

**TO:** CHAIR AND MEMBERS  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** 2023 January 04

**FROM:** GENERAL MANAGER  
PLANNING AND DEVELOPMENT

**FILE:** 71130 20

**SUBJECT:** PROPOSED ZONING BYLAW AMENDMENTS IN THE BAINBRIDGE AND  
LOCHDALE URBAN VILLAGE COMMUNITY PLAN AREAS

**PURPOSE:** To propose amendments to the Burnaby Zoning Bylaw as part of the implementation of the Bainbridge and Lochdale Urban Village Community Plans.

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**RECOMMENDATIONS:**

1. **THAT** Council be requested to authorize the preparation of a bylaw amending the *Burnaby Zoning Bylaw, 1965*, as outlined in Section 4.0 of this report, for advancement to a future Public Hearing.

**REPORT****1.0 INTRODUCTION**

On 2022 July 25, Council adopted the finalized Bainbridge and Lochdale Urban Village Community Plans (the "*Bainbridge and Lochdale Plans*" or "*Plans*") and the Burnaby Urban Village Design Guidelines. The accompanying reports to Planning and Development Committee noted that staff would proceed with the initial implementation of the Plans upon Council adoption which, as stated in Part 7 of the finalized Plans, would include the preparation of "*amendments to the Zoning Bylaw for Council's consideration to ensure there are districts and development regulations in place to achieve the distinct Urban Village housing forms outlined [in the Plans].*" Staff have now prepared a set of proposed Zoning Bylaw amendments that achieve this purpose for Committee and Council consideration.

In addition to the subject Zoning Bylaw amendments outlined in this report, another Bainbridge and Lochdale implementation report is on the Planning and Development Committee's agenda detailing Official Community Plan (OCP) amendments in line with the policy directions and designations in the Lochdale and Bainbridge Urban Village Community Plans.

**2.0 POLICY FRAMEWORK**

The implementation of the Bainbridge and Lochdale Plans through the Zoning Bylaw amendments described in this report supports direction provided by numerous City policies, including the Social Sustainability Strategy (2011), Environmental Sustainability Strategy (2016), Economic Development Strategy (2016), Corporate Strategic Plan (2022), Mayor's Task Force on Community Housing (2019), Climate Action Framework (2019), Burnaby Transportation Plan (2021), Rental Use Zoning Policy (RUZP) (2019), and the Housing and Homelessness Strategy (HOME) (2021).

**3.0 INTENT AND RATIONALE**

- 3.1 The intent of the Bainbridge and Lochdale Plans is to provide mid-to-long term strategies for the future development of these neighbourhoods into unique and diverse Urban Villages, complete with a range of locally-focused multi-family housing and employment options, sustainable transportation choices, public realm improvements, and various community amenities and services for existing and future residents. Through the community planning process, it was determined that facilitating unique Urban Village built forms would be crucial in order to develop neighbourhoods that could accommodate these elements while remaining distinct from the City's larger, higher-density and regionally-focused Metrotown Downtown and Lougheed, Brentwood, and Edmonds Town Centres. These Urban Villages propose a range of mixed-use and multi-family residential building forms, and lower-density missing middle residential forms such as townhouses, rowhouses and multiplexes.
- 3.2 Within each of the adopted Plans, *Land Use Map and Designations* (Section 4.1 of the Plans) outlines the various land uses, densities, and built form categories that may be supported in each Urban Village. Access to different modes of public transit, whether existing or planned, helps to guide the general scale and densities in each Urban Village. As outlined in the Plans and the proposed amendments, Bainbridge allows for higher residential densities for some designations, based in part on its central location adjacent to the Sperling-Burnaby Lake SkyTrain Station. For both Plans, densities are categorized into a series of separate Residential designations, as well as Commercial/Employment and Village Core/Centre Mixed-Use designations.
- 3.3 Each land use category within each of the Plans provides information on maximum densities, land uses and building forms and heights. The parcel-specific *Land Use Map and Designations* are supplemented with *Character Areas* Descriptions (Section 4.2 of the Plans) in each Plan, which further describes unique area-specific built form, building height, urban design and public realm directions. Also relevant are the stand-alone *Burnaby Urban Village Design Guidelines* adopted by Council in July 2022, which are applicable to all Burnaby Urban Villages to provide high-quality urban design guidance for new development.
- 3.4 Typically, land use maps and designation tables in adopted community plans also reference specific zoning districts or sub-districts within the *Zoning Bylaw* that apply to each land use category. These references guide property owners and prospective applicants as they form a

development proposal (e.g. rezoning application) that is consistent with community plan direction and that is connected to *Zoning Bylaw* standards. In the case of Bainbridge and Lochdale, the Plans specified that the maximum densities indicated for each land use category in the Land Use Designations table were inclusive of all density categories permitting for base density, rental density, and offset density under the *Zoning Bylaw* (see Section 4.2 of the Plans). However, the table did not include direct references to corresponding zoning districts or sub-districts for each of the land use categories, as the *Zoning Bylaw* does not currently include such regulations to specifically facilitate the development of the unique Urban Village forms described above.

Given this, both Plans noted that Council consideration and approval of *Zoning Bylaw* amendments to ensure there are zoning districts and regulations in place to achieve such development forms was necessary in order to implement the Plans. Specifically, these amendments would further specify the breakdown and allocation of various Bainbridge and Lochdale Urban Village sub-districts with density categories for each corresponding land use designation. The amendments, once adopted, would provide comprehensive guidance for property owners and prospective development applicants as they submit master plan and site-specific development applications (e.g. rezonings), on key elements such as allowable base and offset density, as well as obligations to provide rental units in accordance with the Rental Use Zoning Policy (RUZP), for a proposed development.

#### **4.0 SUMMARY OF PROPOSED ZONING BYLAW AMENDMENTS**

- 4.1 The general approach to the proposed *Zoning Bylaw* amendments involves the creation of sub-districts for Bainbridge and Lochdale Urban Village development forms within existing Multiple Family (RM) Residential Districts in the *Zoning Bylaw*, specifically the RM2, RM3/RM3r, RM4/RM4r and RM5/RM5r districts. This approach allows the *Zoning Bylaw*, along with the adopted Plans, to guide the future development of mixed-use and multi-family residential buildings of various scales in Bainbridge and Lochdale, through the development application process. *Zoning Bylaw* amendments are not required to facilitate future commercial/employment uses in the Plan areas, as there are sufficient existing *Zoning Districts* to accommodate such uses.
- 4.2 The proposed amendments for the above-noted Multiple Family (RM/RMr) Residential Districts establish density provisions specific to the Bainbridge and Lochdale Urban Villages land use designations, in order to provide clarity for the supportable development forms and the implementation of the RUZP within these adopted Plans. Within the proposed sub-districts identified on *Table #1* and *Table #2*, provisions identify the following density categories, and how density (measured in Floor Area Ratio, or FAR) would be allocated in a new Urban Village development, in accordance with their corresponding land use designation:

- The base density amount (the “**Base Density**”) intended for the provision of multi-family market strata or rental residential dwelling units;
- Density intended for the provision of rental units in accordance with the RUZP, where applicable (the “**Rental Density**”); and
- Additional density intended for the provision of market strata or rental dwelling units to offset the cost of providing non-market rental units (the “**Offset Density**”).

4.3 In line with the general hierarchy of the RM/RMr zoning districts and the overall difference in anticipated building scale and form between Bainbridge and Lochdale, provisions for the Village Core Mixed-Use and High Density Residential land uses in the Bainbridge Urban Village would be identified under sub-districts to the RM5/RM5r District. Provisions for Village Centre Mixed-Use designation in the Lochdale Urban Village and Medium Density Residential Uses in the Lochdale and Bainbridge Urban Villages would be identified under sub-districts to the RM4/RM4r District. Both Urban Villages have Low Density Residential Uses which would be identified under sub-districts to the RM2 and RM3/RM3r District. In addition to density, new development proposals seeking rezoning in the Lochdale and Bainbridge Urban Villages must abide by the relevant height, building separation and other development directions outlined in the adopted Plans and the Burnaby Urban Village Design Guidelines. The Comprehensive Development (CD) District, which is commonly utilized in other rezoning applications throughout Burnaby, is a tool that allows for various development and urban design standards to be customized through a CD District, provided that the density and land uses of the development are based on existing Zoning Districts in the *Zoning Bylaw*. As such, applicants may work with the City to achieve development proposals that meet or exceed Community Plan policy directions for new development through a CD District rezoning application, with the Community Plan and the Zoning District guiding land use, height and density.

4.4 **Tables #1 and #2** below summarize how the proposed *Zoning Bylaw* amendments would create pools of Base, Rental, and Offset Density within the total density permitted for each Urban Village designation in the Bainbridge and Lochdale Plans. The tables summarize densities based on the maximum total density available under the various Plan designations. Maximum densities may not be achievable for all development sites, particularly where challenging site configurations or environmental constraints exist, or where development proposals do not utilize the full building heights permitted. A comprehensive list of the proposed amendments, which will form part of the subject rezoning amendment bylaw, is provided in **Appendix A**.

To: Planning and Development Committee  
 From: General Manager Planning and Development  
 Re: Proposed Zoning Bylaw Amendments to Facilitate  
 Development Forms in Bainbridge and Lochdale Urban  
 Village Community Plan Areas

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**Table 1. Summary of Proposed Zoning Bylaw Amendments to facilitate development forms supported under the Bainbridge Urban Village Community Plan Land Use Designations**

Bainbridge Plan Land Use Designation	Zoning Districts and Sub-Districts	Permitted Residential Density - RM/RMuv/RMr District Density (FAR)			
		Max. Total Density	RM/RMuv Base Density	Offset Density (36% of Base)	RMr Rental Density
Village Core Mixed-Use	RM5uv-a / RM5r	3.75	2.40	0.86	<i>RMr Rental Density = Maximum Total Density – Base Density – Offset Density</i>
High Density Residential	RM5uv-b / RM5r	3.50	2.20	0.79	
	RM5uv-c / RM5r	3.00	1.90	0.68	
Medium Density Residential	RM4uv-a / RM4r	2.70	1.70	0.61	
	RM4uv-b / RM4r	2.50	1.60	0.58	
	RM4uv-c / RM4r	2.20	1.40	0.50	
Low Density Residential	RM3uv / RM3r	1.75	1.10	0.40	
Low Density Residential	RM2uv	1.10	1.10	N/A	N/A
	RM2	0.90	0.90	N/A	N/A

**Table 2. Summary of Proposed Zoning Bylaw Amendments to facilitate development forms supported under the Lochdale Urban Village Community Plan Land Use Designations**

Lochdale Plan Land Use Designation	Zoning Districts and Sub-Districts	Permitted Residential Density - RM/RMuv/RMr District Density (FAR)			
		Max. Total Density	RM/RMuv Base Density	Offset Density (36% of RM/RMuv Base)	RMr Rental Density
Village Centre Mixed-Use	RM4uv-a / RM4r	2.70	1.70	0.61	<i>RMr Rental Density = Maximum Total Density – Base Density – Offset Density</i>
Medium Density Residential	RM4uv-b / RM4r	2.50	1.60	0.58	
	RM4uv-c / RM4r	2.20	1.40	0.50	
Low Density Residential	RM3uv / RM3r	1.75	1.10	0.40	
Low Density Residential	RM2uv	1.10	1.10	N/A	N/A
	RM2	0.90	0.90	N/A	N/A

**Notes on Table 1 and Table 2:**

- *The proposed sub-districts are detailed in the Zoning Bylaw amendments (see Appendix A).*
- *Full Base Density is only permitted if all off-street parking is provided underground.*
- *The RMr density for each sub-district is calculated as the remaining density available once the base density and offset density has been utilized (i.e.  $RMr \text{ Rental Density} = \text{Maximum Total Density} - RMu \text{ Base Density} - \text{Offset Density}$ ). The RMr density available in each sub-district is sufficient, at a minimum, to support the rental obligation under the RUZP to provide an equivalent of 20% of the Base Density residential units as inclusionary non-market units.*
- *Market rental units may be achieved through RM and offset density.*
- *The RM2 / RM2uv Districts are not subject to rental obligations under the RUZP.*
- *Maximum Total Density represents the total cumulative density permitted for a given land use designation category in the Plans.*

4.5 The Offset Density provision for Urban Village developments, where eligible, is based on 36% (rounded to the two nearest decimal places) of the base density FAR for a development. In this way, the Offset Density is always calculated proportionally to the amount of Base Density that a development proposal is utilizing. This amount of offset density was informed through architectural and financial analysis conducted by a third party consultant to determine the market density needed to offset the delivery of RMr inclusionary non-market rental units or replacement non-market rental units required under the RUZP. Further information on the consultant findings and determination of appropriate offset density will be provided as part of the RUZP Review, to be further outlined in a separate report to Council in 2023. Using a percentage to calculate Offset Density ensures that the Offset Density is able to increase or decrease proportionally with the Base Density and non-market requirements being pursued for a development site. Should Council approve the subject Zoning Bylaw amendments, the Offset Density provisions currently in place for Town Centre developments would not be impacted, pending further ongoing review of the RUZP.

4.6 It is noted that the land use designations in both the Bainbridge and Lochdale Plans separately include provisions to support Commercial/Employment Uses within the mixed-use Village Centre/Core, as well as other select locations within the plan area boundary. These land use designations support density that is additional to that provided for residential uses, in accordance with the existing Zoning Districts, and do not require further Zoning Bylaw amendments. Both Plans also include land use designations for Schools and Community Uses as well as Existing and Proposed Park Space Uses. These land use designations do not require

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corresponding amendments to the Zoning Bylaw, as existing provisions under the Public and Institutional (P) Zoning Districts already provide for the intent of these uses.

4.7 It is noted that the RUZP is currently under review. Staff will ensure that any proposed revisions or updates to this policy will also consider any potential impacts to the subject *Zoning Bylaw* amendments, and to future Urban Village developments.

## 5.0 NEXT STEPS AND CONCLUSIONS

Since the adoption of the Bainbridge and Lochdale Plans, staff have received two Bainbridge master plan rezoning applications at 6800 and 7000 Lougheed Highway (Rezoning Reference #22-28 and #22-15), and a Lochdale master plan rezoning application at 6555 Hastings Street (Rezoning Reference #22-33). Staff are also anticipating further rezoning applications to be submitted in the future for properties in both communities.

The purpose of this report is request authorization from Council to prepare bylaw amendments to the *Burnaby Zoning Bylaw, 1965*, as outlined in *Section 4.0* of this report, for advancement to a future Public Hearing. Council adoption of the subject *Zoning Bylaw* amendments would, in effect, update the *Zoning Bylaw* such that these applicants as well as other prospective applicants, residents and property owners would be fully informed of specific expectations for Base, Rental and Offset Density breakdown within a specific development proposal that involves mixed-use or multi-family residential uses in the Bainbridge and Lochdale Urban Villages.

It is anticipated that these *Zoning Bylaw* amendments could also apply to development in other Urban Villages aside from Bainbridge and Lochdale, as other communities in Burnaby undergo Urban Village community plan reviews, amendments and updates in the future. This may involve further *Zoning Bylaw* amendments which would be presented to Council for approval at the time when these community plans are reviewed in the future. However, the proposed *Zoning Bylaw* amendments in this report apply to Bainbridge and Lochdale Urban Village Plan areas.



E.W Kozak, General Manager  
PLANNING AND DEVELOPMENT

AY:spf

### **Attachments**

cc: General Manager Corporate Services  
Acting Director Legislative Services  
City Solicitor

**Recommended Zoning Bylaw Amendments**

***Table of Contents***

1. **THAT** the Table of Contents of the *Zoning Bylaw* in Schedule II be amended by deleting the following in its entirety:

- “202. Multiple Family Residential District (RM2) (RM2r)
- 203. Multiple Family Residential District (RM3) (RM3r) (RM3s)
- 204. Multiple Family Residential District (RM4) (RM4r) (RM4s)
- 205. Multiple Family Residential District (RM5) (RM5r) (RM5s)”

and replacing it with wording the same or similar to the following:

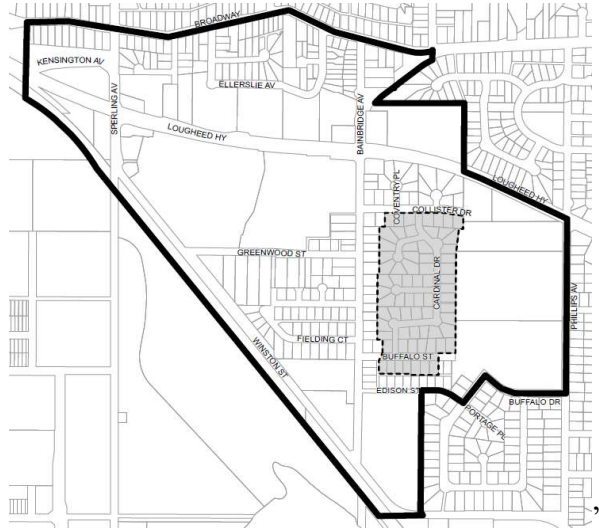
- “202. Multiple Family Residential District (RM2) (RM2r) (RM2uv)
- 203. Multiple Family Residential District (RM3) (RM3r) (RM3s) (RM3uv)
- 204. Multiple Family Residential District (RM4) (RM4r) (RM4s) (RM4uv-a) (RM4uv-b) (RM4uv-c)
- 205. Multiple Family Residential District (RM5) (RM5r) (RM5s) (RM5uv-a) (RM5uv-b) (RM5uv-c)”



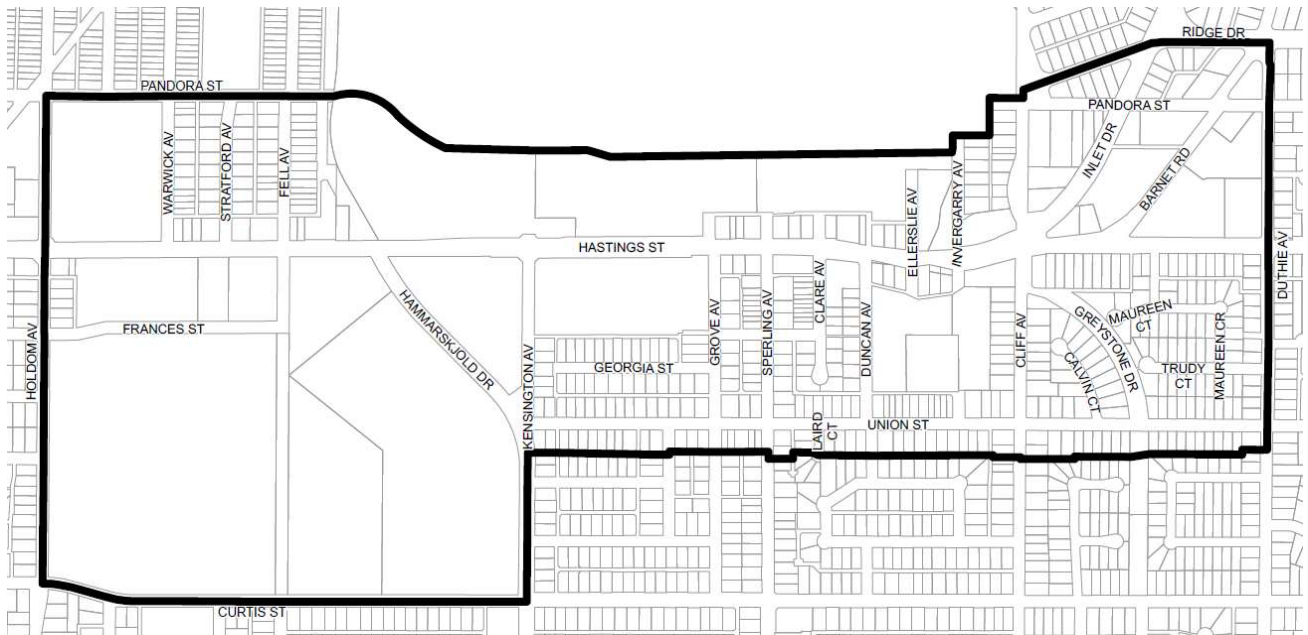
**Definitions**

2. **THAT** definitions with wording the same or similar to the following be added in alphabetical order to Section 3 Definitions of the *Zoning Bylaw*:

**“BAINBRIDGE URBAN VILLAGE COMMUNITY PLAN AREA”** means the geographical area shown outlined in bold black line on the following map, but excluding the geographical area shown outlined in dashed black line with grey shading:



**“LOCHDALE URBAN VILLAGE COMMUNITY PLAN AREA”** means the geographical area shown outlined in bold black line on the following map:



***Multiple Family (RM) Residential District Schedules***

3. **THAT** the heading for section 202.1 of the *Zoning Bylaw* be repealed in its entirety and replaced with wording the same or similar to the following:

**“202.1 Uses Permitted in the RM2 and RM2uv Zoning Districts:”**

4. **THAT** subsection 202.5(3) be added to the *Zoning Bylaw* with wording the same or similar to the following:

“(3) The maximum floor area ratio in the RM2uv District shall be 0.70. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.40 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM2uv District in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area exceed 1.10.”

5. **THAT** the heading for section 203.1 of the *Zoning Bylaw* be repealed in its entirety and replaced with wording the same or similar to the following:

**“203.1 Uses Permitted in the RM3 and RM3uv Zoning Districts:”**

6. **THAT** subsection 203.6(1) of the *Zoning Bylaw* be repealed in its entirety and replaced with wording the same or similar to the following:

“(1) The maximum floor area ratio in the RM3, RM3s, RM3uv and RM3r Districts shall be 0.90. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.20 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM3, RM3s, RM3uv and RM3r Districts exceed 1.10. For clarity, the maximum floor area ratio permitted in the RM3r District shall be in addition to the FAR permitted for any other zoning district on the lot, including the RM3, RM3s, or RM3uv District.”

7. **THAT** subsections 203.6(5) and 203.6(6) be added to the *Zoning Bylaw* with wording the same or similar to the following:

“(5) Notwithstanding subsection (1) of this section, in the RM3uv District in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area, the floor area ratio may be increased by 0.36 multiplied by the floor area ratio utilized under subsection (1), rounded to the nearest two decimal places, provided that:

- (a) the lot is rezoned to Comprehensive Development District;

- (b) a minimum number of rental units provided is equal to the greater of:
    - (i) that number equal to 20% of the total number of market rental and strata dwelling units calculated using the RM3uv District floor area ratio; and
    - (ii) that number equal to the number of rental units in any purpose-built rental housing located immediately prior to the rezoning referred to in paragraph (a), which has been or will be demolished; and
  - (c) the rent for each rental unit referred to in paragraph (b) shall not exceed:
    - (i) 20% below CMHC Market Median Rent rates for the applicable rental unit type; and
    - (ii) the adjusted pre-development rent for the applicable rental unit type, if rented to a returning tenant in accordance with the City of Burnaby Tenant Assistance Policy, as amended or replaced from time to time.
- (6) Notwithstanding subsections (1), (4) and (5) of this section, the combined floor area ratio of the RM3uv and RM3r Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area shall not exceed 1.75.”

8. **THAT** the heading for section 204.1 of the *Zoning Bylaw* be repealed in its entirety and replaced with wording the same or similar to the following:

**“204.1 Uses Permitted in the RM4, RM4uv-a, RM4uv-b, and RM4uv-c Zoning Districts:”**

9. **THAT** subsection 204.6(1) of the *Zoning Bylaw* be repealed in its entirety and replaced with wording the same or similar to the following:

“(1) The maximum floor area ratio in the RM4, RM4s, RM4uv-a, and RM4r Districts shall be 1.40. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.30 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM4, RM4s, RM4uv-a and RM4r Districts exceed 1.70. For clarity, the maximum floor area ratio permitted in the RM4r District shall be in addition to the FAR permitted for any other zoning district on the lot, including the RM4, RM4s, RM4uv-a, RM4uv-b, or RM4uv-c District.”

10. **THAT** subsections 204.6(1.1) and (1.2) be added to the *Zoning Bylaw* with wording the same or similar to the following:

“(1.1) The maximum floor area ratio in the RM4uv-b District shall be 1.30. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.30 multiplied by the ratio of parking spaces provided

in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM4uv-b District exceed 1.60.

- (1.2) The maximum floor area ratio in the RM4uv-c District shall be 1.10. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.30 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM4uv-c District exceed 1.40.”

11. **THAT** subsections 204.6(5) and (6) be added to the *Zoning Bylaw* with wording the same or similar to the following:

“(5) Notwithstanding subsections (1), (1.1) and (1.2) of this section, in the RM4uv-a, RM4uv-b, and RM4uv-c Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area, the floor area ratio may be increased by 0.36 multiplied by the floor area ratio utilized under subsection (1), (1.1), or (1.2), as applicable, rounded to the nearest two decimal places, provided that:

- (a) the lot is rezoned to Comprehensive Development District;
- (b) a minimum number of rental units provided is equal to the greater of:
  - (i) that number equal to 20% of the total number of market rental and strata dwelling units calculated using the RM4uv-a, RM4uv-b, or RM4uv-c District floor area ratio, as applicable; and
  - (ii) that number equal to the number of rental units in any purpose-built rental housing located immediately prior to the rezoning referred to in paragraph (a), which has been or will be demolished; and
- (c) the rent for each rental unit referred to in paragraph (b) shall not exceed:
  - (i) 20% below CMHC Market Median Rent rates for the applicable rental unit type; and
  - (ii) the adjusted pre-development rent for the applicable rental unit type, if rented to a returning tenant in accordance with the City of Burnaby Tenant Assistance Policy, as amended or replaced from time to time.

(6) Notwithstanding subsections (1), (1.1), (1.2), (4) and (5) of this section:

- (a) the combined floor area ratio of the RM4uv-a and RM4r Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area shall not exceed 2.70;
- (b) the combined floor area ratio of the RM4uv-b and RM4r Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area shall not exceed 2.50; and

- (c) the combined floor area ratio of the RM4uv-c and RM4r Districts in the Bainbridge Urban Village Community Plan Area and the Lochdale Urban Village Community Plan Area shall not exceed 2.20.”

12. **THAT** the heading for section 205.1 of the *Zoning Bylaw* be repealed in its entirety and replaced with wording the same or similar to the following:

**“205.1 Uses Permitted in the RM5, RM5uv-a, RM5uv-b, and RM5uv-c Zoning Districts:”**

13. **THAT** subsection 205.6(1) of the *Zoning Bylaw* be repealed in its entirety and replaced with wording the same or similar to the following:

“(1) The maximum floor area ratio in the RM5, RM5s, RM5uv-b and RM5r Districts shall be 1.80. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.40 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM5, RM5s, RM5uv-b and RM5r Districts exceed 2.20. For clarity, the maximum floor area ratio permitted in the RM5r District shall be in addition to the FAR permitted for any other zoning district on the lot, including the RM5, RM5s, RM5uv-a, RM5uv-b, or RM5uv-c District.”

14. **THAT** subsections 205.6(1.1) and (1.2) be added to the *Zoning Bylaw* with wording the same or similar to the following:

“(1.1) The maximum floor area ratio in the RM5uv-a District shall be 1.80. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.60 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM5uv-a District exceed 2.40.

(1.2) The maximum floor area ratio in the RM5uv-c District shall be 1.50. Where structured parking is provided due to topographic or geotechnical considerations as determined by the Director Planning and Building, or underground parking is constructed, the floor area ratio may be increased by 0.40 multiplied by the ratio of parking spaces provided in underground parking or such structured parking, to the total parking spaces provided, but in no case shall the floor area ratio in the RM5uv-c District exceed 1.90.”

15. **THAT** subsections 205.6(5) and (6) be added to the *Zoning Bylaw* with wording the same or similar to the following:

“(5) Notwithstanding subsections (1), (1.1), and (1.2) of this section, in the RM5uv-a, RM5uv-b, and RM5uv-c Districts in the Bainbridge Urban Village Community Plan Area, the floor area ratio may be increased by 0.36 multiplied by the floor area ratio

utilized under subsection (1), (1.1), or (1.2), as applicable, rounded to the nearest two decimal places, provided that:

- (a) the lot is rezoned to Comprehensive Development District;
- (b) a minimum number of rental units provided is equal to the greater of:
  - (i) that number equal to 20% of the total number of market rental and strata dwelling units calculated using the RM5uv-a, RM5uv-b, or RM5uv-c District floor area ratio, as applicable; and
  - (ii) that number equal to the number of rental units in any purpose-built rental housing located immediately prior to the rezoning referred to in paragraph (a), which has been or will be demolished; and
- (c) the rent for each rental unit referred to in paragraph (b) shall not exceed:
  - (i) 20% below CMHC Market Median Rent rates for the applicable rental unit type; and
  - (ii) the adjusted pre-development rent for the applicable rental unit type, if rented to a returning tenant in accordance with the City of Burnaby Tenant Assistance Policy, as amended or replaced from time to time.
- (6) Notwithstanding subsections (1), (1.1), (1.2), (4) and (5) of this section:
  - (a) the combined floor area ratio of the RM5uv-a and RM5r Districts in the Bainbridge Urban Village Community Plan Area shall not exceed 3.75;
  - (b) the combined floor area ratio of the RM5uv-b and RM5r Districts in the Bainbridge Urban Village Community Plan Area shall not exceed 3.50; and
  - (c) the combined floor area ratio of the RM5uv-c and RM5r Districts in the Bainbridge Urban Village Community Plan Area shall not exceed 3.00.”

***Comprehensive Development (CD) Districts—Schedule VII***

16. THAT section 700.1(1) of the *Zoning Bylaw* be repealed and replaced with wording the same or similar to the following:

- “(1) Uses permitted in R and RM Districts including the Districts with an “a”, “b”, “r”, “s”, “uv”, “uv-a”, “uv-b” or “uv-c” suffix.”