

CITY OF BURNABY

BYLAW NO. 10124

A BYLAW to create zoning districts R11 and R12

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as BURNABY ZONING BYLAW 1965, AMENDMENT NO. 48, 1994.

2. The definition "accessory use" in section 3 of Burnaby Zoning Bylaw 1965 is amended by striking out "or R10 District" where it appears in Item (3) and substituting therefor ", R10, R11 or R12 District".

3. Section 5.1 of the said Bylaw is amended by adding the following zoning districts to the list for Schedule No. I:

"Residential	R10 & R10b
Residential	R11 & R11b
Residential	R12 & R12b"

4. Section 6.3.1 of the said Bylaw is amended by striking out "R1, R2, R3, R4, R5, R9 and R10 Districts" where it appears and substituting therefor the following:

"R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts"

5. Subsections (1) and (2) of section 6.4 of the said Bylaw are repealed and the following substituted therefor:

"(1) In the RM6 District, the height of a principal building shall be measured from the lower of the front or rear average elevations to the highest point of the structure, subject to the applicable exceptions in subsection (3).

(2) Except in the R1, R2, R3, R4, R5, R9, R10, R11, R12 and RM6 Districts, the height of a building shall be measured from the front average elevation to the highest point of the structure, subject to the applicable exceptions in subsections (3) and (4); and where no front yard setback is required the height shall be measured from the curb."

6. Subsection (2.1) of section 6.12 of the said Bylaw is amended by striking out "R1, R2, R3, R4, R5, R9 and R10 Districts" where it appears and substituting therefor the following:
"R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts"

7. The heading of section 6.17.1 of the said Bylaw is repealed and the following substituted therefor:
"Parking or Storage of Commercial Vehicles, Trucks, Recreation Vehicles, Trailers, Boats or Equipment in R1 to R5 Districts and R9 to R12 Districts"

8. Subsections (1) and (2) of section 6.17.1 of the said Bylaw are amended by striking out "R1, R2, R3, R4, R5, R9 and R10 Districts" where it appears and substituting therefor the following:
"R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts"

9. Subsections (2), (3) and (4) of section 6.20 of the said Bylaw are repealed and the following substituted therefor:

"(2) In all districts, except the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts, accessory buildings except those used for parking shall be included as gross floor area.

(3) In the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts, accessory buildings shall be included as floor area; but 42 m² (452.1 sq.ft.) of the floor area of a garage or carport will be excluded unless, in the R10 and R11 Districts, the garage or carport is attached or is not located within 9 m (29.5 ft.) of the rear lot line.

(4) In the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts, the calculation of gross floor area and above grade floor area for any space where the height from a floor to the top of the wall plate exceeds 3.7 m (12.1 ft.) shall be in accordance with the following:

(2 x floor area of the space) minus 9.3 m² (100.1 sq.ft.)."

10. Subsection (6) of section 6.20 of the said Bylaw is amended

(a) by striking out all of the words that precede paragraph (a) and substituting therefor the following:

"(6) For the purpose of computing floor area ratio in the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts, the following shall not be included as floor area:"

(b) by repealing paragraph (c) and substituting therefor the following:

"(c) garages and carports up to a maximum of 42 m² (452.1 sq.ft.) unless, in the R10 and R11 Districts, the garage or carport is attached or is not located within 9 m (29.5 ft.) of the rear lot line;"

11. Section 110.1 of the said Bylaw is amended by adding thereto the following:

"(5) In zones having an R10b designation, a day care centre licensed under the Community Care Facility Act for not more than 10 children in the dwelling where care is provided by persons resident in the dwelling and not more than one non-resident person. The maximum of 10 children includes any preschool children of the resident and any children cared for as a home occupation under this Bylaw"

12. Schedule Number I of the said Bylaw is amended by adding thereto after section 110.12 the following:

"111. **RESIDENTIAL DISTRICT (R11)**

This District provides for low-scale development in mature single family areas.

111.1 Uses Permitted:

- (1) Single family dwellings
- (2) Home occupations
- (3) Accessory buildings and uses
- (4) Group homes
- (5) In zones having an R11b designation, a day care centre licensed under the Community Care Facility Act for not more than 10 children in the dwelling where care is provided by persons resident in the dwelling and not more than one non-resident person. The maximum of 10 children includes any preschool children of the resident and any children cared for as a home occupation under this Bylaw

111.2 Lot Area and Width:

Each lot shall have an area of not less than 668.88 m² (7200 sq.ft.) and a width of not less than 18.28 m (60.0 ft.).

111.3 Lot Coverage:

Lot coverage shall not exceed 40 percent.

111.4 Development Density:

- (1) Gross Floor Area. The density of development for a principal building shall not exceed
 - (a) for a house that exists on October 1, 1994, the lesser of a floor area ratio of 0.60 or 371.6 m² (4000 sq.ft.);
 - (b) for a house that is constructed after October 1, 1994 with a height of 6.1 m (20 ft.) or less, the lesser of a floor area ratio of 0.60 or 371.6 m² (4000 sq.ft.);
 - (c) for a house that is constructed after October 1, 1994 with a height greater than 6.1 m (20 ft.), the lesser of a floor area ratio of 0.60 or 325.15 m² (3500 sq.ft.);

(2) Above Grade Floor Area. The gross floor area for all floors located above a cellar, basement, crawl space or ground surface shall not exceed

(a) for a house that exists on October 1, 1994, the lesser of 0.30 of the lot area or 185.8 m² (2000 sq.ft.);

(b) for a house that is constructed after October 1, 1994 with a height of 6.1 m (20 ft.) or less, the lesser of a 0.30 of the lot area or 185.8 m² (2000 sq.ft.);

and for a house that is constructed after October 1, 1994 with a height greater than 6.1 m (20 ft.), the gross floor area for all floors, excluding the floor of the cellar, shall not exceed the lesser of 209 m² (2250 sq.ft.) or 112 m² (1205.6 sq.ft.) plus 0.20 of lot area, but the gross floor area of the second floor above grade shall not exceed 74.32 m² (800 sq.ft.).

(3) Attached Garage or Carport. A garage or carport attached to any part of the principal building shall be included as gross floor area and above grade floor area.

(4) Accessory Buildings. The total gross floor area for all accessory buildings on a lot shall not exceed 56 m² (602.8 sq.ft.), but where a garage or carport is detached from a principal building and is located within 9 m (29.5 ft.) of the rear lot line, a maximum of 42 m² (452.1 sq.ft.) shall not be included as gross floor area but all other floor areas used for off-street parking shall be included as gross floor area.

111.5 Height of Principal Building:

(1) The height of a principal building with a gross floor area greater than 325.15 m² (3500 sq.ft.) shall not exceed 6.1 m (20 ft.);

(2) The height of a principal building with a gross floor area of 325.15 m² (3500 sq.ft.) or less shall not exceed

- (a) 7.62 m (25 ft.) if the building has a sloping roof, and
- (b) 6.7 m (22 ft.) if the building has a flat roof.

(3) Subject to the applicable exceptions in section 6.4(3), building height shall be measured from the lower of the front or rear average elevations to the highest point of the structure unless an addition is proposed to a building that exists on October 1, 1994, in which case the height shall be measured from the lower of the front or rear average elevations to the highest point of the addition.

111.6 Depth of Principal Building:

The depth of a principal building shall not exceed the lesser of 45 percent of the lot depth or 16.76 m (55 ft.).

111.7 Front Yard:

A front yard shall be provided of not less than 7.5 m (24.6 ft.) in depth, and not less than the average front depth of the two adjacent lots on each side of the lot, subject to section 6.12 (2.1).

111.8 Side Yards:

- (1) Side yards not less than 1.83 m (6 ft.) in width shall be provided on each side of the building.
- (2) In the case of a corner lot, the side yard adjoining the flanking street shall not be less than 3.5 m (11.5 ft.).
- (3) The side yard setbacks for the second floor above grade
 - (a) shall not be less than 7 m (23 ft.) for the sum of both side yards, but this requirement shall not limit the overall width of the second floor to less than 9.75 m (32 ft.); and
 - (b) shall not be less than 1.83 m (6 ft.) on each side.

111.9 Rear Yard:

A rear yard shall be provided of not less than 9 m (29.5 ft.) in depth.

111.10 Off-Street Parking:

(1) Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw.

(2) Access for vehicles to all off-street parking spaces shall be provided from a lane abutting the lot except where there is no abutting lane or the Director Engineering is satisfied that access from a lane is not feasible because of an extreme grade, in which case the Chief Building Inspector may approve access from a street.

112. RESIDENTIAL DISTRICT (R12)

This District provides for single family and two-family dwellings.

112.1 Uses Permitted:

- (1) Single family dwellings
- (2) Semi-detached dwellings and front-to-back two-family dwellings
- (3) Group homes
- (4) Home occupations
- (5) Accessory buildings and uses
- (6) In zones having an R12b designation, a day care centre licensed under the Community Care Facility Act for not more than 10 children in the dwelling where care is provided by persons resident in the dwelling and not more than one non-resident person. The maximum of 10 children includes any preschool children of the resident and any children cared for as a home occupation under this Bylaw

112.2 Lot Area and Width:

Each lot shall have an area of not less than 306.57 m² (3300 sq.ft.) and a width of not less than 9.15 m (30 ft.), but a two-family dwelling is not permitted on a lot that is less than 13.7 m (45 ft.) wide unless the lot has lane access.

112.3 Lot Coverage:

(1) Lot coverage shall not exceed 40 percent for lots having a garage or carport attached to the principal building.

(2) Lot coverage shall not exceed 45 percent for lots having a garage or carport detached from the principal building.

112.4 Development Density. Single Family Dwelling:

(1) The density of a development for a single family dwelling shall not exceed the lesser of a floor area ratio of 0.60 or 370 m² (3982.8 sq.ft.).

(2) For a house that exists on October 1, 1994, the gross floor area for all floors located above a cellar, basement, crawl space or ground surface shall not exceed the greater of 0.20 of the lot area plus 130 m² (1399.4 sq.ft.), or 0.40 of the lot area.

(3) For a house that is constructed after October 1, 1994, the gross floor area for all floors, excluding the floor of a cellar, shall not exceed the greater of 0.20 of the lot area plus 130 m² (1399.4 sq.ft.), or 0.40 of the lot area.

112.5 Development Density. Two-Family Dwelling:

(1) For a lot that is less than 464.5 m² (5000 sq.ft.), the combined gross floor area of the two dwelling units shall not exceed 0.60 of the lot area.

(2) For a lot that is 464.5 m² (5000 sq.ft.) or more, the combined gross floor area

of the two dwelling units shall not exceed the lesser of 0.30 of the lot area plus 139.35 m² (1500 sq.ft.), or 370 m² (3,982.8 sq.ft.).

(3) The gross floor area of each dwelling unit shall not exceed 185.8 m² (2000 sq.ft.).

(4) The gross floor area of the second floor of each dwelling unit shall not exceed 65 m² (700 sq.ft.).

(5) A two-family dwelling shall not be developed with a cellar.

112.6 Height of Principal Building:

(1) The height of a principal building shall not exceed,

(a) for a single family dwelling, 9 m (29.5 ft.) for a house with a sloping roof and 7.4 m (24.3 ft.) for a house with a flat roof,

(b) for a two-family dwelling, 7.62 (25 ft.) for a house with a sloping roof and 6.1 m (20 ft.) for a house with a flat roof.

(2) Subject to the applicable exceptions in section 6.4(3), the building height shall be measured from the lower of the front or rear average elevations to the highest point of the structure unless an addition is proposed to a building that exists on October 1, 1994, in which case the height shall be measured from the lower of the front or rear average elevations to the highest point of the addition.

112.7 Depth of Principal Building:

The depth of a principal building shall not exceed the lesser of

(a) 50 percent of the lot depth, or

(b) 18.3 m (60 ft.).

112.8 Front Yard:

A front yard shall be provided of not less than 6.1 m (20 ft.) in depth, except that where the average front yard depth of the two adjacent lots on each side exceeds the required front yard by at least 1.5 m (4.9 ft.), then the front yard shall not be less than that average, subject to section 6.12(2.1)

112.9 Side Yards:

(1) Side yards shall be provided on each side of the building having a minimum width of

- (a) 1.22 m (4 ft.) if the lot is less than 13.7 m (45 ft.) in width,
- (b) 1.53 m (5 ft.) if the lot is 13.7 m (45 ft.) or greater in width.

(2) In the case of a corner lot, the side yard adjoining the flanking street shall be not less than

- (a) 1.83 m (6.0 ft.) in width if the lot is less than 13.7 m (45 ft.) in width,
- (b) 3.0 m (9.8 ft.) in width if the lot is 13.7 m (45 ft.) or greater in width.

112.10 Rear Yards:

A rear yard shall be provided of not less than 7.46 m (24.5 ft.).

112.11 Off-Street Parking:

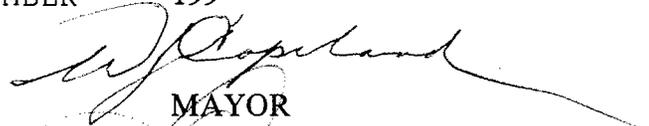
(1) **Single Family Dwelling.** A lot developed with a single family dwelling shall be provided with at least one on-site parking space, and if the lot has lane access any garage or carport, whether attached or detached from the house, must be located at the rear of the house or in the rear yard.

(2) **Two-Family Dwelling.** A lot developed with a two-family dwelling shall be provided with at least two on-site parking spaces; and

- (a) where the lot is less than 13.7 m (45 ft.) wide, and

- (b) where the lot is 13.7 m (45 ft.) or more in width and there is lane access,
the garage or carport must be detached from the house and located in the rear yard.
- (3) Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw."

Read a first time this 24th day of OCTOBER 199 4
Read a second time this 28th day of NOVEMBER 199 4
Read a third time this 28th day of NOVEMBER 199 4
Reconsidered and adopted this 5th day of DECEMBER 199 4


MAYOR

CLERK