

## 7.0 COMPREHENSIVE DEVELOPMENT DISTRICTS (CD)

### 7.0.1 Intent

Comprehensive Development (CD) Districts provide for the creation of comprehensive land use regulations for properties within the City where site-specific zoning would provide a greater ability to respond to site-specific context than by standard zoning districts with regard to existing or future surrounding development or to the interests of the public. Subject to all other provisions of this Bylaw, on any lot, in any district designated as a CD District, this Section 7.0 shall apply.

### 7.0.2 Permitted Uses

- (1) Any use shall be permitted in a CD District, or portion thereof, based on a District defined within this Bylaw that includes that permitted use, provided it complies with all applicable regulations under the relevant District and this Bylaw, unless such regulations are specifically excluded or modified by the CD District.
- (2) Any use not contemplated or reasonably regulated by another District shall be permitted, provided it is defined within the comprehensive development plan.
- (3) Where a change of use occurs on a site with an approved comprehensive development plan, the use shall be permitted within the CD District, or a portion thereof, provided:
  - (a) the plan explicitly permits that use or references a District which includes that permitted use;
  - (b) the plan does not explicitly exclude the use or contain conditions that would prevent the use; and
  - (c) the use complies with all applicable regulations under the relevant District and this Bylaw.

### 7.0.3 Conditions of Use

- (1) Exceptions to the regulations of this Bylaw are permitted, provided that the height for the development as a whole is in conformity with the applicable requirements of this Bylaw.

### 7.0.4 Comprehensive Development Plan

- (1) Every applicant for comprehensive development district zoning shall submit the following information to Council:
  - (a) A comprehensive plan, including the following:
    - (i) a site plan or plans, including legal descriptions of the area to be developed, showing the location of all existing and proposed buildings, streets, lanes, highways, driveways, bicycle parking, vehicle parking and loading areas, sidewalks, street lighting, utilities and utility easements, streams and other topographical features of the site.
    - (ii) preliminary architectural plans for any proposed buildings.
    - (iii) existing and proposed grades and their relation to the elevations on adjoining properties.
    - (iv) the location, size, height, colour, lighting and orientation of all signs.
    - (v) the location and treatment of open spaces, landscaping, fences and retaining walls.
  - (b) A statement of ownership of land and interest of the applicant therein.
  - (c) The estimated commencement date and proposed schedule of construction.
  - (d) A statement of financial responsibility, including the posting of bonds or cash, to assure the installation of the improvements required by the Municipality as a condition to development.
  - (e) A section laid out in a similar format to standard zoning district sections that includes:
    - (i) a statement of intent for the CD District;
    - (ii) a list of permitted uses;
    - (iii) definitions for any uses not already contained within this Bylaw;
    - (iv) any applicable conditions in relation to the listed uses; and

- (v) any other regulations that may apply, including those that may be in addition to or instead of any regulation in this Bylaw.

**7.0.5 Plan to be Part of Bylaw**

- (1) All buildings, structures, and uses shall comply with the size, shape, siting, and list of uses as designated on the approved comprehensive development plan, which shall be attached to and form part of this Bylaw.

**7.0.6 Legacy CD Districts**

- (1) In this section, “Legacy CD District” means a CD District created by an amendment or amendments to Burnaby Zoning Bylaw, 1965 adopted before the effective date of this Bylaw.
- (2) The land use and development regulations for any land in a Legacy CD District shall be the same as those that applied to that land under Burnaby Zoning Bylaw, 1965 as it read immediately prior to the effective date of this Bylaw, except where otherwise specifically provided for in this Bylaw.
- (3) Where a Legacy CD District, or a portion thereof, is based on a CM1, C1, C2, C8, or C9 District in Burnaby Zoning Bylaw, 1965, any uses permitted in the C1 District in this Bylaw are also permitted in the Legacy CD District, subject to all applicable conditions of use under this Bylaw and provided the use is not specifically prohibited by the Legacy CD District.
- (4) Where a Legacy CD District, or a portion thereof, is based on a CM2, C3, C4, C5, C6, or C7 District in Burnaby Zoning Bylaw, 1965, any uses permitted in the C2 District in this Bylaw are also permitted in the Legacy CD District, subject to all applicable conditions of use under this Bylaw and provided the use is not specifically prohibited by the Legacy CD District.