

CITY OF BURNABY

BYLAW NO. 13983

A BYLAW to amend the Zoning
Bylaw provisions for cellars in certain
R Districts

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 4, 2019.**

2. Burnaby Zoning Bylaw 1965, as amended, is further amended:
 - (a) at Section 6.9, by adding the following as subsection (6):

“(6) In the R1, R2, R3, R4, R5, and R9 Districts, on a lot developed with a single family dwelling a cellar exceeding a floor area of 32 m² (345 sq. ft.) shall meet the requirements of the British Columbia Building Code and all other requirements of this Bylaw for a secondary suite.”

 - (b) at Section 6.20, by adding the following as subsection (7):

“(7) Notwithstanding Section 6.20(6)(c), in the R1, R2, R3, R4, R5 and R9 Districts on a lot developed with a single family dwelling, a garage or carport located in a cellar shall be included as floor area of the cellar.”

 - (c) at Section 101.4, by repealing subsection (1) and replacing it with the following:

“(1) In an R1a District the gross floor area of all floors shall not exceed the floor area ratio of:

 - (a) 0.60 for lots having a width of 37 m (121.4 ft.) or more;
 - (b) 0.55 for lots having a width of less than 37 m (121.4 ft.) but

equal to or more than 35.35 m (116 ft.);

- (c) 0.50 for lots having a width of less than 35.35 m (116 ft.) but equal to or more than 34 m (111.6 ft.).”

- (d) at Section 101.4 by adding the following as subsection (4):

“(4) A cellar constructed in the R1 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”

- (e) at Section 101.5 by adding the following as subsection (4):

“(4) For a single family dwelling, other than one located in an R1a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

- (f) at Section 102.4 by repealing subsection (1) and replacing it with the following:

“(1) In an R2a District the gross floor area of all floors shall not exceed the floor area ratio of:

- (a) 0.60 for lots having a width of 27.5 m (90.2 ft.) or more;
(b) 0.55 for lots having a width of less than 27.5 m (90.2 ft.) but equal to or more than 26.5 m (86.9 ft.);
(c) 0.50 for lots having a width of less than 26.5 m (86.9 ft.) but equal to or more than 25.5 m (83.7 ft.).”

- (g) at Section 102.4 by adding the following as subsection (4):

“(4) A cellar constructed in the R2 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”

- (h) at Section 102.5 by adding the following as subsection (4):

“(4) “For a single family dwelling other than one located in an R2a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

- (i) at Section 103.4 by repealing subsection (1) and replacing it with the following:

- “(1) In an R3a District the gross floor area of all floors shall not exceed the floor area ratio of:
- (a) 0.60 for lots having a width of 22.5 m (73.8 ft.) or more;
 - (b) 0.55 for lots having a width of less than 22.5 m (73.8 ft.) but equal to or more than 21.8 m (71.5 ft.);
 - (c) 0.50 for lots having a width of less than 21.8 m (71.5 ft.) but equal to or more than 21 m (68.9 ft.).”
- (j) at Section 103.4 by adding the following as subsection (4):
- “(4) “A cellar constructed in the R3 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”
- (k) at Section 103.5 by adding the following as subsection (4):
- “(4) For a single family dwelling, other than one located in an R3a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”
- (l) at Section 104.4 by repealing subsection (1) and replacing it with the following:
- “(1) The density of development shall not exceed:
- (a) in an R4 District on a lot developed with a two-family dwelling, the lesser of a floor area ratio of 0.60 or 440 m² (4736.1 sq. ft.).
 - (b) in an R4a District, a floor area ratio of:
 - i. 0.60 for lots having a width of 27.5 m (90.2 ft.) or more;
 - ii. 0.55 for lots having a width of less than 27.5 m (90.2 ft.) but equal to or more than 26.3 m (86.3 ft.);
 - iii. 0.50 for lots having a width of less than 26.3 m (86.3 ft.) but equal to or more than 25.5 m (83.7 ft.).”
- (m) at Section 104.4 by adding the following as subsection (4):
- “(4) A cellar constructed in the R4 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”
- (n) at Section 104.5 by adding the following as subsection (6)
- “(6) For a single family dwelling, other than one located in an R4a District,

the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

- (o) at Section 105.4 by repealing subsection (1) and replacing it with the following:

“(1) The density of development shall not exceed:

- (a) in an R5 District on a lot developed with a two-family dwelling, the lesser of a floor area ratio of 0.60 or 370 m² (3982.6 sq. ft.).
- (b) in an R5a District, a floor area ratio of:
 - i. 0.60 for lots having a width of 22.5 m (73.8 ft.) or more;
 - ii. 0.55 for lots having a width of less than 22.5 m (73.8 ft.) but equal to or more than 21.8 m (71.5 ft.);
 - iii. 0.50 for lots having a width of less than 21.8 m (71.5 ft.) but equal to or more than 21 m (68.9 ft.)”.

- (p) at Section 105.4 by adding the following as subsection (4):

“(4) A cellar constructed in the R5 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey next above it.”

- (q) at Section 105.5 by adding the following as subsection (6):

“(6) For a single family dwelling, other than one located in an R5a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

- (r) at Section 109.4 by repealing subsection (1) and replacing it with the following:

“(1) In an R9a District, the gross floor area of all floors shall not exceed the floor area ratio of 0.60.”

- (s) at Section 109.4 by adding the following as subsection (4)

“(4) A cellar constructed in the R9 District shall not have a floor area, including a garage or carport, that exceeds the floor area of the storey

next above it.”

(t) at Section 109.5 by adding the following as subsection (4):

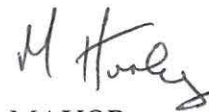
“(4) For a single family dwelling, other than one located in an R9a District, the floor area of a first storey located above a cellar shall not exceed the maximum floor area permitted under subsections (1) and (2) less 0.15 of the lot area.”

Read a first time this 11th day of February 2019

Read a second time this 11th day of March 2019

Read a third time this 25th day of March 2019

Reconsidered and adopted by Council this 25th day of March 2019


MAYOR


CLERK