

CITY OF BURNABY

BYLAW NO. 14271

A BYLAW to amend the Zoning
Bylaw to address short term rentals

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 59, 2020.**

2. Burnaby Zoning Bylaw 1965, as amended, is further amended:
 - (a) at Section 3, Definitions, by repealing the definitions of “BOARDING, LODGING OR ROOMING HOUSE”, “DWELLING, MULTIPLE FAMILY”, and “DWELLING UNIT” in their entirety and replacing them with the following in alphabetical order:

“**BOARDING, LODGING OR ROOMING HOUSE**” means a dwelling in which more than 2 sleeping units are rented, with or without meals being provided, to more than 2 and not exceeding 15 persons, other than members of the family of the lessee, tenant or owner, and excludes the preparation of meals within the rented units. Boarding, lodging and rooming house does not include a short-term rental, or a club or lodge.

“**DWELLING, MULTIPLE FAMILY**” means any building consisting of three or more dwelling units, but does not include a supportive housing facility.

“**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 principal residence of one family only. A dwelling unit shall not contain more than one cooking facility.”

 - (b) at Section 3, Definitions, by adding the following in alphabetical order:

“**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.

“**FLEX-UNIT**” means an accessory dwelling unit within a multi-family flex-unit.

“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.

“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, or a boarding, lodging or rooming house.”

- (c) at Section 3, Definitions, under the definition for “HOME OCCUPATION” by repealing subsection (b) in its entirety and replacing it with the following:

“(b) a boarding use,”

- (d) at Section 6.7.1, by repealing subsection (1)(h) in its entirety and replacing it with the following:

“(h) neither a boarding use, the operation of a boarding, lodging or rooming house, the operating of a child care facility or home-based child care facility, 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, including within the secondary suite.”

- (e) at Section 6.8A subsection (4)(a) by repealing it in its entirety and replacing it with the following:

“(a) a boarding use.”

- (f) by adding the following as Section 6.28:

“6.28 Short-term Rentals:

- (1) short-term rental may be permitted as an accessory use to a single family dwelling, two-family dwelling, row housing dwelling, town house dwelling, and multiple family dwelling in R, RM, C8, C9, P11, and A Districts, all of their sub-

districts, and the Comprehensive Development District, or portion thereof, based on the above noted Districts, 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 single family dwelling containing a secondary suite, including within the secondary suite;
 - (iii) a multi-family flex unit, including within the flex-unit;
 - (vi) a dwelling unit that is primarily used for a caretaker, watchman, or other persons employed for similar purposes;
 - (v) a dwelling unit that contains an in-law suite, a boarding use, a boarding, lodging or rooming house, a child care facility, a home-based child care facility, a group home, a private hospital, a supportive housing facility, or a home occupation that includes on-site client services; and
 - (iv) an accessory building or structure.”

(g) at Section 7.3 by adding the following as subsection (1)(h):

“(h) Short-term rental.”

(h) at Section 800.4 by adding the following as subsection (4.1):

“(4.1) Boarding use within single family dwellings, two family dwellings, and row housing dwellings. 1 for each 2 sleeping units. Parking spaces may be provided in tandem with parking space provided for 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.”

(i) at Section 800.4 by adding the following as subsection (42):

“(42) Short-term rental within single family dwellings, two family dwellings, and row housing dwellings 1 for each dwelling unit, or a portion of a dwelling unit that is used for short-term rentals, in addition to the required parking space for the principal residential use. Parking space for short-term rental may be provided in tandem with parking space provided for 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.”

- (j) at Section 800.6 by adding the following as subsection (7):
- “(7) Notwithstanding anything in this section contained, the required off-street parking space for a short-term rental may be located within a required front yard or a side yard.”
3. This Bylaw shall come into force and effect on August 1, 2022.

Read a first time this 14th day of December, 2020

Read a second time this 14th day of December, 2020

Read a third time this 30th day of May, 2022

Reconsidered and adopted this 20th day of June, 2022


MAYOR


CLERK