

**CITY OF BURNABY**

**BYLAW NO. 13258**

A BYLAW respecting secondary suites

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 38, 2013.**

2. Subsection (3) of the definition “accessory use” in section 3 of Burnaby Zoning Bylaw 1965 is repealed and the following substituted:

“(3) an accessory use in an R1, R2, R3, R4, R5, R6, R9, R10, R11, R12, A1, A2, A3 and RM6 District may include a secondary suite, subject to the following conditions:

(a) a secondary suite shall be permitted only in a single family dwelling;

(b) only one secondary suite shall be permitted in a dwelling;

(c) a secondary suite shall have:

(i) a minimum floor area of 32m<sup>2</sup> (345 sq.ft.), and

(ii) a maximum floor area of the lesser of:

(A) 90m<sup>2</sup> (970 sq.ft.), or

(B) Forty percent (40%) of the gross floor area of the principal building;

- (d) a secondary suite and the principal building 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;
- (e) a secondary suite shall not be permitted in a single family dwelling that contains an in-law suite;
- (f) neither the keeping of boarders or lodgers, the operation of a boarding, lodging or rooming house, the operation of a child care facility or family child care centre, the operation of a group home, private hospital or supportive housing facility nor the operation of a home occupation that includes on-site client services shall be permitted in a single family dwelling that contains a secondary suite. ”

3. The definition “dwelling, single family” in section 3 of the said Bylaw is amended by striking out the words “in-law suite” and substituting the words “secondary suite”.

4. The definition “dwelling unit” in section 3 of the said Bylaw is amended by striking out everything after the word “containing” and substituting the words “not more than one kitchen or one set of cooking facilities.”.

5. The definition “in-law suite” in section 3 of the said Bylaw is amended by adding after the word “Department” the words “the continued use of which is subject to section 911 of the *Local Government Act*”.

6. Section 3 of the said Bylaw is further amended by adding thereto, after the definition “screening”, the following definition:

“ ‘secondary suite’ means an accessory dwelling unit fully contained within a single family dwelling.”

7. Subsection (1) of section 6.9 of the said Bylaw is repealed.

8. Subsection (1) of section 6.10 of the said Bylaw is amended by adding the following:

“Notwithstanding the foregoing, a secondary suite shall contain at least 32m<sup>2</sup> (345 sq.ft.) of floor area.”

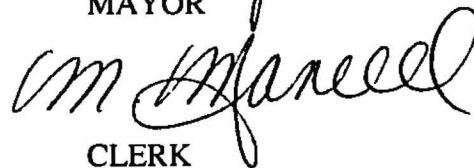
9. Section 800.4 of Schedule No. VIII of the said Bylaw is amended by adding thereto, after section (1), the following:

“(1a) Single family dwelling  
with secondary suite

1 independently accessible parking space for each dwelling unit. The Director Planning and Building may waive the requirement for a second parking space where the single family dwelling was constructed before January 1, 2014 and the Director Planning and Building is satisfied that it is not feasible to create a second parking space on the property.”

Read a first time this 4<sup>th</sup> day of November 2013  
Read a second time this 13<sup>th</sup> day of January 2014  
Read a third time this 27<sup>th</sup> day of January 2014  
Reconsidered and adopted this 27<sup>th</sup> day of January 2014

  
MAYOR

  
CLERK