intensification of these uses as supported by the OCP and RGS. |
| 7 | Sites with existing purpose-built rental residential development | All sites with existing purpose-built multi-family rental residential developments with five or more dwelling units are proposed to be reassigned the 'r' sub-district of their relevant R District, in accordance with Rental Use Zoning Policy Stream 4 and OCP Policy 1.2.9. | To provide protection for existing rental housing stock through the Zoning Bylaw and to ensure that future proposed changes in land use that deviate from purpose-built rental housing must be thoroughly reviewed and considered through the rezoning process. |

| | | | |
|----------|----------------------------|--|---|
| 8 | Public school sites | All public school sites to be reassigned to the new P2 District. | To align zoning for public school sites with Institutional land use designation in the OCP. |
|----------|----------------------------|--|---|

In all cases, the proposed reassignment of new zoning district(s) to a property either aligns with existing land uses on the property or with the OCP land use designation for the property. In either case, this is deemed to be consistent with the OCP.

The proposed Official Zoning Map, which forms part of proposed Zoning Bylaw 2026 (contained in Part 1, Administration, of **Attachment 1**), is reproduced for reference in **Attachment 5** as a set of four larger-scale quadrant maps. **Attachment 5** reflects the final product of the citywide zoning reassignment exercise, indicating new assigned zoning district(s) for parcels throughout the city that would take effect on the effective date of Zoning Bylaw 2026 and repeal of Zoning Bylaw 1965.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Communications and engagement on the new development framework, including the new zoning districts and Development Permit Area (DPA) Guidelines, were undertaken in coordination with the Burnaby 2050 OCP and Zoning Bylaw Rewrite processes.

Zoning Bylaw

Public engagement on the Zoning Bylaw was integrated with the Burnaby 2050 OCP and community planning processes, which included multiple open houses, online engagement, and targeted outreach. Open houses held in 2024 and 2025 presented proposed land use directions, zoning districts, and the height-based development framework, including sessions associated with the Edmonds, Royal Oak, and Cascade Heights community plans. Additional engagement included OCP land use consultation (Fall 2024), presentation of the draft OCP (Spring 2025), and ongoing updates through the project website and eNewsletters.

Targeted engagement was also undertaken with key stakeholders, including an agricultural focus group, development industry representatives, business owners, and utility providers. This engagement informed updates to zoning districts and supplementary regulations. Additional public-facing materials and updates will be released in conjunction with adoption of the Zoning Bylaw 2026.

Form and Character DPA Guidelines

Engagement for the Form and Character DPA Guidelines included workshops with industry and design professions to identify opportunities and challenges related to design guidance. Draft Guidelines have been shared with participating industry groups and local organizations for review and will be made available for broader public comment. The Guidelines were also introduced through OCP-related open houses. Referrals were undertaken with Host Nations, including follow-up engagement with Squamish Nation.

Streamside DPA Guidelines

The Streamside DPA was introduced through OCP public open houses in Fall 2024 and Spring 2025. Referrals were circulated to Host Nations, with feedback received from kwikwə'əm and Squamish Nations.

Tenant Protection DPA Guidelines

Public engagement on the Tenant Protection DPA Guidelines was undertaken as part of Phase 4 of the Burnaby 2050 OCP process (April–May 2025). A project webpage was also developed to provide information on the proposed Tenant Protection Bylaw and associated development permit requirements.

Ongoing Monitoring

Furthermore, public and applicant feedback will continue to be monitored following implementation of Zoning Bylaw 2026 and the new DPA Guidelines. Provisions may be revisited as needed, and—consistent with past practice—housekeeping amendments are anticipated to support ongoing staff initiatives, policy updates, and refinement of the new development framework.

Public Hearing

Under Section 464(2) of the LGA, a local government may decide not to hold a public hearing on a proposed zoning bylaw if the bylaw is consistent with the OCP.

The proposed Burnaby Zoning Bylaw 2026 is consistent with the policies and land use designations set out in the Burnaby 2050 OCP. The reassignment of zoning districts described in section 3.3 of this report either aligns with the applicable OCP land use designation or aligns with existing land uses on the subject property. Part D (Implementation) of the OCP states that if a rezoning reflects existing land uses on a property, rather than the OCP land use designation, the rezoning is deemed to be consistent with the OCP. Accordingly, the proposed zone reassignments are considered consistent with the OCP for the purposes of Section 464(2) of the LGA, and it is recommended that a Public Hearing not be held.

As a Public Hearing is proposed to not be held in respect of Zoning Bylaw 2026, public notice of the new bylaw will be completed prior to bringing it forward for First Reading, in accordance with Section 467 of the LGA, 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

Implementation of the proposed *Burnaby Zoning Bylaw 2026* is anticipated to occur with current staffing and resourcing levels. Should additional resources be required that cannot be accommodated within current operating budgets, appropriate requests would be made through the usual annual financial planning process.

Respectfully submitted,

E.W. Kozak, General Manager Planning and Development

ATTACHMENTS

Attachment 1 – Proposed Burnaby Zoning Bylaw 2026

Attachment 2 – Proposed Form and Character Development Permit Area Guidelines

Attachment 3 – Proposed Streamside Protection and Enhancement Development Permit Area Guidelines

Attachment 4 – Proposed Tenant Protection Development Permit Area Guidelines

Attachment 5 – Proposed Zone Reassignment Reference Maps

Attachment 6 – Rental Replacement and Inclusionary Requirements Evaluation

Attachment 7 – Example Inclusionary and Rental Replacement at Occupancy and Second Tenancy

REPORT CONTRIBUTORS

This report was prepared by Hafsa Salihue, Planner 1, Maggy Spence, Planner 1, Alex Kolsteren, Planner 2, Andrew Yu, Planner 2, Mark Sloat, Senior Environmental Planner, Andrew Macaulay, Senior Planner, and reviewed by Carl Isaak, Director Neighbourhood Planning and Urban Design and Jennifer Wong, Assistant City Solicitor.