

## SCHEDULE NO. XI INCLUSIONARY RENTAL REQUIREMENTS

### 1100. INCLUSIONARY RENTAL REQUIREMENTS

The regulations contained in this schedule apply to a residential development on a lot that is zoned R5, R6, R7, or R8, or CD based on R5, R6, R7, or R8, other than a dormitory or a residential development in which **replacement rental units** are provided in accordance with the City's Rental Use Zoning Policy.

#### 1100.1 Requirements:

- (1) Subject to Section 1100.1(2), a residential development to which this Schedule XI applies must provide **inclusionary rental units** based on the applicable percentage of total **dwelling units** within the residential development, as set out in the table below:

| Zoning District            | Required Inclusionary Rental Units                |                                                   |
|----------------------------|---------------------------------------------------|---------------------------------------------------|
|                            | Northwest (NW) Quadrant & Southwest (SW) Quadrant | Northeast (NE) Quadrant & Southeast (SE) Quadrant |
| R5 – Mid-Rise Apartment 1  | 10%                                               | 5%                                                |
| R6 – Mid-Rise Apartment 2  |                                                   |                                                   |
| R7 – High-Rise Apartment 1 |                                                   |                                                   |
| R8 – High-Rise Apartment 2 |                                                   |                                                   |

- (2) For the purposes of calculating the number of required **inclusionary rental units** under Section 1100.1(1), the following shall be excluded from the total number of **dwelling units** within the residential development: (i) **market rental units**; (ii) **dwelling units** and **community benefit bonus housing** within the **community benefit bonus** portion of a development; and (iii) **voluntary non-market rental housing units**.
- (3) Where a lot straddles two or more **City of Burnaby Quadrants**, the lesser requirement under Section 1100.1(1) shall apply.

#### 1100.2 Conditions for Inclusionary Rental Units:

- (1) All **inclusionary rental units** shall be:
- (a) restricted to rental tenure;
  - (b) restricted to the **inclusionary rental rate**; and
  - (c) subject to the conditions in Sections 1100.2(1)(a) and (b) above for the later of 99 years from the issuance of an occupancy certificate for the development or when the **inclusionary rental unit** is fully demolished or destroyed.
- (2) Prior to the issuance of a building permit for a residential development that includes required **inclusionary rental units**, the owner shall grant a Section 219 Covenant in favour of the City and enter into a **housing agreement** with the **City** to secure the construction of the required **inclusionary rental units** and the conditions set out in Section 1100.2(1), together with other terms and conditions satisfactory to the **City**.

### 1100.3 Provision of Inclusionary Rental Units Off-Site:

- (1) The **City** may, by bylaw, enter into an agreement for the provision of **inclusionary rental units** on one or more **lots** other than the development site, provided that:
  - (a) unless otherwise approved by **Council**, the **lot** or **lots** is located within the same **City of Burnaby Quadrant** as the development site; and
  - (b) the requirements in relation to **inclusionary rental units** meet or exceed the requirements under this Schedule XI.
- (2) The agreement for off-site **inclusionary rental units** shall specify, amongst other matters, the following:
  - (a) the **lot** or **lots** on which **inclusionary rental units** will be located;
  - (b) who is to provide the **inclusionary rental units** on each **lot**;
  - (c) when the **inclusionary rental units** are to be provided on each **lot**;
  - (d) how the provision of **inclusionary rental units** under the agreement will meet or exceed the requirements under this Schedule XI; and
  - (e) any other information prescribed by regulation for the purposes of section 482.92 of the *Local Government Act*.

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