

ZONING BYLAW

BYLAW NO. XXXXX



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PART 1 / ADMINISTRATION

Part 1 establishes the administrative framework for this Bylaw, including provisions for the Official Zoning Map, interpretation, enforcement, and transitional matters.

1.0 Citation

This Bylaw may be cited for all purposes as the "**Burnaby Zoning Bylaw 2026**".

2.0 Zoning Districts

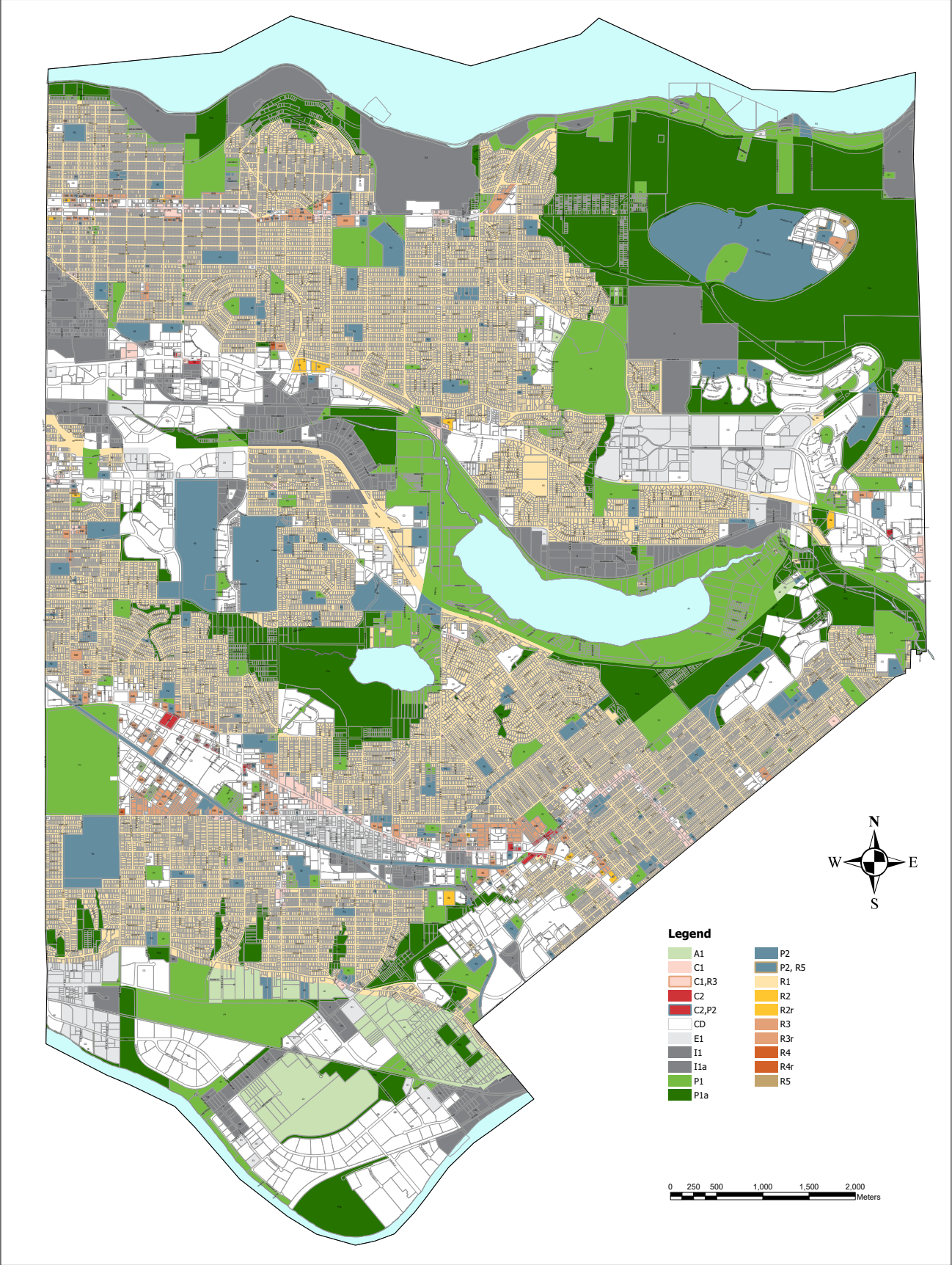
2.1 Designation of Zoning Districts

- (1) The City of Burnaby is hereby divided into the zoning districts that are established by Part 3 of this Bylaw.

2.2 Official Zoning Map

- (1) The zoning districts shown on Map 1-2.2 Official Zoning Map, reproduced at a scale of 1:1000, with all explanatory matters thereon, are hereby declared to be the zoning for land within the boundaries of each zoning district.
- (2) When the zoning district boundary shown on the Official Zoning Map follows a road allowance, creek or railway right-of-way, the centreline of such road allowance, creek or railway line, shall be the zoning district boundary.
- (3) If a zoning district boundary follows a parcel boundary, the zoning for the parcel also extends to the centreline of any road, creek or railway line that abuts the parcel.
- (4) Where a zoning district boundary does not follow a specifically defined line the location of the boundary shall be determined by scaling from the Official Zoning Map and shall be the centre of the line shown on the map.

Map 1-2.2 – Official Zoning Map



3.0 Interpretation

3.1 Maps, Figures, and Diagrams

- (1) Other than the Official Zoning Map, maps, figures, and diagrams within this Bylaw are shown for convenience only.

3.2 Schedules

- (1) All Schedules appended to this Bylaw are hereby made and declared to be an integral part of this Bylaw.

3.3 Units of Measurement

- (1) Where a measurement is given in both the metric and Imperial systems, the metric measurement shall be applied, and the Imperial measurement shall have no effect.
- (2) Where this Bylaw specifies a numeric requirement and a calculation results in a decimal value, the value shall be rounded as follows:
 - (a) If a decimal place value is less than 5, it shall be rounded down.
 - (b) If a decimal place value is 5 or greater, it shall be rounded up.
- (3) A calculated value will be considered to meet a numeric requirement if, after rounding to one more decimal place than stated in the requirement:
 - (a) it is the same as the required value;
 - (b) it is less than a required maximum value; or
 - (c) it is greater than a required minimum value.

3.4 Bylaw Language

- (1) In this Bylaw, the words "includes" and "including" shall be interpreted to mean "includes or including among other things, but not limited to".

4.0 Enforcement

4.1 Conformity with Bylaw

- (1) Within the City of Burnaby:
 - (a) no land, buildings, and structures, regardless of the form of ownership or tenure, including the surface of water, shall hereafter be used or occupied; and
 - (b) no building or structure or part thereof shall be erected, moved, altered, or enlarged, unless in conformity with this Bylaw, and the contrary shall be unlawful.

4.2 Bylaw Violation Notice and Penalties

- (1) A violation of this Bylaw shall result in liability for penalties and late payment amounts established in Schedule A of BURNABY BYLAW NOTICE ENFORCEMENT BYLAW, 2009, and be subject to the procedures, restrictions, limits, obligations and rights established in BURNABY BYLAW NOTICE ENFORCEMENT BYLAW, 2009 and the Local Government Bylaw Notice Enforcement Act.

4.3 Offence and Fines

- (1) Every person who violates any of the provisions of this Bylaw, including a regulation set out in the Schedules, or who suffers or permits any act or thing to be done in contravention of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act, or who violates any of the provisions of this Bylaw, is guilty of an offence and is liable, on summary conviction, to a fine of not less than five thousand dollars (\$5,000.00) and not more than fifty thousand dollars (\$50,000.00), and in default of payment to imprisonment not exceeding six (6) months, and each day that the offence is continued shall constitute a separate offence.

4.4 Indemnity

- (1) Any person who contravenes any provision of this Bylaw is liable to the City for and must indemnify the City from all costs, expenses, damages, and injuries resulting from the contravention. This does not in any way limit any other provision or any other remedy the City may have under this Bylaw or otherwise at law.

5.0 Severability

If any definition, section, subsection, paragraph, subparagraph, clause or phrase in this Bylaw is held invalid by a Court of competent jurisdiction, the invalid definition, section, subsection, paragraph, subparagraph, clause or phrase must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed definition, section, subsection, paragraph, subparagraph, clause, or phrase.

6.0 Transition

If before the effective date of this Bylaw (the “effective date”) a complete application for a Preliminary Plan Approval (a “PPA”) under Burnaby Zoning Bylaw, 1965 is received, or a PPA is issued and remains valid as of the effective date, then this Bylaw does not apply to the land that is the subject of the application or the PPA (as the case may be) for 12 months from the effective date and instead Burnaby Zoning Bylaw, 1965 applies.

7.0 Repeal of Previous Bylaws

Burnaby Zoning Bylaw, 1965 is repealed, except as specifically required to give effect to the Preliminary Plan Approval transition provision in Section 6.0 of this Bylaw.

8.0 Effective Date of Bylaw

This Bylaw shall come into force and effect on July 1, 2026.

PART 2 / DEFINITIONS

In this Bylaw, unless the context otherwise requires:

“ACCESSORY BUILDING” means

- (a) a building, the use or intended use of which is ancillary to that of a principal building situated on the same lot, or
- (b) a building which is ancillary to a principal use being made of the lot upon which such building is located.

For the purposes of this Bylaw, a building containing a dwelling unit is not an accessory building.

“ACCESSORY USE” means a subordinate use that serves and is exclusively devoted to the principal or secondary use of a lot.

“ACTIVE MOBILITY HUB” means an area of land or of a building that provides space, shelter and other ancillary facilities for transportation modes other than private vehicles, such as cycling, ride-hailing, and shared vehicles.

“ADAPTABLE HOUSING UNIT” means a dwelling unit that:

- (a) is designed and built with features that permit easy modification to accommodate changing accessibility requirements over time; and
- (b) conforms to the requirements and standards specified in section 3.8.5 and elsewhere in British Columbia Building Code for adaptable dwelling units.

“ADJUSTED PRE-DEVELOPMENT RENT” means rent charged to a returning tenant, in accordance with the City of Burnaby’s Tenant Assistance Policy, as amended or replaced from time to time, for a replacement rental unit in purpose-built rental housing, which is calculated based on the last rent of the pre-development unit when being vacated for the purpose of development, plus any annual rent increase established under the *Residential Tenancy Act* and its regulations for the duration of time between vacancy of the pre-development unit and occupancy of the replacement rental unit.

“AFTERCARE AND REHABILITATION CENTRE” means facilities for the operation of inpatient rehabilitation and/or aftercare programs, including those focused on substance abuse, addiction and mental health treatment.

“AGRICULTURE” means the use of land, buildings, and structures for any of the following:

- (a) growing, producing, raising or keeping animals, plants, mushrooms, or their primary products, but does not include landscaping or the breeding of pets or operating a kennel;
- (b) nurseries and greenhouses;
- (c) cannabis production;
- (d) licensed alcohol production; and
- (e) farm activities that enable the above uses, including:
 - i. clearing, draining, irrigating, or cultivating land;
 - ii. using farm machinery, equipment, devices, materials, and structures;
 - iii. applying fertilizers, manure, pesticides, biological control agents, including ground and aerial spraying; and
 - iv. storage of agricultural products and the products of on-farm processing.

“AGRICULTURAL LIQUID WASTE” means any waste by-product of farming that has less than 20% solids, and includes agricultural wastewater and silage juices, but does not include:

- (a) food waste that is diverted from residential, commercial or institutional sources; or
- (b) waste materials derived from non-agricultural operations.

“AGRICULTURAL PROCESSING” means the collection, storage, grading, crating, packing, preparing, preserving, processing, packaging, and/or distribution of farm products, excluding processing of agricultural compost.

“AGRICULTURAL SOLID WASTE” means any waste by-product of farming, including manure, used mushroom growing medium, and agricultural vegetation waste, that has 20% or more solids and will not flow when piled, but excludes:

- (a) food waste diverted from residential, commercial, or institutional sources;
- (b) waste materials derived from non-agricultural operations; or
- (c) wood waste derived from land clearing, construction, or demolition.

“AGRI-TOURISM” means agri-tourism activities such as agricultural heritage exhibits, farm tours, agricultural educational activities, tractor rides, petting zoos, harvest festivals, corn mazes, and similar activities that promote or market farm operations and products produced on the agricultural land where the activities occur.

“AMENITY SPACE” means a communal non-commercial recreational, social, or meeting space contained in, and provided for the exclusive use of the residents of a multiple family dwelling.

“ANIMAL CARE” means businesses focused on improving the health and wellness of domestic pets, including veterinary hospitals and clinics, pet spa and grooming businesses, training and boarding facilities, shelters, and other similar businesses.

“ANIMAL HOSPITAL” means premises operated for the care, treatment and hospitalization of animals but does not include premises that keep or board healthy animals.

“ANIMAL TRAINING AND DAY CARE FACILITIES” means the use of an enclosed building for the provision during the day of animal training and day care but does not include keeping animals overnight.

“APARTMENT BUILDING” means a multiple family dwelling where dwelling units are primarily accessed via a common corridor.

“ARTIST STUDIO OR WORKSHOP” means workspace for artists to create, develop, and store physical art pieces and related tools, materials and equipment, including ancillary gallery and exhibition space and sales for art pieces.

“ASSEMBLY AND ENTERTAINMENT” means the use of a building or an establishment for assembly or entertainment, including bowling alleys, auditoriums, clubs or lodges, cultural facilities, funeral homes, galleries, meeting halls, theaters, swimming pools, rinks and arenas, stadiums, and similar uses, but excludes gaming establishments.

“ASSISTED LIVING RESIDENCE” means housing providing hospitality services and assisted living services to 3 or more adults that require a supportive living environment but can live independently, as defined and registered under the *Community Care and Assisted Living Act*, as amended or replaced from time to time.

“AUTOBODY REPAIR SERVICE” means a service specializing in routine maintenance and/or repair and restoration of vehicles damaged in a collision, but excluding the manufacture, assembly, or body building of motor vehicles and manufacturing of parts.

“AUTOMOBILE OR TRAILER SALES OR RENTAL LOT” means an open area used for the display, sale or rental of new or used passenger motor vehicles or trailers in operable condition, and where no repair work is done except minor incidental repair of vehicles to be displayed, sold or rented on the premises.

“BALCONY” means an accessible cantilevered deck that projects from a building, or is recessed into the wall of a building above ground level, and is partially enclosed so as to remain permanently open to the exterior environment.

“BASEMENT” means the portion of a building between two floor levels that is partly underground but has at least one-half its height, from its finished floor to the underside of the joists of the floor next above it, above average natural grade as determined by the Building Inspector; and a basement shall be considered to be a storey unless otherwise stated in this Bylaw.

“BAY WINDOW” means a projection from the wall of a building that is at least:

- (a) 46 cm above the level of the adjacent floor surface; and
- (b) 50% glazed when viewed in elevation.

“BEDROOM” means a room within a dwelling unit that is or may be used primarily for sleeping and conforms with the British Columbia Building Code requirements for bedrooms, except that:

- (a) in a dwelling unit with one bedroom, that bedroom must have a window; and
- (b) in a dwelling unit with two or more bedrooms, at least two bedrooms must have windows.

“BOARDING USE” means the use of one or more sleeping units within a dwelling unit for the accommodation of a maximum of two boarders or lodgers, for a duration of not less than 30 days at any one time. Boarding use may include the provision of meal services but does not include a short-term rental.

“BUILDING” means a structure, located on the ground, which is designed, erected or intended for the support, enclosure, or protection of persons or property.

“BUILDING, COMPLETELY ENCLOSED” means a building separated on all sides from the adjacent open spaces, or from other buildings or structures, excluding fences and retaining walls, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

“BUILDING SEPARATION” means the clear horizontal distance between the closest portions of the exterior walls of two buildings, or the exterior walls of two separate floorplates that are part of the same building, which may be located on the same lot or abutting lots.

“BUILDING, TEMPORARY” means a building or structure placed on a lot for a limited period of time in accordance with Part 6-1.2 of this Bylaw. A temporary building does not include a mobile home which is located in a mobile home park or a recreational vehicle.

“BULK” means the size and location of buildings and structures in relation to the lot. Bulk regulations include maximum height of a building, minimum lot area and width, minimum front, side and rear yards and maximum lot coverage and floor area.

“CANNABIS PROCESSING FACILITY” means a building or portion thereof providing for the processing, packaging, analytical testing, warehousing and/or distribution of cannabis products, but does not include cultivation, propagation or harvesting of cannabis.

“CANNABIS PRODUCTION FACILITY” means a building or portion thereof providing for the cultivation, propagation, and harvesting of cannabis.

“CANNABIS STORE” means:

- (a) a government cannabis store; or
- (b) a licensee cannabis store.

“CANNABIS STORE, GOVERNMENT” means a retail store established by the government under the *Cannabis Distribution Act*, as amended or replaced from time to time, for the sale of cannabis and cannabis accessories to consumers, and for certainty, does not include a licensee cannabis store.

“CANNABIS STORE, LICENSEE” means a retail store licensed under Part 4 of the *Cannabis Control and Licensing Act*, as amended or replaced from time to time, for the sale of cannabis and cannabis accessories.

“CAR WASH FACILITY” means a space that is used for the purpose of washing vehicles and bicycles.

“CARPORT” means a detached accessory building or portion thereof or a portion of a principal building that is used as a private garage and has 60% or less of the perimeter enclosed by walls, doors or windows.

“CATERING ESTABLISHMENT” means a business that stores, prepares, cooks and delivers food and beverages exclusively for off-site consumption.

“CELLAR” means the portion of a building between two floor levels that is partly or wholly underground and has more than one-half its height, from its finished floor to the underside of the joists of the floor next above it, below average natural grade as determined by the Building Inspector. A cellar shall not be considered to be a storey, except in the R1 District.

“CEMETERY” means lands approved and designated as a place of internment for buried or cremated human remains under the *Cremation, Internment and Funeral Services Act*, as amended or replaced from time to time, and including accessory buildings, structures and uses, such as crematoria, columbaria, interment facilities, mausoleums, chapels, and reception centres.

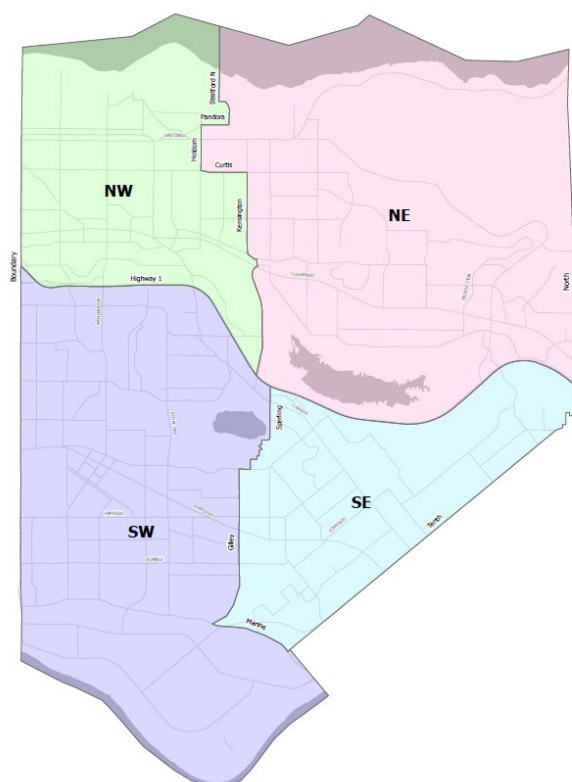
“CHANNELIZED STREAM” means a stream, not including a ditch, that forms a natural part of the drainage pattern but has been altered by human intervention (e.g. diverted, dredged, dyked, or straightened), usually to accommodate development or agriculture.

“CHILD CARE FACILITY” means a community care facility for child care, all as defined in the *Community Care and Assisted Living Act* that is licensed under the Child Care Licensing Regulation, but excludes a home-based child care facility.

“CITY” means the City of Burnaby.

“CIVIC FACILITY” means a use for public functions, including but not limited to government offices, community centres, public recreation facilities, public cultural facilities, public libraries, courts of law, and other civic centres, including facilities and lands intended as a base of operations for emergency services, such as police, fire, and ambulance services.

“CITY OF BURNABY QUADRANT” means each of the four geographic areas of the City labelled NW, SW, NE, and SE on the following map, and for certainty where a boundary between quadrants follows a road, the boundary is the centre of that road and in other cases the boundary is the exact mid-point of the line, when the map is reproduced at a scale of 1:1000, and shown on “BurnabyMap”, which consists of computer record compiled using geographic information software and a Global Positioning System.



“CLASS A BICYCLE PARKING” means a secure and weather-protected place to park bicycles for employees, students, residents, commuters and others who generally stay at a site for several hours or longer.

“CLASS B BICYCLE PARKING” means a convenient and readily accessible place to park bicycles for shoppers, customers, messengers and other visitors.

“CLUB OR LODGE” means a building or establishment used by an association or organization for fraternal, social or recreational purposes which may include limited private sleeping unit accommodation without private cooking facilities, and which shall be operated for the use of club members and their guests only.

“CMHC MARKET MEDIAN RENT” means the median residential rent applicable to areas within the City of Burnaby, based on rental market data collected by the Canadian Mortgage and Housing Corporation (CMHC) for specific rental unit types, age of buildings, size of buildings, and geographic areas.

“COMMERCIAL KITCHEN” means a facility equipped for the preparation, cooking, and storage of food on a larger scale for commercial purposes, primarily for off-site consumption, and which may support a catering establishment, commissary kitchen, or other food business or non-profit initiatives. A commercial kitchen is typically equipped with professional-grade appliances, ventilation systems, food storage areas, and sanitation features.

“COMMERCIAL VEHICLE” means a vehicle engaged in carrying or which is designed to carry goods, wares or merchandise and which is licensed as a commercial vehicle under the appropriate municipal or provincial laws or regulations.

“COMMISSARY KITCHEN” means a commercial kitchen space that is shared by multiple food businesses for large-scale professional food preparation, processing, cooking and storage purposes.

“COMMUNITY BENEFIT BONUS” means additional height and floor area permitted in a development based on meeting conditions specified in Part 5-2.0.

“COMMUNITY BENEFIT BONUS AMENITY” means one or more civic amenity or alternative amenity, as set out in Part 5-2.1(2) and (3).

“COMMUNITY BENEFIT BONUS AMENITIES RESERVE FUND” means the reserve fund established to receive money collected in respect to payment in-lieu of provision or conservation of a community benefit bonus amenity under Part 5-2.0.

“COMMUNITY BENEFIT CAPITAL COST RATE” means the capital cost rate applicable to community benefit bonus housing and community benefit bonus amenity, as set out in Part 5-2.3(3).

“COMMUNITY BENEFIT BONUS HOUSING” means non-market rental housing and other non-market housing types that offer rents, or equivalent housing costs, below the inclusionary rental rate.

“COMMUNITY BENEFIT BONUS HOUSING RESERVE FUND” means the reserve fund established to receive money collected in respect to payment in-lieu of provision of community benefit bonus housing under Part 5-2.0.

“COMMUNITY BENEFIT RATE” means the applicable community benefit rate for a zoning district and residential tenure in a City of Burnaby Quadrant, as set out in Part 5-2.3(1).

“COMMUNITY GARDEN” means land used for the recreational growing of plants, especially fruits, vegetables, herbs and other edible plants for local consumption.

“COMMUNITY HERITAGE REGISTER” means a register that identifies lots that are considered by the City to be heritage property, as defined in the *Local Government Act*.

“CONFINED LIVESTOCK AREA” means an outdoor, non-grazing, non-crop area where livestock, farmed game or poultry are confined by fences, structures or topography, including feed lots, exercise yards, holding areas, poultry ranges, paddocks, corrals, outdoor riding arenas and turnout pens, but excluding seasonal feeding areas.

“CONGREGATE HOUSING” means housing in which individuals reside in units within a building that offers access to communal spaces and varying levels of support services, including group homes, assisted living residences, and residential care facilities, but excludes supportive housing.

“CORRECTIONAL AND PAROLE FACILITIES” means facilities operated by B.C. Corrections or the Correctional Service of Canada intended for the incarceration, detention and treatment of criminal offenders or the supervision of offenders under conditional release into the community, including prisons, detention centres, healing lodges and treatment centres specifically for criminal offenders, community residential facilities and parole offices.

“COUNCIL” means the Council of the City of Burnaby.

“CRAWL SPACE” means the space at or below natural grade between the underside of the joists of the floor next above and the floor slab on the ground surface below, having a vertical clear height less than 1.2 m.

“CREMATORIA” means facilities or parts thereof fitted with appliances for the purpose of cremating human or animal remains, which may or may not be situated within a cemetery.

“DANGEROUS GOODS” means any product, substance or organism included in the classes listed in the Schedule to the *Transportation of Dangerous Goods Act*, 1992, c. 34, as amended or replaced from time to time.

“DECK, COVERED” means an accessible roofed deck that is not cantilevered, and is partially enclosed so as to remain permanently open to the exterior environment. A covered deck does not include a terrace that is covered.

“DECK, UNCOVERED” means an accessible roofless deck that is not cantilevered, and is partially enclosed so as to remain permanently open to the exterior environment. An uncovered deck does not include a terrace that is roofless.

“DEEP SOIL” means an area of land unobstructed from any structures, including but not limited to parkades, mechanical installations, underground infrastructure, retaining walls, pavement, and other structures except soil cells, consisting of a 0.6-meter-deep layer of settled growing medium or 1.0-meter-deep layer of unsettled growing medium, exclusive of mulch, for trees and other plantings.

“DEVELOPMENT” means a change in the use of any land, building or structure for any purpose, and shall include the carrying out of any building, engineering, construction or other operation in, on, over or under land, or the construction, addition, or alteration of any building or structure.

“DISPLAY YARD” means an open area used for the display of new or used passenger automobiles, motor vehicles, trailers, trucks, truck trailers, equipment, machinery or boats in operable condition, which are continually available for sale or rental, and where no repair work is done except of a minor incidental nature. A display yard shall also include an open area where samples of the finished products can be assembled or constructed from the materials (new only) available for sale on the premises may be displayed.

“DITCH” means a watercourse that is a constructed drainage channel, carrying water that does not originate from a headwater or significant source of groundwater. A ditch is not a channelized stream. A ditch may or may not be a stream based on its ability to support fish life processes.

“DORMITORY” means a building consisting of sleeping units or dwelling units, or both, for the accommodation of faculty, staff, students, or other persons affiliated with an educational institution, private school, hospital, religious order, rest home, or other similar institution, and their family members, and which is regulated by such institution. A dormitory may contain communal dining facilities, but does not include a boarding use. For the purpose of this definition, the term “family member” means a person’s spouse, a person’s child, and a person’s spouse’s child.

“DRIVE-IN RESTAURANT” means an eating establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles which are driven on to the site where such establishment is located, and where the customer is permitted or encouraged, either by the design of the restaurant facilities or by service and/or packaging procedures, to:

- (a) remain in his vehicle for service and for consuming the food which is purchased, or
- (b) leave his vehicle to purchase food and is given the choice of either consuming the food in his vehicle or within the drive-in restaurant building.

“DRIVEWAY” means any required vehicular access that provides unobstructed ingress to and egress from parking or loading spaces on a lot.

“DWELLING, APARTMENT” means a dwelling unit within an apartment building.

“DWELLING, DUPLEX” means any building consisting of two primary dwelling units.

“DWELLING, MULTIPLEX” means a multiple family dwelling that contains no more than six dwelling units in a building on a lot, where at least three of the dwelling units are primary dwelling units.

“DWELLING, ROWHOUSE” means at least two side-by-side primary dwelling units, each sharing a party wall with the adjoining unit and each unit located on a separate lot that is not a strata lot.

“DWELLING, SINGLE FAMILY” means any building consisting of one primary dwelling unit.

“DWELLING, TOWNHOUSE” means one of two or more dwelling units within a strata development, where each dwelling unit has individual direct access to the outside either at ground level or by stairs and is attached to at least one other dwelling unit by a shared floor or party wall.

“DWELLING UNIT” means one or more habitable rooms constituting one self-contained unit with a separate entrance, which is occupied or intended to be occupied as a residence of one household only. A dwelling unit shall not contain more than one cooking facility.

“EDUCATIONAL SERVICES” means services that provide training, instruction, and education, including private schools, public schools, commercial schools, post-secondary institutions (e.g. colleges and universities), vocational institutions, trade schools, and other facilities dedicated to academic, technical, or professional education, but excluding dormitories.

“ELECTRIC VEHICLE” means a vehicle that uses electricity for propulsion, and that can use an external source of electricity to charge the vehicle’s batteries.

“ELECTRIC VEHICLE ENERGY MANAGEMENT SYSTEM” means a system used to control electric vehicle supply equipment loads through the process of connecting, disconnecting, increasing, or reducing electric power to the loads and consisting of any of the following: a monitor(s), communications equipment, a controller(s), a timer(s), and other applicable device(s).

“ELECTRIC VEHICLE SUPPLY EQUIPMENT” means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

“ELEVATION, FRONT AVERAGE” means the average elevation of the lower of the natural grade or finished grade along the exterior of the building facing the front lot line.

“ELEVATION, REAR AVERAGE” means the average elevation of the lower of the natural grade or finished grade along the exterior of the building facing the rear lot line or, for a through lot, the other front lot line.

“ELIGIBLE CARETAKER” has the meaning set out in the *Burnaby Tenant Protection Bylaw*.

“ELIGIBLE TENANT” means in the case of an inclusionary rental unit, a household where rent at the inclusionary rental rate represents more than 20% and less than 30% of the gross household income.

“EMERGENCY SHELTER” means a building providing temporary accommodation and protection from weather or danger, overnight or for a greater duration.

“ENERGIZED OUTLET” means a connected point in an electrical wiring installation at which current is taken and a source of voltage is connected to supply utilization equipment.

“ENERGY GENERATION” means the use of equipment and facilities for generating and distributing energy from renewable, sustainable, and/or low-emission sources, including but not limited to solar panels and district energy systems, that are of a scale and intensity that minimize conflict with residential uses in areas of mixed development.

“FARM PRODUCT” means a commodity or good derived from the cultivation or husbandry of land, plants, or animals (except pets and exotic animals) that are grown, reared, raised or produced on a farm.

“FARM RETAIL SALES” means the retail sale of farm products on a property with a principal agriculture use.

“FENCE” means a structure, not being a building, used as an enclosure or for screening purposes around all or part of a lot.

“FINANCIAL INSTITUTION” means a bank, insurance company, credit union, financial advisor or broker, cheque cashing company, payday loan service, or similar business that provides on-site customer service.

“FLOOR PLATE AREA” means the total built area of a building at any storey, measured to the outermost perimeter of the building at that level, and includes the area of all projecting and inset balconies. Floor Plate Area represents the full horizontal extent, shape, and configuration of the building at that storey, excluding minor structural and architectural elements.

“FREIGHT DEPOT OR TERMINAL” means a building, structure, or property used primarily as a transportation hub for the receipt, transfer, sorting, and dispatch of goods and materials by truck, rail, or intermodal means, including facilities for bulk freight handling, container storage, and the coordination of long-haul or high-volume goods movement. This use typically involves frequent loading and unloading of goods between vehicles, including heavy trucks or tractor-trailers, and may include accessory offices, maintenance facilities, and short-term storage that is incidental to the movement of freight.

“FREQUENT TRANSIT NETWORK AREA” means an area within 400 m of a bus stop with frequent service as prescribed in the *Local Government Zoning Bylaw Regulation*, as amended from time to time.

“GAMING ESTABLISHMENT” means a premises used for wagering on games of chance that are licensed in accordance with the British Columbia Gaming Commission or by such other person or authority as the Province of British Columbia may specify for the purpose of licensing gaming.

“GRADE OR GRADE LEVEL, NATURAL” means the existing undisturbed ground level with no adjustment having been made, except for a minor slope equalization as approved by the Chief Building Inspector.

“GROSS FLOOR AREA” means

- (a) in respect of a lot, the total floor area of all floors of all buildings on the lot; and
- (b) in respect of a portion of a building, the total floor area of such portion of the building,

In each case measured to the outer limit of the applicable building, buildings, or portion of the building on the lot, and in accordance with Part 4-3.0 of this Bylaw.

“GROUP HOME” means housing accommodating between three to ten residents, that is operated in a primary dwelling unit, with a maximum of 20 residents per lot, containing no uses other than group home, and is regulated under the *Community Care and Assisted Living Act*, as amended or replaced from time to time.

“GROWING MEDIUM” means a substance primarily composed of a mixture of organic and mineral compounds uncontaminated by weeds and invasive species, heavy metals, or other adverse chemical compounds, that provides a suitable physical foundation for plant roots to grow in, supplying anchorage, water, air, and nutrients for the plant's development.

“HABITABLE ROOM” means a room designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom or kitchen.

“HEALTH CARE FACILITY” means a premises for the provision of services by at least one person licensed under the *Health Professions Act*.

“HEIGHT” means the vertical dimension of a building or structure measured in accordance with this Bylaw.

“HERITAGE ADAPTIVE USE” means the use of a building or structure listed on the Community Heritage Register located on publicly-owned or publicly-leased and operated lands for various community-serving or commercial uses, including dwelling unit(s) for artist-in-residence, housing or caretaker suites, visitor accommodation, and/or non-profit office space.

“HOME-BASED CHILD CARE FACILITY” means a community care facility for child care, all as defined in the *Community Care and Assisted Living Act* that is licensed under the Child Care Licensing Regulation and is located in the personal residence of the facility operator.

“HOME OCCUPATION” means an occupation or profession that is incidental to the use of a dwelling unit for residential purposes or to the residential use of a lot occupied by a dwelling, and in accordance with Part 6-3.4.

“HOSPITAL” means a hospital as defined in the *Hospital Act* and/or a facility for ambulance services as defined in the *Emergency Health Services Act*.

“HOUSEHOLD” means one or more people living together in a dwelling as a single non-profit household.

“HOUSING AGREEMENT” means an agreement authorized by bylaw pursuant to Section 483 of the *Local Government Act*.

“INCLUSIONARY RENTAL RATE” means an amount equal to the most recently published CMHC market median rent for a comparable dwelling unit (in terms of number of bedrooms) in the Burnaby Census Subdivision, as of the date the owner and eligible tenant enter into a tenancy agreement, together with any annual increase permitted in accordance with the *Residential Tenancy Act*.

“INCLUSIONARY RENTAL UNIT” means a dwelling unit that is required to be provided in a development pursuant to Part 5-1.0.

“INDUSTRIAL FUELING STATION” means a building or land used or intended to be used for the sale of motor fuel and lubricants for use only in industrial equipment or commercial vehicles.

“INDUSTRIAL, HEAVY” means industries involving the manufacturing, processing, or handling of materials that may produce significant external impacts such as noise, vibration, smoke, dust, odors, heat, or emissions. Heavy industrial uses include, but are not limited to, chemical manufacturing, petroleum refining, metallurgical processing, pulp and timber milling, cement productions, and other heavy manufacturing processes, as well as facilities involved in the recycling, recovery and shipment of hazardous or non-hazardous waste.

“INDUSTRIAL, LIGHT” means industries involving the manufacturing, processing, or handling of goods and materials generally intended for end-users/consumers that produce fewer or limited external and environmental impacts—including noise, vibration and emissions—compared to heavy industrial uses and that may be sited proximate to residential or other sensitive uses with minimal conflict. Light industrial uses include small-batch food, beverage, and household goods manufacturers; maintenance, cleaning, and repair services and workshops; and assembly and packaging of general-purpose consumer goods.

“INDUSTRIAL PORT OR HARBOUR USE” means infrastructure and uses that support industrial maritime and seafaring operations, including cargo and goods transport, but excluding marinas or similar facilities for the mooring, operation, and support of personal, pleasure, and recreational watercraft.

“KENNEL” means any building, structure, compound, group of pens or cages or property in which or where 3 or more dogs or 5 or more cats are or are intended to be trained, cared for, bred, boarded or kept for any purpose whatsoever, and shall include any building or part thereof in which 2 or more dogs are kept for breeding purposes. For the purpose of this definition dogs and cats under the age of 4 months shall be excluded.

“LANDSCAPING” means the planting of lawns, shrubs and trees, primarily for shade, privacy, recreational and/or ornamental purposes, and the addition of fencing, walks, drives, or other structures and materials as used in landscape architecture.

“LANE” means a public thoroughfare or way which affords only secondary means of access to a lot, at the side or rear.

“LEVEL 2 CHARGING” means a Level 2 electric vehicle charging level as defined by SAE International’s J1772 standard.

“LIQUOR STORE” means:

- (a) a government liquor store, government beer store or government wine store established under the provisions of the *Liquor Distribution Act*; or
- (b) a store licensed under the provisions of the *Liquor Control and Licensing Act* to sell liquor for off-site consumption and includes an agency store established under the provisions of the *Liquor Distribution Act*.

“LIVE-WORK UNIT” means a dwelling unit that includes space for the operation of an accessory commercial use and in which the primary operator of the commercial use resides.

“LOCK-OFF UNIT” means a smaller dwelling unit within a primary dwelling unit, with a separate external access and shared internal access, and which can be locked off from the primary dwelling unit.

“LOT” means an area of land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Registry Office and having a principal frontage upon a public street or place.

“LOT AREA” means the total horizontal area within the lot lines of a lot, and in the case of lots rezoned on or after 2018 April 01 to the CD (Comprehensive Development) District based in whole or in part on any zoning district other than A or R1 Districts, also includes the area of street and lane dedications immediately adjacent to the lot, as shown on the subdivision plan pertaining to the lot, approved as a prerequisite to the CD zoning of the site.

“LOT COVERAGE” means the combined area covered by all buildings and structures on the lot, expressed as a percentage of the lot area, measured as the area of the projection of the outline of the buildings and structures onto a horizontal plane, and in accordance with Part 4-1.1.

“LOT DEPTH” means the shortest distance between the centre of the front lot line and the centre of the rear lot line or, in the case of a pie shaped lot or irregular lot with more than four sides, the shortest distance between the centre of the front lot line and the point at which the two side lot lines or the furthest point at which two rear lot lines intersect, or in the case of a through lot, the line joining the centre points of the two front lot lines.

“LOT WIDTH” means the mean horizontal distance between side lot lines measured at right angles to the lot depth.

“LOT, CORNER” means a lot at the intersection or junction of two or more streets.

“LOT, INTERIOR” means a lot other than a corner lot.

“LOT, PANHANDLE” means a lot created under subdivision that gains street frontage through a narrow strip of land that is an integral part of the lot, but provides inadequate width for the siting of buildings.

“LOT, THROUGH” means a lot abutting two parallel or approximately parallel streets.

“LOT LINE, FRONT” means the boundary line of the lot and the street on which the lot abuts. In the case of a corner lot, a lot line abutting a street shall be considered a front line if the adjacent lots front on the same street, except that only one front lot line need be provided. In the case of a through lot, the lot lines abutting two parallel or approximately parallel streets shall both be considered as front lot lines. In the case of a corner lot that is also a through lot, the lot lines abutting two parallel or approximately parallel streets shall both be considered as front lot lines except where the lot is triangular or irregular in shape in which case only one front line need be provided along the shortest lot line abutting the street.

“LOT LINE, REAR” means the lot line opposite to, or in the case of an irregularly shaped lot, the lot lines more or less facing the front lot line.

“LOT LINE, SIDE” means a lot line that is not a front lot line or rear lot line.

“MARINA” means a facility for the long-term mooring of pleasure and recreational boats and other watercraft, including related uses and facilities such as administrative offices, rental services, cafeteria services, recreational lounges, repair stations, fueling, launching ramps, piers and wharves, boat hoists, and recreational, yacht, and boating clubs.

“MARINE MOORING FACILITY” means facilities for the mooring, docking, fueling, and operations of water-based craft for commercial and emergency services such as sea-planes, water taxis, tugboats, and similar craft.

“MARKET RENTAL UNIT” means a dwelling unit that is rented or offered for rent at rates generally similar to the rent of other units in the private (non-subsidized) housing market.

“MASTER PLAN” means a comprehensive development plan that guides the coordinated development of a large site over time, involving five or more buildings.

“MEZZANINE” means an intermediate floor assembly between the floor and ceiling of any room or storey and includes an interior balcony.

“MOBILE RETAIL AND RESTAURANT” means a truck, stand, or cart used for the retail of goods or services, including the sale of food prepared for immediate consumption, that is designed to be movable and is temporary in nature.

“NATURAL AREA” means an area of public or private land that is undeveloped and predominantly characterized by naturally-occurring vegetation, water and landforms that may accommodate limited forms of human recreation and leisure activity, including nature trails and developed paths.

“NIGHTCLUB” means a commercial assembly and entertainment establishment that operates primarily during evening hours, provides entertainment predominantly in the form of recorded or live music and dancing, has a dance floor, and typically serves alcoholic beverages with limited food services.

“NON-MARKET RENTAL HOUSING” means rental housing secured at specific below-market rental rates through a housing agreement or a lease agreement with the City.

“NON-RESIDENTIAL” when used with reference to a building, structure or use, means designed, intended or used for purposes other than those of a residential use building.

“NURSERIES AND GREENHOUSES” means structures or buildings used to grow plants in a controlled environment for commercial purposes.

“OFFICE” means the use of a premises for general office use, where the primary function is administrative, clerical, technical, or managerial, and where on-site customer service is not a principal activity.

“OPEN SPACE” means outdoor areas with pedestrian public access, such that it is intended for public use and the physical conditions permit foot traffic, including community gardens, green space, green connectors, plazas, trail corridors, stream corridors with public access and other protected areas with public access.

“OUTDOOR PLAY AREA” means an outdoor open area designated for physical activity of children in a child care facility or a home-based child care facility, in accordance with the *Community Care and Assisted Living Act* and the *Child Care Licensing Regulation* as amended or replaced from time to time.

“PARK” means an area of public space set aside for human recreation, leisure activities, community use, or the protection of ecosystems and natural habitats, and may include natural, semi-natural, landscaped, and built recreational features.

“PARKING AREA” means an open area of land, other than a street, used for the parking of vehicles of clients, customers, employees, members, residents or tenants.

“PARKING FACILITY” means lands, buildings or structures for the temporary or short-term parking and storage of motor vehicles or active transportation devices such as bicycles, electric bicycles and scooters, but excluding vehicle repair, servicing or fleet storage. These facilities may be available to the public or as an accommodation to clients, customers or employees and may be located above, below or at grade.

“PARKING SPACE” means a space within a building or a parking area, for the parking of one vehicle, excluding driveways, ramps, columns, office and work area.

“PARKING SPACE, ACCESSIBLE” means a parking space provided for the use of persons with disabilities.

“PARKING SPACE, SHARED VEHICLE” means parking space reserved for the exclusive use of a Shared Vehicle.

“PARKING SPACE, TANDEM” means two parking stalls arranged in a single, elongated parking space designed to hold two vehicles, one behind the other.

“PARKING SPACE, VAN ACCESSIBLE” means a parking space to accommodate vans and other vehicles equipped with platform lifts or side ramps, for the use of persons with disabilities.

“PARKING, STRUCTURED” means an area that:

- (a) contains parking spaces and associated driveways and maneuvering aisles,
- (b) is located within a building, and
- (c) has its roof or the finished floor next above it more than 0.8 m above the adjacent finished grade.

“PARKING, UNDERGROUND” means an area that:

- (a) contains parking spaces and associated driveways and maneuvering aisles;
- (b) is located within a building; and
- (c) has its roof or the finished floor next above it not more than 0.8 m above the adjacent finished grade.

“PAYDAY LOAN AND SIMILAR SERVICES” means the business of:

- (a) making or offering to make payday loans (as defined in and regulated under the *Businesses Practices and Consumer Protection Act* of British Columbia); or
- (b) cashing or offering to cash cheques or other negotiable instruments for a fee or for less than the face value of the cheque or instrument;

carried on or undertaken by a person or other entity that is not governed by the *Bank Act* or *Trust and Loan Companies Act* of Canada or the *Financial Institutions Act* or *Mortgage Brokers Act* of British Columbia.

“PERMEABLE SURFACE” means any surface or assembly that facilitates groundwater recharge by permitting the downward movement of water into the subgrade. For the purpose of this bylaw, areas with the following surface treatments with a suitable subbase for groundwater recharge qualify as a permeable surface: deep soil, natural undisturbed soils, permeable deck structures, and permeable pavement systems.

“PERMITTED CUMULATIVE AVERAGE RENT” means the amount that is the sum of the CMHC market median rent for each inclusionary rental unit in a development rented to a tenant under a tenancy agreement divided by the total number of inclusionary rental units rented to a tenant under a tenancy agreement.

“PERSON” includes a firm, association, organization, partnership, trust company or corporation as well as an individual.

“PERSONAL AND BUSINESS SERVICES” means an establishment for personal care, cleaning or repair of personal items, or other business services, where the primary function is on-site customer service, including beauty salons, tattoo parlours, mailing services, printing services, dry cleaning, and other similar uses.

“POST-SECONDARY INSTITUTION” means an educational institution or service, usually providing specialized post-secondary training, courses and programs, that are authorized by the *College and Institute Act*, *University Act*, or other Provincial statute.

“PRIMARY DWELLING UNIT” means a dwelling unit that is not a secondary suite or lock-off unit.

“PRINCIPAL BUILDING, FRONT” means any building in the R1 District that contains a dwelling unit and is not a Rear Principal Building.

“PRINCIPAL BUILDING, REAR” means any building in the R1 District that contains a dwelling unit; is located closer to the rear lot line than the front lot line; does not have another principal building (or portion) located between its building face and the rear lot line; and has another principal building (or portion) located between its building face and the front lot line.

“PRINCIPAL RESIDENCE” means a dwelling unit in which one or more occupants of the dwelling unit make their home, and from which occupant or occupants conduct their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver’s licenses, personal identification, vehicle registration and utility bills.

“PRINCIPAL USE” means the main purpose for which land, buildings or structures are ordinarily used.

“PRODUCTION AND REHEARSAL STUDIO” means a premises used for the production of film, video, television, or radio programs or sound recordings or for the rehearsal of dance, music, performing arts or drama, which does not involve the presence of an audience.

“PURPOSE-BUILT RENTAL HOUSING” means a non-stratified, multi-unit building or portion of a multi-unit building where dwelling units are held in common ownership and used only for rental purposes, but does not include a dormitory. Purpose-built rental housing may include market and non-market rental housing.

“RECREATION AND FITNESS” means an outdoor or indoor premises for the use of health, fitness, and sports activities, including day spas, group fitness classes, weightrooms, child play centres, lawn sports, court sports, and similar uses and activities.

“RECREATIONAL VEHICLE” means a structure or vehicle that

- (a) is used or designed to be used for living or sleeping purposes
- (b) is designed or intended to be mobile on land, and
- (c) is either self-propelled or towed by a motor vehicle and includes a camper, travel trailer, motor home, converted bus or other vehicle and tent trailer. A recreational vehicle shall not be considered to be a dwelling unit.

“RECYCLING AND WASTE PROCESSING FACILITY” means a facility that accepts and processes materials, for recycling, waste disposal, reuse or composting, including common household goods or industrial, trades, and construction waste materials.

“RECYCLING CENTRE” means a premises used for the collection and temporary storage of household items intended for reuse or off-site processing.

“REDEVELOPMENT” has the meaning set out in the *Burnaby Tenant Protection Bylaw*.

“RELIGIOUS ASSEMBLY” means a building used for the regular assembly of persons for religious worship and related activities.

“RENTAL UNIT” means a dwelling unit within purpose-built rental housing.

“REPLACEMENT RENTAL UNIT” has the meaning set out in the *Burnaby Tenant Protection Bylaw*.

“REPLACEMENT RENTAL UNIT RATE” has the meaning set out in the *Burnaby Tenant Protection Bylaw*.

“RESEARCH AND DEVELOPMENT” means investigation, design, testing, and development of new products, technologies, and processes, including laboratories, prototyping, and technological innovation. Does not include the manufacturing or sale of products except as incidental to the primary activity.

“RESIDENTIAL CARE FACILITY” means a facility providing housing, meals, care, and supervision for those individuals who are unable to make, on their own behalf, decisions that are necessary to live safely, as licensed under the *Community Care and Assisted Living Act*.

“RESIDENTIAL USE BUILDING” means a building containing residential dwelling units or a dormitory.

“RESTAURANT” means use of a premises for the sale of prepared food and/or beverages for immediate consumption during all hours of operation.

“RETAIL” means the sale or rental of goods, merchandise, and other materials to the public, including sales centres, showrooms, and limited on-site storage that supports the store’s operation. This use excludes warehousing and the sale of gasoline.

“RETAINING WALL” means a structure, not being a building, designed to hold back, stabilize or support water, soil, rocks, or similar geotechnical materials. For the purpose of this Bylaw, a retaining structure, not being a building, which does not have an exposed face and which is designed to hold back water shall not be considered a retaining wall.

“RETURNING TENANT” has the meaning set out in the *Burnaby Tenant Protection Bylaw*.

“RIPARIAN AREA” means the area adjacent to a stream that may be subject to temporary, frequent or seasonal inundation, and supports plant species that are typical of an area of inundated or saturated soil conditions, and that are distinct from plant species on freely drained adjacent upland sites because of the presence of water.

“ROOF, FLAT” means a roof on a building that has one or more roof surfaces that have a pitch of less than 4 in 12 and cover an area greater than 20% of the area of all roof surfaces as measured in plan view.

“ROOF, SLOPING” means a roof on a building that has one or more roof surfaces that have a pitch of 4 in 12 or greater and cover an area at least equal to 80% of the area of all roof surfaces as measured in plan view.

“SALES CENTRE, RESIDENTIAL” means a building used for the marketing of residential dwelling units in a newly constructed and unoccupied multi-family residential development or in a multi-family residential development under development.

“SALVAGE YARD” means an outdoor facility for the storing, handling, wrecking, crushing and piling of vehicles, machinery, used building or industrial materials and other heavy or large equipment which is otherwise considered not useable.

“SANITARY FACILITY” means any toilet, urinal, bathtub, shower, hand basin, or combination thereof.

“SCHOOL, COMMERCIAL” means educational services which offer instruction and training in specific trades, skills, or services, including but not limited to secretarial skills, aviation, computer, banking, automotive driving, language, business, marketing, beauty, animal grooming, art, music, self-defence, and career. Commercial schools are not authorized to grant degrees, and do not include post-secondary institutions, private schools, public schools, or trade schools.

“SCHOOL, PRIVATE” means a school, other than a public school, where academic subjects are taught to elementary and secondary students.

“SCHOOL, PUBLIC” means a place of instruction, other than a commercial or trade school, maintained at public expense pursuant to the *School Act*.

“SCHOOL, TRADE” means a school other than a private or public school that offers training in a manual, mechanical or technical trade in an industrial setting that involves the use of industrial equipment or materials.

“SCREENING” means a continuous fence, compact evergreen hedge or combination thereof, supplemented with landscape planting that would effectively screen the property which it encloses, and is broken only by access drives and walks.

“SEASONAL FEEDING AREAS” means an area, other than a confined livestock area, confined poultry area, grazing area or temporary holding area, used for forage or other crop production, and used seasonally for feeding livestock or poultry that are sustained primarily by supplemental feed.

“SECONDARY RENTAL UNIT” has the meaning set out in the *Burnaby Tenant Protection Bylaw*.

“SECONDARY SUITE” means an accessory dwelling unit fully contained within a primary dwelling unit.

“SECONDARY USE” means an additional permitted use that may only be established where a use permitted as a principal use on the lot is present.

“SERVICE STATION” means a premises used for the inspection, repair or servicing of vehicles. Servicing can include car washes, charging or fueling stations, fluid maintenance, auto body repair, and similar services.

“SETBACK” means the required minimum distance between a building or use and each of the respective property lines.

“SHARED VEHICLE” means a four-wheeled automobile, van, or pick-up truck owned and operated by a Shared Vehicle Organization.

“SHARED VEHICLE ORGANIZATION” means corporation, society, association, co-operative or other entity providing a Shared Vehicle Program and related services within the City of Burnaby.

“SHARED VEHICLE PROGRAM” means program that provides members, for a fee, with a service by which such members have use of a fleet of Shared Vehicles on an hourly or other similar short-term basis.

“SHORT-TERM RENTAL” means a dwelling unit or a portion of a dwelling unit used for the temporary accommodation of transient public, not exceeding four unrelated persons, or six persons related by blood, marriage, adoption or foster care, at any one time. Short-term rental does not include a boarding use.

“SIGNIFICANT TREE” means a tree protected under Burnaby Tree Bylaw 1996 (Bylaw No. 10482).

“SLEEPING UNIT” means one or more rooms used for sleeping and living purposes. A sleeping unit may contain sanitary facilities but does not include a kitchen sink or cooking facilities.

“SLOT MACHINE” means a slot machine as defined in the Criminal Code of Canada on January 1, 1998, but shall not include an electronic machine programmed to allow personal play whereby a person is able to play bingo against a computer or to play e-tabs or e-scratches generated by a computer.

“SMALL-SCALE MULTI-UNIT HOUSING” means any residential building(s) on a lot containing a total of one to six dwelling units, inclusive of all primary dwelling units and secondary suites, which may consist of single family, duplex, and/or multiplex dwellings, but excluding rowhouse dwellings.

“SOCIAL SERVICE CENTRE” means the premises used by a public or non-profit organization that provides community and social programs, services and resources, including community resource centres and neighbourhood houses, but excluding housing.

“STEPBACK” means the horizontal distance a building façade is set back, on a horizontal plane, from the building façade directly below it.

“STORAGE FACILITY” means the use of a completely enclosed building for the storage of personal property in self-contained, self-storage units, which are rented to customers having exclusive and independent access to their respective units.

“STORAGE YARD” means an area outside of an enclosed building where contractors' or construction materials and equipment, solid fuels, lumber and new building materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed, whether a principal or an accessory use. A storage yard shall not be construed to include a display yard, salvage yard, or works yard.

“STOREY” means a habitable space between two floors, or between any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above.

“STOREY, HALF” means a storey under a gable, hip, gambrel or shed roof having a gross floor area not more than 50% of the gross floor area of the storey immediately below, and includes a covered deck that is an extension of the topmost storey.

“STREAM” means a watercourse or source of water supply, whether usually containing water or not, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream and provides fish habitat or water, food, and nutrients downstream.

“STREET” means a public highway, road or thoroughfare which affords the principal means of access to abutting lots.

“STREET CANOPY” means a structure that is attached to a building by a cantilever, is not part of the building and consists of a lightweight rigid frame covered by a stretched fabric membrane.

“STRUCTURAL SOIL” means an engineered blend of gap-graded, angular, igneous gravel and growing medium, with a stabilizing agent, designed to provide a load-bearing base for pavements while allowing tree roots to penetrate, grow, and access air and water. To achieve structural stability, the gravel to growing media has a ratio of 4:1.

“STRUCTURE” means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

“STUDIO UNIT” means a dwelling unit having no room used or intended to be used solely as a bedroom.

“SUPPORTIVE HOUSING ” means affordable rental housing that provides housing stability support for those at risk of or experiencing homelessness as regulated by the *Residential Tenancy Act*.

“TERRACE” means a level surface that is paved, planted, or constructed, and is not more than 0.6 m above the adjacent finished ground level.

“TRAILER” means any structure or vehicle used or designed to be used for living or sleeping purposes and which is designed or intended to be mobile on land, whether or not self-propelled.

“TRANSIT ORIENTED AREA” means a lot that is located within 800 m of a passenger rail station, as defined in the *Local Government Act* and regulations thereto, or 400 m of a bus exchange, as defined in the *Local Government Act* and regulations thereto.

“TRANSITIONAL HOUSING” means temporary housing to support individuals transitioning from unsafe housing situations, or from a health or correctional facility, to live independently.

“TRANSPORTATION DEMAND MANAGEMENT MEASURES” means initiatives or infrastructure aimed at maximizing sustainable transportation choices and reducing single occupancy vehicle trips.

“TRANSPORTATION FACILITY” means a premises used for the operation and maintenance of transit systems, services, or related infrastructure, including gondola systems, rapid transit infrastructure, bus transit infrastructure, commercial fleet storage and dispatch, marinas and similar uses, but does not include freight handling and distribution.

“URBAN AGRICULTURE” means the keeping of no more than two beehives and/or four hens for domestic purposes as an accessory use on a residential lot.

“USE” means the purpose for which any lot, parcel, tract of land, building or structure is designed, arranged or intended, or for which it is occupied or maintained.

“UTILITY SERVICES” means public or private utility services, including but not limited to the use of land, buildings, or structures for:

- (a) telecommunications, including antenna developments;
- (b) generation, transmission or distribution of electricity;
- (c) distribution of gas, steam or other forms of energy, including district energy systems; and
- (d) collection, distribution, storage or treatment of water or sewage.

“VISITOR ACCOMMODATION” means a premises for the temporary accommodation of visitors but does not include Short-Term Rental accommodation, Dormitories, or Boarding use.

“VOLUNTARY NON-MARKET RENTAL HOUSING UNIT” means a non-market rental housing unit that is not an inclusionary rental unit or replacement rental unit.

“WAREHOUSE, PACKAGING, AND DISTRIBUTION FACILITY” means a building or structure used primarily for the storage, handling, packaging, processing, or distribution of goods, materials, or products, including wholesale activities and accessory offices, where goods are received, stored, and distributed primarily by light or medium-duty vehicles. This use may include the assembly, packaging, or finishing of goods, and the local delivery or pick-up of goods, provided that such activities are subordinate to the principal function of storage and distribution and do not constitute a freight terminal.

“WHOLESALE FACILITY” means a building where goods, wares, merchandise, substances, articles, or things are sold in bulk to retailers or to businesses, institutions, or government agencies for their own use or for resale.

“WORKS YARD” means the use of a premises for the maintenance, repair, and storage of vehicles, equipment, supplies or materials of a public utility, government agency, or private business that conducts off-site construction, industrial trade, or similar services. Includes administrative offices and other related accessory buildings and structures such as repair and maintenance bays, fueling and charging infrastructure, and storage facilities.

“YARD, FRONT” means that portion of the lot, extending the length of the front lot line, between the front lot line and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the front lot line and the parallel line.

“YARD, LANE” means an area created by a building setback from a lot line, or segment of a lot line, that abuts a lane.

“YARD, REAR” means that portion of the lot, extending the length of the rear lot line, between the rear lot line and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the rear lot line and the parallel line.

“YARD, SIDE” means that portion of the lot, extending the length of the side lot line, between the side lot line and a line drawn parallel thereto. The width of such yard shall mean the perpendicular distance between the side lot line and the parallel line.

“YARD, STREET” means an area created by a building setback from a lot line, or segment of a lot line, that abuts a street.

“ZONING DISTRICT, BASE” means the primary zoning district applied to a lot, which establishes the fundamental range of permitted uses, height, siting, and development regulations applicable to the lot.

“ZONING DISTRICT, OVERLAY” means a second zoning district that may be applied to a lot (in addition to the base zoning district), which provides for additional or alternative uses, height, or regulations on the lot, in accordance with the provisions of this Bylaw.

PART 3 / ZONING DISTRICTS

Part 3 establishes Zoning Districts that regulate the use of land, buildings and structures, and the height and siting of development within residential, commercial, employment, industrial, public and institutional, and agricultural areas of the City.

Zoning Districts

Subject to all other provisions of this Bylaw, the regulations within the following sections shall apply to any lot in any district with the corresponding zoning designation:

1.0 Residential Districts (R)

- 1.1 Small-Scale Multi-Unit Housing District (R1)
- 1.2 Townhouse District (R2) (R2r)
- 1.3 Low-Rise Apartment 1 District (R3) (R3r)
- 1.4 Low-Rise Apartment 2 District (R4) (R4r)
- 1.5 Mid-Rise Apartment 1 District (R5) (R5r)
- 1.6 Mid-Rise Apartment 2 District (R6) (R6r)
- 1.7 High-Rise Apartment 1 District (R7) (R7r)
- 1.8 High-Rise Apartment 2 District (R8) (R8r)

2.0 Commercial Districts (C)

- 2.1 Neighbourhood Commercial (C1)
- 2.2 General Commercial (C2)

3.0 Employment District (E)

- 3.1 Employment District (E1)

4.0 Industrial District (I)

- 4.1 Industrial District (I1) (I1a)

5.0 Public and Institutional Districts (P)

- 5.1 Parks, Open Spaces and Natural Areas District (P1) (P1a)
- 5.2 Institutional District (P2) (P2a)

6.0 Agriculture District (A)

- 6.1 Agriculture District (A1)

7.0 Comprehensive Development Districts (CD)

1.1 SMALL-SCALE MULTI-UNIT HOUSING DISTRICT (R1)

1.1.1 Intent

The intent of this district is to support a range of primarily ground-oriented housing, including single-family, duplex, multiplex, and rowhouse dwellings, while providing opportunities for limited neighbourhood-serving commercial uses.

1.1.2 Permitted Uses

1.1.2.1 R1 District

Use	Conditions
Principal Use	
Small-Scale Multi-Unit Housing	1.1.3
Rowhouse Dwellings	1.1.3
Group Home	1.1.3
Supportive Housing	Part 6-3.6
Child Care Facility	1.1.3
Accessory Use	
Boarding Use	-
Home-Based Child Care Facility	Part 6-3.5
Home Occupation	Part 6-3.4
Secondary Suites	Part 6-3.1
Short-Term Rental	Part 6-3.3
Urban Agriculture	Part 6-6.1
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

1.1.3 Conditions of Use

Use	Conditions
Principal Uses	
All Dwelling Units	(1) The following minimum number of 3-bedroom dwelling units must be provided: (a) Lots with 1 to 3 dwelling units must provide at least 1 dwelling unit with 3 or more bedrooms. (b) Lots with 4 to 6 dwelling units must provide at least 2 dwelling units with 3 or more bedrooms. (2) At least one dwelling unit on a lot must have the main entrance oriented to an abutting street or, in the case of a through lot with multiple principal buildings and site access from both frontages, at least one dwelling unit per street frontage. (3) An outdoor amenity space with a minimum width of 2.0 m and area of 10.0 m² must be provided for each primary dwelling unit for its exclusive use and be accessible from the primary dwelling unit it serves.

Rowhouse Dwellings	(1) Contiguous rowhouse lots must provide an illuminated and publicly accessible pedestrian walkway spaced every 100 m or less from a street, lane, or walkway that intersects the fronting street and that: (a) links the fronting street with the parallel lane, street, or trail network at the rear of the lot; (b) is at least 1.5 m wide and clear to a height of at least 2.5 m; and (c) is subject to a statutory right of way registered in favour of the City.
Child Care Facility	(1) A child care facility in the R1 District must: (a) be limited to a maximum of 25 children; (b) be located on a corner lot; (c) comply with the built form and siting regulations for 1 to 2 small-scale multi-unit dwelling units on a lot; (d) be located in a new principal building on a lot that does not contain a dwelling unit or any other principal use; and (e) comply with all other applicable regulations under this Bylaw.

1.1.4 Subdivision

Subject to Section 1.1.4.1 for rowhouse lots, and Section 1.1.4.2 for irregular lots,

Regulations	Rowhouse	Small-Scale Multi-Unit
Minimum Lot Width		
Interior Lot	5 m 6.2 m for end unit lots	10 m
Corner Lot w/ Flanking Street	8 m	10 m
Corner Lot w/ Flanking Lane	6.2 m	10 m
Lot Area		
Minimum Lot Area	-	281 m ²
Maximum Lot Area	280 m ²	-

1.1.4.1 Rowhouse Lots

- (1) At the time of registration of the subdivision plan to create two or more rowhouse lots, the registration of a Section 219 Covenant will be required to ensure that all adjoining rowhouse dwellings will be constructed at the same time.
- (2) Rowhouse lots may exceed 280 m² subject to Section 1.1.5.1.

1.1.4.2 Irregular Lots

- (1) On "pie-shaped" or other irregularly shaped asymmetrical lots, lot frontages may be reduced below the minimum prescribed widths, provided that the average lot width throughout a depth of 30 m, measured along a perpendicular line from the centre of the property on the frontage street, complies with the required minimum lot width.
- (2) Except as set out in subsection (1), panhandle lots or other irregular lot configurations are not permitted except in accordance with heritage provisions in Section 1.1.6 or where constrained by restrictive site conditions as determined by the Approving Officer.

1.1.5 Built Form and Siting

Subject to Sections 1.1.5.1, 1.1.5.2, 1.1.5.3, 1.1.5.4, 1.1.5.5 and 1.1.5.6,

	Rowhouse	Small-Scale Multi-Unit		
Total Dwelling Units: (inclusive of secondary suites)	1 to 3 Units	1 to 2 Units	3 to 4 Units	5 to 6 Units Frequent Transit Network Area Only
Lot Area, Lot Coverage, and Permeable Surfaces				
Minimum Lot Area	-	-	4 to 6 Units: 281 m²	
Maximum Lot Area	280 m²	-	-	-
Maximum Lot Coverage	55%	Lots > 567 m²: 30% Lots < 567 m²: 40%	40%	45%
Minimum Permeable Surfaces	30%	40%	40%	30%
Maximum Height				
Front Principal Buildings				
Height	sloping roof: 10 m flat roof: 9.5 m			
Storeys	3 storeys	2.5 storeys	3 storeys	
Rear Principal Buildings				
Height	sloping roof: 7.5 m flat roof: 7.0 m			
Storeys	2 storeys			
Accessory Buildings	4.0 m 1 storey			
Minimum Lot Line Setbacks for All Buildings				
Street Yard	3.0 m	front: 4.0 m flanking: 3.0 m		
Lane Yard	1.5 m			
Interior Rear Yard	principal: 3.0 m accessory: 1.5 m			
Interior Side Yard	1.2 m 0 m where a party wall	1.2 m	1.2 m	1.2 m
Minimum Separation of Buildings on the Same Lot				
Between Front Principals	-	2.4 m	2.4 m	2.4 m
Between Rear Principals	-	2.4 m	2.4 m	2.4 m
Between Front & Rear Principals	6.0 m			
Between All Other Buildings	2.4 m			

Diagram: Separation between buildings

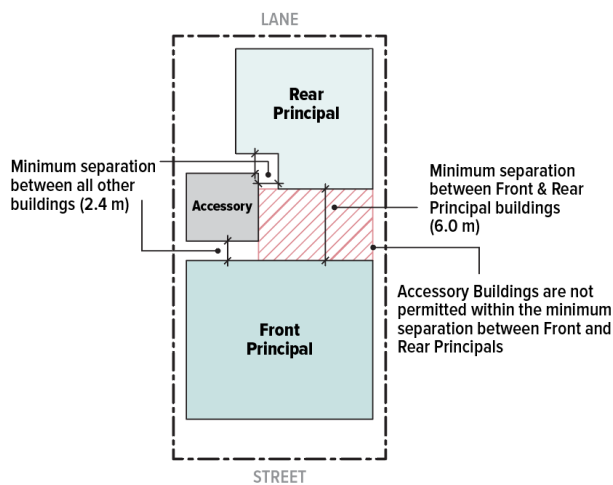


Diagram: Separation between detached units on a wider lot

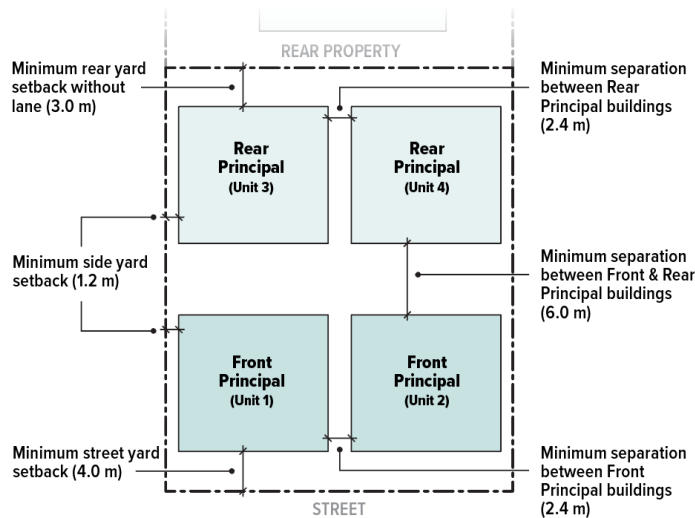


Diagram: Siting on a through lot

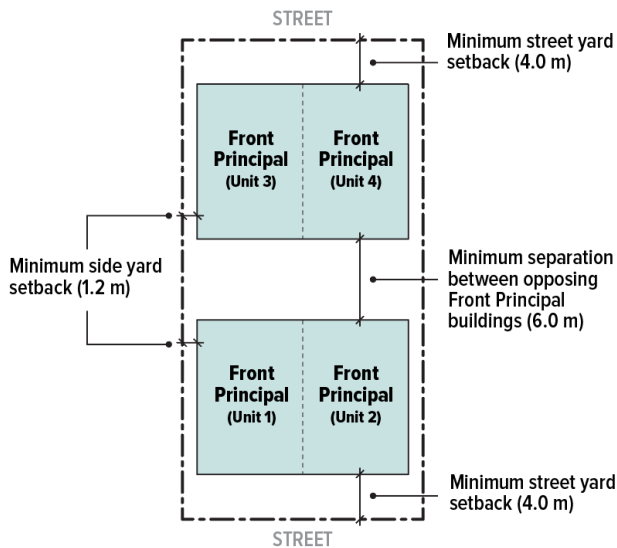
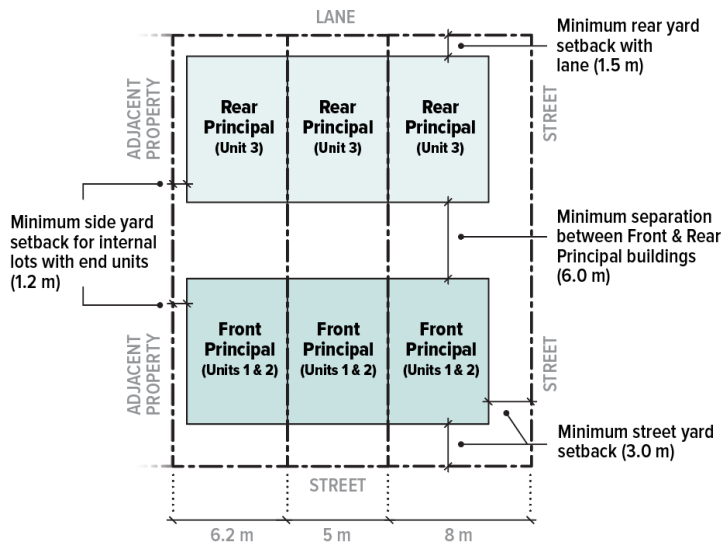


Diagram: Siting on rowhouse lots



1.1.5.1 Lot Area

- (1) Maximum lot area for rowhouse dwellings may exceed 280 m², subject to registration of a Section 219 Covenant prohibiting the construction of more than 3 dwelling units on the lot.

1.1.5.2 Height

- (1) The maximum permitted number of storeys is inclusive of a basement or cellar storey.
- (2) For the purpose of providing vehicular access to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the calculation of principal building height, if the lowered surface does not exceed a width of 6.7 m along the wall.
- (3) For the purpose of providing pedestrian access to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the calculation of principal building height, if the lowered surface is not on the same side of the building as a depressed vehicular access and does not exceed an area of 10.0 m², per primary dwelling unit, including stairs.
- (4) For the purpose of providing light to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the calculation of principal building height, if the window wells do not:
 - (a) extend more than 0.9 m from the building;
 - (b) extend more than 0.75 m into the required side yards; and
 - (c) exceed in length 25% of the length of the wall.

1.1.5.3 Setbacks

- (1) Interior side yard setbacks are not required for rowhouse dwelling units on a lot line between two adjoining rowhouse dwellings with a shared party wall. For an end unit of a rowhouse development or for a principal building in a rowhouse development that does not have a shared party wall with an adjoining principal building on a lot line, the interior side yard setback is 1.2 m.

1.1.5.4 Building Separation

- (1) Any principal building located between a front and rear principal must have a minimum 6.0 m separation from each of the front and rear principals, or, in the case of through lots, from each opposing front principal, and a minimum 2.4 m separation from any other principals between it and a side lot line.
- (2) Accessory buildings are not permitted within the minimum separations between principal buildings.
- (3) The following features may project into the required minimum separation between buildings on the same lot:
 - (a) steps and stairs;
 - (b) outdoor appliances;
 - (c) ornamental features, such as arbors, trellises, fish ponds, flag poles, portable storage bins, or other similar minor or non-permanent landscape features;
 - (d) window wells and sunken areas for the purpose of providing vehicular or pedestrian access to a basement or cellar;
 - (e) balconies, decks, terraces or other similar surfaces that are 1.0 m or less above grade;
 - (f) balconies, decks, canopies, sunshades, or other similar features, including supporting structures, that are greater than 1.0 m above grade up to a maximum of 25% of the width of a required separation;
 - (g) belt courses, cornices, gutters, sills, chimneys, bay windows, or other similar features up to the lesser of 0.9 m or 25% of the width of a required separation; and
 - (h) eaves up to the lesser of 1.2 m or 25% of the width of a required separation.

1.1.5.5 Parking

- (1) Parking shall be provided in an attached or detached garage, carport, or outdoor parking pad at the rear of the lot when accessible from an abutting lane or street. Where there is no direct access to the rear of the lot or the General Manager Engineering is satisfied that access to the rear is not feasible because of an extreme grade, parking may be provided elsewhere on the lot.
- (2) A garage or carport may be constructed below grade, provided that no part of such structure shall extend more than 1.2 m above the surface of the surrounding ground at any point other than the driveway, nor be less than 1.2 m from a lot line.

1.1.5.6 Access and Fire Safety

- (1) Dwelling units located more than 45 m from a lot line abutting a street shall contain an automatic sprinkler system.
- (2) All dwelling units shall have a minimum 1.0 m paved or gravel fire access corridor that:
 - (a) provides direct pedestrian access from the dwelling unit entrance to a lot line abutting a street, or abutting a constructed lane where direct access to a street is not feasible; and
 - (b) is clear of any projections or obstructions to a minimum of 2.5 m in height.

1.1.6 Heritage

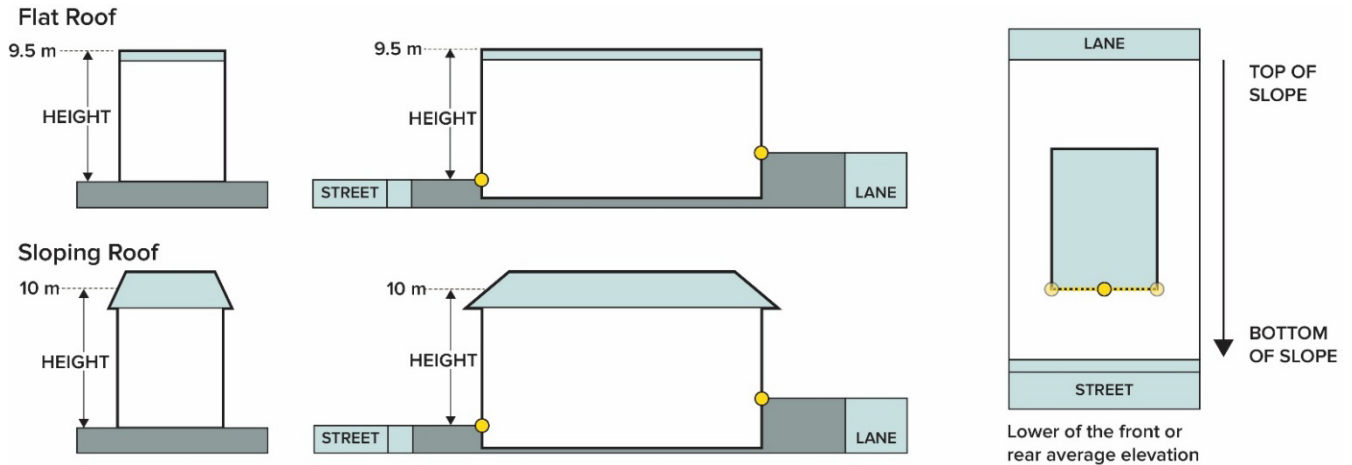
- (1) Notwithstanding the R1 District regulations otherwise stated in this Bylaw, subject to approval of the General Manager Planning and Development and the registration of a Section 219 Covenant to prohibit any works on the lot which would destroy, or irreversibly alter or damage the heritage resource and its heritage character, some or all of the following regulations may apply to lots in the R1 District on the Community Heritage Register:
 - (a) Panhandle lots and other irregularly shaped lots may be permitted subject to the following:
 - (i) lots with lane access shall have a minimum panhandle width of 1 m that is clear to a height of 2.5 m; and
 - (ii) lots without lane access shall have a minimum panhandle width of 4.5 m that is clear to a height of 2.5 m.
 - (b) Maximum lot coverage as set out in Section 11.5 may be increased up to 60% and permeable area may be decreased to 30%.
 - (c) All original architectural appurtenances, such as chimneys, railings, vents, decorative features, or similar, may be excluded from the maximum permitted height of a principal building.
 - (d) Lot line setbacks for street yards may meet a minimum of 2.0 m.
 - (e) The minimum separation between buildings on the same lot as required under Section 11.5 may be reduced.
 - (f) The minimum 3-bedroom requirement set out in Section 11.3 does not apply.
 - (g) Parking:
 - (i) off-street vehicular parking spaces are not required;
 - (ii) retention and continued use of driveways that do not otherwise conform with the requirements of this Bylaw may be permitted; and
 - (iii) parking may be provided within the required yards, and any existing parking areas on the lot that do not conform with the requirements of this Bylaw may continue to be used.

1.1.7 Measurements and Calculations

1.1.7.1 Height

- (1) The height of a principal or accessory building shall be measured from the lower of the average front or average rear elevation, as defined by the lower of the average natural grade or finished grade along the exterior of the building facing the respective front or rear lot line, to the midpoint of a sloped roof or the highest point of a flat roof. The midpoint of a sloped roof is considered to be one half of the vertical distance of a sloped roof structure measured from the top plate of the uppermost storey to the highest point of the roof.

Diagram: Height Measurement for a Front Principal Building



- (2) The height of a detached garage or carport shall be measured from the finished grade at the point used for vehicular access.

1.1.7.2 Building Separation

- (1) Required separation distances between buildings are measured from the nearest point of each building face, excluding permitted projections.

1.1.8 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 6: Specific-Use Regulations
 - (c) Part 7: Parking, Loading, and Mobility

1.2 TOWNHOUSE DISTRICT (R2)

1.2.1 Intent

The intent of this district is to provide ground-oriented residential townhouse and rowhouse forms of up to 4 storeys that can sensitively integrate with lower-density housing forms, while providing opportunities for limited neighbourhood-serving commercial uses.

1.2.2 Permitted Uses

1.2.2.1 R2 District

Use	Conditions
Principal Use	
Uses permitted in the R1 District	1.1
Townhouse Dwelling	-
Congregate Housing	-
Dormitory	Part 6-5.2
Emergency Shelter	Part 6-5.3
Live-Work Units	1.2.3
Supportive Housing	Part 6-3.6
Transitional Housing	-
Secondary Use	
Active Mobility Hub	1.2.3
Child Care Facility	1.2.3
Community Garden	1.2.3
Energy Generation	1.2.3
Mobile Retail and Restaurant	1.2.3
Personal and Business Services	1.2.3
Restaurant	1.2.3
Retail	1.2.3
Accessory Use	
Boarding Use	-
Home-Based Child Care Facility	Part 6-3.5
Home Occupation	Part 6-3.4
Secondary Suites	Part 6-3.1
Short-Term Rental	Part 6-3.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

1.2.2.2 R2r Sub-District

- (1) Uses permitted in the R2 District are permitted in the R2r Sub-District provided that dwelling units are restricted to purpose-built rental housing.

1.2.3 Conditions of Use

Use	Conditions
Principal Uses	
Live-Work Units	(1) The commercial portion of a live-work unit must be located at ground level, abutting a street, with a dedicated street-front entrance, and the residential portion must be located above or behind it. (2) The uses permitted within the commercial portion of a live-work unit shall be limited to the permitted principal uses and associated conditions of the C1 District. (3) A designated living area shall be used solely for residential purposes and a designated working area shall be used primarily for work purposes. Neither shall be converted to other uses.
Secondary Uses	
All Secondary Uses	(1) Secondary uses are subject to the C1 District conditions of use in Section 2.1.3, with the exception of the following: (a) Ground-level corner commercial units at a street corner are not restricted to personal and business services, restaurant, and retail uses. (2) C1 District uses are subject to: (a) a maximum of one storey above grade; (b) a maximum of 250 m² in gross floor area per commercial unit, with the exception of child care facilities; and (c) the permitted setbacks of the R2 District.
Child Care Facility	(1) Child care facilities are restricted to a maximum of 25 children.

1.2.4 Built Form and Siting

Regulations	R2
Height	
Maximum Height	4 storeys
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard	1.2 m
Interior Rear Yard	3.0 m

1.2.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 6: Specific-Use Regulations
 - (c) Part 7: Parking, Loading, and Mobility

1.3 LOW-RISE APARTMENT 1 DISTRICT (R3)

1.3.1 Intent

The intent of this district is to provide low-rise residential apartment forms of up to 4 storeys, with opportunities for ground-oriented residential and limited neighbourhood-serving commercial uses.

1.3.2 Permitted Uses

1.3.2.1 R3 District

Use	Conditions
Principal Use	
Apartment Dwellings	-
Townhouse Dwellings	-
Congregate Housing	-
Dormitory	Part 6-5.2
Emergency Shelter	Part 6-5.3
Live-Work Units	1.3.3
Supportive Housing	Part 6-3.6
Transitional Housing	-
Secondary Use	
Active Mobility Hub	1.3.3
Child Care Facility	1.3.3
Community Garden	1.3.3
Energy Generation	1.3.3
Mobile Retail and Restaurant	1.3.3
Personal and Business Services	1.3.3
Restaurant	1.3.3
Retail	1.3.3
Accessory Use	
Boarding Use	-
Home-Based Child Care Facility	Part 6-3.5
Home Occupation	Part 6-3.4
Lock-Off Units	Part 6-3.2
Short-Term Rental	Part 6-3.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

1.3.2.2 R3r Sub-District

- (1) Uses permitted in the R3 District are permitted in the R3r Sub-District provided that dwelling units are restricted to purpose-built rental housing.

1.3.3 Conditions of Use

Use	Conditions
Principal Uses	
Live-Work Units	(1) The commercial portion of a live-work unit must be located at ground level, abutting a street, with a dedicated street-front entrance, and the residential portion must be located above or behind it. (2) The uses permitted within the commercial portion of a live-work unit shall be limited to the permitted principal uses and associated conditions of the C1 District. (3) A designated living area shall be used solely for residential purposes and a designated working area shall be used primarily for work purposes. Neither shall be converted to other uses.
Secondary Uses	
All Secondary Uses	(1) Secondary uses are subject to the C1 District conditions of use in Section 2.1.3, with the exception of the following: (a) Ground-level corner commercial units at a street corner are not restricted to personal and business services, restaurant, and retail uses. (2) C1 District uses are subject to: (a) a maximum of one storey above grade; (b) a maximum of 250 m² in gross floor area per commercial unit, with the exception of child care facilities; and (c) the permitted setbacks of the R3 District.

1.3.4 Built Form and Siting

1.3.4.1 General

Subject to Sections 1.3.4.2 and 1.3.4.3,

Regulations	R3
Height	
Maximum Height	4 storeys
<i>When Non-Market Rental Housing provided</i>	6 storeys
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard, except as noted below	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Interior Rear Yard	3.0 m

1.3.4.2 Height

- (1) Additional storeys may be permitted subject to applicable conditional height provisions in Part 4-2.3.
- (2) Two (2) additional storeys shall be permitted where non-market rental housing is provided for a development entirely operated by the City or another government entity, not-for-profit organization, public authority, or housing authority/corporation approved by the City.

1.3.4.3 Setbacks

- (1) Additional setback conditions may apply subject to Part 4-1.3.

1.3.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

1.4 LOW-RISE APARTMENT 2 DISTRICT (R4)

1.4.1 Intent

The intent of this district is to provide low-rise residential apartment forms ranging from 6 to 8 storeys, with opportunities for ground-oriented residential and limited commercial uses.

1.4.2 Permitted Uses

1.4.2.1 R4 District

Use	Conditions
Principal Use	
Apartment Dwellings	-
Townhouse Dwellings	-
Congregate Housing	-
Dormitory	Part 6-5.2
Emergency Shelter	Part 6-5.3
Live-Work Units	1.4.3
Supportive Housing	Part 6-3.6
Transitional Housing	-
Secondary Use	
Principal and Secondary uses permitted in the C1 District	1.4.3, 2.1.3
Accessory Use	
Boarding Use	-
Home-Based Child Care Facility	Part 6-3.5
Home Occupation	Part 6-3.4
Lock-Off Units	Part 6-3.2
Short-Term Rental	Part 6-3.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

1.4.2.2 R4r Sub-District

- (1) Uses permitted in the R4 District are permitted in the R4r Sub-District provided that dwelling units are restricted to purpose-built rental housing.

1.4.3 Conditions of Use

Use	Conditions
Principal Uses	
Live-Work Units	(1) The commercial portion of a live-work unit must be located at ground level, abutting a street, with a dedicated street-front entrance, and the residential portion must be located above or behind it. (2) The uses permitted within the commercial portion of a live-work unit shall be limited to the permitted principal uses and associated conditions of the C1 District. (3) A designated living area shall be used solely for residential purposes and a designated working area shall be used primarily for work purposes. Neither shall be converted to other uses.
Secondary Uses	
C1 District Uses	(1) C1 District uses are subject to the conditions of use in Section 2.1.3, with the exception of the following: (a) Ground-level corner commercial units at a street corner are not restricted to personal and business services, restaurant, and retail uses. (2) C1 District uses are subject to: (a) a maximum of two storeys above grade; (b) a maximum of 250 m² in gross floor area per commercial unit, with the exception of child care facilities; and (c) the permitted setbacks of the R4 District.

1.4.4 Built Form and Siting

1.4.4.1 General

Subject to Sections 1.4.4.2 and 1.4.4.3,

Regulations	R4
Height	
Maximum Height	6 storeys
<i>Within Transit-Oriented Areas (TOAs)</i>	8 storeys
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard, except as noted below	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Interior Rear Yard	3.0 m

1.4.4.2 Height

- (1) Additional storeys may be permitted subject to applicable conditional height provisions in Part 4-2.3.

1.4.4.3 Setbacks

- (1) Additional setback conditions may apply subject to Part 4-1.3.

1.4.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

1.5 MID-RISE APARTMENT 1 DISTRICT (R5)

1.5.1 Intent

The intent of this district is to provide mid-rise residential apartment buildings of up to 12 storeys that offer a transition in scale and form between low- and high-rise buildings, with opportunities for ground-oriented residential and commercial uses.

1.5.2 Permitted Uses

1.5.2.1 R5 District

Use	Conditions
Principal Use	
Apartment Dwellings	-
Townhouse Dwellings	-
Congregate Housing	-
Dormitory	Part 6-5.2
Emergency Shelter	Part 6-5.3
Live-Work Units	1.5.3
Supportive Housing	Part 6-3.6
Transitional Housing	-
Secondary Use	
Principal and Secondary uses permitted in the C1 District	1.5.3, 2.1.3
Accessory Use	
Boarding Use	-
Home-Based Child Care Facility	Part 6-3.5
Home Occupation	Part 6-3.4
Lock-Off Units	Part 6-3.2
Short-Term Rental	Part 6-3.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

1.5.2.2 R5r Sub-District

- (1) Uses permitted in the R5 District are permitted in the R5r Sub-District provided that dwelling units are restricted to purpose-built rental housing.

1.5.3 Conditions of Use

Use	Conditions
Principal Uses	
Live-Work Units	(1) The commercial portion of a live-work unit must be located at ground level, abutting a street, with a dedicated street-front entrance, and the residential portion must be located above or behind it. (2) The uses permitted within the commercial portion of a live-work unit shall be limited to the permitted principal uses and associated conditions of the C1 District. (3) A designated living area shall be used solely for residential purposes and a designated working area shall be used primarily for work purposes. Neither shall be converted to other uses.
Secondary Uses	
C1 District Uses	(1) C1 District uses are subject to the conditions of use in Section 2.1.3, with the exception of the following: (a) Ground-level corner commercial units at a street corner are not restricted to personal and business services, restaurant, and retail uses. (2) C1 District uses are subject to: (a) a maximum of two storeys above grade; (b) a maximum of 250 m² in gross floor area per commercial unit, with the exception of child care facilities; and (c) the permitted setbacks of the R5 District.

1.5.4 Built Form and Siting

1.5.4.1 General

Subject to Sections 1.5.4.2 and 1.5.4.3,

Regulations	R5
Height	
Maximum Height	12 storeys
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard, except as noted below	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Interior Rear Yard	3.0 m

1.5.4.2 Height

- (1) Additional storeys may be permitted subject to applicable conditional height provisions in Part 4-2.3.

1.5.4.3 Setbacks

- (1) Additional setback conditions may apply subject to Part 4-1.3.

1.5.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
- (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

1.6 MID-RISE APARTMENT 2 DISTRICT (R6)

1.6.1 Intent

The intent of this district is to provide for mid-rise residential buildings of up to 20 storeys, typically in the form of apartment towers with podiums that offer a transition in scale and form between low- and high-rise buildings, with opportunities for ground-oriented residential and commercial uses.

1.6.2 Permitted Uses

1.6.2.1 R6 District

Use	Conditions
Principal Use	
Apartment Dwellings	-
Townhouse Dwellings	-
Congregate Housing	-
Dormitory	Part 6-5.2
Emergency Shelter	Part 6-5.3
Live-Work Units	1.6.3
Supportive Housing	Part 6-3.6
Transitional Housing	-
Secondary Use	
Principal and Secondary uses permitted in the C1 District	1.6.3, 2.1.3
Accessory Use	
Boarding Use	-
Home-Based Child Care Facility	Part 6-3.5
Home Occupation	Part 6-3.4
Lock-Off Units	Part 6-3.2
Short-Term Rental	Part 6-3.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

1.6.2.2 R6r Sub-District

- (1) Uses permitted in the R6 District are permitted in the R6r Sub-District provided that dwelling units are restricted to purpose-built rental housing.

1.6.3 Conditions of Use

Use	Conditions
Principal Uses	
Live-Work Units	(1) The commercial portion of a live-work unit must be located at ground level, abutting a street, with a dedicated street-front entrance, and the residential portion must be located above or behind it. (2) The uses permitted within the commercial portion of a live-work unit shall be limited to the permitted principal uses and associated conditions of the C1 District. (3) A designated living area shall be used solely for residential purposes and a designated working area shall be used primarily for work purposes. Neither shall be converted to other uses.
Secondary Uses	
C1 District Uses	(1) C1 District uses are subject to the conditions of use in Section 2.1.3, with the exception of the following: (a) Ground-level corner commercial units at a street corner are not restricted to personal and business services, restaurant, and retail uses. (2) C1 District uses are subject to: (a) a maximum of two storeys above grade; (b) a maximum of 250 m² in gross floor area per commercial unit, with the exception of child care facilities; and (c) the permitted setbacks of the R6 District.

1.6.4 Built Form and Siting

1.6.4.1 General

Subject to Sections 1.6.4.2 and 1.6.4.3,

Regulations	R6
Height	
Maximum Height	20 storeys
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard, except as noted below	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Interior Rear Yard	3.0 m

1.6.4.2 Height

- (1) Additional storeys may be permitted subject to applicable conditional height provisions in Part 4-2.3.

1.6.4.3 Setbacks

- (1) Additional setback conditions may apply subject to Part 4-1.3.

1.6.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

1.7 HIGH-RISE APARTMENT 1 DISTRICT (R7)

1.7.1 Intent

The intent of this district is to provide for high-rise residential buildings of up to 30 storeys, typically in the form of apartment towers with podiums that support ground-oriented residential and commercial uses.

1.7.2 Permitted Uses

1.7.2.1 R7 District

Use	Conditions
Principal Use	
Apartment Dwellings	-
Townhouse Dwellings	-
Congregate Housing	-
Dormitory	Part 6-5.2
Emergency Shelter	Part 6-5.3
Live-Work Units	1.7.3
Supportive Housing	Part 6-3.6
Transitional Housing	-
Secondary Use	
Principal and Secondary uses permitted in the C1 District	1.7.3, 2.1.3
Accessory Use	
Boarding Use	-
Home-Based Child Care Facility	Part 6-3.5
Home Occupation	Part 6-3.4
Lock-Off Units	Part 6-3.2
Short-Term Rental	Part 6-3.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

1.7.2.2 R7r Sub-District

- (1) Uses permitted in the R7 District are permitted in the R7r Sub-District provided that dwelling units are restricted to purpose-built rental housing.

1.7.3 Conditions of Use

Use	Conditions
Principal Uses	
Live-Work Units	(1) The commercial portion of a live-work unit must be located at ground level, abutting a street, with a dedicated street-front entrance, and the residential portion must be located above or behind it. (2) The uses permitted within the commercial portion of a live-work unit shall be limited to the permitted principal uses and associated conditions of the C1 District. (3) A designated living area shall be used solely for residential purposes and a designated working area shall be used primarily for work purposes. Neither shall be converted to other uses.
Secondary Uses	
C1 District Uses	(1) C1 District uses are subject to the conditions of use in Section 2.1.3, with the exception of the following: (a) Ground-level corner commercial units at a street corner are not restricted to personal and business services, restaurant, and retail uses. (2) C1 District uses are subject to: (a) a maximum of two storeys above grade; (b) a maximum of 250 m² in gross floor area per commercial unit, with the exception of child care facilities; and (c) the permitted setbacks of the R7 District.

1.7.4 Built Form and Siting

1.7.4.1 General

Subject to Sections 1.7.4.2 and 1.7.4.3,

Regulations	R7
Height	
Maximum Height	30 storeys
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard, except as noted below	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Interior Rear Yard	3.0 m

1.7.4.2 Height

- (1) Additional storeys may be permitted subject to applicable conditional height provisions in Part 4-2.3.

1.7.4.3 Setbacks

- (1) Additional setback conditions may apply subject to Part 4-1.3.

1.7.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

1.8 HIGH-RISE APARTMENT 2 DISTRICT (R8)

1.8.1 Intent

The intent of this district is to provide for high-rise residential buildings of up to 40 storeys, typically in the form of apartment towers with podiums that support ground-oriented residential and commercial uses.

1.8.2 Permitted Uses

1.8.2.1 R8 District

Use	Conditions
Principal Use	
Apartment Dwellings	-
Townhouse Dwellings	-
Congregate Housing	-
Dormitory	Part 6-5.2
Emergency Shelter	Part 6-5.3
Live-Work Units	1.8.3
Supportive Housing	Part 6-3.6
Transitional Housing	-
Secondary Use	
Principal and Secondary uses permitted in the C1 District	1.8.3, 2.1.3
Accessory Use	
Boarding Use	-
Home-Based Child Care Facility	Part 6-3.5
Home Occupation	Part 6-3.4
Lock-Off Units	Part 6-3.2
Short-Term Rental	Part 6-3.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

1.8.2.2 R8r Sub-District

- (1) Uses permitted in the R8 District are permitted in the R8r Sub-District provided that dwelling units are restricted to purpose-built rental housing.

1.8.3 Conditions of Use

Use	Conditions
Principal Uses	
Live-Work Units	(1) The commercial portion of a live-work unit must be located at ground level, abutting a street, with a dedicated street-front entrance, and the residential portion must be located above or behind it. (2) The uses permitted within the commercial portion of a live-work unit shall be limited to the permitted principal uses and associated conditions of the C1 District. (3) A designated living area shall be used solely for residential purposes and a designated working area shall be used primarily for work purposes. Neither shall be converted to other uses.
Secondary Uses	
C1 District Uses	(1) C1 District uses are subject to the conditions of use in Section 2.1.3, with the exception of the following: (a) Ground-level corner commercial units at a street corner are not restricted to personal and business services, restaurant, and retail uses. (2) C1 District uses are subject to: (a) a maximum of two storeys above grade; (b) a maximum of 250 m² in gross floor area per commercial unit, with the exception of child care facilities; and (c) the permitted setbacks of the R8 District.

1.8.4 Built Form and Siting

1.8.4.1 General

Subject to Sections 1.8.4.2 and 1.8.4.3,

Regulations	R8
Height	
Maximum Height	40 storeys
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard, except as noted below	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Interior Rear Yard	3.0 m

1.8.4.2 Height

- (1) Additional storeys may be permitted subject to applicable conditional height provisions in Part 4-2.3.

1.8.4.3 Setbacks

- (1) Additional setback conditions may apply subject to Part 4-1.3.

1.8.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
- (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

2.1 NEIGHBOURHOOD COMMERCIAL DISTRICT (C1)

2.1.1 Intent

The intent of this district is to provide pedestrian-oriented, local-serving commercial uses of a scale and intensity that meet the day-to-day needs of the surrounding neighbourhood, such as corner stores, small grocers, and coffee shops.

2.1.2 Permitted Uses

2.1.2.1 C1 District

Use	Conditions
Principal Use	
Active Mobility Hub	-
Animal Care	2.1.3
Artist Studio or Workshop	-
Assembly and Entertainment	2.1.3
Child Care Facility	Part 6-5.1
Educational Services	2.1.3
Emergency Shelter	Part 6-5.3
Financial Institution	2.1.3
Health Care Facility	-
Live-Work Units	2.1.3
Office	2.1.3
Personal and Business Services	-
Recreation and Fitness	-
Recycling Centre	-
Restaurant	2.1.3
Retail	Part 6-4.1
Social Service Centre	-
Visitor Accommodation	2.1.3
Secondary Use	
Commercial Kitchen	-
Community Garden	-
Energy Generation	-
Mobile Retail and Restaurant	-
Accessory Use	
Accessory Buildings, Structures, and Uses	Part 6-1.6, 2.1.3

2.1.3 Conditions of Use

Use	Conditions
All Permitted Uses	
All C1 District Uses	(1) Ground-level commercial units fronting a street corner are restricted to personal and business services, restaurant, and retail uses.
Principal Uses	
Animal Care	(1) Permitted uses exclude: (a) cremation services; and (b) the keeping or boarding of animals overnight, with the exception of animals receiving medical care.
Assembly and Entertainment	(1) Nightclubs not permitted.
Educational Services	(1) Permitted uses exclude public schools, private schools, and trade schools.
Financial Institution	(1) A payday loan or cheque cashing business must be located more than 400 m away from any other payday loan or cheque cashing business or from a gaming establishment within the City of Burnaby.
Live-Work Units	(1) Live-work units are not permitted in the portion of the building within the minimum required commercial building height. (2) The residential portion of a live-work unit is only permitted in conjunction with another listed C1 District principal use and may not exceed a floor area of 112 m ² per dwelling unit, which must be clearly identified on the Building Permit application. (3) The designated residential portion must be used solely for residential purposes and the remainder of the unit must be used primarily for work purposes. Neither shall be converted to other uses. (4) An indoor or outdoor amenity space for common use by multiple live-work unit residents may be permitted as part of the building design.
Office	(1) Principal office uses must be located above the ground-level storey with the exception of an associated lobby entrance.
Restaurant	(1) New drive-thru or drive-in restaurants are restricted to sites with existing drive-thru or drive-in restaurants.
Visitor Accommodation	(1) Visitor accommodation must be located above the ground-level storey, with the exception of an associated lobby entrance. (2) The maximum length of stay is no more than 90 consecutive days.

Accessory Uses

Accessory Buildings,
Structures, and Uses

- (1) The manufacturing or processing of items related to the principal use are a permitted accessory use, with the exception of heavy industrial uses.

2.1.4 Built Form and Siting

2.1.4.1 General

Subject to Sections 2.1.4.2 and 2.1.4.3,

Regulations	C1
Height	
Maximum Height	4 storeys
Minimum Height	1 storey
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard, except as noted below	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Interior Rear Yard	3.0 m

2.1.4.2 Height

- (1) Minimum height requirements do not apply to uses permitted outside of an enclosed building as per Part 6-1.5.
- (2) Additional storeys may be permitted where a lot includes a residential overlay zoning district subject to applicable overlay zoning provisions in Part 6-2.0.

2.1.4.3 Setbacks

- (1) Additional setback conditions may apply subject to Part 4-1.3.

2.1.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

2.2 GENERAL COMMERCIAL DISTRICT (C2)

2.2.1 Intent

The intent of this district is to provide a wide range of city-serving commercial goods and services of a scale and intensity that meet the needs of multiple neighbourhoods, such as larger format retail, major office space, entertainment venues, and limited vehicle-oriented uses.

2.2.2 Permitted Uses

2.2.2.1 C2 District

Use	Conditions
Principal Use	
Principal uses permitted in the C1 District	2.1, 2.2.3
Gaming Establishment	2.2.3
Hospital	-
Parking Facility	2.2.3
Research and Development	2.2.3
Service Station	Part 6-4.2, 2.2.3
Secondary Use	
Secondary uses permitted in the C1 District	2.1
Storage Facility	2.2.3
Accessory Use	
Accessory Buildings, Structures, and Uses	Part 6-1.6, 2.2.3

2.2.3 Conditions of Use

Use	Conditions
Principal Uses	
C1 District Principal Uses	(1) C1 District principal uses are subject to C1 District conditions of use, with the exception of the following: (a) Ground-level commercial units fronting a street corner are not restricted to personal and business services, restaurant, and retail uses. (b) Education services can include public schools and private schools. (c) Nightclubs are a permitted assembly and entertainment use.
Gaming Establishment	(1) Gaming establishments must be located more than 400 m away from any payday loan or cheque cashing business.
Parking Facility	(1) Parking facilities are not permitted within a ground-level storey, with the exception of pedestrian and vehicle entrances and associated maneuvering areas.

Research and Development	(1) Principal research and development uses must be located above the ground-level storey with the exception of an associated lobby entrance.
Service Station	(1) Despite the definition of service station, the retail sale of petroleum based fuels is prohibited except at existing service stations engaged in the retail sale of petroleum based fuels on the effective date of this Bylaw.
Secondary Uses	
C1 District Secondary Uses	(1) C1 District secondary uses are subject to C1 District conditions of use.
Storage Facility	(1) Must be located above the ground-level storey, with the exception of an associated entrance.
Accessory Uses	
Accessory Buildings, Structures, and Uses	(1) The manufacturing or processing of items related to the principal use are a permitted accessory use, with the exception of heavy industrial uses.

2.2.4 Built Form and Siting

2.2.4.1 General

Subject to Sections 2.2.4.2 and 2.2.4.3,

Regulations	C2
Height	
Maximum Height	8 storeys
Minimum Height	2 storeys
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard, except as noted below	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Interior Rear Yard	3.0 m

2.2.4.2 Height

- (1) Minimum height requirements do not apply to service stations or uses permitted outside of an enclosed building as per Part 6-1.5.
- (2) Additional storeys may be permitted where a lot includes a residential overlay zoning district subject to applicable overlay zoning provisions in Part 6-2.0.

2.2.4.3 Setbacks

- (1) Additional setback conditions may apply subject to Part 4-1.3.

2.2.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

3.1 EMPLOYMENT DISTRICT (E1)

3.1.1 Intent

The intent of this district is to support compatible light industrial, commercial, and private recreational uses that minimize conflict with neighbouring residential areas and provide creative employment opportunities. Limited residential opportunities are available for rental housing within 200 m of a SkyTrain station.

3.1.2 Permitted Uses

3.1.2.1 E1 District

Use	Conditions
Principal Use	
Animal Care	3.1.3
Artist Studio or Workshop	-
Assembly and Entertainment	3.1.3
Cannabis Processing Facility	3.1.3
Child Care Facility	-
Commercial Kitchen	-
Contractor Service	-
Emergency Shelter	Part 6-5.3
Health Care Facility	-
Industrial Fueling Station	3.1.3
Light Industrial	-
Office	-
Nurseries and Greenhouses	3.1.3
Production and Rehearsal Studio	-
Recreation and Fitness	3.1.3
Recycling Centre	-
Research and Development	-
Residential Sales Centre	-
Service Station	Part 6-4.2
Storage Yard	-
Towing and Impound Lot	-
Trade School	-
Transportation Facility	-
Utility Services	-
Vehicle, Boat, and Trailer Dealership	-
Warehouse, Packaging, and Distribution Facility	-

Wholesale Facility	-
Works Yard	-
Secondary Use	
Active Mobility Hub	-
Apartment Dwellings	3.1.3
Educational Services	-
Energy Generation	-
Live-Work Units	3.1.3
Mobile Retail and Restaurant	-
Personal and Business Services	-
Restaurant	-
Retail	Part 6-4.1
Storage Facility	3.1.3
Accessory Use	
Showroom or Display Area	3.1.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6, 3.1.3

3.1.3 Conditions of Use

Use		Conditions
All Permitted Uses		
All E1 District Uses	(1)	All permitted uses involving the manufacturing, warehousing, or storage of hazardous waste and dangerous goods, as defined under the <i>Environmental Management Act</i> , shall be authorized by and in compliance with a permit issued by the Waste Management Branch of the Ministry of Environment.
	(2)	No outdoor storage areas shall be located within any required street yard setback.
	(3)	Screening of not less than 1.8 m in height shall be provided and properly maintained along any boundary of a lot where outdoor works, storage of vehicles or materials, or other similar outdoor activities occurs.
Principal Uses		
Animal Care	(1)	Screening of not less than 1.8 m in height shall be provided and properly maintained along any boundary of the lot where breeding and kennel uses occur.
	(2)	Animal care facilities boarding animals overnight shall be located a minimum of 25 m from a residential use measured from building face to building face.

	(3) Uses operating a kennel must abide by the provisions of the Burnaby Kennel Regulation Bylaw 1960, as amended or replaced from time to time.
Assembly and Entertainment	(1) Nightclubs not permitted.
Cannabis Processing Facility	(1) All cannabis production, processing, and storage must take place inside a wholly enclosed building or structure. (2) Any building used for cannabis production or processing must be equipped with an air filtration system that prevents the escape of cannabis odours to the outdoors and the system must be maintained to function properly over time. (3) The City may request an Air Quality Management Plan prepared by a registered professional and a third-party review of this plan at any time.
Industrial Fueling Station	(1) Must meet the conditions of use for Service Stations in Part 6-4.2.
Nurseries and Greenhouses	(1) Must be enclosed within a building or structure. (2) Keeping of livestock, with the exception of insects, and the growing of mushrooms or other products in a manure-based medium is not permitted.
Recreation and Fitness	(1) Indoor pistol and rifle ranges may only be established subject to the following conditions: (a) Compliance with all Federal and Provincial regulations governing the development of indoor pistol and rifle ranges. (b) Compliance with the applicable regulations of the <i>Fire Services Act</i> and the Burnaby Noise or Sound Abatement Bylaw. (c) Shall require contracting the services of an acoustic engineer to ensure that the design of the building will limit the intensity of the noise level at all times to a maximum decibel level as indicated in the Burnaby Noise or Sound Abatement Bylaw, measured at the outer surface of the perimeter walls of the indoor pistol and rifle range and at the upper surface of the floor assembly above. (d) Shall be located 60 m or more from a lot with a principal residential use, measured directly from property line to property line.
Secondary Uses	
Apartment Dwellings	(1) Apartment dwellings must be: (a) restricted to residential rental tenure; (b) located on lots within 200 m of a SkyTrain station; and (c) located above a principal use, and not on the ground level. (2) Apartment dwellings must contain non-market rental housing units based on the minimum percentage for required inclusionary rental units set out in Part 5 Table 5-1.3 for the applicable quadrant. The maximum rental rate for non-market rental housing units must be below the rental rate for any market rental units provided.

Live-Work Units	(3) The residential portion of a live-work unit is only permitted in conjunction with a E1 District principal use and may not exceed a floor area of 112 m² per dwelling unit, which must be clearly identified on the Building Permit application. (4) The residential portion of a live-work unit must be located above the associated E1 District principal use(s) and is not permitted on the ground level. (5) The designated residential portion must be used solely for residential purposes and the remainder of the unit must be used primarily for work purposes. Neither shall be converted to other uses. (6) An indoor or outdoor amenity space for common use by multiple live-work unit residents may be permitted as part of the building design.
Storage Facility	(1) Not permitted within 400 m of a SkyTrain Station. (2) Must be located above the ground-level storey, with the exception of an associated entrance.
Accessory Uses	
Showroom or Display Area	(1) For each separate unit occupied by a principal use, accessory showroom or display area uses are permitted in an area not exceeding 50% of the total floor area occupied by the unit.
Other Accessory Buildings, Structures, and Uses	(1) The manufacturing or processing of items related to the principal use are a permitted accessory use, with the exception of heavy industrial uses.

3.1.4 Built Form and Siting

3.1.4.1 General

Subject to Sections 3.1.4.2 and 3.1.4.3,

Regulations	E1
Height	
Maximum Height	8 storeys
Minimum Lot Line Setbacks	
Street Yard	Front: 6.0 m Flanking: 4.5 m
Lane Yard	3.0 m
Interior Side Yard	3.0 m
Interior Rear Yard	3.0 m

3.1.4.2 Height

- (1) Additional storeys may be permitted where a lot includes a residential overlay zoning district subject to applicable overlay zoning provisions in Part 6-2.0.

3.1.4.3 Setbacks

- (1) Where a lot is separated by a street from a lot in an A or R District, such front yard shall be not less than 9.0 m and such flanking yard shall be not less than 6.0 m.
- (2) Where a lot abuts a lot in an A or R District or is separated by a lane therefrom, a lot line setback shall be provided of not less than 6.0 m.
- (3) An interior side yard may be reduced to 0.0 m, provided it does not abut a lot in an A or R District and provided that the other side yard has a width of not less than 6.0 m.

3.1.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

4.1 INDUSTRIAL DISTRICT (I1)

4.1.1 Intent

The intent of this district is to provide for industrial uses that vary in scale and intensity, including manufacturing and processing of raw and finished materials, distribution and warehousing, and compatible supporting commercial and accessory uses.

I1a Sub-District: The intent of this sub-district is to provide for heavy industrial and similar uses that are subject to specific siting requirements to minimize nuisances (e.g. noise, unsightliness, fumes and vapours, dust, odour, vibrations) and to separate these uses from sensitive uses including residential, child care, and educational service uses.

4.1.2 Permitted Uses

4.1.2.1 I1 District

Use	Conditions
Principal Use	
Animal Care	4.1.3
Cannabis Processing Facility	4.1.3
Cannabis Production Facility	4.1.3
Commercial Kitchen	-
Contractor Service	-
Emergency Shelter	Part 6-5.3
Industrial Fueling Station	4.1.3
Light Industrial	-
Marine Mooring Facility	-
Nurseries and Greenhouses	4.1.3
Production and Rehearsal Studio	-
Recycling Centre	-
Research and Development	-
Service Station	Part 6-4.2
Storage Yard	-
Towing and Impound Lot	-
Trade School	-
Transportation Facility	-
Utility Services	-
Vehicle, Boat, and Trailer Dealership	-
Warehouse, Packaging, and Distribution Facility	-
Wholesale Facility	-
Works Yard	-

Secondary Use	
Active Mobility Hub	-
Artist Studio or Workshop	4.1.3
Child Care Facility	-
Energy Generation	-
Mobile Retail and Restaurant	-
Office	4.1.3
Personal and Business Services	4.1.3
Restaurant	4.1.3
Retail	Part 6-4.1, 4.1.3
Storage Facility	4.1.3
Accessory Use	
Office	4.1.3
Showroom or Display Area	4.1.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

4.1.2.2 I1a Sub-District

Use	Conditions
Principal Use	
Principal uses permitted in the I1 District	4.1.3
Crematoria	4.1.3
Heavy Industrial	-
Industrial Port or Harbour Use	-
Freight Depot or Terminal	-
Recycling and Waste Processing Facility	-
Salvage Yard	4.1.3
Secondary Use	
Secondary uses permitted in the I1 District	Part 6-4.1, 4.1.3
Accessory Use	
Accessory uses permitted in the I1 District	Part 6-1.6, 4.1.3

4.1.3 Conditions of Use

Use	Conditions
All Permitted Uses	
All I1 District and I1a Sub-District Uses	(1) All permitted uses involving the manufacturing, warehousing, or storage of hazardous waste and dangerous goods, as defined under the <i>Environmental Management Act</i>, shall be authorized by and in compliance with a permit issued by the Waste Management Branch of the Ministry of Environment. (2) No outdoor storage areas shall be located within any required street yard setback. (3) Screening of not less than 1.8 m in height shall be provided and properly maintained along any boundary of a lot where outdoor works, storage of vehicles or materials, or other similar outdoor activities occurs.
Principal Uses in the I1 District	
Animal Care	(1) Screening of not less than 1.8 m in height shall be provided and properly maintained along any boundary of the lot where breeding and kennel uses occur. (2) Animal care facilities boarding animals overnight shall be located a minimum of 25 m from a residential use measured from building face to building face. (3) Uses operating a kennel must abide by the provisions of the Burnaby Kennel Regulation Bylaw 1960, as amended or replaced from time to time.
Cannabis Processing and Cannabis Production Facilities	(1) All cannabis production, processing, and storage must take place inside a wholly enclosed building or structure. (2) Any building used for cannabis production or processing must be equipped with an air filtration system that prevents the escape of cannabis odours to the outdoors and the system must be maintained to function properly over time. (3) The City may request an Air Quality Management Plan prepared by a registered professional and a third-party review of this plan at any time.
Industrial Fueling Station	(1) Must meet the conditions of use for Service Stations in Part 6-4.2.
Nurseries and Greenhouses	(1) Must be enclosed within a building or structure. (2) Keeping of livestock, with the exception of insects, and the growing of mushrooms or other products in a manure-based medium is not permitted.
Principal Uses in the I1a Sub-District	
All I1a Sub-District Principal Uses	(1) Except for crematoria and permitted I1 District principal uses, all I1a Sub-District principal uses shall be sited a minimum of 100 m from the following sensitive uses: (a) residential uses on R, C, E, or P District lots;



	(b) educational services, limited to private and public primary and secondary schools; and (c) child care facilities on lots other than I1 District lots. (2) The minimum 100 m distance from sensitive uses shall be measured as follows: (a) where the principal use(s) are completely enclosed within one or more buildings, the measurement shall be taken from the nearest building face to the property line where the sensitive use is located; (b) where the principal use(s) consist of both indoor (i.e. enclosed) and screened outdoor uses, the measurement shall be taken from the nearest building face or screening boundary to the property line where the sensitive use is located; and (c) where the principal use(s) consist entirely of screened outdoor uses, the measurement shall be taken from the nearest screening boundary to the property line where the sensitive use is located.
Crematoria	(1) Crematoria may only operate within a completely enclosed building and may not operate as part of a cemetery in the I1a Sub-District. (2) Crematoria may include administrative offices but may not include chapels, meeting rooms, or other spaces for the assembly or gathering of persons. (3) Crematoria must be located a minimum of 150 m from the following sensitive uses: (a) residential uses on R, C, E, or P District lots; (b) educational services, limited to private and public primary and secondary schools; and (c) child care facilities. (4) The minimum 150 m distance from sensitive uses shall be measured from the building face in which the crematorium is located, to the property line of the site where the sensitive use is located.
Salvage Yard	(1) Shall be sited a minimum of 30 m from any A1 District lot.
Secondary Uses	
Artist Studio or Workshop	(1) Must be located above the ground-level storey, with the exception of an associated entrance.
Office	(1) Secondary office use must be located above the ground-level storey, with the exception of an associated entrance.
Personal and Business Services	(1) Limited to 250 m² in floor area.
Restaurant	(1) Limited to 250 m² in floor area, with the exception of uses that are attached to and operate in conjunction with a principal use.
Retail	(1) Limited to 250 m² in floor area, with the exception of uses that are attached to and operate in conjunction with a principal use.
Storage Facility	(1) Not permitted within 400 m of a SkyTrain Station.



	(2) Must be located above the ground-level storey, with the exception of an associated entrance.
Accessory Uses	
Office	(1) Accessory office use is permitted to be located on the ground level. (2) For each separate unit occupied by a principal use, accessory office uses are permitted in an area not exceeding 40% of the total floor area occupied by the unit.
Showroom or Display Area	(1) For each separate unit occupied by a principal use, accessory showroom or display area uses are permitted in an area not exceeding 50% of the total floor area occupied by the unit.

4.1.4 Built Form and Siting

4.1.4.1 General

Subject to Section 4.1.4.2,

Regulations		I1
Height		
Maximum Height		4 storeys
Minimum Lot Line Setbacks		
Street Yard		Front: 6.0 m Flanking: 4.5 m
Lane Yard		3.0 m
Interior Side Yard		3.0 m
Interior Rear Yard		3.0 m

4.1.4.2 Setbacks

- (1) Where a lot is separated by a street from a lot in an A or R District, such front yard shall be not less than 9.0 m and such flanking yard shall be not less than 6.0 m.
- (2) Where a lot abuts a lot in an A or R District or is separated by a lane therefrom, a lot line setback shall be provided of not less than 6.0 m.
- (3) An interior side yard may be reduced to 0.0 m, provided it does not abut a lot in an A or R District and provided that the other side yard has a width of not less than 6.0 m.

4.1.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 6: Specific-Use Regulations
 - (c) Part 7: Parking, Loading, and Mobility

5.1 PARKS, OPEN SPACES AND NATURAL AREAS DISTRICT (P1)

5.1.1 Intent

The intent of this district is to preserve and enhance public areas of ecological, historic, and recreational value to the community, with opportunities for limited recreational and cultural amenities, including parks, plazas, greenways, public trails, and other related civic facilities and supporting uses.

P1a Sub-District: The intent of this sub-district is to retain natural areas that are important for the environment or wildlife. These lands are often shaped by geological processes and include waterways, ravines, and forests. Public access may be limited for preservation purposes.

5.1.2 Permitted Uses

5.1.2.1 P1 District

Use	Conditions
Principal Use	
Assembly and Entertainment	-
Child Care Facility	-
Civic Facility	-
Emergency Shelter	Part 6-5.3
Golf Facility	-
Heritage Adaptive Use	5.1.3
Park	-
Parking Facility	-
Marina	-
Natural Area	-
Recreation and Fitness	-
Secondary Use	
Active Mobility Hub	-
Community Garden	-
Educational Services	5.1.3
Energy Generation	-
Health Care Facility	-
Mobile Retail and Restaurant	-
Personal and Business Services	-
Restaurant	-
Retail	5.1.3
Utility Services	-

Accessory Use	
Research and Development	5.1.3
Other Accessory Buildings, Structures, and Uses	-

5.1.2.2 P1a Sub-District

Use	Conditions
Principal Use	
Natural Area	-
Park	-
Secondary Use	
Civic Facility	-
Emergency Shelter	Part 6-5.3
Parking Facility	-
Accessory Use	
Research and Development	5.1.3
Utility Services	-
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

5.1.3 Conditions of Use

Use	Conditions
Principal Uses	
Heritage Adaptive Use	(1) Visitor accommodation is limited to bed-and-breakfast establishments, short-term rental establishments, guest houses or boutique hotels that accommodate a maximum of 10 people at a time.
Secondary Uses	
Educational Services	(1) Secondary educational services in the P1 District exclude commercial schools.
Retail	(1) Retail uses are limited to food retail, gift shops, fitness and recreational goods, or arts and culture stores and similar businesses.
Accessory Uses	
Research and Development	(1) Facilities must be used only for research and development, including advancing environmental stewardship, of an existing feature or condition that is located on the subject site.

5.1.4 Built Form and Siting

Regulations		P1
Height		
Maximum Height		Unrestricted
Minimum Lot Line Setbacks		
Street Yard		6.0 m
Lane Yard		6.0 m
Interior Side Yard		6.0 m
Interior Rear Yard		6.0 m

5.1.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
- (a) Part 4: General Regulations
 - (b) Part 6: Specific-Use Regulations
 - (c) Part 7: Parking, Loading, and Mobility

5.2 INSTITUTIONAL DISTRICT (P2)

5.2.1 Intent

The intent of this district is to support primarily public institutional, cultural, recreational, educational, and other public and community-serving uses at various scales and intensities.

P2a Sub-District: The intent of this sub-district is to identify lands for existing or potential future school use.

5.2.2 Permitted Uses

5.2.2.1 P2 District

Use	Conditions
Principal Use	
Principal uses permitted in the P1 District	5.1, 5.2.3
Cemetery	5.2.3
Correctional and Parole Facilities	-
Crematoria	5.2.3
Educational Services	-
Health Care Facility	-
Hospital	-
Office	-
Religious Assembly	-
Research and Development	-
Social Service Centre	-
Transportation Facility	-
Utility Services	-
Works Yard	-
Principal Institutional Residential Uses	
Aftercare and Rehabilitation Centre	-
Congregate Housing	-
Dormitory	Part 6-5.2
Non-Market Rental Housing	-
Supportive Housing	-
Transitional Housing	-
Secondary Use	
Secondary uses permitted in the P1 District	5.2.3
Animal Care	5.2.3
Artist Studio or Workshop	-
Financial Institution	-

Production and Rehearsal Studio	-
Recreation and Fitness	-
Visitor Accommodation	5.2.3
Accessory Use	
Home Occupation	Part 6-3.4
Other Accessory Buildings, Structures, and Uses	Part 6-1.6

5.2.2.2 P2a Sub-District

Use	Conditions
Principal Use	
Public School or Private School	-
Accessory Use	
Accessory Buildings, Structures, and Uses	Part 6-1.6

5.2.3 Conditions of Use

Use	Conditions
Principal Uses	
All Principal Uses	(1) All principal uses are only permitted on publicly-owned or publicly-leased and operated lands with the exception of the following: (a) Assembly and Entertainment (b) Child Care Facility (c) Cemetery (d) Crematoria (e) Social Service Centre (f) Educational Services (g) Health Care Facility (h) Religious Assembly (i) Permitted Institutional Residential Uses
P1 District Principal Uses	(1) All P1 District principal uses are subject to the conditions of use set out in the P1 District for principal uses, except where otherwise noted in the P2 District.
Cemetery	(1) All structures and buildings must be sited a minimum of 3 m from any lot line.
Crematoria	(1) Crematoria, whether a standalone facility or located within a cemetery, must be located a minimum of 150 m from the following sensitive uses: (a) residential uses on R, C, E, or P District lots; (b) educational services, limited to private and public primary and secondary schools; and (c) child care facilities.

	(2) The minimum 150 m distance from sensitive uses shall be measured from the building face in which the crematorium is located, to the property line of the site where the sensitive use is located.
Secondary Uses	
All Secondary Uses	(1) All secondary uses are permitted on publicly- or privately-owned, leased, and operated lands unless otherwise stated. (2) A secondary use permitted in relation to the principal use of a post-secondary institution may be located on a separate lot from the principal use provided it is on land owned, leased, or controlled by the post-secondary institution that it serves.
P1 District Secondary Uses	(1) In the P2 District, permitted P1 District secondary uses are not subject to the conditions of use of the P1 District.
Animal Care	(1) Keeping or boarding of animals overnight, with the exception of animals receiving medical care, is not permitted.
Visitor Accommodation	(1) Only permitted as a secondary use to post-secondary institution, civic facility, and hospital uses.

5.2.4 Built Form and Siting

5.2.4.1 General

Subject to Sections 5.2.4.2 and 5.2.4.3,

Regulations	P2
Height	
Maximum Height, except as noted below	8 storeys
Maximum Height for Cemeteries	4 storeys
Maximum Height for Institutional Residential Uses	6 storeys
Maximum Height for Post-Secondary Institutions	12 storeys
Maximum Height for Hospitals	20 storeys
Minimum Lot Line Setbacks	
Street Yard	3.0 m
Lane Yard	1.2 m
Interior Side Yard, except as noted below	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Interior Rear Yard	3.0 m

5.2.4.2 Height

- (1) Additional storeys may be permitted where a lot includes a residential overlay zoning district subject to applicable overlay zoning provisions in Part 6-2.0.

- (2) The maximum permitted height for post-secondary institutions shall apply to all permitted uses located on lands owned, leased, or controlled by the post-secondary institution.

5.2.4.3 Setbacks

- (1) Additional setback conditions may apply subject to Part 4-1.3.

5.2.5 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
 - (a) Part 4: General Regulations
 - (b) Part 5: Rental Housing and Bonus Incentives
 - (c) Part 6: Specific-Use Regulations
 - (d) Part 7: Parking, Loading, and Mobility

6.1 AGRICULTURE DISTRICT (A1)

6.1.1 Intent

The intent of this district is to provide for agricultural and other secondary and accessory uses on lands within and outside of the Agricultural Land Reserve (ALR). Notwithstanding any other provisions of this bylaw, all lands within the Provincial ALR are subject to the *Agricultural Land Commission Act*, associated regulations and orders of the Agricultural Land Commission (ALC).

6.1.2 Permitted Uses

6.1.2.1 A1 District

Use	Conditions
Principal Use	
Agriculture	6.1.3
Community Garden	-
Park	6.1.3
Secondary Use	
Agri-Tourism	6.1.3
Animal Care	6.1.3
Assembly and Entertainment	6.1.3
Retail	6.1.3
Accessory Use	
Agricultural Processing	6.1.3
Boarding Use	-
Home-Based Child Care Facility	Part 6-3.5
Home Occupation	Part 6-3.4
Restaurant	6.1.3
Retail	6.1.3
Secondary Suites	Part 6-3.1
Short-Term Rental	Part 6-3.3, 6.1.3
Single Family Dwelling	6.1.3
Other Accessory Buildings, Structures, and Uses	Part 6-1.6, 6.1.3

- (1) Permitted uses and conditions vary for ALR and non-ALR lots.
- (2) Agriculture is considered a principal use if it occupies at least 30% of the lot area, as demonstrated by an agriculture plan, in form and content satisfactory to the City, that:
 - (a) identifies the type, location, and dimensions of the agricultural use;
 - (b) outlines measures for protecting the long-term agricultural viability of the lot; and
 - (c) for an ALR lot, confirms compliance with the *Agricultural Land Commission Act*, associated regulations and orders of the ALC.

6.1.3 Conditions of Use

Use		Conditions
All Permitted Uses		
All A1 District Uses		(1) All uses within the ALR are subject to the <i>Agricultural Land Commission Act</i> , associated regulations, and orders.
Principal Uses		
Agriculture		(1) Structures used for the housing of livestock are subject to the flood plain provisions of Part 4-4.1, where applicable. (2) All hives or structures used for beekeeping: (a) must meet the screening and setback requirements in Part 6-6.1.1; and (b) on lots outside of the ALR with an area of less than 2,000 m², not more than two beehives and two nucleus colonies are permitted, which shall be located in the rear yard. (3) Structures used for the keeping of farm animals for domestic or commercial purposes, including barns, shelters, cages, hatcheries, milking facilities, horse facilities, and aquaculture buildings but excluding structures for the keeping of pigeons or poultry for domestic purposes, shall be located no less than 10 m from all lot lines. (4) The following agriculture uses and agricultural structures shall be located not less than 24 m from all lot lines: (a) mushroom growing in a manure-based medium; (b) cannabis production facility; and (c) silos, incinerators, and storage of agricultural by-products and waste materials, including manure.
Park	ALR	(1) Park uses permitted by the <i>Agricultural Land Commission Act</i> and associated regulations.
	Non-ALR	(1) No conditions.
Secondary Uses		
Agri-Tourism	ALR	(1) Agri-tourism activities must be conducted on lots that are classified as a farm under the <i>Assessment Act</i>. (2) No permanent facilities shall be constructed or erected in connection with an agri-tourism activity. (3) Visitor accommodation in relation to agri-tourism is not a permitted use.
	Non-ALR	(1) Not permitted on lots outside of the ALR.
Animal Care	ALR	(1) Not permitted on lots in the ALR.
	Non-ALR	(1) Limited to kennels, wildlife refuges, and sheltering of abandoned livestock. Other animal care uses and services are permitted only when included as accessory to the operation of a kennel or other permitted principal use. (2) A maximum of 5 dogs or livestock is permitted.

		(3) Kennels, including all buildings, structures, cages, pens, or runs used for such purposes, must be located a minimum of 24 m from all lot lines and a minimum of 9 m from a dwelling on the same lot. (4) Structures used for the sheltering of abandoned livestock shall be located not less than 10 m from all lot lines.
Assembly and Entertainment	ALR	(1) Limited to events, and no permanent facilities shall be constructed or erected in connection with events. (2) Events must be conducted on lots that are classified as a farm under the <i>Assessment Act</i>. (3) The scale, duration and frequency of Assembly and Entertainment uses are subject to the <i>Agricultural Land Commission Act</i> and associated regulations.
	Non-ALR	(1) Not permitted on lots outside of the ALR.
Retail	ALR	(1) Not a permitted secondary use. See Conditions of Use – Accessory Uses.
	Non-ALR	(1) Limited to farm retail sales. (2) Farm stands up to 30 m² are permitted for the sale of farm products produced on site or elsewhere in the Province.
Accessory Uses		
Agricultural Processing	ALR	(1) Alcohol production facilities and all other agricultural processing are subject to the <i>Agricultural Land Commission Act</i>, associated regulations and orders. (2) Abattoirs shall be located not less than 150 m from a residential use on another lot. (3) The maximum lot coverage of an agricultural processing use is 2000 m², inclusive of indoor and outdoor areas.
	Non-ALR	(1) Abattoirs and alcohol production facilities are not permitted on lots outside of the ALR. (2) For all other agricultural processing, at least 10% of the agricultural product being processed must be: (a) produced on the lot where it is being processed, with the remaining percentage produced elsewhere in the Province; or (b) feed required for farm use on the lot.
Restaurant	ALR	(1) Limited to the operation of a food and beverage service lounge associated with a permitted alcohol production facility on site, where the lounge must not exceed 125 m ² of gross floor area and 125 m ² of outdoor space.
	Non-ALR	(1) Not permitted on lots outside of the ALR.
Retail	ALR	(1) Limited to farm retail sales. (2) Where 100% of retail sales consist of farm products produced on the property, the maximum lot coverage of a retail sales area is 2000 m², inclusive of indoor and outdoor areas.

		(3) If selling farm products not produced on the property, total retail floor area is restricted to 300 m ² , inclusive of indoor and outdoor areas, and at least 50% of the total retail floor area must be dedicated to the sale of farm products produced either on the property or by a cooperative association to which the owner of the property belongs.
	Non-ALR	(1) See Conditions of Use – Secondary Uses.
Short-Term Rental	ALR	(1) Not permitted on lots in the ALR.
	Non-ALR	(1) See Part 6-3.3.
Single Family Dwelling		(1) A maximum of one single family dwelling is permitted on a lot, which may contain one secondary suite.
Other Accessory Buildings, Structures, and Uses		(1) The storage, processing, and/or sale of peat is restricted to peat removed in the preparation of land for cultivation or during the construction of permitted structures.

6.1.4 Built Form and Siting

Subject to Sections 6.1.4.1, 6.1.4.2, 6.1.4.3, 6.1.4.4, and the regulations in Section 6.1.3 Conditions of Use for setback, separation, and/or lot coverage conditions for specific uses,

Regulations		A1
Minimum Lot Width by Subdivision		
Outside the ALR	37 m	
Within the ALR	114 m	
Minimum Lot Size by Subdivision		
Outside the ALR	5,000 m²	
Within the ALR	220,000 m²	
	Single Family Dwellings and Accessory Buildings	Structures Required for Farm Operations
Maximum Lot Coverage		
Total of All Buildings	250 m²	Unrestricted
Total Detached Accessory Buildings	60 m²	
Maximum Gross Floor Area		
Total of All Buildings	500 m²	Unrestricted
Maximum Height		
Principal Building	10.5 m 2.5 storeys	15 m
Accessory Building	4.0 m 1 storey	
Minimum Lot Line Setbacks		
Street Yard	Min: 3.0 m Max: 9.0 m	3.0 m
Lane Yard	1.5 m	1.5 m
Interior Side Yard	1.5 m	1.5 m
Interior Rear Yard	1.5 m	1.5 m

6.1.4.1 Subdivision

- (1) Where a lot is partially within and partially outside of the ALR, the minimum lot width and lot size requirements by subdivision shall be the greater of requirements between lots outside the ALR and within the ALR.
- (2) Minimum lot width and lot size requirements do not apply in the case of consolidation of two or more lots.

6.1.4.2 Lot and Floor Area

- (1) Maximum gross floor area for all buildings excludes crawlspaces and attics.

6.1.4.3 Setbacks

- (1) Maximum street yard setback requirements shall be determined from at least one street yard.
- (2) Where the interior side yard and/or rear yard abuts a lot in an R District, the setback along the shared property line shall be the lesser of the required yard setback of the abutting lot along the shared property line and 3.0 m, but shall in no case be less than 1.5 m.

6.1.4.4 Riparian Areas

- (1) The following separation distances are required from riparian areas, where one (1) agricultural unit is equal to the live weight of 455 kg of livestock, poultry, or farmed game or any combination of them equaling 455 kg:

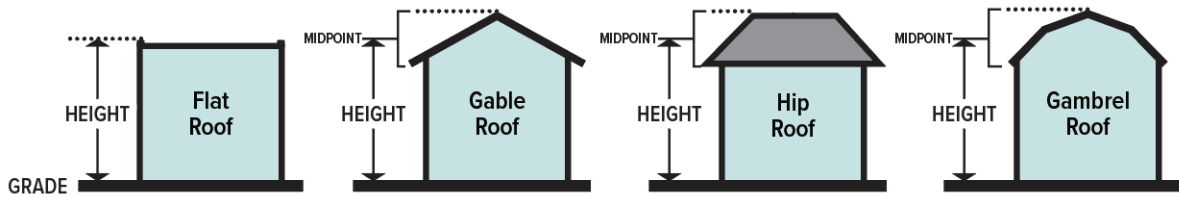
Separation Distance			
Use	Stream	Channelized Stream	Ditch
Seasonal feeding areas, agricultural solid waste field storage facility with more than 2 weeks storage time, confined livestock area with more than 10 agricultural units.	30 m	30 m	30 m
Agricultural solid waste storage facility, agricultural liquid waste storage facility, chemical storage, compost storage, composting, incinerator, silo, wood waste storage, mushroom barn, confined livestock area with less than 10 agricultural units.	15 m	15 m	15 m
All other farm buildings and structures.	15 m	10 m	5.0 m

6.1.5 Measurements and Calculations

6.1.5.1 Height

- (1) The height of all buildings shall be measured from the front average elevation, as defined by the lower of the average natural grade or finished grade along the exterior of the building facing the front lot line, to the midpoint of a sloped roof or the highest point of a flat roof. The midpoint of a sloped roof is considered to be one half of the vertical distance of a sloped roof structure measured from the top plate of the uppermost storey to the highest point of the roof.

Diagram: Height Measurement



- (2) The height of a detached garage or carport shall be measured from the finished grade at the point used for vehicular access. If for topographical reasons a private garage or carport cannot be constructed at the side or rear of the principal building, such garage or carport may be constructed in an excavation in a front yard, provided that no part of such structure shall extend more than 1.2 m above the surface of the surrounding ground at any point other than the driveway, nor be less than 1.2 m from the front property line.

6.1.6 Additional Regulations

- (1) Additional zoning regulations may apply, including, but not limited to, those found in:
- (a) Part 4: General Regulations
 - (b) Part 6: Specific-Use Regulations
 - (c) Part 7: Parking, Loading, and Mobility

7.0 COMPREHENSIVE DEVELOPMENT DISTRICTS (CD)

7.0.1 Intent

Comprehensive Development (CD) Districts provide for the creation of comprehensive land use regulations for properties within the City where site-specific zoning would provide a greater ability to respond to site-specific context than by standard zoning districts with regard to existing or future surrounding development or to the interests of the public. Subject to all other provisions of this Bylaw, on any lot, in any district designated as a CD District, this Section 7.0 shall apply.

7.0.2 Permitted Uses

- (1) Any use shall be permitted in a CD District, or portion thereof, based on a District defined within this Bylaw that includes that permitted use, provided it complies with all applicable regulations under the relevant District and this Bylaw, unless such regulations are specifically excluded or modified by the CD District.
- (2) Any use not contemplated or reasonably regulated by another District shall be permitted, provided it is defined within the comprehensive development plan.
- (3) Where a change of use occurs on a site with an approved comprehensive development plan, the use shall be permitted within the CD District, or a portion thereof, provided:
 - (a) the plan explicitly permits that use or references a District which includes that permitted use;
 - (b) the plan does not explicitly exclude the use or contain conditions that would prevent the use; and
 - (c) the use complies with all applicable regulations under the relevant District and this Bylaw.

7.0.3 Conditions of Use

- (1) Exceptions to the regulations of this Bylaw are permitted, provided that the height for the development as a whole is in conformity with the applicable requirements of this Bylaw.

7.0.4 Comprehensive Development Plan

- (1) Every applicant for comprehensive development district zoning shall submit the following information to Council:
 - (a) A comprehensive plan, including the following:
 - (i) a site plan or plans, including legal descriptions of the area to be developed, showing the location of all existing and proposed buildings, streets, lanes, highways, driveways, bicycle parking, vehicle parking and loading areas, sidewalks, street lighting, utilities and utility easements, streams and other topographical features of the site.
 - (ii) preliminary architectural plans for any proposed buildings.
 - (iii) existing and proposed grades and their relation to the elevations on adjoining properties.
 - (iv) the location, size, height, colour, lighting and orientation of all signs.
 - (v) the location and treatment of open spaces, landscaping, fences and retaining walls.
 - (b) A statement of ownership of land and interest of the applicant therein.
 - (c) The estimated commencement date and proposed schedule of construction.
 - (d) A statement of financial responsibility, including the posting of bonds or cash, to assure the installation of the improvements required by the Municipality as a condition to development.
 - (e) A section laid out in a similar format to standard zoning district sections that includes:
 - (i) a statement of intent for the CD District;
 - (ii) a list of permitted uses;
 - (iii) definitions for any uses not already contained within this Bylaw;
 - (iv) any applicable conditions in relation to the listed uses; and

- (v) any other regulations that may apply, including those that may be in addition to or instead of any regulation in this Bylaw.

7.0.5 Plan to be Part of Bylaw

- (1) All buildings, structures, and uses shall comply with the size, shape, siting, and list of uses as designated on the approved comprehensive development plan, which shall be attached to and form part of this Bylaw.

7.0.6 Legacy CD Districts

- (1) In this section, “Legacy CD District” means a CD District created by an amendment or amendments to Burnaby Zoning Bylaw, 1965 adopted before the effective date of this Bylaw.
- (2) The land use and development regulations for any land in a Legacy CD District shall be the same as those that applied to that land under Burnaby Zoning Bylaw, 1965 as it read immediately prior to the effective date of this Bylaw, except where otherwise specifically provided for in this Bylaw.
- (3) Where a Legacy CD District, or a portion thereof, is based on a CM1, C1, C2, C8, or C9 District in Burnaby Zoning Bylaw, 1965, any uses permitted in the C1 District in this Bylaw are also permitted in the Legacy CD District, subject to all applicable conditions of use under this Bylaw and provided the use is not specifically prohibited by the Legacy CD District.
- (4) Where a Legacy CD District, or a portion thereof, is based on a CM2, C3, C4, C5, C6, or C7 District in Burnaby Zoning Bylaw, 1965, any uses permitted in the C2 District in this Bylaw are also permitted in the Legacy CD District, subject to all applicable conditions of use under this Bylaw and provided the use is not specifically prohibited by the Legacy CD District.

PART 4 / GENERAL REGULATIONS

Part 4 establishes requirements applicable to multiple zoning districts in relation to the siting, form, and bulk of buildings as well as to environmental and landscaping features.

1.0 Lot and Siting Requirements

1.1 Lot Coverage

- (1) Lot coverage calculations shall exclude the following:
- (a) fire escapes and steps;
 - (b) accessibility ramps for the use of persons with disabilities;
 - (c) belt courses, cornices, eaves, gutters, sills, or other similar ornamental features;
 - (d) arbors and trellises, fish ponds, ornaments, flag poles, or similar landscape features;
 - (e) fences and retaining walls;
 - (f) bay windows, balconies, canopies, and sun shades;
 - (g) chimneys;
 - (h) uncovered terraces;
 - (i) uncovered swimming pools;
 - (j) covered and uncovered decks, provided they project no more than 1.2 m from the exterior wall of the building;
 - (k) parking areas that are underground or open-sided and roofless; and
 - (l) up to one detached accessory structure less than 5 m² in gross floor area.

1.2 Building Separation

1.2.1 Principal Buildings

- (1) The following minimum separations are required between all principal buildings or between the exterior walls of two separate floorplates that are part of the same building, except in the R1 and A1 Districts and where otherwise provided for in this Bylaw:

Minimum Building Separation				
Storey Range	Between One or More Residential		Between Two Non-Residential	
	Face-to-Face	Corner-to-Corner	Face-to-Face	Corner-to-Corner
Storey 1 to 4	6.0 m	4.5 m	6.0 m	4.5 m
Storey 5 to 6	12.0 m	8.0 m	9.0 m	6.0 m
Storey 7 to 12	15.0 m	10.0 m	12.0 m	8.0 m
Storey 13 to 40	25.0 m	20.0 m	20.0 m	15.0 m
Storey 41 and above	30.0 m	25.0 m	25.0 m	20.0 m

- (2) Notwithstanding subsection (1), minimum building separation is not required below the 7th storey where the interior side yard setback is 0.0 m and/or the buildings share a party wall.
- (3) Where an adjacent building is located on another lot and is of lesser height, the required upper-storey separation for the subject property shall be half the minimum distance stated in subsection (1) as measured from an interior lot line or the centerline of a street or lane.

1.2.2 Accessory Buildings

- (1) A minimum building separation of 2.4 m is required between detached accessory buildings and all other buildings, except where otherwise provided for in this Bylaw.

1.3 Setbacks

1.3.1 Minimum Lot Line Setbacks in All Districts

- (1) A street or lane yard setback may be reduced to 0.0 m subject to submission of a circulation plan, prepared by a registered professional engineer and approved by the General Manager Engineering, that demonstrates there is sufficient road or lane allowance to meet pedestrian and vehicle circulation, maneuvering, vision clearance, and access needs.

1.3.2 Minimum Lot Line Setbacks in the R, C, and P Districts

- (1) The following minimum lot line setbacks apply to all buildings and structures in the R, C, and P2 Districts, except in the R1 and R2 Districts and where otherwise provided for in this Bylaw:

Lot Line	Minimum Setback Distance
Street Yard	
Storey 1 to 6	3.0 m
Storey 7 and above	Additional 3.0 m stepback required, measured from the outermost extent of the 6 th storey.
Lane Yard	
All Storeys	1.2 m
Interior Side Yard	
Storey 1 to 6	0.0 m
<i>If abutting R1 or R2 District lot</i>	3.0 m
<i>If exterior wall has windows or openings</i>	3.0 m
Storey 7 and above	3.0 m
Interior Rear Yard	
All Storeys	3.0 m

1.3.3 Area-Specific Building Setbacks

- (1) No principal or accessory building or structure, with the exception of permitted street canopies, shall be sited closer than:
- (a) 12.8778 m to the centre line of Kingsway between Tenth Avenue and Edmonds Street.
 - (b) 17.6022 m to the centre line of Kingsway on the south side only between Edmonds Street and Patterson Avenue.
 - (c) 22.86 m to the centre line of the Lougheed Highway between Boundary Road and North Road.
 - (d) 16.1544 m to the centre line of Hastings Street on the south side only, between Esmond Avenue and Sperling Avenue.
 - (e) 30.1752 m to the centre line of Boundary Road, on the east side only, between Imperial Street and the BC Hydro Railway right-of-way which crosses Boundary Road immediately south of Thurston Street.
 - (f) 20.4216 m to the centre line of Boundary Road, on the east side only, between Price Street and the BC Hydro Railway right-of-way which crosses Boundary Road immediately south of Thurston Street.

1.3.4 Projections Over Lot Lines

- (1) A commercial street canopy attached to a building may project over the front lot line with the approval of the General Manager Engineering provided that:
 - (a) the building has a front yard setback of less than 2.0 m;
 - (b) the building is lawfully non-conforming with respect to the front yard setback;
 - (c) the canopy is constructed with a building permit;
 - (d) the canopy projects no more than 1.5 m into the road allowance; and
 - (e) the canopy has a minimum height clearance of 2.7 m from the ground level to the lowest point of the canopy.

1.4 Yards

1.4.1 General

- (1) No principal or accessory building or structure shall be located in any required yard, except as set out in Section 1.4.2 or as otherwise provided for in this Bylaw.

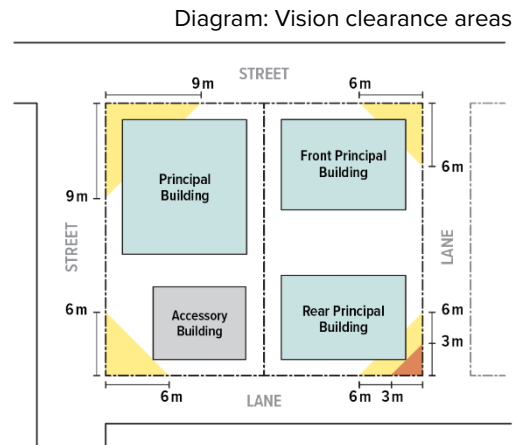
1.4.2 Projections into Required Yards

- (1) The following features and structures may be located in a required yard, except where otherwise provided for in this Bylaw:
 - (a) Fences and retaining walls.
 - (b) Utility, fire, and servicing equipment.
 - (c) Steps or stairs.
 - (d) An uncovered terrace, which may be open or enclosed, in any yard in an R or A District subject to the fence height limitations specified in Section 4.5. The provision of an awning or similar temporary covering for such a terrace shall be permitted.
 - (e) Arbors and trellises, fish ponds, ornaments, flag poles, portable storage bins, or other similar minor or non-permanent landscape features, provided the height complies with the height requirements prescribed for fences within the zoning district in which it is located.
 - (f) Accessibility ramps for the use of persons with disabilities, provided they are no greater than 1.5 m in clear width.
 - (g) Underground parking structures, subject to suitable landscaping or architectural treatment and proper maintenance, except that where such a structure extends above the surface of the finished grade, its horizontal projection shall not exceed 3.0 m in a required front yard.
- (2) The following features and structures may project into a required yard, except where otherwise provided for in this Bylaw:
 - (a) Where they project no more than 0.9 m, or 0.6 m for a required yard less than 1.5 m in width:
 - (i) belt courses, cornices, gutters, sills, chimneys, or other similar features;
 - (ii) bay windows where the total length of all such windows do not exceed 50% of the length of the exterior wall from which they project; and
 - (iii) in required side or rear yards only, outdoor appliances (including heat pumps).
 - (b) Balconies, covered or uncovered decks, canopies, sunshades, and their supporting structures, provided they project no more than 1.2 m for all required yards, or 50% of the width of a required side yard. Balconies are not permitted to project into required yards in the R1 District.
 - (c) A covered or uncovered swimming pool, but such pool shall not be constructed within a required front yard nor nearer than 3.0 m to any property line.
 - (d) Eaves that do not project more than 1.2 m, or 0.6 m for a required yard less than 1.5 m in width.
 - (e) Commercial street canopies that do not exceed 2.0 m in depth may project into the required front yard.

- (3) Notwithstanding subsections (1) and (2), permitted projections into required lane yards shall extend no closer than 0.7 m from the lot line to provide adequate fire truck clearance.

1.5 Clearance at Intersections

- (1) In any zoning district, the following restrictions apply within a triangular area bounded by the intersecting lot lines at a street or lane corner and a third line joining two points along the lot lines at the following distances from their point of intersection:



Distance from Lot Line Intersection	Intersection Type	Restrictions
3.0 m	Lane with another lane	No above-grade building, structure, landscape feature, hedge, tree, or other vegetation, including fences or retaining walls, are permitted.
6.0 m	Lane with another lane or street	No structure or landscape feature, other than a permitted commercial street canopy or a permitted principal building, shall be erected to a greater height than 1.07 m, and no hedge, shrub, tree, or other growth shall be maintained or allowed to grow so as to obstruct vision clearance.
9.0 m	Street with another street	

2.0 Height Regulations

2.1 General

2.1.1 Exclusions

- (1) The following types of structures or structural parts shall not be subject to the building height requirements of this Bylaw:
- (a) In all districts, residential television aerials, electrical service masts and transmission towers, chimneys, flues, flagpoles, vents, water tanks, and solar panels; provided such structures cover no more than 20% of the lot or 20% of the roof area of the building, with the exception of solar panels.
 - (b) Except in the R1 District, church spires, belfries, domes, monuments, fire and hose towers, observation towers, stadiums, monitors, theatre scenery lofts, cooling towers, and elevator and ventilating machinery and penthouses; provided such structures cover no more than 20% of the lot or 10% of the roof area of the building.

2.1.2 Accessory Structures

- (1) In an R District, an accessory structure not being a building, excluding a fence or retaining wall, located outside of a required front or side yard, shall not exceed 4.6 m in height.

2.2 Height of Buildings

2.2.1 Height Calculation

- (1) In all districts, excluding the R1 and A1 Districts, the height of a building is equal to the number of storeys contained between the roof of the building and the floor of the first storey, as measured through the vertical cross section(s) of the building containing the greatest number of storeys.
- (2) For the purpose of this section, the first storey shall be determined using one of the following methods, as selected by the applicant and demonstrated on the plans submitted with the application:
 - (a) any horizontal portion of a storey that is 50% or more above the adjacent finished grade as measured from its finished floor to the underside of the joists of the floor next above it; or
 - (b) as determined in accordance with the British Columbia Building Code.

Diagram: Elevation View - Determination of Above and Below Grade Portions of a Storey as per (2)(a)

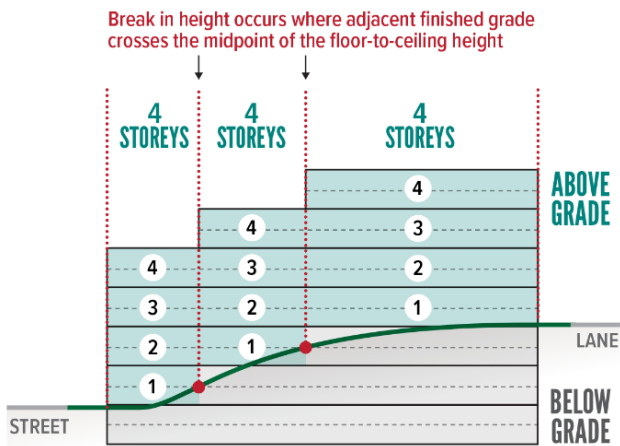
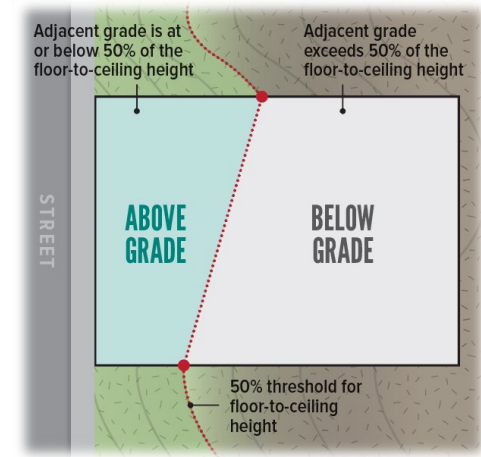


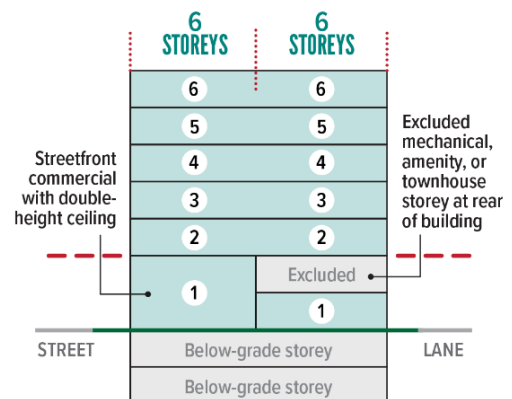
Diagram: Plan View - Determination of Above and Below Grade Portions of a Storey as per (2)(a)



2.2.2 Exclusions

- (1) The following shall be excluded from the height calculation:
 - (a) rooftop access, mechanical penthouses, and elevator overruns;
 - (b) enclosed rooftop amenity areas of no more than one storey in height, provided these areas do not exceed 25% of the total roof area that is at the maximum permitted building height;
 - (c) one of two storeys containing townhouse dwellings and/or communal uses, such as circulation, mechanical, or amenity space, where the total floor-to-ceiling height of the two storeys combined does not exceed the floor-to-ceiling height of an adjacent single-storey ground-level commercial unit within the same building; and

Diagram: Example exclusion when partial double-height first storey as per (1)(c)



- (d) mezzanines in first storey R and C District commercial and live-work units provided they are not considered a storey under the British Columbia Building Code. For clarity, mezzanines located in residential dwelling units or above the first storey in commercial and live-work units will be counted as a storey for the purpose of calculating building height.

2.3 Conditional Height Increases

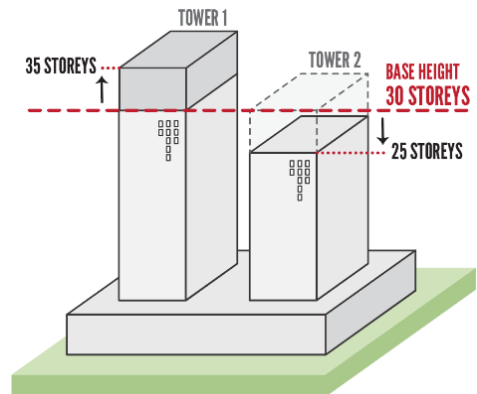
- (1) Sites are eligible for conditional height increases in compliance with Table 4-2.3 and Sections 2.3.1 and 2.3.2.
- (2) Where a site is eligible for multiple conditional height increases, height increases are to be applied in the order shown under the Eligible Increase section of Table 4-2.3 and may not cumulatively exceed the maximum eligible increase shown in Row E of Table 4-2.3 for any given building.

Table 4-2.3 Conditional Height Increases (in Storeys)								
D = Discretionary U = Unrestricted								
Row	Zoning District:	R3	R4	R4 (TOA)	R5	R6	R7	R8
A	Maximum Base Height	4	6	8	12	20	30	40
	Eligible Increase							
B	Height Averaging	0	0	0	+4	+5	+5	+5
C	Voluntary Commercial	0	0	0	+8	+10	+10	U
D	Community Benefit Bonus	D	D	D	D	+10	+10	U
E	Maximum Eligible Increase (B+C+D)	+2	+6	+4	+8	+10	+10	U
F	Maximum Height w/ Eligible Increase	6	12	12	20	30	40	U

2.3.1 Height Averaging

- (1) On sites in the R5, R6, R7, and R8 Districts, the height of a building or separate portions of the same building (both referred to as “building components” for the purpose of this section) can be increased or decreased by way of height averaging, subject to the following:
- The average height for a site is determined by dividing the sum of the height of each building component by the number of building components on the site.
 - The average height of the building components must not exceed the maximum base height for the applicable zoning district;
 - The maximum number of additional storeys that may be added to any building component is set out in Row B of Table 4-2.3.
 - The combined floorplate of all building components that exceed the maximum base height for the zoning district cannot exceed the floorplate of the building component(s) that do not exceed the maximum base height, excluding the area of elevator cores.
 - Eligible buildings are restricted to:
 - the same lot;
 - contiguous lots that form one development site; or
 - sites approved as part of a master plan.

Diagram: Height averaging example for a site with two building components



- (f) Eligible building components are restricted to full, contiguous storey floorplates. Portions of a storey are not eligible for height averaging.
- (2) Notwithstanding subsection (1)(c), sites approved as part of a master plan may exceed the height averaging maximums set out in Row B of Table 4-2.3, provided there is a corresponding offset in height from one or more other eligible building(s) within the master plan site area.

2.3.2 Voluntary Commercial

- (1) On sites that have a C District base zoning district with an R5, R6, R7, or R8 District overlay zoning district, an increase to the maximum building height is permitted where commercial storeys are provided in addition to the minimum commercial storey requirements for the district (“voluntary commercial storeys”), subject to the following:
 - (a) The allowable increase in building height is equivalent to the number of voluntary commercial storeys provided, up to the maximum set out in Row C of Table 4-2.3.
 - (b) The additional height is restricted to the building in which the voluntary commercial storeys are located.
 - (c) The floorplate size of additional residential storeys cannot exceed the floorplate size of the voluntary commercial storeys.
 - (d) Voluntary commercial storeys shall not be converted to another use.
 - (e) Voluntary commercial storeys may contain:
 - (i) Any C1 District principal use, excluding active mobility hubs, emergency shelters, and live-work units.
 - (ii) Any C2 District principal use, excluding parking facilities, service stations, and storage facilities.

3.0 Floor Area Requirements

3.1 Calculation of Gross Floor Area

3.1.1 R1 and A1 Districts

- (1) For the purpose of calculating gross floor area in the R1 and A1 Districts, the following shall be excluded, except where otherwise provided for in this Bylaw:
 - (a) exterior access areas such as corridors, landings, staircases, stairways, and similar areas, provided that they are not fully enclosed;
 - (b) crawl spaces;
 - (c) areas of undeveloped floors, such as an attic, located above a storey or a half-storey, or adjacent to a half-storey, with a maximum vertical clear height of 1.2 m, and no permanent means of access other than a hatch;
 - (d) any exterior architectural features, including belt courses, cornices, eaves, canopies, gutters, sills, pilasters, and similar features;
 - (e) chimneys and bay windows;
 - (f) covered and uncovered balconies, decks, and terraces, provided that they are not fully enclosed; and
 - (g) arbors, trellises, and similar landscape features.
- (2) For the purpose of calculating gross floor area, the following shall be included:
 - (a) internal stairs and open-to-below areas; and
 - (b) exterior wall thickness as measured to the outside face of exterior walls.

3.2 Unit Dimensions

3.2.1 General

- (1) For the purposes of this section, the floor area of a unit shall be measured from the centre line of party walls, corridor walls, and core walls, and to the outside face of exterior walls.
- (2) In the case of a residential dwelling unit, floor area shall include in-suite storage.

3.2.2 Residential Dwelling Units

3.2.2.1 Minimum Dwelling Unit Floor Area

- (1) For all dwelling units, the following minimum dwelling unit floor areas shall apply:

R1, A1, and Townhouse Dwellings		Apartment Dwellings	
Unit Type	Minimum Unit Size	Unit Type	Minimum Unit Size
Secondary Suite	32.52 m ²	Lock-Off Unit	24 m ²
Studio Unit	37 m ²	Studio Unit	33 m ²
1-Bedroom Unit	56 m ²	1-Bedroom Unit	49 m ²
2-Bedroom Unit	90 m ²	2-Bedroom Unit	67 m ²
3-Bedroom Unit	111 m ²	3-Bedroom Unit	86 m ²
4-Bedroom Unit	125 m ²	4-Bedroom Unit	112 m ²

3.2.2.2 Minimum Dwelling Unit Width

- (1) Townhouse dwellings in all districts shall have a minimum dwelling unit width of not less than 5 m.

3.3 Floorplates in the R and C Districts

3.3.1 General

- (1) For the purpose of this section, the floorplate area is equal to the gross floor area of a contiguous storey measured to the outermost extent of the building at that storey, inclusive of all projections and appurtenances.

3.3.2 Maximum Floorplate Area

- (1) For all lots with a base or overlay R3, R4, R5, R6, R7, R8, or C District, the following maximum floorplate areas for storeys containing a dwelling unit ("residential") or not containing a dwelling unit ("commercial") shall apply:

Maximum Floorplate Area		
Storey Range	Residential	Commercial
Storey 1 to 6	Unrestricted	Unrestricted
Storey 7 to 12	1,400 m ²	2,000 m ²
Storey 13 and above	900 m ²	1,800 m ²

4.0 Environment, Landscape, and Screening

4.1 Fraser River Flood Plain

- (1) All lands within the area of the Fraser River Flood Plain as described in Schedule AA - Flood Plain Map of the Official Regional Plan of the Lower Mainland Regional Planning Board, now the Official Regional Plan of the Greater Vancouver Regional District shall be subject to the following regulations:
- (a) All buildings or mobile units with areas used for habitation, business, or storage of goods damageable by floodwaters shall:
 - (i) not be constructed or located within 60 m of the natural boundary of the Fraser River; and
 - (ii) not have the underside of the floor system be lower than the nearest point on an even gradient line along the natural boundary of the Fraser River from 3.392 m Geodetic Survey of Canada datum at Boundary Road to 4.002 m Geodetic Survey of Canada at Fenwick Street.
 - (b) Where the development is provided with a comprehensive flood proofing treatment for internal site drainage and/or upland drainage to the approval of the General Manager Engineering, the requirements under subsection (a)(ii) may be reduced 0.6 m for industrial uses.

4.2 Streamside Protection and Enhancement Area

- (1) In addition to the definitions set out in Part 2, the following definitions shall apply for the purposes of this Section 4.2 and the Streamside Protection and Enhancement Area Development Permit Area Guidelines (see Schedule II):

“ACTIVE FLOODPLAIN” means the area of land below the visible high-water mark or water level of a stream during annual flood events with the characteristics of riparian area conditions set out in the definition of riparian area

“DITCH” as defined in Part 2 of this Bylaw

“EXISTING OR POTENTIAL VEGETATION” means the native and non-native vegetation currently on site and vegetation that is considered to exist if there is a reasonable ability for regeneration, either with assistance through enhancement or naturally, within an area that is not covered by a permanent structure

“FISH” means a vertebrate of the order Petromyzontiformes (lampreys) or class Osteichthyes (bony fish) that, at any part of its life cycle, inhabits or is dependent on a stream.

“RAVINE” means a narrow, steep sided valley that is commonly eroded by running water and with slope grades greater than 3:1.

“STREAM” as defined in Part 2 of this Bylaw

“STREAMSIDE PROTECTION AND ENHANCEMENT AREA” or **“(SPEA)”** means the area determined in accordance with section 4-4.2(3) of this bylaw and the Streamside Protection and Enhancement Development Permit Area Guidelines (see Schedule II)

“STREAM, FISH-BEARING” means a stream in which fish are present or potentially present if introduced barriers or obstructions are either removed or made passable by fish

“STREAM, NON-FISH-BEARING” means a stream that is not inhabited by fish but provides water, food and nutrients to a downstream fish-bearing stream or other body of water

“STREAM, NON-PERMANENT” means a stream that typically contains surface waters or flows for periods less than 6 months of the year

“STREAM, PERMANENT” means a stream that typically contains continuous surface waters or flows for a period more than 6 months of the year

“STRUCTURE, PERMANENT” means a lawfully constructed structure that is affixed to land and placed or erected on a permanent foundation, and for certainty does not include areas of existing asphalt, brownfield sites and open space on industrial lands

“TOP OF BANK” means:

- (a) the point closest to the boundary of the active floodplain of a stream where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the break; or
 - (b) for a floodplain area not contained in a ravine, the edge of the active floodplain of a stream where the slope of the land beyond the edge is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from edge; or
 - (c) in respect to a ravine, the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 m measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed
- (2) A streamside protection and enhancement area shall be determined by reference to the average width of existing or potential vegetation, which average shall be calculated in accordance with the following:
- (a) measuring perpendicular away from the top of bank or top of ravine to the lesser of 50 m or the edge of a permanent structure, on either side of a stream;
 - (b) taking such measurements starting at the midpoint of a lot and repeating them at 40 m intervals for a 200 m distance upstream and downstream; and
 - (c) averaging the total of all measurements taken on the basis of paragraph (b).
- (3) Subject to reductions or alternatives, if any, determined in accordance with the Streamside Protection and Enhancement Development Permit Area Guidelines (see Schedule II), the width of a streamside protection and enhancement area shall be as set out in Tables 4-4.2a and 4-4.2b.
- (a) Minimum width of SPEA for streams including streams in ravines less than 60 m wide (as measured from top of bank to top of bank, excluding stream channel within active floodplain boundaries) shall be as follows:

Table 4-4.2a Minimum SPEA for Ravines Less than 60 m			
Average Width of Existing or Potential Vegetation	SPEA		
	Fish-Bearing Stream	Non-Fish-Bearing Stream	
		Permanent Stream	Non-Permanent Stream
50 m	Min. 30 m	Min. 30 m	Min. 15 m
30 m to < 50 m	Min. 30 m	Min. 30 m	Min. 15 m
15 m to < 30 m	Min. 15 m*	Min. 15 m	Min. 15 m
< 15 m	Min. 15 m*	Min. 5 m, Max 15 m*	Min. 5 m, Max 15 m*
*Minimum width of SPEA is the greater of: (a) width of average existing or potential vegetation; and (b) the minimum SPEA width indicated.			

- (b) Minimum width of SPEA for streams in ravines more than 60 m wide (as measured from top of bank to top of bank, excluding stream channel within active floodplain boundaries) and ditches shall be as follows:

Table 4-4.2b Minimum SPEA for Ravines Greater than 60 m and Ditches	
Watercourse Category	SPEA
Stream in a ravine that is more than 60 m wide	Min. 10 m
Ditch that is a fish-bearing stream	Min. 10 m
Ditch that is a non-fish-bearing stream	Min. 5 m

4.3 Permeable Surfaces

4.3.1 Minimum Area

- (1) For new development involving the construction of a principal building, the following minimum portions of a lot shall be provided as permeable surfaces. Except in the R1 District, permeable surfaces shall be demonstrated on a landscape plan, including supporting calculations, prepared and certified by a landscape architect.

Required Permeable Surface as a Portion of Lot Area						
Zoning District	R1	R2-R8	C	E1	I1	P2
Minimum Lot Area	Lots w/ 1 to 4 units: 40%	30%	20%	10%	10%	20%
	Lots w/ 5 to 6 units or rowhouse dwellings: 30%					

- (2) In all districts except the R1 District, the roof area of a building or parking facility may be counted towards permeable surfaces where a layer of soil is provided that is:
- 0.6 m in depth of growing medium; or
 - 0.9 m in depth of structural soil.
- (3) Where less soil depth is provided than described in subsection (2), the area may be counted as permeable surface in accordance with the following formula:

$$\text{Permeable Surface (m}^2\text{)} = \text{area (m}^2\text{)} \times \frac{\text{Provided growing medium or structural soil (m}^3\text{)}}{\text{Required growing medium or structural soil (m}^3\text{)}}$$

Required growing medium or structural soil for the calculation is the area of the permeable surface times 0.6 for growing medium or 0.9 for structural soil.

4.3.2 Vegetation

- At least 50% of the required permeable surfaces shall be planted with vegetation such as trees, shrubs, hedges, and ground cover and shall not be paved with permeable deck or pavement systems.
- Where required vegetation is provided, the permeable surface shall be provided as deep soil.
- Sod and invasive species listed in the most recent Metro Vancouver Invasive Plant Prioritization Rankings list shall not be counted towards vegetated areas.

4.3.3 Trees in the R1 District

- (1) Notwithstanding any other provision in Section 4.3, on any R1 District lot, permeable surface requirements may be partially satisfied through the retention or replacement of Significant Trees in accordance with the following:
 - (a) Where one or more Significant Trees are retained, each having a stem diameter greater than 20 cm, measured in accordance with the Burnaby Tree Bylaw 1996 (Bylaw No. 10482), the area contained within the tree protection area as outlined in a tree management plan may be counted toward the required minimum permeable surfaces at a rate of 1.6 times the area.
 - (b) To qualify for the permeable surface credit, the owner shall grant to the City, to the satisfaction of the General Manager Planning and Development, a covenant securing the retention and protection of each such Significant Tree in perpetuity.
 - (c) Where replacement trees are planted, the soil volumes provided to accommodate each replacement tree may be counted toward the required minimum permeable surfaces at a rate of 1.3 times the area.

4.4 Screening and Landscaping

4.4.1 Minimum Landscaping Requirements

- (1) In R, C, and P Districts, any part of a lot not used for building, parking or loading facilities, outdoor recreation, cemetery use, or utility corridors, shall be fully and suitably landscaped and properly maintained.
- (2) In E and I Districts, all those portions of a required front yard not used for permitted parking or display areas shall be fully and suitably landscaped and properly maintained.
- (3) In all zoning districts where the side lot line abuts a lot in an A or R District, or is separated by a street or lane therefrom, all those portions of a required side yard not used for permitted parking or outdoor play area shall be fully and suitably landscaped and properly maintained.
- (4) Where the rear lot line in an E or I District abuts a lot in an A or R District, or is separated by a lane therefrom, the required rear yard shall be fully and suitably landscaped and properly maintained.

4.4.2 Screening for Salvage, Storage, and Works Yards

- (1) No outdoor salvage, storage, or works area shall be permitted in a required front yard nor any required yard which abuts a lot in an R District or that is separated by a street or lane therefrom.
- (2) Screening consisting of a solid fence 2.4 m in height or a compact evergreen hedge 1.8 m in height shall be provided as follows:
 - (a) Required screening shall be uniformly painted, well maintained in good condition at all times, and not used for advertising, display purposes, or the posting of notices.
 - (b) In C, E, I, P, or A Districts, any part of a lot used or intended to be used as an outside salvage or storage area shall be enclosed by screening on any side not facing directly upon the principal building on the lot, and no material shall be piled to extend above such screening in C, E, or A Districts. In the case of I or P Districts, material may be piled to a maximum height of 3.5 m.
 - (c) Required front screening shall be located no closer than the line established by the required front yard setback.
 - (d) Where a side or rear yard is required to be landscaped, the required screening shall be located on the line established by the required yard setback.

4.4.3 Screening for Parking Areas, Loading Areas, and Display Yards

- (1) Except in the R1 District, any parking area, loading area, display yard, or similar use shall be separated from an adjoining street, or from a directly abutting lot in an A or R District, by a fully and suitably landscaped and properly maintained strip of not less than 1.8 m in width.
- (2) Except in the R1 District, screening of 1.8 m in height shall be provided and properly maintained:
 - (a) where any parking or loading area abuts a lot in an A or R District, or is separated therefrom by a street or lane, except however, that where a parking area abuts a lane, the screening along the lane shall be not less than 0.8 m nor more than 1 m in height for a distance of not less than 6.0 m from all points of ingress and egress to and from such parking area;
 - (b) where any display yard, industrial fueling installation, or public utility installation abuts a lot in an A or R District, or is separated therefrom by a lane; and
 - (c) where any permitted outdoor storage tanks or equipment are located outside of an enclosed building in all districts except the A1 District.

4.5 Fences

- (1) All fences shall be subject to the vision clearance requirements in Section 1.5.
- (2) The following height limitations shall apply to fences:
 - (a) In all zoning districts, fences may not exceed 1.07 m in height when located within a required front yard, with the exception of:
 - (i) enclosures for outdoor play areas, which may not exceed 1.8 m in height; or
 - (ii) required screening.
 - (b) Anywhere on a lot to the rear of a required front yard, fences may not exceed:
 - (i) 1.8 m in height in the R, C, and P Districts; and
 - (ii) 2.4 m in height in the E, I, and A Districts.
 - (c) In E and I Districts, any fence located outside of required yards shall not exceed the maximum height prescribed for principal buildings within the zoning district in which it is located.
 - (d) Arbors, archways, gates, and similar structures which serve as an entrance to a property shall not exceed 2.6 m in height and 1.8 m in width.
- (3) Subsection (2) shall not apply to:
 - (a) open mesh and chain link type fences erected on cemeteries, public parks, schools, and in the E, I, or P Districts, which shall not exceed a height of 3.5 m; and
 - (b) fences that delineate the area used as sports fields, golf courses, golf driving ranges, tennis courts, and other similar uses.
- (4) Barbed wire, razor wire, or similar materials with sharp projections shall not be used in the construction of a fence, except within the E and I Districts or for correctional institutions permitted in the P2 District. Where permitted, these materials may exceed the permitted fence height.
- (5) The height of a fence shall be determined by measurement from average grade within 0.9 m of both sides of such fence to the highest point of the fence. Where a fence is erected above a retaining wall along a property line, any portion of ground located beyond the retaining wall shall not be included in the calculation of average grade.
- (6) Where a fence is located above a retaining wall, the fence shall be constructed with materials different from that used in the construction of the retaining wall, and in a manner that is visually dissimilar to the retaining wall.

4.6 Retaining Walls

- (1) In all zoning districts, retaining walls shall not exceed 1.2 m in height, as measured at any point along the retaining wall, except:
 - (a) the height may be varied through a development variance permit where a retaining wall has minimal visual impact on adjacent properties, uses, or the public realm; or
 - (b) where a retaining wall that exists, or that was approved for construction by the issuance of a building permit on or before the effective date of this Bylaw, is being replaced and all of the following apply:
 - (i) it is constructed in the same location and to the same height;
 - (ii) It is located entirely within the legal boundaries of the lot; and
 - (iii) site conditions make it not feasible to comply with the maximum allowable heights of this section, as determined by the Chief Building Inspector.
- (2) The height of a retaining wall shall be measured vertically from the lower of natural or finished grade at the base of the wall, to the surface of the ground or water which it supports.
- (3) The shortest horizontal distance between the outer face of two adjacent retaining walls shall not be less than the height of the retaining wall with greater heights.
- (4) The horizontal distance between the adjacent retaining walls shall be relatively level, suitably landscaped, and property maintained.
- (5) Subsections (1), (3), and (4) shall not apply to retaining walls that are required:
 - (a) as a condition of subdivision approval; or
 - (b) to exclusively provide access or light to a basement or cellar.
- (6) Any portion of a retaining wall that projects above the surface of the ground or water which it supports shall be considered a fence and be subject to Section 4.5.

PART 5 / RENTAL HOUSING & BONUS INCENTIVES

Part 5 establishes requirements in relation to inclusionary rental units, replacement rental units, and community benefit bonus incentives.

1.0 Inclusionary Rental Requirements

1.1 Applicability

- (1) The regulations contained in this Section 1.0 apply to a residential development on a lot that:
 - (a) is zoned R3, R4, R5, R6, R7, or R8 or CD based on R3, R4, R5, R6, R7, or R8, and involves the redevelopment of:
 - (i) five (5) or more purpose-building rental housing dwelling units; and
 - (ii) any parcels with purpose-built rental housing dwelling units or secondary rental units, which are consolidated or subdivided with a parcel that meets the criteria set out in subparagraph (i) above; and
 - (b) is zoned R5, R6, R7, or R8, or CD based on R5, R6, R7, or R8, and that does not meet the conditions in paragraph (a).

1.2 Exclusions

- (1) The regulations contained in this Section 1.0 do not apply to:
 - (a) a dormitory; or
 - (b) the types of redevelopment set out in Section 3.2 of the *Burnaby Tenant Protection Bylaw*.

1.3 Requirements

1.3.1 R3 and R4 Districts

- (1) A residential development on a lot that is zoned R3, R4, or CD based on R3 or R4 and meets the criteria set out in Section 1.1(1)(a) must provide inclusionary rental units based on the total number of purpose-built rental housing dwelling units and secondary rental units, as applicable, to which this Section 1.0 applies, that were demolished for the redevelopment, divided by the total number of dwelling units within the new residential development, expressed as a percentage, as described in the following formula for clarity:

Inclusionary rental requirement (IRR) is equivalent to the following when Section 1.3.1(1) applies:

$IRR = A / B$, where;

A = total number of purpose-built rental housing dwelling units, and secondary rental units, to which this Section 1.0 applies, demolished for the redevelopment

B = total number of dwelling units in new residential development

1.3.2 R5, R6, R7, and R8 Districts

- (1) A residential development on a lot that is zoned R5, R6, R7 or R8 or CD based on R5, R6, R7 or R8 and meets the criteria set out in Section 1.1(1)(a) must provide inclusionary rental units based on the greater of:
 - (a) the applicable percentage of total dwelling units within the residential development as set out in Table 5-1.3, based on the City of Burnaby Quadrant in which the development is located; and

- (b) the total number of purpose-built rental housing dwelling units and secondary rental units, as applicable, to which this Section 1.0 applies, that were demolished for the redevelopment, divided by the total number of dwelling units within the new residential development, expressed as a percentage, as described in the following formula for clarity:

Inclusionary rental requirement (IRR) is equivalent to the following when Section 1.3.2(1)(b) applies:

$IRR = A / B$, where;

A = total number of purpose-built rental housing dwelling units and secondary rental units to which this Section 1.0 applies, demolished for the redevelopment

B = total number of dwelling units in new residential development

- (2) Subject to subsections (3) and (4), a residential development described in Section 1.1(1)(b) must provide inclusionary rental units based on the applicable percentage of total dwelling units within the residential development, as set out in the table below:

Table 5-1.3 Required Inclusionary Rental Units in the R5, R6, R7 & R8 Districts		
Zoning District	Percentage of Total Dwelling Units	
	Northwest & Southwest Quadrants	Northeast & Southeast Quadrants
R5 Mid-Rise Apartment 1 District	10%	5%
R6 Mid-Rise Apartment 2 District		
R7 High-Rise Apartment 1 District		
R8 High-Rise Apartment 2 District		

- (3) For the purposes of calculating the number of required inclusionary rental units under subsections (1) and (2), the following shall be excluded from the total number of dwelling units within the residential development:
- (a) market rental units, including in a purpose-built rental housing;
 - (b) dwelling units and community benefit bonus housing within the community benefit bonus portion of a development; and
 - (c) voluntary non-market rental housing units.
- (4) Where a lot straddles two or more City of Burnaby Quadrants, the lesser requirement in Table 5-1.3 shall apply.

1.4 Conditions for Inclusionary Rental Units

- (1) All inclusionary rental units provided in accordance with Section 1.3.1 shall:
- (a) be restricted to rental tenure;
 - (b) include the same mix of units by bedroom type as the purpose-built rental housing dwelling units and secondary rental units, as applicable, that were demolished for the redevelopment;
 - (c) be restricted to rental rates at or below the replacement rental unit rate, if rented to a returning tenant in accordance with the *Burnaby Tenant Protection Bylaw*;
 - (d) if not rented to a returning tenant, be unrestricted as to rental rates and tenant eligibility requirements; and
 - (e) be subject to the conditions in paragraphs (a) to (d) above for the later of 99 years from the issuance of an occupancy certificate for the development and when the inclusionary rental unit is fully demolished or destroyed.

- (2) All inclusionary rental units provided in accordance with Section 1.3.2(1) shall:
 - (a) be restricted to rental tenure;
 - (b) include the same mix of units by bedroom type as the purpose-built rental housing dwelling units and secondary rental units, as applicable, that were demolished for the redevelopment;
 - (c) be restricted to rental rates at or below the replacement rental unit rate, if rented to a returning tenant in accordance with the *Burnaby Tenant Protection Bylaw*;
 - (d) if not rented to a returning tenant, be restricted to rental rates at or below the inclusionary rental rate and be rented only to eligible tenants, except that where inclusionary rental units are provided in accordance with Section 1.3.2(1)(b) (rather than Section 1.3.2(1)(a)), those inclusionary rental units in excess of that required under Section 1.3.2(1)(a) shall be unrestricted as to rental rates, and tenant eligibility requirements; and
 - (e) be subject to the conditions in paragraphs (a) to (d) above for the later of 99 years from the issuance of an occupancy certificate for the development and when the inclusionary rental unit is fully demolished or destroyed.

- (3) All inclusionary rental units provided in accordance with Section 1.3.2(2) shall:
 - (a) be restricted to rental tenure;
 - (b) be restricted to rental rates at or below the inclusionary rental rate and be rented only to eligible tenants; and
 - (c) be subject to the conditions in paragraphs (a) and (b) above for the later of 99 years from the issuance of an occupancy certificate for the development and when the inclusionary rental unit is fully demolished or destroyed.

- (4) Where permitted by the City, the rent for an inclusionary rental unit may be varied, provided the average rent across all such inclusionary rental units in the development does not at any time exceed the amount that is the sum of the CMHC market median rent for each inclusionary rental unit in a development rented to a tenant under a tenancy agreement divided by the total number of inclusionary rental units rented to a tenant under a tenancy agreement, *as described in the following formula for clarity:*

The total average rent across all such inclusionary rental units (IRR) in the development is equivalent or less than the following:

IRR ≤ A/B, where;

 - (i) *A = Sum of CMHC median market rent for each inclusionary rental unit rented to a tenant under a tenancy agreement*
 - (ii) *B = total number of inclusionary rental units rented to a tenant under a tenancy agreement.*

- (5) Prior to the issuance of a building permit for a residential development that includes required inclusionary rental units, the owner shall grant a Section 219 Covenant in favour of the City and enter into a housing agreement with the City to secure the construction of the required inclusionary rental units and the conditions set out in subsection (1), (2), or (3), as applicable, and, if applicable, subsection (4), together with other terms and conditions satisfactory to the City.

1.5 Provision of Inclusionary Rental Units Off-Site

- (1) The City may, by bylaw, enter into an agreement for the provision of inclusionary rental units on one or more lots other than the development site, provided that:
 - (a) unless otherwise approved by Council, the lot or lots is located within the same City of Burnaby Quadrant as the development site; and
 - (b) the requirements in relation to inclusionary rental units meet or exceed the requirements under this Section 1.0.
- (2) The agreement for off-site inclusionary rental units shall specify, amongst other matters, the following:
 - (a) the lot or lots on which inclusionary rental units will be located;
 - (b) who is to provide the inclusionary rental units on each lot;
 - (c) when the inclusionary rental units are to be provided on each lot;
 - (d) how the provision of inclusionary rental units under the agreement will meet or exceed the requirements under this Section 1.0; and
 - (e) any other information prescribed by regulation for the purposes of section 482.92 of the *Local Government Act*.

2.0 Community Benefit Bonus

- (1) Subject to the regulations for conditional height increases in Part 4-2.3 and as authorized by section 482 of the *Local Government Act*, an increase in the maximum storeys set out in the regulations applicable to the R6, R7, or R8 District, or in a CD District based on the R6, R7, or R8 District, is permitted as follows:
 - (a) in the R6 and R7 Districts, up to 10 additional storeys of residential development;
 - (b) in the R8 District, no specific limit on the increase in storeys of residential development,provided that the owner provides the minimum community benefit bonus housing and one or more community benefit bonus amenity and/or additional community benefit bonus housing approved by Council, or makes a payment-in-lieu, in accordance with this Schedule. The same requirements should also be applied where additional storeys are approved as community benefit bonus within the R3 to R5 Zoning Districts as part of a rezoning application.

2.1 Eligible Housing and Amenity Types

- (1) Community Benefit Bonus Housing
- (2) Civic Amenity Types
 - (a) Child care facility
 - (b) Social service centre
 - (c) Civic facility excluding facilities eligible for development cost charges under Section 559 of the *Local Government Act*
- (3) Alternative Amenity Types
 - (a) Extraordinary improvement of public open space, plaza and/or park, where the open space, plaza and/or park is identified in the Burnaby Official Community Plan (OCP), a Community Plan, a Master Plan or a Council approved policy
 - (b) Heritage retention/preservation
 - (c) Extraordinary environmental improvements
- (4) For certainty, an amenity for which the City has imposed an amenity cost charge by bylaw under section 570.2(1) of the *Local Government Act* is not an eligible community benefit bonus amenity.

2.2 Community Benefit Bonus Housing and Amenity Provision Requirements

- (1) Community benefit bonus housing shall:
 - (a) be of a unit mix, size and location approved by the City in its discretion;
 - (b) be completed, at the owner's sole cost and expense, to a turnkey standard satisfactory to the City;
 - (c) upon completion and at the owner's sole cost and expense, be transferred in fee simple for nominal value to the City or if approved by the City, to another government entity, not-for-profit organization, public authority, or housing authority/corporation;
 - (d) be operated by the City or if approved by the City, another government entity, not-for-profit organization, public authority, or housing authority/corporation;
 - (e) not be subdivided by strata plan under the Strata Property Act;
 - (f) be restricted to rental tenure, or in the case of other non-market housing types, other tenure provided the tenure and affordability level is secured by a housing agreement or other agreement with the City;
 - (g) be restricted to rent, or equivalent housing cost, at or below the inclusionary rental rate; and
 - (h) be subject to the requirements in paragraphs (d) to (g) above for the later of 99 years from the issuance of an occupancy certificate for the development or when the community benefit bonus housing is fully demolished or destroyed.
- (2) A community benefit bonus amenity, that is a civic amenity, as listed in Section 2.1(2), shall:
 - (a) be of a type and in a location approved by the City in its sole discretion;
 - (b) be completed, at the owner's sole cost and expense, to a turnkey standard satisfactory to the City; and
 - (c) upon completion, be transferred in fee simple for nominal value to the City or if approved by the City, to another government entity, non-for-profit organization, or public authority.
- (3) A community benefit bonus amenity that is an alternative amenity, as listed in Section 2.1(3), shall:
 - (a) be of a type and, if applicable, in a location approved by the City in its sole discretion;
 - (b) be completed, at the owner's sole cost and expense, to the industry or other standard applicable to the alternative amenity to the City's satisfaction; and
 - (c) be subject to a Section 219 Covenant, Statutory Right of Way and/or other legal instrument in favour of the City to secure continued provision, conservation, maintenance, repair and/or replacement of the alternative amenity.
- (4) Prior to the issuance of a building permit for a development that includes a community benefit bonus, the owner shall enter into a Section 219 Covenant in favour of the City and provide to the City security, in an amount satisfactory to the City, to secure completion of the required community benefit bonus housing and community benefit bonus amenity. In the case of a community benefit bonus amenity that is an alternative amenity, the City may require the owner to provide security for a fixed period to ensure the continued conservation, maintenance, repair and/or replacement of the alternative amenity.

2.3 Method for Calculating Minimum Community Benefit Bonus Housing and Amenity Requirements

- (1) The community benefit rates for each City of Burnaby Quadrant for the R6 to R8 Districts are as follows, by tenure of the additional floor area within the community benefit bonus:

Zoning District	NW Quadrant	NE Quadrant	SW Quadrant	SE Quadrant
R6 Market Strata	\$1,614.59 / m ²	\$1,506.95 / m ²	\$1,991.32 / m ²	\$1,506.95 / m ²
R6 Market Rental	\$1,216.32 / m ²	\$1,130.21 / m ²	\$1,593.06 / m ²	\$1,130.21 / m ²
R7 Market Strata	\$1,614.59 / m ²	\$1,506.95 / m ²	\$1,991.32 / m ²	\$1,506.95 / m ²
R7 Market Rental	\$1,216.32 / m ²	\$1,130.21 / m ²	\$1,593.06 / m ²	\$1,130.21 / m ²
R8 Market Strata	\$1,614.59 / m ²	\$1,506.95 / m ²	\$1,991.32 / m ²	\$1,506.95 / m ²
R8 Market Rental	\$1,216.32 / m ²	\$1,130.21 / m ²	\$1,593.06 / m ²	\$1,130.21 / m ²

- (2) The community benefit rates shall be reviewed and adjusted at least once per calendar year, with each adjustment taking into consideration prevailing construction costs, inflationary trends, and market conditions for land values, which may include the application of recognized land value appraisal methodologies such as the direct comparison approach and land residual approach.
- (3) The community benefit capital cost rates are as follows:

Category	Civic Amenity Type	CCR
Category 1	Civic facilities	\$16,231.98 / m ²
Category 2	Social service centres and child care facilities	\$9,988.91 / m ²
Category 3	Community benefit bonus housing	\$6,727.44 / m ²

- (4) The community benefit capital cost rates will be reviewed and adjusted at least once per calendar year, with each adjustment taking into consideration construction costs (that account for City construction standards and requirements, including quality, environmental standards, bonding, fair wages, etc.), soft costs (including design, planning, engineering, legal, project management, etc.), contingency and other capital costs typically included in City civic building projects. Community benefit capital cost rates are established on a City-wide basis, without consideration for the City of Burnaby Quadrant or zoning district of the development site.

- (5) The following calculations apply for determining the area and/or value of the community benefit bonus housing and community benefit bonus amenity, or payment in-lieu amount, to be provided in respect to a development:

Step 1: Calculate Community Benefit Value (CBV)

- a. Applicable Community Benefit Rate x floor area of Community Benefit Bonus = CBV (\$)

Step 2: Calculate minimum Community Benefit Bonus (CBB) Housing units and area or payment-in-lieu amount

- a. Total dwelling units in CBB storeys x 10% = minimum required CBB Housing units
- b. CBB Housing units x 55.74 m² = minimum required CBB Housing area
- c. CBB Housing area x Capital Cost Rate (Category 3 Housing) = minimum CBB Housing payment-in-lieu amount (\$) (if payment-in-lieu elected by owner)

Step 3: Calculate required CBB Amenity, additional CBB Housing or remainder payment-in-lieu amount

Applicant elects to provide a Council approved amenity or payment-in-lieu (see Section 2.5) or may be requested to provide CBB Housing beyond the minimum requirement.

- a. CBV (Step 1) – minimum CBB Housing payment-in-lieu value (Step 2c) = Remainder CBB Amenity value, additional CBB Housing value or remainder payment-in-lieu amount (\$) (Remainder Value)
- b. Remainder Value / Capital Cost Rate based on CCR Category type = CBB Amenity area or additional CBB Housing area

2.4 Provision of Community Benefit Bonus Amenity or Housing Off-Site

- (1) The City may enter into an agreement with an applicant for the provision of community benefit bonus housing or community benefit bonus amenity on one or more lots other than the development site, provided that the lot or lots are located within the same City of Burnaby Quadrant as the development site.
- (2) In respect to off-site community benefit bonus housing, the agreement shall be approved by bylaw and shall specify, amongst other matters, the following:
- the lot or lots on which the community benefit bonus housing will be located;
 - who is to provide the community benefit bonus housing on each lot;
 - when the community benefit bonus housing are to be provided on each lot;
 - how the provision of community benefit bonus housing under the agreement will meet or exceed the requirements under this Section 2.0; and
 - any other information prescribed by regulation for the purposes of section 482.4 of the *Local Government Act*.

2.5 Provision of Payment-in-Lieu of Community Benefit Bonus Housing or Amenity

- (1) As an alternative to providing community benefit bonus housing or one or more community benefit bonus amenity, an owner may pay to the City the payment-in-lieu amount for the housing or amenity calculated under Section 2.3(5).
- (2) The payment-in-lieu amount must be paid to the City at or prior to the time the first building permit is issued for the development that includes the requirement for the community benefit bonus housing or community benefit bonus amenity.
- (3) The payment-in-lieu amount for community benefit bonus housing shall be deposited in the Community Benefit Bonus Housing Reserve Fund.
- (4) The payment-in-lieu for a community benefit bonus amenity shall be deposited in the Community Benefit Bonus Amenities Reserve Fund.

PART 6 / USE-SPECIFIC REGULATIONS

Part 6 establishes general use regulations and conditions for specific uses that apply to multiple zoning districts.

1.0 General Use Regulations

1.1 Conversion of Buildings

- (1) Buildings may be converted, altered, or remodeled for another use, provided that:
 - (a) The Chief Building Inspector certifies that the building is structurally suitable for such conversion.
 - (b) The converted building shall conform to all the provisions and regulations prescribed for the zoning district in which it is located.

1.2 Temporary Buildings and Parking Areas

- (1) Temporary buildings and/or parking areas may only be erected or established on a lot for the following purposes and for the following time periods:
 - (a) For construction office and construction equipment or material storage purposes on a lot undergoing development for a period not to exceed the duration of such construction.
 - (b) For the temporary relocation of an existing commercial, industrial or institutional use on a lot where the existing building on the lot has been vacated to carry out structural alterations or improvements, for a period not to exceed 30 days after the date upon which the Chief Building Inspector has issued occupancy approval for the building.
 - (c) For a residential sales centre on lands having newly constructed and unoccupied multi-family residential developments or being developed for multi-family residential use for a period not to exceed 30 days after the date upon which the initial sales of all of the units in the development have been completed.
 - (d) For purposes directly related to the production of a television show or advertisement or motion picture, or similar production, for a period not to exceed the lesser of:
 - (i) the duration of the production; or
 - (ii) two years from the date of the erection or placement of the temporary building.
 - (e) For additional classroom space on lands being used as a public school or private school.
- (2) All temporary buildings shall be subject to the following requirements and conditions:
 - (a) no temporary building, other than those to which the British Columbia Building Code does not apply, shall be erected or placed on land without a written permit from the Chief Building Inspector;
 - (b) the Chief Building Inspector may not issue a permit for a temporary building for which a permit is required unless he or she is satisfied that the temporary building would not constitute or cause a public hazard or public nuisance and would not obstruct any public right-of-way; and,
 - (c) a temporary building shall be removed immediately when it has ceased to be a permitted temporary building under subsection (1).
- (3) The General Manager Planning and Development may grant minor variances to the siting and off-street vehicle parking requirements of this Bylaw for a temporary building and/or parking area.
- (4) A temporary building shall not be used as a dwelling.

1.3 Temporary Use Permits

- (1) A use not otherwise permitted in a zoning district may be permitted by the issuance of a temporary use permit under s. 493 of the *Local Government Act*, subject to the following conditions:
- (a) It shall not be permitted in purpose-built rental housing;
 - (b) It shall not be permitted in small-scale multi-unit housing, a rowhouse dwelling, a townhouse dwelling, an apartment dwelling, a secondary suite, or a lock-off unit;
 - (c) It shall not include liquor stores, cannabis stores, cannabis production facilities and cannabis processing facilities;
 - (d) It shall not be permitted on a property that is designated Agricultural Land Reserve;
 - (e) On properties designated Industrial in the City's official community plan, temporary uses shall be limited to uses permitted in the E and I Districts, excluding office, restaurant, indoor athletic recreational uses, indoor go-cart tracks, and indoor pistol and rifle ranges;
 - (f) It should be compatible with the surrounding land uses with regard to intensity of use, operation, and visual and design considerations;
 - (g) It shall not impose significant impacts on the natural environment and surrounding areas, including noise, traffic, safety and security, and other considerations;
 - (h) It shall not negatively impact the future use and development of the property and surrounding areas as proposed in the Official Community Plan, or other applicable community plans;

1.4 Uses Permitted in All Districts

- (1) The following uses shall be permitted in all districts:
- (a) public transit corridors, stations, exchanges, and related public-serving uses;
 - (b) publicly provided utility infrastructures, provided they have a setback of not less than 3 m from the lot line of an abutting lot in an A or R District;
 - (c) civic facilities; and
 - (d) publicly-owned parks and natural areas.

1.5 Uses Permitted Outside of an Enclosed Building

- (1) All uses, structures, and equipment permitted in a zoning district must be carried out within a completely enclosed building, with the exception of the following:
- (a) Parking and loading facilities.
 - (b) Service stations and industrial or marine fueling stations.
 - (c) Outdoor produce or garden shops.
 - (d) Community gardens and agricultural uses, including urban agriculture but excluding commercial nurseries and greenhouses.
 - (e) Outdoor play areas, including outdoor animal care play areas.
 - (f) Display, storage, or works yards and towing and impound lots.
 - (g) Utility installations.
 - (h) Transportation facilities and active mobility hubs.
 - (i) Film production trucks and trailers used in conjunction with production studios for radio, television, motion picture, theatre, dance and similar productions.
 - (j) Outdoor seating at cafes, restaurants or other facilities where food or drink is served.
 - (k) Mobile retail and restaurant, provided that they are operated with the permission of the owner or manager of the property on which they are located.
 - (l) Marine mooring facilities, marinas, or other outdoor storage of boats associated with water-oriented uses.
 - (m) Facilities and installations related to the trans-shipment of goods and materials.
 - (n) Storage tanks, including the storage of petroleum products.

- (o) HVAC, air intake and exhaust units, emergency generators, and other electrical or mechanical equipment, provided that they are not a principal component of the primary activities conducted under the principal, secondary, or accessory uses on a lot.
- (p) Energy generation.
- (q) Outdoor recreation and fitness areas.
- (r) Recycling centres.

1.6 Accessory Buildings, Structures, and Uses

- (1) No accessory building or structure, excluding fences and retaining walls, shall be erected on any lot unless the principal building, structure or use to which the accessory building or structure is an incidental use has been erected or, in the case of a non-structural use, has been established, or will be erected or established simultaneously with such accessory building.
- (2) Where a garage or carport or other accessory building or structure, excluding fences and retaining walls, is attached to the principal building, it is to be considered a part of the principal building and shall comply in all respects with the requirements of this Bylaw applicable to the principal building.

2.0 Base and Overlay Zoning Districts

2.1 General

2.1.1 Interpretation

- (1) Where a lot is zoned to include an overlay zoning district, the base zoning district continues to apply except as modified, supplemented, or expanded by the overlay zoning district, in accordance with the regulations in this Section 2.0.
- (2) For the purposes of this section, a building “abutting a street” includes any building that fronts a public street or is separated from it only by a setback, landscaped area, or surface parking area on the same lot.

2.1.2 Lot Coverage and Lot Line Setbacks

- (1) Required lot coverage and permeable surface area shall be determined by the base or overlay zoning district with the greatest allowable lot coverage and lowest allowable permeable surface area.
- (2) Required setbacks from property lines for a given use shall be determined by the zoning district containing that use.
- (3) Where a lot contains uses permitted in both the base and overlay zoning districts, the most permissive setback regulations shall apply.

2.1.3 Height

- (1) Subject to subsection (2), the maximum permitted building height is determined by:
 - (a) the permitted height of the base or overlay R District present on the lot; or
 - (b) where there is no R District, by the base or overlay zoning district with the greatest allowable height.
- (2) Where the base or overlay zoning district is the R1 District and no dwelling units are provided on a lot, the least permissive R1 District height shall apply.

2.1.4 Permitted Uses

- (1) A lot may contain uses permitted in the base and/or overlay zoning districts, except as otherwise provided for in this Bylaw and subject to the other conditions set out in this Section 2.0.

2.2 C District Conditions

- (1) On lots with a C District base and an R District overlay:
 - (a) A minimum of 60% of the ground level gross floor area of all buildings on the lot abutting a street must contain non-residential C District use(s), which may include associated supporting service areas such as storage, mechanical rooms, circulation, or other spaces directly related to or necessary for the operation of the non-residential use. The remainder of the ground level storey may be used for other permitted base or overlay district uses, including residential amenity space or ground-oriented residential dwelling units.
 - (b) On C2 District lots, all buildings required to have ground level commercial uses referred to in paragraph (a) require a second commercial storey in any other above-grade portion of the building, of which a minimum of 60% of the gross floor area of the storey must contain non-residential C2 District use(s), subject to the same conditions of use set out in paragraph (a).

2.3 E District Conditions

- (1) The following is required on lots with an E1 District base and an R District overlay:
 - (a) Residential use is limited to purpose-built rental housing.
 - (b) A minimum of 80% of the ground level gross floor area of all buildings on the lot must contain non-residential E1 District use(s), which may include associated supporting service areas such as storage, mechanical rooms, circulation, or other spaces directly related to or necessary for the operation of the non-residential use. The remainder of the ground level storey may be used for other permitted base or overlay district uses, including residential amenity space or ground-oriented residential dwelling units.
- (2) The following is required on lots with an E1 District base and a C1 District overlay:
 - (a) A minimum of 60% of the ground level gross floor area of all buildings on the lot abutting a street must contain non-residential C District use(s), which may include associated supporting service areas such as storage, mechanical rooms, circulation, or other spaces directly related to or necessary for the operation of the non-residential use. The remainder of the ground level storey may be used for other permitted base or overlay district uses.
 - (b) An E1 District principal use must be present on the lot.

2.4 P District Conditions

- (1) The following is required on lots with a P2 District base and an R District overlay:
 - (a) A minimum of 5% of the gross floor area of the lot must contain non-residential P2 District principal use(s), which may include associated supporting service areas such as storage, mechanical rooms, circulation, or other spaces directly related to or necessary for the operation of the non-residential use. The remainder may be used for other permitted base or overlay district uses.
- (2) Where residential dwelling units are provided, a minimum portion must be non-market rental housing in accordance with the following:
 - (a) Non-market rental housing units are required in addition to any required inclusionary rental units on lots with R5, R6, R7, and R8 overlays.
 - (b) Non-market rental housing units must be provided at the percentage of total dwelling units set out in Part 5 Table 5-1.3 for the applicable quadrant, including on lots with an R1, R2, R3 or R4 overlay and where the residential dwelling units provided are all rental units.
 - (c) The maximum rental rate for non-market rental housing units required under this Section 2.4 must be below the rental rate for market rental units and be subject to a Housing Agreement.
 - (d) Non-market rental housing units required under this Section 2.4 are not eligible community benefit bonus housing under Part 5-2.0 of this Bylaw.

3.0 Residential Uses

3.1 Secondary Suites

- (1) A secondary suite may be permitted as an accessory use to a primary dwelling unit in small-scale multi-unit housing, a rowhouse dwelling, or a townhouse dwelling, subject to the following:
 - (a) A secondary suite must be fully contained within the primary dwelling unit.
 - (b) A primary dwelling can contain no more than one secondary suite.
 - (c) A secondary suite may be located anywhere in relation to the primary dwelling unit.
 - (d) A secondary suite shall meet the requirements for a secondary suite under the British Columbia Building Code.
 - (e) A secondary suite shall have a minimum gross floor area as set out in Part 4-3.2.2.
 - (f) A secondary suite and the primary dwelling unit on a lot shall at all times remain a single parcel under a single title and shall not be subdivided into separate parcels by way of strata plan, air space plan, or otherwise.
- (2) The following uses are prohibited from operating within a primary dwelling unit that contains a secondary suite, including within the secondary suite:
 - (a) boarding use;
 - (b) a child care facility, with the exception of a home-based child care facility subject to subsection (3); or
 - (c) a home occupation that includes on-site client services.
- (3) A home-based child care facility may operate within a secondary suite provided there is no internal access between the primary dwelling unit and the secondary suite.

3.2 Lock-Off Units

- (1) A lock-off unit must:
 - (a) be contained within a primary dwelling unit no less than 74 m² in gross floor area, inclusive of the area of the lock-off unit;
 - (b) be not less than 24 m² in gross floor area and not greater than 35% of the gross floor area of the primary dwelling unit in which it is located;
 - (c) contain a secondary kitchen area with a compact range or microwave oven and built-in cooktop, compact refrigerator, sink, counter, cabinets, and venting;
 - (d) contain at least one closet and a bathroom with a toilet, sink, and bathtub or shower;
 - (e) be wired for independent telephone connection prior to occupancy and remain so;
 - (f) have a separate lockable entrance door providing direct access to the exterior of the dwelling unit; and
 - (g) meet the requirements for a lock-off unit under the British Columbia Building Code.
- (2) A lock-off unit and the primary dwelling unit in which it is located shall at all times remain part of the same strata lot under a single title.
- (3) A lock-off unit may be occupied as the permanent home or residence of one additional household only.

3.3 Short-Term Rentals

- (1) Short-term rental is permitted as an accessory use to small-scale multi-unit housing, rowhouse dwellings, townhouse dwellings, apartment dwellings, and live-work units in all districts, all of their sub-districts, and the Comprehensive Development District, or portion thereof, where these residential uses are permitted, subject to the following conditions:
 - (a) short-term rental shall only be permitted in the principal residence of a registered owner of the dwelling unit;
 - (b) short-term rental shall not be permitted in:
 - (i) a rental unit;
 - (ii) a secondary suite;
 - (iii) an apartment dwelling unit that contains a lock-off unit, including within the lock-off unit;
 - (iv) a dwelling unit that is primarily used for a caretaker, watchman, or other persons employed for similar purposes;
 - (v) a dwelling unit that contains a boarding use, a child care facility, a home-based child care facility, congregate housing, a supportive housing facility, or a home occupation that includes on-site client services; or
 - (vi) an accessory building or structure.
 - (c) in a primary dwelling unit that contains a secondary suite, short-term rental shall only be permitted in the primary dwelling unit if the secondary suite is occupied and rented to a long-term tenant for a period of 30 consecutive days or more.

3.4 Home Occupation

- (1) A home occupation shall involve no internal or external structural alterations to the principal building (dwelling) and there shall be no exterior indication that the building is being utilized for any purpose other than that of a dwelling, and no building, structure, fence or enclosure other than those in conformity with permitted residential uses in the zoning district in which it is located, may be erected.
- (2) The premises may be used as an artist studio for small-batch crafting-related activities but shall not be used for welding or any other manufacturing or light industrial use, and the home occupation carried on therein shall not produce noise, vibration, smoke, dust, odour, litter or heat other than that normally associated with a dwelling unit nor shall it create or cause any fire hazard, electrical interference, excessive pedestrian or vehicular traffic in the common areas or parking areas of a multi-family building or traffic congestion on the street.
- (3) There shall be no external storage of materials, containers, or finished product.
- (4) No commodity produced off-site shall be sold on the premises.
- (5) Such occupation shall not involve the use of mechanical equipment save as is ordinarily employed in purely private domestic and household use or for recreational hobbies, except for such equipment as may be used for a resident physician or dentist.
- (6) No person who is not a resident in the dwelling shall perform any work for the home occupation at the residential location, except that one non-resident employee is permitted for a home-based child care facility.
- (7) On-site sales and client services shall be limited to a maximum of one customer and one customer vehicle at any one time.

3.5 Home-Based Child Care Facilities

- (1) In all districts where permitted, other than the R1 District, a home-based child care facility shall be permitted only:
 - (a) in a ground floor dwelling unit; and,
 - (b) if the owner or manager of the building or, in the case of a strata unit, the strata council supports the establishment of the operation and satisfies the General Manager Planning and Building as to that support.
- (2) In the R1 District a home-based child care facility shall be permitted:
 - (a) in any dwelling unit, up to a maximum of two home-based child care facilities on a lot, subject to Section 3.1 (3); and
 - (b) only if the owners of the other dwelling units on the lot provide written confirmation that they support the establishment of the home-based child care facility to the satisfaction of the General Manager Planning and Development as to that support.
- (3) In a dwelling that contains a home-based child care facility, the following uses shall not be permitted:
 - (a) boarding use;
 - (b) congregate housing;
 - (c) a supportive housing facility;
 - (d) short-term rental; and,
 - (e) any home occupation that includes on-site client services.

3.6 Supportive Housing

- (1) In all districts, except the P2 District, where listed as a principal use, supportive housing shall be included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District.

4.0 Commercial, Employment, and Industrial Uses

4.1 Retail

4.1.1 Cannabis Stores

- (1) A cannabis store must be located at least 1.0 km away from any other cannabis store within the City of Burnaby.

4.1.2 Liquor Stores

- (1) A liquor store must be located not less than 1.0 km away from any other liquor store within the City of Burnaby.

4.2 Service Stations

- (1) Screening of not less than 1.8 m in height shall be provided and properly maintained along any boundary of the lot which abuts a lot in an A or R District or is separated therefrom by a lane.
- (2) Fuel service pumps or pump islands may project into a required front or side yard but shall be located not closer than 4.5 m to any property line, with the exception of electric vehicle charging infrastructure.
- (3) For gasoline service stations, oil change establishments, and carwash facilities, the service area shall be paved with a permanent surface of asphalt or concrete, and any unpaved areas of the lot shall be suitably landscaped and maintained and separated from the paved areas by a curb or other barrier.

5.0 Institutional Uses

5.1 Child Care Facilities

- (1) No outdoor play area shall be located in any required front yard in the C, E, or I Districts where child care facilities are permitted.

5.2 Dormitories

- (1) A dormitory must be situated within 800 m of the boundaries of the lots and premises owned or occupied by the institution which it serves.

5.3 Emergency Shelters

- (1) Emergency shelters shall be:
 - (a) located entirely within a building; and,
 - (b) located on land owned, leased or controlled by the City or a government body and operated by the City or by a government body or non-profit service provider.

5.4 Utilities

5.4.1 Telecommunication Antennae

- (1) A telecommunication antenna is permitted on any lot in any zoning district except the R1 District if:
 - (a) it is attached to a building;
 - (b) it is at least 5.0 m above the ground; and
 - (c) the total area occupied by antennae on any building face does not exceed 7.5 m² and,
 - (d) it does not extend more than 3 m above the highest point of the building face, which may be defined by the top of a parapet or mechanical penthouse.
- (2) A telecommunication antenna is permitted in any street or lane in any zoning district, subject to compliance with the Burnaby Street and Traffic Bylaw and all other applicable legislation.
- (3) Except where otherwise permitted in the E, I, and P Districts, all other antenna developments not addressed by subsections (1) and (2) are subject to Comprehensive Development rezoning.

6.0 Agricultural Uses

6.1 Urban Agriculture

6.1.1 Beekeeping

- (1) Urban beekeeping for domestic purposes may be permitted as an accessory use on a lot in the R1 District, subject to the following conditions;
 - (a) The lot shall:
 - (i) have a width of not less than 15 m and an area of not less than 560 m²; and
 - (ii) contain only a single primary dwelling unit with no secondary suite.
 - (b) Not more than two beehives and two nucleus colonies shall be maintained on the lot.
 - (c) The hives or structures inhabited by the bees shall be located in the rear yard and, unless the rear yard is surrounded by a solid fence or hedge not less than 1.8 m in height, shall be:
 - (i) set back not less than 7.5 m from all lot lines; and
 - (ii) elevated not less than 2.5 m above the surface of the ground.

6.1.2 Keeping of Chickens

- (1) Keeping of chickens for domestic purposes may be permitted as an accessory use on a lot in the R1 District, subject to the following conditions:
- (a) The lot shall:
 - (i) have a width of not less than 15 m and an area of not less than 560 m²; and
 - (ii) contain only a single primary dwelling unit with no secondary suite.
 - (b) No less than two and no more than four hens over the age of four months shall be kept at a time on a lot.
 - (c) Each chicken must be provided with:
 - (i) No less than 0.35 m² of weatherproof interior coop space; and
 - (ii) No less than 1.0 m² of outdoor enclosure area that is attached to and forms part of the coop.
 - (d) The coop, including outdoor enclosure, shall be located:
 - (i) in the rear yard;
 - (ii) a minimum distance of 2.4 m from all other buildings on the lot;
 - (iii) outside the required minimum property line setbacks; and
 - (iv) outside the required vision clearance areas specified in Part 4-1.5.
 - (e) The following uses are prohibited:
 - (i) the keeping of roosters;
 - (ii) the sale of eggs, meat, or manure; and
 - (iii) the slaughter of chickens on the lot.

PART 7 / PARKING, LOADING, AND MOBILITY

Part 7 regulates the provision of off-street parking, loading, bicycle parking, and end-of-trip facilities, including requirements related to their number, location, and design, to support development and manage access, servicing, and mobility within the city.

1.0 Off-Street Vehicle Parking

When any development takes place on any lot, off-street vehicle parking shall be provided and maintained in accordance with the regulations contained in this Section.

1.1 General Requirements

1.1.1 Application

1.1.1.1 Existing Buildings, Structures, and Uses

- (1) Section 1.0 shall not apply to buildings, structures, or uses existing on the effective date of this Bylaw, except that:
 - (a) Off-street vehicle parking shall be provided and maintained in accordance with this Section where there is any addition to such existing building or structure, or any change or addition to such existing use, including within an existing CD District.
 - (b) Off-street vehicle parking existing on the effective date of this Bylaw shall not be reduced below the applicable off-street parking requirements of this Section.
 - (c) Notwithstanding paragraph (a), accessible and van accessible parking spaces shall be provided and maintained in accordance with this Section for any addition to such existing building, structure, or use.

1.1.1.2 Voluntary Parking Facilities

- (1) Where off-street vehicle parking facilities are provided when not required, the location, design, and operation of such facilities shall comply with all the regulations of Section 1.0.

1.1.2 Use of Parking Facilities

- (1) All provided off-street vehicle parking spaces shall be used only for the purpose of accommodating the vehicles of clients, customers, employees, members, residents, or tenants who make use of the principal building or use for which the parking area is provided, and such parking area shall not be used for off-street loading, driveways, access or egress, commercial repair work, display, sale, or storage of goods of any kind.
- (2) Notwithstanding subsection (1), parking spaces provided for a residential use shall be used solely for the parking of private non-commercial vehicles, except as otherwise specified in Section 1.3.3.2.

1.1.3 Measurements and Calculations

- (1) Where gross floor area is used as a unit of measurement for the calculation of required parking spaces, it shall include the floor area of accessory buildings and basements, except where they are used for parking, heating, or storage.
- (2) Where number of persons is used as a unit of measurement, it shall mean the greatest number of persons at work or study, at any time of the day or night in a particular building or for a particular use during any season of the year.
- (3) Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths and the like, each 0.5 m of width of such seating accommodation shall be counted as one seat.

- (4) When the calculation of parking requirements results in a fractional parking space equal to or exceeding one-half (0.5), one parking space shall be provided to meet this fractional requirement.

1.2 Required Accessible Parking Spaces

1.2.1 Required Spaces

Use	Required Accessible Parking Spaces
Apartment Dwellings	(1) The greater of: (a) 1 accessible parking space; and (b) 0.04 accessible parking spaces for each dwelling unit.
Non-Residential Uses	(1) The greater of: (a) 2 accessible parking spaces; and (b) 0.02 accessible parking spaces for each provided parking space.
All Uses	(1) The first accessible parking space provided, and every tenth accessible parking space provided thereafter, must be a van accessible parking space. (2) Additionally, where visitor parking is provided, a minimum of 1 visitor parking space shall be a van accessible parking space.

1.2.2 Siting and Design

- (1) The minimum dimensions of accessible and van accessible parking spaces shall be as follows:

Parking Space Type	Length	Width	Height
Regular Accessible	5.5 m	2.6 m	2.3 m
Parallel Accessible	7.3 m	2.6 m	2.3 m
Regular Van Accessible	5.5 m	3.4 m	2.3 m
Parallel Van Accessible	7.3 m	3.4 m	2.3 m

- (2) All levels of structured parking or underground parking containing accessible and van accessible parking spaces shall have a minimum clear height of 2.3 m.
- (3) Accessible and van accessible parking spaces shall:
- (a) be located close to the elevator, vestibule, and building or lobby entrance of the principal building or use for which the off-street vehicle parking space is provided, including parking spaces provided pursuant to the shared parking regulations in Section 1.4.1.2, with a direct and unobstructed access thereto;
 - (b) have an adjacent access aisle on one side of a regular accessible and regular van accessible parking space, and to the rear of a parallel accessible and parallel van accessible parking space that:
 - (i) shall be a minimum width of 1.5 m;
 - (ii) shall be marked with diagonal lines; and
 - (iii) may be shared in the case of two adjacent regular accessible and regular van accessible parking spaces;
 - (c) have a firm, slip-resistant, and level surface with a slope not greater than 1:50;

- (d) be clearly marked with the following signage:
 - (i) a pole mounted sign not less than 1.5 m above ground level, in conformance with the specifications in Schedule 2 of Division 23 of the *Motor Vehicle Act*; and
 - (ii) a minimum 0.15 m by 0.3 m sign noting “VAN ACCESSIBLE” attached to the pole in the case of a van accessible parking space, except where it is provided as visitor parking; and
 - (e) have the parking surface marked with the international symbol for wheelchair accessibility.
- (4) A pedestrian route connecting the accessible and van accessible parking spaces to the elevator, vestibule, and building or lobby entrance shall:
- (a) have a continuous and unobstructed width of not less than 1.2 m;
 - (b) not exceed a slope of 1:20; and
 - (c) be identified with markings or paint if it is located on a maneuvering aisle.

1.2.3 Assignment of Spaces

- (1) Accessible and van accessible parking spaces intended for residential use may not be assigned except to a resident of a dwelling unit with a physical disability provided that up to 50% of the accessible parking spaces may be assigned to a resident without a physical disability on a temporary basis.
- (2) If a resident with a physical disability requests the use of an accessible parking space and one has been temporarily assigned to a resident without a physical disability, then the accessible parking space must be made available to the resident with a physical disability, within sixty (60) days of a request being submitted to the strata corporation or owner, as applicable, responsible for administering the accessible parking spaces.

1.3 Required Off-Street Parking Spaces

1.3.1 Use-Specific Parking Requirements

1.3.1.1 General Requirements

- (1) Where a use is not specifically mentioned, the required off-street vehicle parking spaces shall be the same as for a similar use.
- (2) Where a use is specifically mentioned, that rate shall apply regardless of what District it is in, unless otherwise specified in this Bylaw.

1.3.1.2 Required Spaces

Use	Required Parking Spaces
Residential Uses	
Residential uses in a transit oriented area or frequent transit network area	No parking required
Small-scale multi-unit housing	1.0 for the first dwelling unit, plus 0.5 for each additional dwelling unit
Rowhouse dwellings	No parking required
Short-term rental within small-scale multi-unit housing and rowhouse dwellings	1 for each dwelling unit or portion that is used for short-term rentals, in addition to the required parking space for the principal residential use. A tandem parking space may be provided in conjunction with the principal residential use, provided that the City Engineer is satisfied that such arrangement will not interfere with pedestrian and vehicular movement, fire truck and fire hydrant, or any other access.

Apartment and townhouse dwellings	1.0 for each primary dwelling unit, plus 0.05 per dwelling unit for visitor parking
Apartment dwelling containing a lock-off unit or townhouse containing a secondary suite	1.25 for each primary dwelling unit, plus 0.05 per primary dwelling unit for visitor parking
Purpose-built rental, including market and non-market rental housing	0.5 for each dwelling unit, plus 0.05 per dwelling unit for visitor parking
Congregate housing	
<i>Residential care facilities</i>	1 for each 3 employees, plus 1 for each 6 beds
<i>Assisted living residences</i>	1 for each 5 dwelling or sleeping units where located within a transit oriented area or frequent transit network area, or 1 for each 4 dwelling units.
<i>Group homes</i>	See rate for <i>small-scale multi-unit housing</i>
Supportive housing facilities	1 for each 2.5 dwelling or sleeping units. In addition, for seniors supportive housing, 1 electrically serviced motorized scooter storage space shall be provided for each 4 living units.
Transitional housing	See rate for <i>assisted living residences</i>
Institutional Uses	
Child care facilities	1 for each 93 m ² of gross floor area. In the R1 District, up to a maximum of 4 spaces.
Civic facilities	1 for each 33.3 m ²
Dormitories	Subject to the shared parking regulations in Section 1.4.1.2, 0.6 for each dwelling unit inclusive of 0.1 for visitor parking, or as determined through a parking study approved by the General Manager Planning and Development, plus 1 for each 3 employees, plus 1 for each 6 beds in sleeping units.
Educational services	
<i>Public or private elementary schools</i>	1 for each staff member
<i>Public or private secondary schools</i>	1 for each staff member, plus 1 for each 10 students
<i>Post-secondary institutions, trade schools, commercial schools, and other principal educational services</i>	1 for each staff member, plus 1 for each 10 students
Emergency shelters	1 for each staff member
Fire halls, police facilities, and other civic uses intended as a base of operation for emergency services	1 for each 186 m ² of gross floor area
Hospitals	1 for each 2 staff doctors, plus 1 for each 4 employees, plus 1 for each 5 beds

Religious assembly	1 for each 9 m ² of gross floor area of the main assembly areas within the building, plus 1 for each 19 m ² of gross floor area of other assembly areas within the building, including halls, meeting rooms, classrooms, and gymnasiums.
Commercial, Employment, and Industrial Uses	
Commercial uses in the C1 and R Districts, except where a use is otherwise specified in this table.	No parking required
Commercial uses in the C2 District, except where a use is otherwise specified in this table.	No parking required for lots with 250 m ² or less of commercial gross floor area, or 1 for each 93 m ² of gross floor area for lots with more than 250 m ² of commercial gross floor area.
Commercial C District uses (not otherwise specified in this table) when located in a District other than the C1, C2, and R Districts.	1 for each 93 m ² of gross floor area
Artist studio or workshop, and production and rehearsal studios	1 for each 93 m ² of gross floor area, and/or of lot area used for production and staging, plus 1 for each 186 m ² of gross floor area and/or of lot area used for storage purposes.
Assembly and entertainment uses and gaming establishments (private) – see <i>civic facilities</i> for public uses	1 for each 10 seats, or 1 for each 9 m ² of floor area in areas without fixed seats which are used or intended to be used for public assembly, excluding playing surfaces, plus 1 for each three slot machines in gaming establishments.
Display yards	1 for each 93 m ² of lot area used for outdoor display, rental, or sales purposes
All E1 and I1 District uses not permitted in a C District or otherwise specified in this table.	1 for each 186 m ² of gross floor area for sites with a lot area of 9,290 m ² or less, except 1 for each 1,100 m ² of gross floor area in respect of multi-storey self-storage buildings where individual storage units are accessed via a common corridor.
Marine Mooring Facilities	1 for each 2 employees
Marinas	1 for each 2 employees, plus 0.7 for each mooring space provided
Office and health care facilities	1 for each 93 m ² of gross floor area on a site located within a Transit-Oriented Area or Frequent Transit Network Area, or 1 for each 55 m ² of gross floor area on a site located outside of a Transit-Oriented Area or Frequent Transit Network Area.
Recreation and fitness uses, including golf facilities (private) – see <i>civic facilities</i> for public uses	1 for each 46 m ² of gross floor area, plus 1 for each 10 spectator seats
Salvage yards, storage yards, transportation facilities, and works yards	0.25 for each 100 m ² of lot area up to 4,000 m ² , plus 0.1 for each additional 100 m ² of lot area exceeding 4,000 m ² used for outdoor storage purposes.
Visitor accommodation	1 for each 2 sleeping and/or dwelling units

1.3.2 Area-Specific Parking Requirements

1.3.2.1 Swangard Stadium

- (1) For the purpose of calculating parking spaces, Central Park shall be deemed to have a single use and the limitation of distance between use and parking spaces of 122 m that is contained in Section 1.4.1.2 shall be increased to 800 m for parking at Swangard Stadium; and notwithstanding Section 1.1.2(1), parking spaces for the Stadium may be located outside the boundaries of Central Park.

1.3.2.2 Lake City and Big Bend

- (1) E1 and I1 District uses not permitted in a C District or otherwise specified in Section 1.3.1.2 that are located in the following areas and on lots with a lot area greater than 9,290 m² may utilize a minimum required parking rate of 1 parking space per 385 m² of gross floor area:
- (a) Within the Lake City Community Plan Area as identified in the *Burnaby 2050 Official Community Plan* and north of Lougheed Highway; and
 - (b) Within the Big Bend Community Plan Area as identified in the *Burnaby 2050 Official Community Plan*.

1.3.3 Additional Conditions for Residential Uses

1.3.3.1 Car Wash Facility

- (1) The following minimum number of car wash facilities shall be provided where residential off-street vehicle parking spaces are provided in any district, with the exception of non-market rental housing:

Total Provided Residential Off-Street Vehicle Parking Spaces	Car Wash Facilities Required
1 – 49	0
50 – 300	1
For each additional 300 parking spaces provided or part thereof	1 additional facility

- (2) Car wash facilities must:
- (a) have a stall with the minimum dimensions of 3.7 m x 5.5 m;
 - (b) drain into a sanitary sewer;
 - (c) be located in an underground parking area, structured parking area or in a roofed covered area integrated with a building;
 - (d) have a sign affixed to it saying “No Parking”;
 - (e) provide equipment suitable for cleaning vehicles and bicycles including a pressurized hose, waste receptacle, vacuum, hot and cold water supply, and a bicycle rack; and
 - (f) be separated from other parking spaces with a partition.

1.3.3.2 Parking or Storage of Commercial Vehicles, Recreational Vehicles, Trucks, Trailers, Boats, or Equipment in R Districts

- (1) No commercial vehicle, truck, bus, contractor's equipment, dismantled or wrecked automobile, boat, recreational vehicle, trailer or any similar vehicle, conveyance, craft or equipment shall be parked or stored in the open in an R District, except the following which may be parked or stored in the rear yard only:
- (a) trucks, commercial vehicles, or equipment required for the construction, repair, servicing, or maintenance of the premises, but only while that construction, repair, servicing, or maintenance is being carried out; and

- (b) where ownership is registered in the name of the resident of the dwelling:
 - (i) one truck or commercial vehicle not exceeding 4,500 kg GVW;
 - (ii) one boat or vessel not exceeding a length of 6.0 m;
 - (iii) one recreational vehicle or trailer not exceeding a length of 6.0 m; and
 - (iv) not more than two uninsured but operable and complete vehicles.
- (2) Notwithstanding subsection (1) paragraph (b) and subject to the vision clearance provisions of Part 4-1.5, one recreational vehicle and one boat having a combined length that does not exceed 12.0 m, may be parked in the open in the R1 District subject to the following restrictions:
 - (a) on a corner lot or on a lot with one street frontage, parking is only permitted within a side yard, side street yard, or rear yard and is not permitted within the required minimum lot line setbacks for side yards and street yards;
 - (b) on a through lot, no parking is permitted within the required minimum lot line setbacks for street yards or side yards, nor in the area between the required setbacks and the face of the dwelling that is oriented to the street from which the dwelling is addressed; and
 - (c) on a lot that has no vehicle access to the rear and side yards, either one recreational vehicle or one boat not exceeding 6.0 m in length may be parked on the front driveway or to the side of the front driveway not less than 1.2 m from the side lot lines and not less than 1.8 m from the front lot line.
- (3) In the R1 District, the parking must be screened by compact evergreen trees or shrubs at least 1.8 m in height:
 - (a) on a corner lot or through lot to obscure the view from the closest abutting street;
 - (b) where the front driveway is used, to obscure the view from any abutting property; and
 - (c) where the land beside the front driveway is used, to obscure the view from any abutting property, and from the abutting street.

1.4 Location and Access for Off-Street Parking

1.4.1 Location of Off-Street Parking Spaces

1.4.1.1 General Requirements

- (1) Off-street vehicle parking spaces provided in accordance with Section 1.3 for the purpose of accommodating the vehicles of clients, customers, employees, members, residents, visitors, or tenants of a principal building or use, may be provided:
 - (a) on the same lot as the principal building or use for which the off-street vehicle parking space is provided; and/or
 - (b) on a different lot as the principal building or use to be served is located, subject to Section 1.4.1.2.
- (2) Notwithstanding subsection (1), for residential buildings the parking facilities for all residents shall be wholly provided on the same lot as the building required to be served.

1.4.1.2 Shared Parking

- (1) Except in the case of dwelling units, off-street vehicle parking spaces may be provided and used collectively by two or more buildings or uses, provided that the total number of parking spaces when used together is not less than the sum of the requirements for the various individual uses, and that such parking facilities are not located more than 122 m from any building or use to be served.
- (2) Shared use of off-street vehicle parking spaces provided for any non-residential use, residential visitor use, or sleeping units or studio units in a dormitory, may be permitted where:
 - (a) the maximum parking demand for the uses occur at different periods of the day or week which is substantiated by a shared parking analysis prepared by a qualified registered professional engineer to the satisfaction of the General Manager Planning and Development;

- (b) the shared vehicle parking spaces are located not more than 122 m from the uses to be served; and
 - (c) the shared vehicle parking spaces are not permanently assigned to a specific use and are available at all times of the day and week.
- (3) Where off-street vehicle parking spaces for sleeping units or studio units in a dormitory are shared with another use, the spaces must be shared with the same institution which the dormitory serves and the number of off-street vehicle parking spaces shall not be less than the number of off-street vehicle parking spaces required for such dwelling units and sleeping units.

1.4.2 Driveways

1.4.2.1 General Requirements

- (1) Vehicular access off a street shall be designed to conform with the standards and specifications of the Works and Services Bylaw.
- (2) Where a lot in an R or C District abuts a street and a lane, vehicular access shall be provided from the lane, except where the General Manager Engineering determines that access from the lane is unsafe, impractical, or would significantly impede traffic flow.
- (3) No more than one driveway access shall be permitted per lot, except that one additional driveway may be permitted where approved by the General Manager Engineering and substantiated by a Traffic Impact Study completed by a registered professional transportation engineer. The study must include site design, safety, and operational analyses to justify the need for such additional driveway access.

1.4.2.2 Siting of Driveways

- (1) A driveway crossing shall be located a minimum of:
 - (a) 6 m from the point of intersection of two streets;
 - (b) 4.5 m from the point of intersection of two lanes or of a street and a lane; or
 - (c) 3.0 m from the point of intersection of two lanes or of a street and a lane on a lot with a rear lot line less than 11.5 m in width.

1.4.2.3 Driveway Width in the R1 District

- (1) The width of any driveway abutting a lane, as measured at the property line, shall:
 - (a) be no less than 3 m;
 - (b) be no more than the lesser of 9 m or 80% of the rear lot line; and
 - (c) on a lot with a rear lot line greater than 15 m in length, provide a permeable landscaped area along the rear lot line with a minimum depth of 2 m and a minimum width of 13% of the rear lot line that conforms with the permeable surface requirements in Part 4-4.3.
- (2) The width of any driveway abutting a street, as measured at the property line, shall be no less than 3 m and no more than 6 m.

1.4.2.4 Driveway Width in All Other Districts

- (1) Except where otherwise permitted in this Bylaw, the width of any driveway as measured at the property line shall be no less than 5.5 m and no more than 6.5 m, except that:
 - (a) driveway ramp width may be reduced to 3 m at the discretion of the General Manager Engineering where it serves a parking facility in an R District with 10 or fewer stalls; and
 - (b) driveway width may be increased where deemed necessary by the City Engineer to accommodate safe vehicular movement up to the following maximums:
 - (i) 7.2 m in the R7, R8, C, or E1 Districts; and
 - (ii) 9 m in the I1 District.

1.5 Siting and Design of Parking Facilities

1.5.1 Siting of Parking Facilities

- (1) In the C and R Districts, parking spaces shall be sited:
 - (a) to the rear of the front face of a principal building;
 - (b) to the rear of the side face of a principal building along the side yard which adjoins a flanking street on a corner lot;
 - (c) inside a building; or
 - (d) underground.
- (2) No parking area shall be located within the following required yards:
 - (a) Any yard which adjoins a street on a lot in an A, E, or I District, provided that in no case need the setback for such parking area exceed a distance of 4.5 m.
 - (b) Any yard in an E or I District which abuts a lot in an A or R District, or CD District based on an A or R District.
- (3) No part of any parking area shall be located closer than 3.5 m to any apartment or townhouse dwelling.
- (4) The setbacks of parking areas from lot and street lines shall be subject to the screening and landscaping requirements of Part 4-4.4 of this Bylaw.

1.5.2 Visitor Parking

- (1) Visitor parking for apartment and townhouse dwellings shall:
 - (a) be identified by a sign with the words "VISITOR PARKING"; and
 - (b) be located in an area that is easy to find, safe, and convenient.
- (2) Security gates at the entrance to underground visitor parking areas shall be permitted subject to the following:
 - (a) access shall be controlled by an intercom system that is located on the property in close proximity to the visitors parking area to ensure the security of the visitors parking area but avoiding impediments to vehicular circulation at its entrance;
 - (b) the security gate shall be able to be easily opened by the operator of the vehicle without involving a third party;
 - (c) a functional turn-around area shall be provided at the entrance to the visitors parking area to permit adequate vehicle maneuvering without the need for reversing the vehicle in the event that the visitor does not gain access to the visitors parking area through the security gate;
 - (d) the underground visitors parking area shall be separated from any underground residents parking area by a further security gate to maintain the security of the residents parking area;
 - (e) the visitors parking area shall be identified by large and clear signage, differentiated from resident parking and available to visitors 24 hours per day; and
 - (f) pedestrian access to the visitor parking area (both external and internal) and from the visitor parking area to the main lobby or an individual residential unit shall be adequately identified with signage that is clear in its directions to the visitor.

1.5.3 Electric Vehicle Charging Infrastructure

- (1) All parking spaces provided for dwelling units on a lot shall include an energized outlet capable of providing Level 2 charging or higher, except:
 - (a) parking spaces for visitor parking; and
 - (b) existing or new parking spaces for existing dwelling units.

- (2) Parking spaces provided for new non-residential development shall include an energized outlet capable of providing Level 2 charging or higher in accordance with the following:
 - (a) Energized outlets must be provided for a minimum of 45% of total parking spaces, of which:
 - (i) 100% of all accessible parking spaces shall be included; and
 - (ii) a minimum of 10% of total parking spaces or one (1) parking space, whichever is greater, shall not provide an electric vehicle energy management system.
 - (b) Energized outlets must be provided for 100% of all shared vehicle parking spaces, which shall:
 - (i) include a minimum of one (1) parking space with electric vehicle supply equipment; and
 - (ii) be counted separately from the 45% requirement set out in paragraph (a).
- (3) Energized outlets provided pursuant to this Section 1.5.3 shall be labeled for the use of electric vehicle charging.
- (4) The General Manager Planning and Development may:
 - (a) specify requirements for technical matters, including but not limited to metering and performance standards for electric vehicle energy management systems; and/or
 - (b) issue a variance for the requirements under this Section 1.5.3 in exceptional circumstances where compliance with the requirements is demonstrated to not be feasible.

1.6 Development and Maintenance Standards

1.6.1 Minimum Dimensions

- (1) The minimum dimensions of off-street vehicle parking spaces shall be as follows:

Parking Space Type	Length	Width	Height
Regular Parking Space	5.5 m	2.6 m	2.0 m
Small Car Parking Space	4.8 m	2.4 m	2.0 m
Tandem Parking Space	11.0 m	2.6 m	2.0 m
Regular Parallel Parking Space	7.3 m	2.6 m	2.0 m
Small Parallel Parking Space	6.7 m	2.4 m	2.0 m

- (2) Notwithstanding Section 1.3, where the total number of parking spaces provided exceeds 25, up to 35% of the spaces on a property may be small car parking spaces which must be clearly posted, easily located, and easy to use.
- (3) The width of the parking space shall be increased by 0.3 m on each side where a parking space adjoins a wall, column, fence, or other structure that:
 - (a) exceeds 0.3 m in height and is located more than 1.2 m from either end of a small car parking space; or
 - (b) exceeds 0.3 m in height and is located more than 1.4 m from either end of a regular parking space, accessible parking space, or van accessible parking space; or
 - (c) exceeds 0.05 m in height and is located less than 0.6 m from the maneuvering aisle.
- (4) No column encroachments or other obstructions are permitted within the required dimensions of a parking space.

1.6.2 Paving and Lighting

- (1) All parking areas for more than 4 vehicles shall be provided with adequate curbs in order to retain all vehicles within such permitted parking area, and to ensure that required fences, hedges, or landscaped areas, as well as any buildings, will be protected from parked vehicles.

- (2) All parking areas for more than 4 vehicles shall be surfaced with an asphalt, concrete, or similar pavement so as to provide a surface that is durable and dust-free and shall be so graded and drained as to properly dispose of all surface water.
- (3) Any lighting used to illuminate a parking facility shall be arranged such that all direct rays of light are reflected upon the parking facility and shall not illuminate areas beyond the lot.

1.6.3 Maneuvering

- (1) Adequate provision shall be made for individual ingress or egress by vehicles to all parking spaces at all times by means of unobstructed maneuvering aisles.
- (2) Maneuvering aisles of not less than the following widths shall be provided:

Parking Angle	Width of Aisle
90°	6.5 m
60°	5.0 m
45° and less	3.5 m

- (3) Notwithstanding subsection (2), on a lot within the R1 District, required off-street vehicle parking spaces may be configured as tandem parking subject to the following:
 - (a) one tandem parking space accommodating two vehicles shall only be shared between one primary dwelling unit and its associated secondary suite; and
 - (b) access must be accommodated from a lane or local street as per the road classification in the Official Community Plan.

2.0 Off-Street Loading

When any development takes place on any lot, off-street loading shall be provided and maintained in accordance with the regulations contained in this Section.

2.1 General Requirements

2.1.1 Application

2.1.1.1 Existing Buildings, Structures, and Uses

- (1) Section 2.0 shall not apply to buildings, structures, or uses existing on the effective date of this Bylaw, except that:
 - (a) Off-street loading shall be provided and maintained in accordance with this Section where there is a change in the principal use, or where the total floor area is increased in excess of 10% over the existing floor area, including within an existing CD District.
 - (b) Off-street loading existing on the effective date of this Bylaw shall not be reduced below the applicable off-street loading requirements of this Section.

2.1.1.2 Voluntary Loading Facilities

- (1) Where off-street vehicle loading facilities are provided when not required, the location, design, and operation of such facilities shall comply with all the regulations of Section 2.0.

2.1.1.3 Classification

- (1) Off-street loading spaces shall be classified as Class A, Class B, or Class C loading spaces as specified in Section 2.4.

2.1.2 Measurements and Calculations

- (1) When calculating off-street loading requirements, the gross floor area shall include the floor area of accessory buildings or basements, except where they are used for parking or heating.
- (2) In the case of mixed uses, the total requirements for off-street loading facilities shall be the sum of the requirements for the various use categories under Section 2.2 computed separately.

2.2 Required Off-Street Loading Spaces:**2.2.1 Commercial, Employment, and Industrial Uses**

- (1) On every lot used as a retail store, business, industry, warehouse or other similar use, except lots with C1 or R District zoning, the minimum number of spaces shall be as follows:

Total Gross Floor Area of Building(s)	Loading Spaces Required
Up to 250 m ²	No loading required
Over 250 m ² to 460 m ²	1 Class B loading space
Over 460 m ²	Loading requirements to be determined through a loading management plan

2.2.2 Assembly, Institutional, and Intensive Commercial Uses

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

Total Gross Floor Area of Building(s)	Loading Spaces Required
Up to 2,800 m ²	1 Class B loading space
Over 2,800 m ²	Loading requirements to be determined through a loading management plan

2.2.3 Residential Uses

- (1) On every lot with apartment or townhouse dwellings, the minimum number of off-street loading spaces shall be as follows:

Total Provided Dwelling Units	Loading Spaces Required
0 - 99	No loading required
100 - 300	1 Class B loading space
For each additional 200 units or part thereof	1 additional Class B loading space

- (2) Notwithstanding subsection (1), for lots fronting a public road where on-street parking is prohibited, a minimum of one loading space is required on-site.

2.3 Location and Siting of Loading Facilities

- (1) Off-street loading spaces and facilities shall be located on the same lot as the use served, but not within the required front or side yard nor closer than 7.5 m to the nearest point of intersection of any two street allowances.

2.3.2 Shared Loading

- (1) The General Manager Planning and Development may permit the sharing of the required off-street loading spaces between different uses where:
 - (a) a loading management plan has been provided and the General Manager Planning and Development is satisfied that the operating hours for such uses do not overlap significantly; and
 - (b) the shared off-street loading spaces are not located more than 122 m from the uses to be served.

2.4 Development and Maintenance Standards**2.4.1 Access**

- (1) The location of all points of ingress and egress to a loading area shall be subject to the approval of the City Engineer.

2.4.2 Minimum Dimensions

- (1) Off-street loading spaces shall be designed in accordance with the following classifications, unless otherwise approved through a loading management plan:

Loading Class	Length	Width	Height	Conditions
Class A	6.0 m	2.7 m	3.5 m	Suitable for courier vans and small service vehicles
Class B	10.0 m	3.5 m	4.5 m	Additional 2.5 m in length required where no loading dock is provided
Class C	23.1 m	3.6 m	4.5 m	

2.4.3 Paving and Lighting

- (1) All loading areas shall be provided with adequate curbs in order to retain all vehicles within such permitted loading areas, and to ensure that required fences, hedges or landscaped areas, as well as any buildings, will be protected from parked vehicles.
- (2) Each loading space shall be surfaced with an asphalt, concrete, or similar pavement so as to provide a durable, dust-free surface, and shall be so graded and drained as to properly dispose of all surface water.
- (3) Any lighting used to illuminate any loading area shall be so arranged that all direct rays of light are reflected upon the loading area, and not on any adjoining premises.

3.0 Bicycle Parking and End-of-Trip Facilities

When any development takes place on any lot, end-of-trip facilities and spaces for the off-street parking of bicycles shall be provided and maintained in accordance with this Section.

3.1 General Requirements

3.1.1 Application

3.1.1.1 Existing Buildings, Structures, and Uses

- (1) Section 3.0 shall not apply to buildings, structures, or uses existing on the effective date of this Bylaw, except that:
 - (a) Off-street bicycle parking spaces shall be provided and maintained in accordance with this Section where there is any addition to such existing building or structure, or any change or addition to such existing use, including within an existing CD District.
 - (b) Off-street bicycle parking spaces and end-of-trip facilities existing on the effective date of this schedule shall not be reduced below the applicable requirements of this Section.

3.1.1.2 Voluntary Bicycle Parking Facilities

- (1) Where bicycle parking spaces are provided when not required, the location, design, and operation of such facilities shall comply with all the regulations of Section 3.0.

3.1.2 Measurements and Calculations

- (1) Where number of persons is used as a unit of measurement for the calculation of required bicycle parking spaces, it shall mean the greatest number of persons at work or study, at any time of the day or night in a particular building or for a particular use during any season of the year.
- (2) Where seating accommodation is used as a unit of measurement for the calculation of required bicycle parking spaces, and such accommodation consists of benches, pews, booths and the like, each 0.5 m of width of such seating accommodation shall be counted as one seat.
- (3) Where the calculation of required bicycle parking spaces, Class A supplementary facilities, or end-of-trip facilities results in a fractional requirement, the fractional requirement shall be rounded up to the next whole number.

3.1.2.2 Uses Not Listed

- (1) If a use is not listed in Section 3.2, the number of required bicycle parking spaces shall be calculated based on a similar use as determined by the General Manager Planning and Development.

3.2 Required Bicycle Parking Spaces

- (1) Bicycle parking spaces shall be required for any uses classified in the table below in accordance with the corresponding standards:

Use	Minimum Required Bicycle Parking Spaces	
	Class A (Long-Term)	Class B (Short-Term)
Apartment or townhouse dwellings	1.25 for each dwelling unit	2 spaces per 20 dwelling units, plus one additional space for every additional 20 dwelling units
Assisted living residences	1 for every 20 employees	The greater of 4 spaces or 1 for every 5 residents

Civic facility, assembly and entertainment, and recreation and fitness uses without spectator seating (e.g. community centre, library, or museum), and child care facilities	1 for each 500 m ² of gross floor area	The greater of 2 spaces or 1 for each 250 m ² of gross floor area
Civic facility, assembly and entertainment, and recreation and fitness uses with spectator seating (e.g. theatre, auditorium, or stadium)	1 for every 20 employees	The greater of 2 spaces or 1 for every 50 spectator seats
Dormitories	1 for each unit	The greater of 4 spaces or 1 for every 5 units
Hospital	1 for every 20 employees	6 spaces at each public entrance
Manufacturing & Warehousing	The greater of 1 for each 1,000 m ² of gross floor area and 1 for every 20 employees.	No requirement
Office and health care facilities	1 space for each 170 m ² of gross floor area	The greater of 2 spaces or 1 for each 1000 m ² of gross floor area
Retail	1 space for each 340 m ² of gross floor area	The greater of 2 spaces or 1 for each 500 m ² of gross floor area
School – Elementary or similar	1 for every 20 employees	The greater of 2 spaces or 1 for every 20 students
School – Secondary or post-secondary	1 for every 20 employees and students	The greater of 2 spaces or 1 for every 20 students
Visitor accommodation	1 for every 20 employees, plus 1 for every 30 sleeping units	The greater of 2 spaces or 1 for every 30 sleeping units

3.3 Class A Bicycle Parking Spaces

3.3.1 Bicycle Parking Spaces

- (1) For apartment and townhouse dwellings, bicycle parking spaces shall be provided in:
 - (a) single space or double space bicycle lockers in a bicycle room;
 - (b) an automated facility; or
 - (c) private garages.
- (2) For uses other than apartment and townhouse dwellings, bicycle parking spaces shall be provided in:
 - (a) a bicycle room within a building, private garage or parking garage;
 - (b) an automated facility; or
 - (c) single space bicycle lockers.
- (3) Manual lifting of the bicycle shall not be required to be placed in the bicycle space, except that wall mounted racks may be permitted at the discretion of the General Manager Planning and Development on account of exceptional site conditions that limit the size and configuration of the parkade.
- (4) Bicycle parking spaces shall be located no more than one level below or above grade and shall have convenient access to outside where provided in a bicycle room or as bicycle lockers, except that a location more than one level below or above grade may be permitted at the discretion of the General Manager Planning and Development on account of exceptional site conditions, development size, provision of voluntary bicycle parking spaces, or where a bicycle-appropriate elevator is supplied offering convenient access to outside.

- (5) Bicycle parking spaces shall be independently accessible by means of an aisle of a minimum width of 1.2 m, and a minimum vertical clearance of 2.0 m, except when provided in an automated facility.

3.3.2 Bicycle Rooms

- (1) Class A bicycle rooms shall:
 - (a) provide required bicycle parking spaces in the form of bicycle racks or bicycle lockers;
 - (b) not include Class B bicycle parking spaces;
 - (c) have a solid opaque or chain-link (No. 7 gauge or heavier) walls extending from floor to ceiling;
 - (d) have a steel or chain-link (No. 7 gauge or heavier) door that is no less than 0.9 m in width, is automatically operated with a programmed entry system, and has tamper-proof hinges and a steel frame. Where a steel door is installed, a security window is preferred;
 - (e) have motion-activated security lighting enclosed in tamper-proof housing, which uniformly provides light throughout the room; and
 - (f) be designed to accommodate a maximum of 50 bicycle racks, except that a Class A bicycle room may be designed to accommodate more than 50 bicycle racks if the bicycle room is continuously monitored by security personnel during operational hours.

3.3.3 Automated Facilities

- (1) Where Class A bicycle parking spaces are provided in an automated facility, the automated facility shall:
 - (a) have an entrance that is located no more than one level below or above grade with convenient access to outside that is accessible by means of an aisle of a minimum width of 1.2 m, and a minimum vertical clearance of 2.0 m;
 - (b) store and retrieve bicycles via a radio frequency identification tag and smart card system, or a comparable high security storage and retrieval system;
 - (c) have a designated and preferably weather-protected loading zone;
 - (d) be designed to accommodate a maximum of 100 bicycles; and
 - (e) have motion-activated security lighting enclosed in tamper-proof housing, which uniformly provides light and is dark-sky compliant if located outside.

3.3.4 Bicycle Lockers

- (1) Class A bicycle lockers shall:
 - (a) be constructed of theft-resistant material with no exposed fittings or connectors;
 - (b) be built with a lockable door which opens to the full width and height of the locker;
 - (c) be individually numbered;
 - (d) be weather-proof where exposed to the elements;
 - (e) for a single space bicycle locker, have minimum dimensions of:
 - (i) 0.7 m in width at the door end;
 - (ii) 0.2 m in width at the end opposite to the door;
 - (iii) 1.8 m in length; and
 - (iv) 1.2 m in height;
 - (f) for a double space bicycle locker, have minimum dimensions of:
 - (i) 1.15 m in width at the door end;
 - (ii) 1.15 m in width at the end opposite to the door;
 - (iii) 1.8 m in length; and
 - (iv) 1.2 m in height; and
 - (g) be accessible only to residents of the one residential unit which the single or double bicycle locker is intended to serve.

3.3.5 Bicycle Racks

- (1) Class A bicycle racks shall:
 - (a) be constructed of sturdy theft-resistant material with secure theft resistant anchoring to the floor or wall;
 - (b) support the bicycle frame above the centre of gravity and enable the bicycle frame and front wheel to be locked to the rack with a U-style lock; and
 - (c) have a minimum:
 - (i) vertical clearance of 2.0 m;
 - (ii) width of 0.6 m for each bicycle; and
 - (iii) length of 1.8 m.

3.3.6 Bicycle Repair Stations

- (1) Where 10 or more Class A bicycle parking spaces are required, there shall be no less than 1 bicycle repair station for every 400 Class A bicycle parking spaces, and each station shall provide:
 - (a) a bicycle stand that supports the bicycle off the floor;
 - (b) a tire pump; and
 - (c) a bicycle appropriate toolkit secured to the bicycle stand or wall.

3.4 Class B Bicycle Parking Spaces

3.4.1 Bicycle Parking Spaces

- (1) Class B Bicycle parking spaces shall:
 - (a) be provided in:
 - (i) bicycle racks;
 - (ii) single space bicycle lockers;
 - (iii) an automated facility; or
 - (iv) subject to Section 3.4.5 an attended facility only for assembly and entertainment, civic facility, and recreation and fitness uses provided for in Section 3.2;
 - (b) have wayfinding signage where Class B bicycle parking spaces are not readily visible from the front of the site;
 - (c) except where the Class B bicycle parking spaces are provided in an automated facility or an attended facility, not require manual lifting of the bicycle to be placed in the bicycle space;
 - (d) not interfere with pedestrian or vehicular circulation; and
 - (e) be independently accessible by means of an aisle of a minimum width of 1.2 m, and a minimum vertical clearance of 2.0 m, except when provided in an automated facility.

3.4.2 Bicycle Racks

- (1) Class B Bicycle racks shall:
 - (a) be located where feasible, near all main pedestrian entries, in an accessible, well-lit and weather-protected location, that allows for visual surveillance by occupants of the building or by building security;
 - (b) be constructed of sturdy theft and weather-resistant material with secure theft-resistant anchoring to the floor or wall;
 - (c) support the bicycle frame above the centre of gravity and enable the bicycle frame and front wheel to be locked to the rack with a U-style lock; and
 - (d) have a minimum;
 - (i) vertical clearance of 2.0 m;
 - (ii) width of 0.3 m for each bicycle; and
 - (iii) length of 1.8 m.

3.4.3 Bicycle Lockers

- (1) Class B bicycle lockers shall:
 - (a) where feasible, be located near all main pedestrian entries, in an accessible, well-lit and weather-protected location, that allows for visual surveillance by occupants of the building or by building security;
 - (b) be constructed of theft-resistant material with no exposed fittings or connectors;
 - (c) be built with a lockable door which opens to the full width and height of the locker;
 - (d) be weather-proof where exposed to the elements; and
 - (e) have minimum dimensions of;
 - (i) 0.7 m in width at the door end;
 - (ii) 0.2 m in width at the end opposite to the door;
 - (iii) 1.8 m in length; and
 - (iv) 1.2 m in height.

3.4.4 Automated Facilities

- (1) Where Class B bicycle parking spaces are provided in an automated facility, the automated facility shall:
 - (a) store and retrieve bicycles via a radio frequency identification tag and smart card system, or a comparable high security storage and retrieval system;
 - (b) have a designated and preferably weather-protected loading zone;
 - (c) be designed to accommodate a maximum of 100 bicycles; and
 - (d) have motion-activated security lighting enclosed in tamper-proof housing, which uniformly provides light and is dark-sky compliant if located outside.

3.4.5 Attended Facilities

- (1) Up to 90% of the required Class B bicycle parking spaces for assembly and entertainment, civic facility, and recreation and fitness uses provided in Section 3.2 may be provided in the form of an attended facility which has a drop off and pick up area that is located no more than one level below or above grade and has convenient access to the outside.

3.5 End-of-Trip Facilities

3.5.1 General Requirements

- (1) Where 4 or more Class A bicycle parking spaces are required to be provided under this Bylaw for non-residential uses, end-of-trip facilities shall be provided in accordance with this Section.
- (2) If facilities are to be separated by gender, the number of spaces allocated to each gender shall be distributed equally, unless otherwise demonstrated to the satisfaction of the General Manager Planning and Development.

3.5.2 Required Amenities

- (1) The minimum number of toilets, sinks, and showers required is as follows:

Required Class A Bicycle Parking Spaces	Minimum Number		
	Toilets	Sinks	Showers
4 - 20	2	2	2
21 - 40	2	4	4
41 - 60	4	6	6
For each additional 15 or part thereof	1 additional	1 additional	1 additional

- (2) A minimum number of the following shall be provided:
 - (a) 2 change spaces, at least one of which must be a private change space, for each shower provided;
 - (b) 1 grooming station for each shower provided;
 - (c) 1.5 clothing lockers for each Class A bicycle parking space provided; and
 - (d) 1 drying hook, or equivalent, for each Class A bicycle parking space provided.

3.5.3 Design Standards

- (1) End-of-trip facilities shall be securely located, well-lit and accessed via an interior entry door.
- (2) All required showers shall be provided for in private stalls and shall include a shelf for staging toiletries, and a hook to hang a towel.
- (3) Private change spaces shall be provided for in opaque stalls, and each stall shall be accessed separately from the shower, and contain a bench or similar with dimensions no less than 0.6 m in length, 0.3 m in depth and 0.4 m in height.
- (4) Each grooming station shall be equipped with a mirror, electrical outlet, and a counter top.
- (5) Each clothing locker shall be a minimum of 0.45 m in depth, 0.3 m in width, and 0.9 m in height and have built-in hooks and perforations to allow for adequate ventilation.

3.6 Location of Facilities

3.6.1 General Requirements

- (1) Required bicycle parking spaces and end-of-trip facilities shall be provided for on the subject lot, except as otherwise specified in Section 3.6.
- (2) Notwithstanding subsection (1), the required number of Class B bicycle parking spaces may be located in the public street or sidewalk, subject to an encroachment agreement with the City, if permitted by the General Manager Planning and Development. In such cases, the property owner shall be required to cover costs associated with installation, maintenance, and replacement of the required bicycle parking spaces.

3.6.2 Shared Facilities

- (1) Bicycle parking spaces may be provided and used collectively by two or more buildings or uses, provided that:
 - (a) Class A bicycle parking spaces required for residential uses are not shared with non-residential uses;
 - (b) the operating hours for such uses do not overlap significantly;
 - (c) the shared spaces are not located more than 122 m from the building or uses to be served; and
 - (d) the shared spaces are not permanently assigned to a specific use or building and are available at all times of the day and week.
- (2) End-of-trip facilities may be provided and used collectively by two or more buildings or uses, provided that:
 - (a) the operating hours for such uses do not overlap significantly;
 - (b) the shared spaces are not located more than 122 m from the building or uses to be served; and
 - (c) the shared facilities are not permanently assigned to a specific use or building and are available at all times of the day and week.