

Attachment 1 Zoning Bylaw proposed text amendments to align with Small-Scale Multi-Unit Housing Requirements

Zoning Bylaw No. 2500, 2007 Proposed Text Amendments

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DIVISION 3 INTERPRETATION				
Part 1 Definitions				
Definitions	10	"Carriage House" means an accessory dwelling unit located on the second storey of an accessory building accessory to a single residential use which contains no interior access to any part of the accessory building below the Carriage House and is located on a lot which is a single real estate entity.	"accessory dwelling unit" means a self-contained dwelling unit, located on the same parcel of land as another dwelling unit that is separate, subordinate in size and accessory to the primary residence, and does not include a mobile home, recreational vehicle, or a storage container.	<ul style="list-style-type: none"> • Revisions provide more clarity and flexibility in building form. • Dwelling unit is already defined in ZBL. • Change everywhere in bylaw. • Carriage house will become an ADU
Definitions	11	"dwelling, <i>townhouse</i> means a building consisting of three or more dwelling units, where each unit has a separate direct access to the outside at grade and wherein no dwelling unit is located wholly or partly above another dwelling.	"dwelling, <i>townhouse</i> means a building consisting of three or more dwelling units, where each unit has a separate direct access to the outside.	<ul style="list-style-type: none"> • Definition allows for stacked townhouses.
Definitions	13	"granny flat" means an accessory dwelling unit located in an accessory building accessory to a single residential dwelling use on a lot which is a single real estate entity.		<ul style="list-style-type: none"> • The new definition of Accessory Dwelling Unit would include granny flat. • Granny flat will be deleted everywhere in bylaw.

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Definition		Add Definition	<i>"impermeable surface"</i> means a surface which either prevents or impedes the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development.	<ul style="list-style-type: none"> Used with site coverage regulations in SSMUH zone.
Definitions	18	<p><i>"secondary residence"</i> means an additional dwelling unit which:</p> <p>(a) is accessory to a single residential dwelling,</p> <p>(b) having a total floor area of not more than 90m² in area,</p> <p>(c) located on a property of residential occupancy containing only one other dwelling unit,</p> <p>(d) located on a property which is a single real estate entity,</p> <p>(e) located on a property over 1,250 m² in lot area</p>	Delete the definition of "secondary residence"	<ul style="list-style-type: none"> Definition is superfluous as with proposed regulations it will be possible to have up to 4 units of various types and sizes on a single residential dwelling or duplex lot.

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Definitions	18	<p><i>"secondary suite"</i> means a dwelling unit which is accessory to the principal use being made of the lot upon which the secondary suite is located:</p> <p>(a) having a floor space less than 40% of the habitable floor space of the building,</p> <p>(b) located within a building of residential occupancy containing only one other dwelling unit,</p> <p>(c) located in and part of a building which is a single real estate entity.</p>	<p><i>"secondary suite"</i> means a self-contained, dwelling unit located within, and subordinate to, a single detached dwelling or duplex. A secondary suite has its own separate cooking, sleeping and bathing facilities. It has direct access to the outside without passing through any part of the principal unit and is located in and part of a building which is a single real estate entity. This use does not include duplex housing, apartment housing, or boarding and lodging houses.</p>	<p>Regulations should be included in other sections of the bylaw and not in definitions.</p>

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Definitions	20	<p><i>"yard"</i> means an open space that lies between the principal or accessory building or buildings and the nearest lot line which is unoccupied and unobstructed from the ground upward including, as illustrated in Figure 4 and detailed below</p> <p>(a) <i>"front yard"</i> means that portion of the lot extending one side of the lot to the other at the narrowest point of the lot with road frontage. The depth of the front yard shall mean the minimum required distance from the front lot line to a line drawn parallel to it.</p> <p>(b) <i>"rear yard"</i> means that portion of the lot opposite to the front yard extending from one side of the lot to the other. The depth of the rear yard shall mean the distance from the rear lot line to a line drawn parallel to it. Where the rear portion of the lot is bounded by intersecting side lot lines, the depth of the rear yard shall mean the distance from the point of intersection to a line drawn parallel to the front lot line.</p> <p>(c) <i>"side yard"</i> means that portion of the lot extending from the front yard to the rear yard. The width of the side yard shall mean the distance from the side lot line to a line drawn parallel to it.</p>	<p><i>"yard"</i> means an open space that lies between the principal or accessory building or buildings measured from the building wall and the nearest lot line which is unoccupied and unobstructed from the ground upward including, as illustrated in Figure 4 and detailed below:</p> <p>(a) <i>"front yard"</i> means that portion of the lot extending from one side of the lot to the other at the narrowest point of the lot with road frontage. The depth of the front yard shall mean the minimum required distance from the front lot line to a line drawn parallel to it. (b)</p> <p><i>"rear yard"</i> means that portion of the lot opposite to the front yard extending from one side of the lot to the other. The depth of the rear yard shall mean the distance from the rear lot line to a line drawn parallel to it. Where the rear portion of the lot is bounded by intersecting side lot lines, the depth of the rear yard shall mean the distance from the point of intersection to a line drawn parallel to the front lot line.</p> <p>(c) <i>"side yard"</i> means that portion of the lot extending from the front yard to the rear yard, and may be an interior side yard which abuts the side lot line of an adjacent lot, or an exterior side yard which abuts a street. The width of the side yard shall mean the distance from the side lot line to a line drawn parallel to it.</p>	<ul style="list-style-type: none"> • Clarifies the meaning of interior and exterior side yard. • This definition is used in the SSMUH zone. • Measuring setback from building wall allows for projection of eaves.

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<p>DIVISION 6 GENERAL REGULATIONS</p>				
<p>Add new Section 6.19.1 as follows:</p> <p>6.19.1 The following conditions shall apply to Secondary Suites and Accessory Dwelling Units:</p> <ul style="list-style-type: none"> (i) Not more than one (1) Secondary Suite or one (1) Accessory Dwelling Unit shall be permitted as accessory to a single residential dwelling or duplex dwelling on a lot where such principal uses are permitted, subject to all other regulations in this Bylaw, and as may be governed by the development regulations of a particular zone; (ii) A Secondary Suite or Accessory Dwelling Unit shall not be permitted on the same property as a Boarding House or Bed and Breakfast Operation; (iii) No subdivision or strata titling of a Secondary Suite or Accessory Dwelling Unit shall be permitted; (iv) The minimum floor area of a Secondary Suite or Accessory Dwelling Unit shall not be less than: <ul style="list-style-type: none"> (a) 30 m² for a studio unit; (b) 45m² for a one-bedroom unit; (c) 65m² for a two-bedroom unit; (d) 85m² for a three-bedroom unit. (v) An Accessory Dwelling Unit shall not exceed the lesser of 6.5m in height or the height of the principal residence, unless otherwise specified in the development regulations of a particular zone. Where the width of a dormer or dormers exceeds 50% of the width of the roof on which they are located, the height of the building will be measured to the top of the dormer or to the top of the main roof, whichever is greater; (vi) Parking shall be in conformance with the regulations of this Bylaw; (vii) Where a Secondary Suite or Accessory Dwelling Unit is permitted, a minimum area of 20m² of private amenity space shall be provided per dwelling unit. The private amenity space shall have a direct connection to the habitable space and be defined and screened through the use of landscaping such as: plantings, architectural elements such as a trellis, low fences, planters or changes in elevation.; (viii) A lighted pathway is required from the on-site Secondary Suite or Accessory Dwelling Unit parking stall(s) to the entrance door of the Secondary Suite or Accessory Dwelling Unit, provided that the lighting does not shine directly on adjoining properties or interfere with the effectiveness of any traffic control device. 				

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DIVISION 7 OFF STREET PARKING AND LOADING				
Part 7 General Requirements				
Schedule 7A Required Number of Off-Street Parking Spaces				
A. Residential Use	41	<i>Bed and Breakfast – 2 spaces per dwelling unit and 1 space for each sleeping use used for Bed and Breakfast</i>	<i>Bed and Breakfast – 1 space per dwelling unit and 1 space for each bedroom used for Bed and Breakfast</i>	<ul style="list-style-type: none"> • Sleeping use is an unclear term. • A Bed and Breakfast operation is limited to 2 bedrooms.
A. Residential Use	41	<i>Granny Flat or Accessory Dwelling Unit - 1 per dwelling unit</i>	<i>Accessory Dwelling Unit - 1 per dwelling unit</i>	<ul style="list-style-type: none"> • Granny flat and Carriage House is proposed to be deleted from Definitions.
A. Residential	41	<i>Single Dwelling Unit or duplex – 2 per dwelling unit</i>	<i>Single Dwelling Unit or duplex – 1 per dwelling unit</i>	<ul style="list-style-type: none"> • Amended to align with Provincial SSMUH guidelines.