

PLANNING AND DEVELOPMENT COMMITTEE

TO: MAYOR AND COUNCILLORS

SUBJECT: PROPOSED ZONING BYLAW AMENDMENTS AND REZONING OF R DISTRICT PROPERTIES – SMALL-SCALE MULTI-UNIT HOUSING

RECOMMENDATION:

THAT the proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.0 of the report titled “Proposed Zoning Bylaw Amendments and Rezoning of R District Properties – Small-Scale Multi-Unit Housing” dated April 8, 2024, be approved;

THAT the proposed rezoning of all current R District properties and portions of properties that are split-zoned as R District, to the proposed R1 Small-Scale Multi-Unit Housing District, as described in Section 2.2 of the report be approved;

THAT the City Solicitor be authorized to bring forward amendments to *Burnaby Zoning Bylaw, 1965*, substantially as set out in **Attachment 1** and **Attachment 2** of the report effective July 1, 2024, for advancement to First and Second Reading;

THAT the City Solicitor be authorized to bring forward an amendment to the *Burnaby Zoning Bylaw, 1965*, to rezone all current R District properties and portions of properties that are split-zoned as R District to the R1 Small-Scale Multi-Unit Housing District, effective July 1, 2024, for advancement to First and Second Reading; and

THAT a Public Hearing not be held for the other proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.5 of the report, as they are consistent with the Burnaby Official Community Plan

REPORT

The Planning and Development Committee, at its meeting held on April 8, 2024, received and adopted the attached report proposing amendments to the *Burnaby Zoning Bylaw* to implement the *Local Government Act* requirements related to small-

scale multi-unit housing in single and two-family neighbourhoods, and other supplementary amendments, and to rezone all current R District properties to R1 SSMUH District.

On behalf of the Planning and
Development Committee,

Mayor M. Hurley
Chair

Councillor P. Calendino
Vice Chair

TO: PLANNING AND DEVELOPMENT COMMITTEE (PDC)
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **PROPOSED ZONING BYLAW AMENDMENTS AND REZONING OF R DISTRICT PROPERTIES – SMALL-SCALE MULTI-UNIT HOUSING**
PURPOSE: To propose amendments to the *Burnaby Zoning Bylaw* to implement *Local Government Act* requirements related to small-scale multi-unit housing in single- and two-family neighbourhoods, and other supplementary amendments, and to rezone all current R District properties to R1 SSMUH District.

RECOMMENDATIONS

THAT the proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.0 of the report titled “Proposed Zoning Bylaw Amendments and Rezoning of R District Properties – Small-Scale Multi-Unit Housing” dated April 8, 2024, be approved;

THAT the proposed rezoning of all current R District properties and portions of properties that are split-zoned as R District, to the proposed R1 Small-Scale Multi-Unit Housing District, as described in Section 2.2 of the report be approved;

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THAT the City Solicitor be authorized to bring forward an amendment to the *Burnaby Zoning Bylaw, 1965*, to rezone all current R District properties and portions of properties that are split-zoned as R District to the R1 Small-Scale Multi-Unit Housing District, effective July 1, 2024, for advancement to First and Second Reading; and

THAT a Public Hearing not be held for the other proposed amendments to *Burnaby Zoning Bylaw, 1965*, as described in Section 3.5 of the report, as they are consistent with the Burnaby Official Community Plan.

EXECUTIVE SUMMARY

This report outlines the proposed *Burnaby Zoning Bylaw, 1965* (“Zoning Bylaw”) amendments to implement the requirements introduced under the *Local Government Act* (“LGA”) as part of *Bill 44-2023 Housing Statutes (Residential Development)*

Amendment Act, 2023 (“Bill 44”), which came into force on December 7, 2023. These changes to the LGA impose restrictions on the City’s zoning authority in relation to residential development and mandate small-scale multi-unit housing (SSMUH) requirements in areas currently zoned for single- and two-family residential use. Additional supplementary amendments, as described in Section 3.5 of this report, are proposed that support aspects of SSMUH implementation or represent housekeeping amendments previously identified for the R Districts.

1.0 POLICY SECTION

The proposed amendments to the Zoning Bylaw generally align with the following provincial and municipal laws, bylaws and policies, including:

- *Local Government Act* (2015)
- Corporate Strategic Plan (2022)
- Burnaby Housing Needs Report (2021)
- HOME: Burnaby’s Housing and Homelessness Strategy (2021)
- Mayor’s Task Force on Community Housing Final Report (2019)

Many of the proposed Zoning Bylaw amendments to comply with the new SSMUH requirements under section 481.3 of the LGA and associated regulations are inconsistent with the City’s current OCP. This is permitted under section 788 of the LGA, which provides that zoning bylaw amendments adopted by a local government for the purpose of permitting the use or density of use required to be permitted under section 481.3 of the LGA are permitted to be inconsistent with a municipality’s official community plan (OCP) until December 31, 2025. The City’s OCP is currently in the process of being updated and the proposed amendments outlined in this report are in keeping with the early directions of the OCP update.

2.0 BACKGROUND

Bill 44

On November 01, 2023, the BC Legislature introduced Bill 44 as part of the Province’s Homes for People Action Plan, which aims “to deliver more homes for people faster” through the following four pillars:

- Unlocking more homes, faster;
- Delivering better, more affordable homes;
- Supporting those with the greatest housing needs; and
- Creating a housing market for people, not speculators

Bill 44 came into force on December 7, 2023, and introduced new municipal requirements in relation to SSMUH, housing needs reports, Official Community Plans, and public hearings for rezonings that involve all or a majority of residential development. Under the new legislation, municipalities must adopt new SSMUH zoning regulations by June 30, 2024.

This legislation impacts the work program that had been set out for the City’s Housing Choices program. To comply with this legislation, the City set up a new work program to focus on implementing the provincial housing mandates, which has been incorporated into the City’s Zoning Bylaw Rewrite project.

Additional Legislation

Two additional pieces of legislation were introduced by the Province in November 2023 in support of the Homes for People Action Plan relating to development financing and transit-oriented areas. Along with Bill 44, these legislative changes significantly impact how development is processed, financed, and approved. A comprehensive summary of these legislative changes, including how they relate to Bill 44 and other City initiatives and programs being carried out to respond to these changes, was provided to Council in the Council report titled “Local Government Act Update – Provincial Homes for People Action Plan”, dated December 11, 2023.

Zoning Bylaw Rewrite

In late 2023, the City began the Zoning Bylaw Rewrite project to comprehensively review and update zoning regulations and create a new bylaw to replace the current Zoning Bylaw, first adopted in 1965. The objectives of the Zoning Bylaw Rewrite include:

- Provide more flexible and modern regulations;
- Reduce complexity to improve ease of understanding;
- Enhance user-friendliness for residents, applicants, and City staff; and
- Implement and align with City plans and policies and Provincial legislation

Phase 1 of the Zoning Bylaw Rewrite was developed to address the implementation of the new Provincial housing legislation in a timely matter to meet the Provincial deadlines. The amendments proposed within this report constitute a major amendment to the current Residential Districts (“R Districts”) within the Zoning Bylaw and are a key deliverable of Phase 1. Further phases of the Zoning Bylaw Rewrite will be coordinated with several key City projects, including the Burnaby 2050 Official Community Plan update and amendments to the Rental Use Zoning Policy.

Other Supplementary Text Amendments

As described in Section 3.5 of this report, several text amendments are proposed that are not a direct requirement of Provincial SSMUH legislation but are necessary to make other districts consistent with related SSMUH amendments or are identified as housekeeping amendments with implications for R Districts. These include:

- Proposed text amendments for the RM6 and M4 Districts, which are required to align with newly proposed definitions and residential dwelling types;

- Housekeeping amendment relating to solar panels that was identified through internal technical review to bring the City’s regulations in line with current practice, and which is supported by Climate Action and OCP policy;
- Proposed text amendments in support of a regulatory framework approved by Council in the report titled “Proposed Framework for the Keeping of Backyard Chickens in Residential Districts”, dated March 10, 2022; and
- Housekeeping amendment to align the A2 District lot sizes to better support their agricultural and rural intent under existing legislation.

2.1 Small-Scale Multi-Unit Housing Requirements

Legislative Requirements

Bill 44 and accompanying regulations require the City to permit the following minimum number of housing units in land use zones that are otherwise restricted to single family dwellings or duplexes (two-family housing) as a principal use of a lot:

- 3 units on residential lots that are up to 280m² (3,014 sq.ft.);
- 4 units on residential lots that are greater than 280m² (3,014 sq.ft.); and
- 6 units on residential lots that are at least 281m² (3,025 sq.ft.) and within 400 m of bus stops with frequent service.

The Province has also mandated that for lots within 400 m of bus stops with frequent service (a “Frequent Transit Network Area”), there shall be no minimum on-site parking requirements. The Provincial regulations define a bus stop with frequent service as being a bus stop served by at least one bus route in respect of which a bus is scheduled to stop:

- at least every 15 minutes, on average, between the hours of 7 am and 7 pm, Monday to Friday; and
- at least every 15 minutes, on average, between the hours of 10 am and 6 pm on Saturdays and Sundays.

Provincial Recommendations

On December 7, 2023, the Province released the Provincial Policy Manual & Site Standards (the “Policy Manual”) to provide guidance on zoning regulations and municipal implementation of SSMUH. Additional zoning provisions recommended by the Province within the Policy Manual include, but are not limited to:

- reduce on-site parking requirements for lots outside a Frequent Transit Network Area to improve housing development viability, support on-site stormwater management, enhance livability, and support transportation mode shift – consider a rate of 0.5 parking spaces per dwelling unit for lots within 400 m to 800 m of bus stops with frequent service
- provide a universal maximum height limit of at least three above-grade storeys to support reduced lot coverage and provide more lot area for tree retention, permeable surfaces, outdoor amenity space for residents, and parking

- be flexible in terms of permitting the full range of combinations and configurations for SSMUH buildings to meet the needs of diverse household compositions
- create a buildable area through setbacks, lot coverage, and height regulations instead of specifying floor area requirements to provide greater flexibility in unit sizes that meet the needs of the local market
- adopt reduced lot line setbacks, particularly for front and rear yards, that encourage landowners to add additional housing units on their lots and provide flexibility for the development of new units through multiple configurations
- adopt zero lot line setbacks, such as in a rowhouse or townhouse style, in areas that permit six units on a lot to improve viability of units proximate to transit
- provide lot coverage maximums that increase with the number of permitted dwelling units on a lot to improve the viability of lots with multiple units
- be open to permitting strata titling of SSMUH for new and existing buildings
- be aware that mandating certain tenure types through regulation may diminish the viability of some SSMUH projects and/or impact their ability to respond to changing community needs and market conditions

Additionally, the Province’s Policy Manual discourages the establishment of new development permit area (DPA) guidelines for SSMUH development, which can negatively impact the creation of new housing units by adding additional delays, costs, and uncertainty for projects.

2.2 Proposed Implementation Approach

The following approach is proposed to meet the intent of the new legislation, better align zoning provisions with existing City policies, and streamline implementation and administration of SSMUH. It was informed by the legislative requirements and Provincial guidance outlined in Section 2.1, a review of similar small-scale multi-unit zones in other jurisdictions, and thorough technical review with staff across various City departments.

R District Consolidation and Rezoning of Current R District Properties to R1 SSMUH District

To implement SSMUH requirements, the existing twelve R Districts (R1 through R12) within the Zoning Bylaw are proposed to be consolidated under one new R1 Small-Scale Multi-Unit Housing District (“R1 SSMUH District”). This will simultaneously align the current R Districts with Provincial SSMUH legislation and recommendations under one consistent set of regulations.

This proposed approach will require:

- Repealing the following R Districts and replacing them with the proposed, consolidated R1 SSMUH District Schedule (**Attachment 1**):
 - R7 Mobile Home Park District and R1, R1a, R2, R2a, R3, R3a, R4, R4a, R5, R5a, R6, R8, R9, R9a, R10, R11, R12, and R12s Residential Districts

- Rezoning all current R District properties and portions of properties that are split-zoned as R District (generally shown in **Attachment 3**) to the proposed R1 SSMUH District

As summarized in Section 3.1 of this report, the permitted uses in the current existing R Districts are proposed to be retained, with the addition of new permitted housing types to meet the SSMUH requirements.

Removing FAR and GFA

Current R District zoning regulations rely on floor area ratio (FAR) and gross floor area (GFA) provisions to dictate the maximum permitted size of single- and two-family dwellings and laneway homes. However, these requirements add complexity and uncertainty for applicants, increase review and coordination time for City administrators, and create unintended design constraints.

As such, the R1 SSMUH District amendments propose to remove FAR and GFA in favour of using height, setback, and lot coverage regulations to define the siting and massing of buildings on a lot, in alignment with Provincial recommendations.

Design Guidelines

As compulsory development permit area guidelines are discouraged by the Province, a new set of voluntary design guidelines are proposed to be created for SSMUH to provide additional guidance to applicants and builders.

Housing Flexibility and Diversity

As increasing housing diversity is a key objective supported by City and Provincial policy, the proposed amendments support flexibility in building forms, dwelling unit configurations, and housing tenure.

Accordingly, the proposed R1 SSMUH District: (1) permits one or more principal buildings on a lot (e.g. one or more single-family dwellings, duplex dwellings, or multiplex dwellings) up to a maximum of 6 dwelling units; (2) supports any configuration of primary dwelling units and secondary suites permitted by the *British Columbia Building Code (BCBC)*; and (3) generally does not regulate tenure beyond *BCBC* requirements that prevent a secondary suite from being sold separately from the primary dwelling unit within which it is contained. This approach provides flexibility for builders to meet the City’s housing needs over time and reduces development complexity and staff review time, enabling housing to be delivered quicker and more cost-effectively.

Laneway Homes

Building forms currently referred to as laneway homes will continue to be permitted under the proposed amendments. However, these housing forms will now be regulated the same as any other principal building on a lot, in accordance with the *BCBC*. Additionally, given these housing forms will be permitted on lots without lanes, as per

the new legislation, it is proposed that the term “laneway home” be deleted in the Zoning Bylaw.

Rowhouse Dwellings

In addition to small-scale multi-unit forms, the proposed R1 SSMUH District will include provisions for fee simple rowhouse dwelling. This is in alignment with the range of housing forms recommended by the Province; the existing R6 Residential District; and Action 1.1 of HOME: Burnaby’s Housing and Homelessness Strategy, which proposes introducing rowhouse dwellings to all R District neighbourhoods as well as permitting secondary suites within rowhouse dwellings as permitted under the BCBC.

Family-Oriented Housing

Recognizing that small-scale multi-unit housing forms are intended to be family-oriented, family-sized dwelling units are encouraged within the proposed amendments. This includes proposed zoning provisions that support larger unit sizes (e.g. up to an average of 2,000 sq.ft. per dwelling unit for 6-unit multiplexes on standard 6,000 sq.ft. lots). It is proposed that lots with 1 to 3 dwelling units be required to include at least one dwelling unit with at least 3-bedrooms, and that lots with 4 to 6 dwelling units be required to include at least 2 dwelling units with at least 3-bedrooms. It is also proposed that an outdoor space with a minimum area of 10 m² be provided for the exclusive use of each primary dwelling unit on a lot to support the general livability of the units.

3.0 GENERAL INFORMATION

Sections 3.1 to 3.4 of this report provide an overview of the proposed Zoning Bylaw amendments as they pertain to the new R1 SSMUH District and supporting amendments and regulations in other sections of the Zoning Bylaw. Section 3.5 of this report describes additional supplementary amendments with implications for districts other than R Districts or that implement housekeeping amendments identified for the R Districts. The proposed text amendments are detailed in **Attachments 1 and 2**. These amendments are proposed to come into effect on July 1, 2024.

3.1 Proposed R1 Small-Scale Multi-Unit Housing District

The following zoning provisions are proposed as part of a new Section 101, R1 Small-Scale Multi-Unit Housing District, within the Zoning Bylaw:

- Permit the following principal uses:
 - Small-scale multi-unit housing, which would permit up to 6 dwelling units on a lot, depending on the lot size and proximity to a bus stop with frequent service
 - Rowhouse dwellings, which would permit up to 3 dwelling units on a lot that is typically no larger than 280 m²
 - Boarding, lodging, or rooming house, subject to Comprehensive Development rezoning, which is permitted in the current R5 and R6 Districts

- Group home, which is permitted in the current R1, R2, R3, R4, R5, R6, R10, R11, and R12 Districts
- Category A supportive housing, subject to Comprehensive Development rezoning, which is permitted in the current R1, R2, R3, R4, R5, R6, R10, R11, and R12 Districts
- Permit the following accessory uses:
 - Boarding use (which permits up to 2 boarders)
 - Home occupations
 - Urban agriculture
 - Accessory buildings, structures, and uses
- Regulate subdivision of lots within the R1 SSMUH District as follows:
 - For rowhouse dwellings, require a minimum lot width of 5 m to 8 m
 - For SSMUH, future subdivisions require a minimum lot width of 10 m and minimum lot area of 281 m²
 - Subdivision to create panhandle lots will continue to be restricted, with individual consideration of irregular shaped lots to be determined by the Approving Officer.
- Permit the following number of dwelling units on a lot (existing or created through future subdivision) as mandated by the Province under the changes to the LGA:
 - Up to 3 dwelling units on lots up to 280m² (3,014 sq.ft.)
 - Up to 4 dwelling units on lots greater than 280m² (3,014 sq.ft.)
 - Up to 6 dwelling units on lots that are at least 281m² (3,025 sq.ft.) within 400 m of bus stops with frequent service, as described by the *Local Government Act* and enabling regulations
- Restrict lot coverage to the following maximums:
 - 40% for 1 to 3 SSMUH dwelling units
 - 45% for 4 SSMUH dwelling units
 - 50% for 5 to 6 SSMUH dwelling units
 - 55% for rowhouse dwellings
- Retain the current 70% maximum impervious surface requirement to support more lot area for stormwater management, tree retention, and outdoor amenity space for residents
- Permit residential building heights up to a maximum of 12.0 m and 4 storeys, inclusive of any basement or cellar storey, and change the current height calculation method to align with Provincial policy manual recommendations
- Reduce yard setbacks for buildings, generally in alignment with Provincial Policy Manual recommendations, and introduce the concept of “street yards” to provide consistent setbacks from all property lines adjacent to streets
- Require a minimum separation of 2.4 m between principal buildings and/or accessory buildings and a minimum separation of 6.0 m between front and rear principal buildings on the same lot
- Require a minimum of 10.0 m² of outdoor amenity space for the exclusive use of each primary dwelling unit on a lot

- Introduce a dedicated set of heritage provisions that provide more flexibility in siting and massing of buildings for lots on the Community Heritage Register to support retention of heritage assets
- Include additional supporting provisions relating to dwelling unit entrance orientation, minimum 3-bedroom unit requirements, pedestrian circulation and access, accessory uses, permitted projections, fire safety and access, and measurements and calculations

3.2 Changes to Section 3 Definitions

- Introduce the following new definitions:
 - Community Heritage Register
 - Dwelling, Multiplex
 - Frequent Transit Network Area
 - Small-Scale Multi-Unit Housing
 - Street Yard
 - Urban Agriculture
- Amend the following current definitions:
 - Accessory Building
 - Accessory Use
 - Carport
 - Cellar
 - Dwelling, Duplex
 - Dwelling, Multiple Family
 - Dwelling, Row Housing
 - Dwelling, Townhouse
 - Lot Coverage
 - Primary Dwelling Unit
 - Storey
- Repeal the following current definitions:
 - Dwelling, Semi-Detached
 - Dwelling, Two-Family
 - Ground Level Suite
 - Laneway Home
 - Rough-In Secondary Suite

3.3 Changes to Section 6 Supplementary Regulations

- Change current references to "R Districts" to "R1 District" throughout Section 6 where provisions still apply
- Repeal or exclude the R1 SSMUH District from the following provisions that either will be addressed within the proposed R1 SSMUH District Schedule, or are no longer relevant or necessary given the R1 SSMUH District framework:
 - accessory building height calculation provisions under Section 6.4(6) [Height of Buildings and Structures]
 - provisions for the minimum distance between buildings under Section 6.3.1 [Distances Between Buildings in R Districts]

- Section 6.7.2 [Laneway Homes]
- floor area calculation exclusions for garages, carports, and category A supportive housing facilities in the R Districts under Section 6.20 (2) and (3) [Calculation of Gross Floor Area]
- floor area calculation provisions under Section 6.20.1 [Calculation of Gross Floor Area in a Building with Over-height Ceilings]
- Repeal or exclude the R1 SSMUH District from the following provisions that will not apply to the proposed R1 SSMUH District:
 - gross floor area requirements for accessory buildings under Section 6.6(2) [Accessory Buildings, Structures, and Uses]
 - rough-in secondary suite requirements for cellars exceeding 30.0 m² in gross floor area under Section 6.9(6) [Cellars and Basements]
 - lot area and width requirements for R4 and R5 Districts under Section 6.11(1)(b) [Lot Area and Width]
 - front yard averaging provisions under Section 6.12(2.1) [Yards]
 - exceptions to side yard requirements for narrow lots under Section 6.12(3) [Yards]
 - exceptions to rear yard requirements for laneway homes under Section 6.12(5) [Yards]
- Amend Section 6.7.1 [Secondary Suites] so that the current regulations apply to all housing forms permitted under the *BCBC* to contain secondary suites
- Amend Section 6.9(4) [Cellars and Basements] to exclude sunken patios from building height calculations when they align with the minimum per primary dwelling unit outdoor amenity area requirements of the proposed R1 SSMUH District
- Align the language in Section 6.10 [Minimum Floor Area for Dwelling Units] with the new housing forms permitted within the R1 SSMUH District while continuing to maintain the current minimum dwelling unit floor areas for primary dwelling units and secondary suites, recognizing that laneway homes are proposed to be regulated the same as primary dwelling units
- Consolidate requirements of the following two sections under a single new Section 6.17 while maintaining their current intent:
 - Section 6.17 [Parking or Storage of Commercial Vehicles, Recreation Vehicles, Trucks, Trailers, Boats or Equipment in R6, R7, R8 and RM Districts]; and
 - Section 6.17.1 [Parking or Storage of Commercial Vehicles, Trucks, Recreation Vehicles, or Boats in R1 to R5 and R9 to R12 Districts]
- Align the language in Section 6.29 [Short-term Rentals] with the new housing forms permitted within the R1 SSMUH District while maintaining the intent of the current regulations

3.4 Changes to Section 800 Off-Street Parking

- Remove required parking minimums for residential uses within a Frequent Transit Network Area in alignment with Provincial legislation

- Require a minimum of 0.5 parking spaces per primary dwelling unit on lots with 3 or more primary dwelling units outside of a Frequent Transit Network Area (Section 800.4(1)(b)). No parking space is required for lots with 2 or fewer primary dwelling units given that one parking space can be accommodated on the street in place of where driveway access would otherwise be required.
- Permit parking spaces to be provided as regular or accessible parking stall sizes or in the form of outdoor parking pads, carports, and/or garages to increase flexibility of siting and design
- Introduce a maximum number of surface parking spaces for R1 SSMUH District lots to support tree retention, on-site stormwater management, and outdoor amenity space (Section 800.6(7) and (8))
- Clarify required parking space setbacks from lot lines (Section 800.6(7) and (8))

3.5 Other Text Amendments

The following proposed text amendments are those with implications for districts other than R Districts or that implement identified changes to the R Districts not directly related to SSMUH.

- Add solar panels to the list of structures excluded from building height calculations for all districts, including the R1 SSMUH District, in Section 6.4(4) [Height of Buildings and Structures] and exclude them from the 10% maximum roof area coverage restriction to support the City’s climate action objectives and align with supporting OCP policy and the City’s current practice
- Add a new Section 6.30 [Urban Agriculture] that consolidates current beekeeping regulations under the definition for “Accessory Use” with new regulations on the keeping of backyard chickens. The proposal to permit the keeping of backyard chickens in single family dwellings was approved by Council in the report titled “Proposed Framework for the Keeping of Backyard Chickens in Residential Districts”, dated March 10, 2022. The proposed amendments restrict the keeping of backyard chickens to lots that contain only a single family dwelling without a secondary suite.
- Update current R5 District uses permitted within the RM6 District to include small-scale multi-unit housing and rowhouse dwellings as per the proposed R1 SSMUH District
- Revise instances of “two family dwellings” to “duplex dwellings” within the M4 District to align with new definitions
- Round up the minimum lot area within the A2 District from 0.4 ha (0.9884 acre) to 4,050 m² (1.0 acre) to maintain the agricultural and rural intent of the A2 District

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

As outlined in the report titled “Housing Choices Program Update”, dated January 10, 2024, community engagement on small-scale multi-unit housing was undertaken through Phase 1b of the recently discontinued Housing Choices program. In anticipation of the introduction of Bill 44, this included the launch of a public survey in July 2023 to determine the level of interest in introducing these housing forms to the City’s R Districts.

Key input received from the 1,143 responses included strong support for permitting 4 dwelling units on all single- and two-family lots in Burnaby (71% to 83% support or strong support depending on housing form) and for permitting up to 6 dwelling units on properties close to transit (73% to 82% support or strong support depending on the lot type).

Subsequent communications and engagement work on SSMUH is being advanced in concert with the Burnaby 2050 Official Community Plan (OCP) and Zoning Bylaw Rewrite processes. Recent and upcoming initiatives include launching a project webpage for the Zoning Bylaw Rewrite in February 2024, website and housing eNewsletter updates on proposed SSMUH amendments to be released in April 2024, and multiple OCP engagement initiatives scheduled for spring 2024.

Furthermore, public and applicant feedback will continue to be monitored following the initial implementation of SSMUH as part of the broader Zoning Bylaw Rewrite project. SSMUH zoning provisions will be revisited and amended as necessary prior to final adoption of a new Zoning Bylaw by the end of 2025.

Section 464(4) of the LGA prohibits a local government from holding a public hearing on zoning bylaw amendments proposed for the sole purpose of complying with section 481.3 [*Zoning Bylaws and small-scale multi-family housing*] of the LGA. Accordingly, a Public Hearing is not being held for the Zoning Bylaw amendments proposed in Sections 3.1 to 3.4 this report.

Under Section 464(2) of the LGA, a local government is not required to hold a public hearing on zoning bylaw amendments that are consistent with the OCP. As the proposed text amendments under Section 3.5 of this report are consistent with the OCP, it is recommended that a Public Hearing not to be held.

As a Public Hearing is prohibited to be held in respect of the amendments proposed in Sections 3.1 to 3.4 of this report, and is proposed to not be held in respect of the amendments proposed in Section 3.5 of this report, public notice of the proposed Zoning Bylaw amendments will be completed prior to bringing forward the amendment bylaw for First Reading, in accordance with section 467 of the *Local Government Act*, the City’s Public Notice Bylaw and Council policy. A public notice will be published on the City’s website and distributed as part of the City’s online newsletter.

5.0 FINANCIAL CONSIDERATIONS

Financial impacts to the City resulting from the legislative changes are anticipated. City staff have begun to identify resulting financial opportunities and challenges and are reviewing the current reserve funds and reserves. As outlined in the Council report titled “Development Funding Program (DFP) - Proposed Development Cost Charges and Amenity Cost Charges”, dated February 26, 2024, staff are advancing a Development Funding Program and new Development Cost Charges and Amenity Cost Charges framework to support growth-related costs over the next 25 years.

Respectfully submitted,

Edward W. Kozak, General Manager Planning and Development

ATTACHMENTS

- Attachment 1 – Proposed R1 Small-Scale Multi-Unit Housing District Schedule
- Attachment 2 – Proposed Text Amendments
- Attachment 3 – Current R District Properties Map

REPORT CONTRIBUTORS

This report was prepared by Andrew Macaulay, Planner 2, and reviewed by Kaitlynn Given, Planner 1, Mark Norton, Senior Planner, Johannes Schumann, Director Neighbourhood Planning and Urban Design, and Jennifer Wong, Assistant City Solicitor.

101. SMALL-SCALE MULTI-UNIT HOUSING DISTRICT (R1)

101.1 Intent

This District provides for the use and development of primarily ground-oriented residential dwellings up to a maximum of 6 dwelling units on a lot.

101.2 Permitted Uses

Principal Use	Use-Specific Regulations
Small-Scale Multi-Unit Housing	-
Rowhouse Dwellings	101.5.2
Boarding, Lodging, or Rooming House	101.5.3
Group Home	-
Supportive Housing (Category A)	101.5.4
Accessory Use	Use-Specific Regulations
Boarding Use (up to 2 boarders)	-
Home Occupations	6.8, 6.8A
Urban Agriculture	6.30
Accessory Buildings, Structures, and Uses	101.5.5, 6.6

101.3 Subdivision Regulations

	Dwelling Type	
	Rowhouse ¹	Small-Scale Multi-Unit
Minimum Lot Width ²		
Interior Lot	5 m, except 6.2 m for end unit lots	10 m
Corner Lot - Street	8 m	10 m
Corner Lot - Lane	6.2 m	10 m
Lot Area ³		
Minimum Lot Area	-	281 m ²
Maximum Lot Area	280 m ²	-

¹ At the time of registration of the subdivision plan to create two or more rowhouse lots, the registration of a Section 219 Covenant will be required to ensure that all adjoining rowhouse dwellings will be constructed at the same time.

² Panhandle lots or other irregular lot configurations are not permitted except in accordance with Section 101.6.4 or where constrained by restrictive site conditions as determined by the Approving Officer.

³ Rowhouse lots may exceed 280 m² subject to Section 101.4 footnote .1.

101.4 Development Regulations

	Dwelling Type			
	Rowhouse	Small-Scale Multi-Unit		
Permitted Dwelling Units (including secondary suites)	1 to 3 Units	1 to 3 Units	4 Units	5 to 6 Units Within Frequent Transit Network Area
Minimum Lot Area	-	-	281 m ²	281 m ²
Maximum Lot Area ¹	280 m ²	-	-	-
Maximum Lot Coverage				
All Buildings	55%	40%	45%	50%
Impervious Surfaces	70%			
Maximum Height				
Principal Building	12.0 m 4 storeys			
Accessory Buildings	4.0 m 1 storey			
Minimum Lot Line Setbacks for All Buildings ^{2,3}				
Street Yard	3.0 m			
Rear Yard without Lane	3.0 m, except 1.2 m for accessory buildings			
Rear or Side Yard with Lane	1.2 m			
Interior Side Yard	0.0 m, except 1.2 m for end unit lots	1.2 m	1.2 m	1.2 m
Minimum Separation of Buildings on the Same Lot ^{4,5}				
Between Front Principals	-	2.4 m	2.4 m	2.4 m
Between Rear Principals	-	2.4 m	2.4 m	2.4 m
Between Front & Rear Principals	6.0 m			
Between All Other Buildings	2.4 m			

¹ Maximum lot area for rowhouse dwellings may exceed 280 m², subject to registration of a Section 219 Covenant prohibiting the construction of more than 3 dwelling units on the lot.

² See Sections 101.6.1 and 6.12 for permitted projections into required yards and see Section 6.13 for additional setbacks that may be required for vision clearance areas.

³ Interior side yard setbacks are not required for rowhouse dwelling units on a lot line between two adjoining rowhouse dwellings with a shared party wall. For an end unit of a rowhouse development, the interior side yard setback is 1.2 m.

⁴ Accessory buildings are not permitted within the minimum separations between principal buildings – see Section 101.6.1 for permitted projections into minimum separations.

⁵ Any principal building located between a front and rear principal must have a minimum 6.0 m separation from each of the front and rear principals, or, in the case of through lots, from each opposing front principal, and a minimum 2.4 m separation from any other principals between it and a side lot line.

Diagram: Separation between buildings

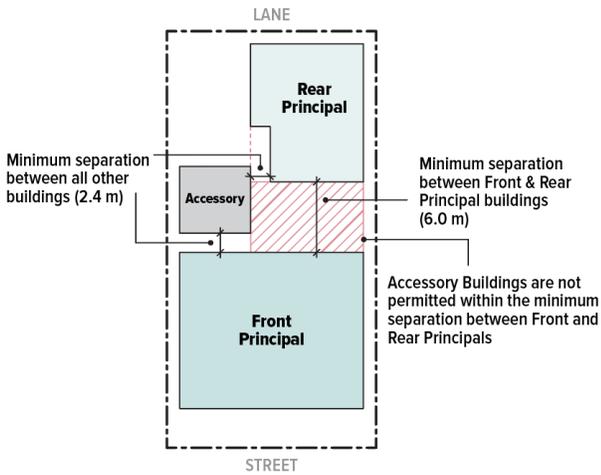


Diagram: Separation between detached units on a wider lot

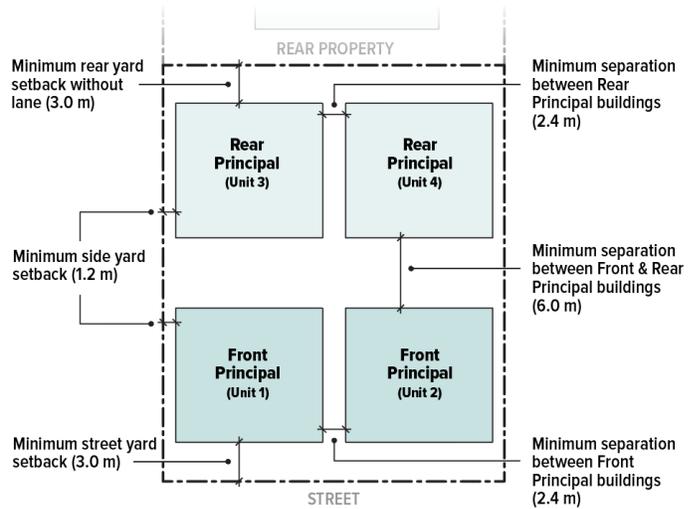


Diagram: Siting on a through lot

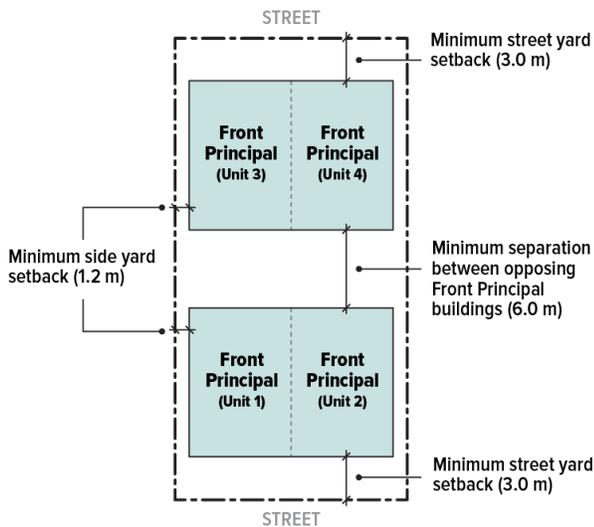
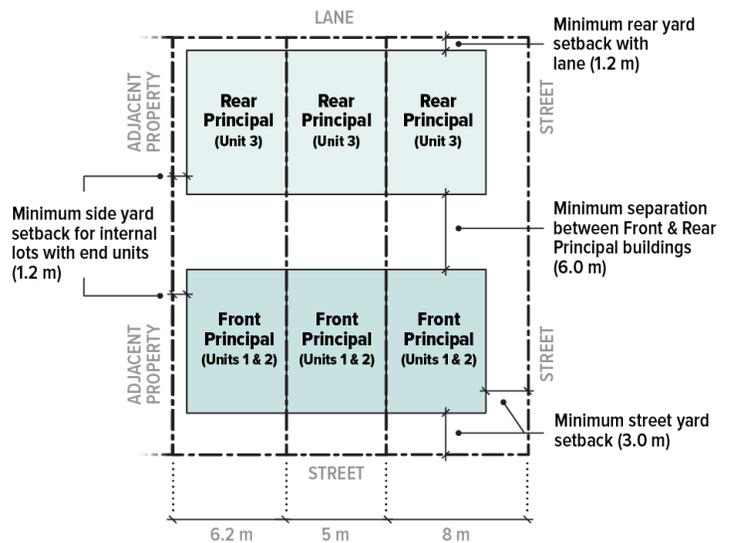


Diagram: Siting on rowhouse lots



101.5 Use-Specific Regulations

101.5.1 All Dwelling Units

- (1) The minimum number of dwelling units with at least 3 bedrooms must be provided on a lot as follows:

	Total Dwelling Units on a Lot	
	1 to 3 Units	4 to 6 Units
Minimum 3+ Bedroom Units:	1 Unit	2 Units

- (2) At least one dwelling unit on a lot must have the main entrance oriented to an abutting street or, in the case of a through lot with multiple principal buildings and site access from both frontages, at least one dwelling unit per street frontage.

101.5.2 Rowhouse Dwellings

- (1) Contiguous rowhouse lots must provide an illuminated and publicly accessible pedestrian walkway spaced every 100 m or less from a street, lane, or walkway that intersects the fronting street and that:
- (a) links the fronting street with the parallel lane, street, or trail network at the rear of the lot;
 - (b) is at least 1.5 m wide and clear to a height of at least 2.5 m; and
 - (c) is subject to a statutory right of way registered in favour of the City.

101.5.3 Boarding, Lodging, or Rooming Houses

- (1) Boarding, lodging or rooming houses are permitted for not more than 5 persons, when situated in a single family dwelling on a lot with an area of not less than 560 m², subject to the condition that it is included as part of a comprehensive development plan to which the provisions of the Comprehensive Development District apply.

101.5.4 Supportive Housing

- (1) Category A Supportive Housing facilities are permitted on a lot as the only principal use, subject to the following conditions:
- (a) each living unit shall have a minimum floor area of 27 m²;
 - (b) it meets the development regulations under Section 101.4 for small-scale multi-unit lots with 1 to 3 units; and
 - (c) the use shall be included as part of a comprehensive development plan to which the provisions of the Comprehensive Development District apply.

101.5.5 Accessory Buildings, Structures, and Uses

- (1) Parking:
- (a) Parking shall be provided in an attached or detached garage, carport or outdoor parking pad at the rear of the lot when accessible from an abutting lane or street. Where there is no direct access to the rear of the lot or the Director Engineering is satisfied that access to the rear is not feasible because of an extreme grade, parking may be provided elsewhere on the lot.
 - (b) A garage or carport may be constructed below grade, provided that no part of such structure shall extend more than 1.2 m above the surface of the surrounding ground at any point other than the driveway, nor be less than 1.2 m from a lot line.

- (2) An accessory structure not being a building, excluding a fence or a retaining wall, located outside of a required yard, shall not exceed 4.6 m in height.

101.6 General Regulations

101.6.1 Projections

- (1) The following features may project into the required minimum separation between buildings on the same lot:
- (a) steps and stairs;
 - (b) ornamental features, such as arbors, trellises, fish ponds, flag poles, or similar landscape features;
 - (c) terraces, decks, or other similar surfaces that are 1.0 m or less above grade;
 - (d) balconies, covered decks, uncovered decks, canopies, sunshades, or other similar features, including supporting structures, that are greater than 1.0 m above grade up to a maximum of 25% of the width of a required separation;
 - (e) belt courses, cornices, eaves, gutters, sills, chimneys, bay windows, outdoor appliances, or other similar features up to the lesser of 0.9 m or 25% of the width of a required separation; and
 - (f) sunken access areas and window wells as per Section 6.9.
- (2) Permitted projections into required yards are subject to Section 6.12, except that in the R1 District projections into required rear or side yards are limited to a maximum of 0.5 m where the rear or side yard abuts a lane to provide adequate fire truck clearance.

101.6.2 Outdoor Areas

- (1) An outdoor amenity space with a minimum width of 2.0 m and area of 10.0 m² must be provided for each primary dwelling unit for its exclusive use and be directly accessible from the primary dwelling unit it serves.

101.6.3 Access and Fire Safety

- (1) Dwelling units located more than 45 m from a lot line abutting a street shall contain an automatic sprinkler system.
- (2) All dwelling units shall have a minimum 1.0 m paved or gravel fire access corridor that:
- (a) provides direct pedestrian access from the dwelling unit entrance to a lot line abutting a street, or abutting a constructed lane where direct access to a street is not feasible; and
 - (b) is clear of any projections or obstructions to a minimum of 2.5 m in height.

101.6.4 Heritage

- (1) Notwithstanding the R1 District regulations otherwise stated in this Bylaw, subject to approval of the Director of Planning and Development and the registration of a Section 219 Covenant to prohibit any works on the lot which would destroy, or irreversibly alter or damage the heritage resource and its heritage character, some or all of the following regulations may apply to lots in the R1 District on the Community Heritage Register:
- (a) panhandle lots and other irregularly shaped lots may be permitted subject to the following:

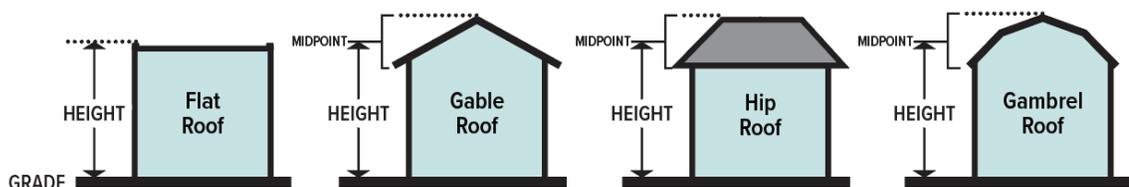
- (i) lots with lane access shall have a minimum panhandle width of 1 m that is clear to a height of 2.5 m; and
- (ii) lots without lane access shall have a minimum panhandle width of 4.5 m that is clear to a height of 2.5 m;
- (b) maximum lot coverage as set out in Section 101.4 may be increased to up to 60%;
- (c) all original architectural appurtenances, such as chimneys, railings, vents, decorative features, or similar, may be excluded from the maximum permitted height of a principal building;
- (d) lot line setbacks for street yards may meet a minimum of 2.0 m;
- (e) the minimum separation between buildings on the same lot as required under Section 101.4 may be reduced;
- (f) Section 101.5.1 does not apply; and
- (g) Parking:
 - (i) off-street vehicular parking spaces are not required;
 - (ii) retention and continued use of driveways that do not otherwise conform with the requirements of this Bylaw may be permitted; and
 - (iii) parking may be provided within the required yards, and any existing parking areas on the lot that do not conform with the requirements of this Bylaw may continue to be used.

101.7 Measurements and Calculations

101.7.1 Height

- (1) The height of a principal or accessory building shall be measured from the lower of the average natural grade or finished grade of all corners of the building to the midpoint of a sloped roof or the highest point of a flat roof.

Diagram: Height Measurement



- (2) The following types of structures or structural parts shall be excluded from the maximum permitted building height for principal buildings:
- (a) Rooftop stairway enclosures, including overhangs, up to 2.5 m in height, provided the area they contain is exclusively for rooftop access purposes; and
 - (b) Rooftop parapets, railings, privacy screening, or similar features up to 1.1 m in height.
- (3) The height of a detached garage or carport shall be measured from the finished grade at the point used for vehicular access.

101.8 Additional Regulations

- (1) Additional zoning regulations apply, including, but not limited to, those found in:
 - (a) Section 6: Supplementary Regulations
 - (b) Schedule 8: Off-Street Parking

Attachment 2. Proposed Text Amendments to Zoning Bylaw in Support of New R1 SSMUH District

This attachment details the proposed text amendments to *Burnaby Zoning Bylaw No. 4742* to implement the new R1 Small-Scale Multi-Unit Housing District in relation to the following Zoning Bylaw sections:

- Table of Contents
- Section 3 – Definitions
- Section 6 – Supplementary Regulations
- Section 7 – Administration and Enforcement
- Section 100 – R Districts Schedule Cover Page
- Section 206 – RM6 District
- Section 404 – M4 District
- Section 600 – A2 District
- Section 800 – Off-Street Parking

The proposed text amendments are provided in the following set of tables, which indicate the relevant Zoning Bylaw section, existing text, and proposed text. Proposed text additions are underlined and proposed removals are ~~struck through~~.

Table of Contents

Section	Existing Text	Proposed Text
Table of Contents	100. RESIDENTIAL DISTRICTS	100. RESIDENTIAL DISTRICTS
	101. Residential District (R1) (R1a)	101. <u>Residential Small-Scale Multi-Unit Housing</u> District (R1)
	102. Residential District (R2) (R2a)	(R1a)
	103. Residential District (R3) (R3a)	102. Residential District (R2) (R2a)
	104. Residential District (R4) (R4a)	103. Residential District (R3) (R3a)
	105. Residential District (R5) (R5a)	104. Residential District (R4) (R4a)
	106. Residential District (R6)	105. Residential District (R5) (R5a)
	107. Mobile Home Park District (R7)	106. Residential District (R6)
	108. Residential District (R8)	107. Mobile Home Park District (R7)
	109. Residential District (R9) (R9a)	108. Residential District (R8)
	110. Residential District (R10)	109. Residential District (R9) (R9a)
	111. Residential District (R11)	110. Residential District (R10)
	112. Residential District (R12) (R12s)	111. Residential District (R11)
	...	112. Residential District (R12) (R12s)
	...	

Section 3 – Definitions

Section	Existing Text	Proposed Text
3	<p>"ACCESSORY BUILDING" means</p> <p>(1) a building, the use or intended use of which is ancillary to that of a principal building situated on the same lot, or</p> <p>(2) a building which is ancillary to a principal use being made of the lot upon which such building is located.</p> <p>For the purposes of this bylaw, a laneway home is not an accessory building.</p>	<p>"ACCESSORY BUILDING" means</p> <p>(1) a building, the use or intended use of which is ancillary to that of a principal building situated on the same lot, or</p> <p>(2) a building which is ancillary to a principal use being made of the lot upon which such building is located.</p> <p>For the purposes of this bylaw, a <u>laneway home building containing a dwelling unit</u> is not an accessory building.</p>
3	<p>"ACCESSORY USE" means</p> <p>(1) a use which is ancillary to a principal building, or use of a principal building, situated on the same lot, or</p> <p>(2) a use which is ancillary to a principal use being made of the lot upon which such accessory use is located.</p> <p>(3) Repealed (B/L No. 14184-20-09-14)</p> <p>(4) an accessory use on a lot in the R1, R2, R3, R4, R5, R10 and R11 Districts may include urban beekeeping for domestic purposes subject to the following conditions:</p> <p>(a) the lot shall have a width of not less than 15 m (49.2 ft.) and an area of not less than 557.40 m² (6,000 sq.ft.);</p> <p>(b) the lot shall be used or occupied for single family dwelling purposes only;</p> <p>(c) not more than two beehives and two nucleus colonies shall be maintained on the lot; and,</p> <p>(d) the hives or structures inhabited by the bees shall be located in the rear yard and, unless the rear yard is surrounded by a solid fence or hedge not less than 1.8 m (5.91 ft.) in height, shall be</p> <p>(i) set back not less than 7.5 m (25.0 ft.) from all lot lines; or</p> <p>(ii) elevated not less than 2.5 m (8.0 ft.) above the surface of the ground. (B/L No. 12627-09-06-22)</p>	<p>"ACCESSORY USE" means</p> <p>(1) a use which is ancillary to a principal building, or use of a principal building, situated on the same lot, or</p> <p>(2) a use which is ancillary to a principal use being made of the lot upon which such accessory use is located.</p> <p>(3) Repealed (B/L No. 14184-20-09-14)</p> <p>(4) Repealed. an accessory use on a lot in the R1, R2, R3, R4, R5, R10 and R11 Districts may include urban beekeeping for domestic purposes subject to the following conditions:</p> <p>(a) the lot shall have a width of not less than 15 m (49.2 ft.) and an area of not less than 557.40 m² (6,000 sq.ft.);</p> <p>(b) the lot shall be used or occupied for single family dwelling purposes only;</p> <p>(c) not more than two beehives and two nucleus colonies shall be maintained on the lot; and,</p> <p>(d) the hives or structures inhabited by the bees shall be located in the rear yard and, unless the rear yard is surrounded by a solid fence or hedge not less than 1.8 m (5.91 ft.) in height, shall be (i) set back not less than 7.5 m (25.0 ft.) from all lot lines; or (ii) elevated not less than 2.5 m (8.0 ft.) above the surface of the ground. (B/L No. 12627-09-06-22)</p>

3	" CARPORT " means a detached accessory building or portion thereof or a portion of a principal building or laneway home that is used as a private garage and has 60 percent or less of the perimeter enclosed by walls, doors or windows.	" CARPORT " means a detached accessory building or portion thereof or a portion of a principal building or laneway home that is used as a private garage and has 60 percent or less of the perimeter enclosed by walls, doors or windows.
3	" CELLAR " means the portion of a building between two floor levels that is partly or wholly underground and has more than one-half its height, from its finished floor to the underside of the joists of the floor next above it, below average natural grade as determined by the Building Inspector; and a cellar shall not be considered to be a storey.	" CELLAR " means the portion of a building between two floor levels that is partly or wholly underground and has more than one-half its height, from its finished floor to the underside of the joists of the floor next above it, below average natural grade as determined by the Building Inspector; and a cellar shall not be considered to be a storey, <u>except in the R1 District.</u>
3	-N/A	" COMMUNITY HERITAGE REGISTER " means a register that <u>identifies lots that are considered by the City to be heritage property, as defined in the Local Government Act.</u>
3	" DWELLING, DUPLEX " means a two-family dwelling wherein the two dwelling units are placed one above the other.	" DWELLING, DUPLEX " means <u>any building consisting of two primary dwelling units</u> two-family dwelling wherein the two dwelling units are placed one above the other.
3	" DWELLING, MULTIPLE FAMILY " means any building consisting of three or more dwelling units, but does not include a supportive housing facility or a semi-detached dwelling with secondary suite(s).	" DWELLING, MULTIPLE FAMILY " means any building consisting of three or more <u>primary</u> dwelling units, but does not include a supportive housing facility or a semi-detached dwelling with secondary suite(s).
3	-N/A-	" DWELLING, MULTIPLEX " means <u>a multiple family dwelling that contains no more than six dwelling units in a building on a lot, where at least three of the dwelling units are primary dwelling units.</u>
3	" DWELLING, ROW HOUSING " means one dwelling unit in a block of at least two side-by-side dwelling units, each sharing a party wall with the neighbouring unit and each unit located on a separate lot that is not a strata lot.	" DWELLING, <u>ROWHOUSE</u> ROW HOUSING " means one dwelling unit in a block of at least two side-by-side <u>primary</u> dwelling units, each sharing a party wall with the neighbouring <u>adjoining</u> unit and each unit located on a separate lot that is not a strata lot.
3	" DWELLING, SEMI-DETACHED " means a two-family dwelling wherein the two primary dwelling units are placed side by side or front to back.	-Repeal-

3	"DWELLING, TOWNHOUSE" means one of two or more dwelling units, where each dwelling unit has individual direct access to the outside either at ground level or by stairs and is attached to at least one other dwelling unit by a shared floor or party wall.	"DWELLING, TOWNHOUSE" means one of two or more dwelling units <u>within a strata development</u> , where each dwelling unit has individual direct access to the outside either at ground level or by stairs and is attached to at least one other dwelling unit by a shared floor or party wall.
3	"DWELLING, TWO FAMILY" means a semi-detached dwelling or a duplex dwelling.	-Repeal-
3	- N/A -	"FREQUENT TRANSIT NETWORK AREA" means an area within <u>400 m (1,312.34 ft) of a bus stop with frequent service as prescribed in the Local Government Zoning Bylaw Regulation, as amended from time to time.</u>
3	"GROUND LEVEL SUITE" means a secondary suite that is: (a) located at or below grade; (b) accessible by a pedestrian path with a width of at least 1 m (3.28 ft.) and a slope of no more than 1:10; and (c) certified by the SAFERhome Standard Society by the issuance of a SAFERhome Standards Certificate.	-Repeal-
3	"LANEWAY HOME" means a detached accessory dwelling unit. For the purposes of the Bylaw, a laneway home is not an accessory building.	-Repeal-
3	"LOT COVERAGE" means the combined area covered by all buildings and structures on the lot, expressed as a percentage of the lot area, measured as the area of the projection of the outline of the buildings and structures onto a horizontal plane but excluding (a) belt courses, cornices, eaves, gutters, sills or other similar ornamental features; (b) bay windows; (c) chimneys, fire escapes and steps; (d) canopies and sun shades; (e) terraces; (f) balconies; (g) uncovered swimming pools; (h) fences and retaining walls; and (i) parking areas that are:	"LOT COVERAGE" means the combined area covered by all buildings and structures on the lot, expressed as a percentage of the lot area, measured as the area of the projection of the outline of the buildings and structures onto a horizontal plane but excluding: (a) belt courses, cornices, eaves, gutters, sills or other similar ornamental features; (b) bay windows; (c) chimneys, fire escapes and steps; (d) canopies and sun shades; (e) <u>uncovered</u> terraces; (f) balconies; (g) uncovered swimming pools; (h) fences and retaining walls; and (i) parking areas that are:

	(i) underground, or (ii) open-sided and roofless.	(i) underground, or (ii) open-sided and roofless- <u>(j) accessibility ramps provided for the use of persons with disabilities.</u>
3	"PRIMARY DWELLING UNIT" means: (a) for a single family dwelling, the dwelling unit that is the principal use of the lot; or (b) for a semi-detached dwelling, the dwelling unit within each side that is the principal use of that side. Each primary dwelling unit may contain a secondary suite.	"PRIMARY DWELLING UNIT" means: (a) for a single family dwelling, the dwelling unit that is the principal use of the lot; or (b) for a semi-detached dwelling, the dwelling unit within each side that is the principal use of that side. Each primary dwelling unit may contain a secondary suite. a dwelling unit that is not a secondary suite.
3	"ROUGH-IN SECONDARY SUITE" means a portion of a single family dwelling constructed to a rough-in design and standard, as determined by the Chief Building Inspector, to facilitate the future conversion of that portion of the single family dwelling to a secondary suite in accordance with the British Columbia Building Code.	-Repeal-
3	- N/A -	"SMALL-SCALE MULTI-UNIT HOUSING" means any residential building(s) on a lot containing a total of one to six dwelling units, inclusive of all primary dwelling units and secondary suites, which may consist of single family, duplex, and/or multiplex dwellings, but excluding rowhouse dwellings.
3	"STOREY" means a habitable space between two floors, or between any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. A basement shall be considered as a storey.	"STOREY" means a habitable space between two floors, or between any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. A basement shall be considered as a storey.
3	- N/A -	"URBAN AGRICULTURE" means the keeping of no more than two beehives and/or four hens for domestic purposes as an accessory use on a residential lot.
3	- N/A -	"YARD, STREET" means an area created by a building setback from a lot line, or segment of a lot line, that abuts a street.

Section 6 – Supplementary Regulations

Section	Existing Text	Proposed Text
6.2	<p>Location and Siting of Buildings and Uses:</p> <p>(1) No principal building shall be located in any required front, side or rear yard.</p> <p>(2) No accessory building or structure, with the exception of fences and retaining walls, shall be located in any required front, or side yard, except as provided for in Sections 6.6 and 6.12 of this Bylaw.</p>	<p>Location and Siting of Buildings and Uses:</p> <p>(1) No principal building shall be located in any required front, <u>street</u>, side or rear yard.</p> <p>(2) No accessory building or structure, with the exception of fences and retaining walls, shall be located in any required front, <u>street</u>, or side yard, except as provided for in Sections 6.6 and 6.12 of this Bylaw.</p>
6.3	<p>Distances between Buildings on the same Lot: ...</p> <p>(1)...</p> <p>(b) In all zoning districts, except R and RM Districts and developments in the C8 and C9 Districts that include a residential component, equal to the overlap in either the horizontal or vertical direction. Such distance shall be not less than 4.5 m (14.76 ft.), but need not exceed 7.5 m (24.61 ft.).</p> <p>(2)...</p> <p>(b) In all zoning districts, except R and RM Districts and developments in the C8 and C9 Districts that include a residential component, no detached accessory building shall be located closer than 1.8 m (5.91 ft.) to a residential use building.</p>	<p>Distances between Buildings on the same Lot: ...</p> <p>(1)...</p> <p>(b) In all zoning districts, except <u>R1</u> and RM Districts and developments in the C8 and C9 Districts that include a residential component, equal to the overlap in either the horizontal or vertical direction. Such distance shall be not less than 4.5 m (14.76 ft.), but need not exceed 7.5 m (24.61 ft.).</p> <p>(2)...</p> <p>(b) In all zoning districts, except <u>R1</u> and RM Districts and developments in the C8 and C9 Districts that include a residential component, no detached accessory building shall be located closer than 1.8 m (5.91 ft.) to a residential use building.</p>
6.3.1	<p>Distances between Buildings in R Districts:</p> <p>(1) The minimum distance between buildings in R Districts on the same lot is 2.4 m (7.87 ft.).</p> <p>(2) Notwithstanding Section 6.3.1(1), the following features may project into the minimum distance between buildings on the same lot, up to a maximum of 0.6 m (1.97 ft.); belt courses, cornices, eaves, gutters, sills, chimneys, or other similar features, and bay windows.</p>	<p><i>-Repeal-</i></p>

6.4

Height of Buildings and Structures: ...

(2) Except in the C2, R1, R2, R3, R4, R5, R9, R10, R11, R12, RM6 and P11 Districts, the height of a principal building shall be measured from the front average elevation to the highest point of the structure, subject to the applicable exceptions in subsections (3) and (4); and where no front yard setback is required the height shall be measured from the curb. (B/L No. 13838-18-03-12)

(3) In all districts the following types of structures or structural parts shall not be subject to the building height requirements of this Bylaw: aerials, electrical service masts, television and radio antennae, chimneys, flues, flagpoles, vents, transmission towers and water tanks; but no such structure shall cover more than 20 percent of the lot or, if located on a building, more than 10 percent of the roof area of the building.

(4) Except in the R Districts, the following types of structures or structural parts shall not be subject to the building height requirements of this Bylaw: church spires, belfries, domes, monuments, fire and hose towers, observation towers, stadiums, monitors, theatre scenery lofts, cooling towers, drive-in theatre projection screens, elevator and ventilating machinery and penthouses; but no such structure shall cover more than 20 percent of the lot or, if located on a building, more than 10 percent of the roof area of the building.

...

(6) The height of a detached accessory building shall be measured from the calculated average natural grade of all sides of the building to the highest point of the structure, subject to the applicable exceptions in subsections (3) and (4), except that the height of a detached garage or carport may be measured from the finished grade at the point used for vehicular access.

Height of Buildings and Structures: ...

(2) Except in the C2, R1, ~~R2, R3, R4, R5, R9, R10, R11, R12~~, RM6 and P11 Districts, the height of a principal building shall be measured from the front average elevation to the highest point of the structure, subject to the applicable exceptions in subsections (3) and (4); and where no front yard setback is required the height shall be measured from the curb. (B/L No. 13838-18-03-12)

(3) In all districts the following types of structures or structural parts shall not be subject to the building height requirements of this Bylaw: aerials, electrical service masts, television and radio antennae, chimneys, flues, flagpoles, vents, transmission towers, ~~and~~ water tanks, ~~and~~ solar panels; but ~~no~~ such structures shall cover no more than 20 percent of the lot or, if located on a building, no more than 10 percent of the roof area of the building, with the exception of solar panels.

(4) Except in the R1 Districts, the following types of structures or structural parts shall not be subject to the building height requirements of this Bylaw: church spires, belfries, domes, monuments, fire and hose towers, observation towers, stadiums, monitors, theatre scenery lofts, cooling towers, drive-in theatre projection screens, elevator and ventilating machinery and penthouses; but no such structure shall cover more than 20 percent of the lot or, if located on a building, more than 10 percent of the roof area of the building.

...

(6) Except in the R1 District, ~~the~~ height of a detached accessory building shall be measured from the calculated average natural grade of all sides of the building to the highest point of the structure, subject to the applicable exceptions in subsections (3) and (4), except that the height of a detached garage or carport may be measured from the finished grade at the point used for vehicular access.

6.6

Accessory Buildings, Structures, and Uses:

(1) General: ...

(e) A structure listed in Section 6.12(1)(f) that projects into a required front, or side yard shall comply with the height requirements prescribed for fences within the zoning district in which it is located.

(2) Residential Districts (A, R, and RM): ...

(b) The gross floor area of all accessory buildings on a lot

(i) in an A or RM District shall not exceed 10 percent of the area of the lot,

(ii) in an R District that is developed with a semi-detached dwelling shall not exceed 74.4 m² (800 sq.ft.), and,

(iii) in an R District that does not have a semi-detached dwelling shall not exceed 56 m² (602.8 sq.ft.).

(c) Not more than two-thirds of the width of the rear yard of any lot in A or R District shall be occupied by accessory buildings.

...

(e) In an A or R District, if for topographical reasons a private garage or carport cannot be constructed at the side or rear of the principal building, such garage or carport may be constructed in an excavation in a front yard, provided that no part of such structure shall extend more than 1.2 m (3.94 ft.) above the surface of the surrounding ground at any point other than the driveway, nor be less than 1.2 m (3.94 ft.) from the front property line.

(f) An accessory building in an RM District shall be located not closer than 3.0 m (9.84 ft.) to the rear property line of an adjoining lot in an A or R District.

(g) The regulations governing accessory buildings specified in clauses (a) to (f) inclusive, shall apply also to accessory buildings on corner lots, excepting that:

(i) An accessory building in an A, R or RM District shall be located not closer to the flanking street than the side yard setback prescribed for the principal building in the district in which it is located, except that where the rear lot line of a corner lot adjoins the side lot line of an adjacent lot, or is separated by a

Accessory Buildings, Structures, and Uses:

(1) General: ...

(e) A structure listed in Section 6.12(1)(f) that projects into a required front, street, or side yard shall comply with the height requirements prescribed for fences within the zoning district in which it is located.

(2) Residential Districts (A, ~~R~~, and RM): ...

(b) The gross floor area of all accessory buildings on a lot

~~(i) in an A or RM District shall not exceed 10 percent of the area of the lot,~~

~~(ii) in an R District that is developed with a semi-detached dwelling shall not exceed 74.4 m² (800 sq.ft.), and,~~

~~(iii) in an R District that does not have a semi-detached dwelling shall not exceed 56 m² (602.8 sq.ft.).~~

(c) Not more than two-thirds of the width of the rear yard of any lot in A ~~or R~~ District shall be occupied by accessory buildings.

...

(e) In an A ~~or R~~ District, if for topographical reasons a private garage or carport cannot be constructed at the side or rear of the principal building, such garage or carport may be constructed in an excavation in a front yard, provided that no part of such structure shall extend more than 1.2 m (3.94 ft.) above the surface of the surrounding ground at any point other than the driveway, nor be less than 1.2 m (3.94 ft.) from the front property line.

(f) An accessory building in an RM District shall be located not closer than 3.0 m (9.84 ft.) to the rear property line of an adjoining lot in an A or R₁ District.

(g) The regulations governing accessory buildings specified in clauses (a) to (f) inclusive, shall apply also to accessory buildings on corner lots, excepting that:

(i) An accessory building in an A, ~~R~~ or RM District shall be located not closer to the flanking street than the side yard setback prescribed for the principal building in the district in which it is located, except that where the rear lot line of a corner lot adjoins the side lot line of an adjacent lot, or is separated by a

	<p>lane therefrom, an accessory building shall be located not closer to the flanking street than the standard front yard setback prescribed for the principal building in the district in which it is located without the application of front yard averaging.</p> <p>(ii) In accessory building in an A or R District shall be located not closer than 1.2 m (3.94 ft.) from the rear lot line, when such rear lot line abuts the side yard of an adjacent lot in A or R District.</p> <p>(h) In an R and RM District, an accessory structure not being a building, excluding a fence or a retaining wall, located outside of a required front yard, or side yard, shall not exceed 4.6 m (15.1 ft.) in height.</p> <p>...</p>	<p>lane therefrom, an accessory building shall be located not closer to the flanking street than the standard front yard setback prescribed for the principal building in the district in which it is located without the application of front yard averaging.</p> <p>(ii) A accessory building in an A or R District shall be located not closer than 1.2 m (3.94 ft.) from the rear lot line, when such rear lot line abuts the side yard of an adjacent lot in A or R₁ District.</p> <p>(h) In an R and RM District, an accessory structure not being a building, excluding a fence or a retaining wall, located outside of a required front yard, or side yard, shall not exceed 4.6 m (15.1 ft.) in height.</p> <p>...</p>
<p>6.7.1 (1)</p>	<p>Secondary Suites:</p> <p>(1) A secondary suite may be permitted as an accessory use to a single family dwelling in an R1, R2, R3, R4, R5, R6, R9, R10, R11, R12, RM6, A1, A2, and A3 District, subject to the following conditions:</p> <p>(a) only one secondary suite shall be permitted in a single family dwelling;</p> <p>(b) Repealed</p> <p>(c) a secondary suite may be located anywhere within a single family dwelling;</p> <p>(d) a secondary suite shall meet the requirements for a secondary suite under the British Columbia Building Code;</p> <p>(e) a secondary suite shall have a minimum floor area as set out in Section 6.10(1);</p> <p>(f) Repealed;</p> <p>(g) a secondary suite and the principal building shall at all times remain a single parcel under a single title and shall not be subdivided into separate parcels by way of strata plan, air space plan or otherwise;</p> <p>(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</p>	<p>Secondary Suites:</p> <p>(1) A secondary suite may be permitted as an accessory use to a single family <u>primary dwelling unit</u> in an R1, R2, R3, R4, R5, R6, R9, R10, R11, R12, RM6, A1, A2, and A3 District, subject to the following conditions:</p> <p>(a) only one secondary suite shall be permitted in a single family dwelling; <u>a secondary suite must be fully contained within the primary dwelling unit;</u></p> <p>(b) Repealed a primary dwelling can contain no more than one secondary suite;</p> <p>(c) a secondary suite may be located anywhere within a single family dwelling <u>in relation to the primary dwelling unit;</u></p> <p>(d) a secondary suite shall meet the requirements for a secondary suite under the British Columbia Building Code;</p> <p>(e) a secondary suite shall have a minimum floor area as set out in Section 6.10(1);</p> <p>(f) Repealed;</p> <p>(g) <u>a secondary suite and the principal building primary dwelling unit on a lot</u> shall at all times remain a single parcel under a single title and shall not be subdivided into separate parcels by way of strata plan, air space plan or otherwise;</p> <p>(h) <u>g</u> neither a boarding use, the operation of a boarding, lodging or rooming house, the operating of a child care facility or home-</p>

	<p>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.</p>	<p>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 familyprimary dwelling <u>unit</u> that contains a secondary suite, including within the secondary suite.</p>
<p>6.7.1 (2)</p>	<p>Secondary Suites: ... (2) A secondary suite may be permitted as an accessory use to a semi-detached dwelling in an R4, R5, R6, R12 and RM6 District, subject to the following conditions: (a) Only one secondary suite shall be permitted in each primary dwelling unit of a semi-detached dwelling; (b) A secondary suite may be permitted anywhere within the primary dwelling unit; (c) A secondary suite shall meet the requirements for a secondary suite under the British Columbia Building Code; (d) A secondary suite shall have a minimum floor area as set out in Section 6.10(1); (e) A secondary suite and the primary dwelling unit shall at all times remain under a single title and shall not be subdivided into separate parcels by way of strata plan, airspace plan or otherwise; (f) Neither a boarding use, the operation of a boarding, lodging or rooming house, the operation 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 semi-detached dwelling unit that contains a secondary suite, including within the secondary suite; (g) A semi-detached dwelling with a secondary suite shall be: (i) on a lot with vehicular access from a lane; or (ii) subject to the approval of the Director Engineering, on a corner lot with vehicular access from the street abutting the side lot line; or (iii) subject to the approval of the Director Engineering, on a through lot.</p>	<p><i>-Repeal-</i></p>

6.7.2**Laneway Homes:**

A laneway home may be permitted as an accessory use to a single family dwelling in an R1, R2, R3, R4, R5, R6, R9, R10, R11, R12, and RM6 District, subject to the following conditions:

- (a) Only one laneway home shall be permitted on each lot;
- (b) A laneway home may be located on a lot containing a single family dwelling with a secondary suite;
- (c) A laneway home shall have a minimum floor area as set out in Section 6.10(1);
- (d) A laneway home and the primary dwelling unit, including any secondary suite, shall at all times remain under a single title and shall not be subdivided into separate parcels by way of strata plan, airspace plan or otherwise;
- (e) Neither a boarding use, the operation of a boarding, lodging or rooming house, 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 laneway home;
- (f) A laneway home shall be:
 - (i) on a lot with vehicular access from a lane; or
 - (ii) subject to the approval of the Director Engineering, on a corner lot with vehicular access from the street abutting the side lot line; or
 - (iii) subject to the approval of the Director Engineering, on a through lot;
- (g) A laneway home shall not include a cellar or crawl space;
- (h) A laneway home shall be located in a rear yard or, in the case of through lots, behind the primary dwelling unit;
- (i) A laneway home shall be located:
 - (i) not less than 1.2 m (3.94 ft.) from any side or rear lot line; and
 - (ii) in the case of a corner lot, outside of the required side yard adjoining the flanking street; and
 - (iii) outside the required vision clearance areas specified in Section 6.13;

-Repeal-

	<p>(j) A laneway home without an automatic sprinkler system shall be located no more than 45 m (147.64 ft.) from a lot line abutting a street; and</p> <p>(k) There shall be a 0.91 m (3 ft.) fire access corridor on a minimum of one side of the lot:</p> <p>(i) from the front lot line to the laneway home; or</p> <p>(ii) on a corner lot, from the flanking side lot line to the laneway home</p> <p>The fire access corridor shall contain a paved or gravel path and be clear to sky of any projections or obstructions.</p>	
<p>6.8A</p>	<p>Home-Based Child Care Facility:</p> <p>...</p> <p>(3) In R Districts a home-based child care facility shall be permitted in only one dwelling unit of a two family dwelling and only if the owner of the other dwelling unit supports the establishment of the home-based child care facility and satisfies the Director Planning and Building as to that support.</p> <p>...</p>	<p>Home-Based Child Care Facility:</p> <p>...</p> <p>(3) In <u>the R1</u> Districts a home-based child care facility shall be permitted in only one dwelling unit of a two family dwelling<u>within each principal building on a lot, up to a maximum of two home-based child care facilities on a lot,</u> and only if the owners of the other dwelling units supports the establishment of the home-based child care facility and satisfies the Director Planning and Building as to that support.</p> <p>...</p>
<p>6.9</p>	<p>Cellars and Basements:</p> <p>...</p> <p>(3) In the R Districts, for the purpose of providing vehicular access to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination between a basement and cellar, or the calculation of principal building height, if the lowered surface does not exceed a width of 6.7 m (22 ft.) along the wall.</p> <p>(4) In the R Districts, for the purpose of providing pedestrian access to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination between a basement and cellar or the calculation of principal building height, if the lowered surface is not on the same side of the building as a depressed vehicular access and does not</p> <p>(a) exceed an area of 14.0 m² (150.7 sq. ft.),</p>	<p>Cellars and Basements:</p> <p>...</p> <p>(3) In the <u>R1</u> Districts, for the purpose of providing vehicular access to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination between a basement and cellar, or the calculation of principal building height, if the lowered surface does not exceed a width of 6.7 m (22 ft.) along the wall.</p> <p>(4) In the <u>R1</u> Districts, for the purpose of providing pedestrian access to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination between a basement and cellar or the calculation of principal building height, if the lowered surface is not on the same side of the building as a depressed vehicular access and does not</p>

	<p>(b) extend more than 3.0 m (9.8 ft.) from the building, (c) exceed a width of 4.5 m (14.8 ft.) along the wall, and (d) extend more than 0.75 m (2.5 ft.) into the required side yards. (5) In the R Districts, for the purpose of providing light to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination between a basement and cellar or the calculation of principal building height, if the window wells do not ... (6) In the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts, on a lot developed with a single family dwelling containing a cellar with a gross floor area exceeding 30.0 m (322.9 ft.), the single family dwelling shall contain a rough-in secondary suite, except where there is an existing secondary suite constructed in the single family dwelling, or where a secondary suite is proposed to be constructed anywhere within the single family dwelling.</p>	<p>(a) exceed an area of 1410.0 m² (150.7107.6 sq. ft.), per dwelling unit, including stairs. (b) extend more than 3.0 m (9.8 ft.) from the building, (c) exceed a width of 4.5 m (14.8 ft.) along the wall, and (d) extend more than 0.75 m (2.5 ft.) into the required side yards. (5) In the R1 Districts, for the purpose of providing light to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination between a basement and cellar or the calculation of principal building height, if the window wells do not ... (6) Repealed. In the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts, on a lot developed with a single family dwelling containing a cellar with a gross floor area exceeding 30.0 m (322.9 ft.), the single family dwelling shall contain a rough-in secondary suite, except where there is an existing secondary suite constructed in the single family dwelling, or where a secondary suite is proposed to be constructed anywhere within the single family dwelling.</p>
<p>6.10</p>	<p>Minimum Floor Area for Dwelling Units: (1) No primary dwelling unit in a single family dwelling or two family dwelling, or row house dwelling shall contain less than 56 m² (602.80 sq.ft.) of floor area for each dwelling unit except that a primary dwelling unit in a single family dwelling in an R1 District shall contain at least 93 m² (1,001.08 sq.ft.) of floor area. A secondary suite and laneway home shall each contain at least 32.52 m² (350 sq.ft.) or floor area. (2) In the case of apartment buildings or townhouse dwellings, in a District other than the P11e District, the following minimum suite floor areas shall apply: (B/L No. 11348-02-04-15) ... (3) A mobile home in an R7 District shall contain at least 46 m² (495.16 sq. ft.) of floor area.</p>	<p>Minimum Floor Area for Dwelling Units: (1) No primary dwelling unit in a single family dwelling or two family dwelling, or row house dwellingthe R1 or A Districts shall contain less than 56 m² (602.80 sq.ft.) of floor area for each dwelling unit except that a primary dwelling unit in a single family dwelling in an R1 District shall contain at least 93 m² (1,001.08 sq.ft.) of floor area. A secondary suite and laneway home shall each contain at least 32.52 m² (350 sq.ft.) or floor area. (2) In the case of apartment buildings or townhouse dwellings, in a District other than the R1 and P11e Districts, the following minimum suite floor areas shall apply: ... (3) Repealed. A mobile home in an R7 District shall contain at least 46 m² (495.16 sq. ft.) of floor area.</p>

<p>6.11</p>	<p>Lot Area and Width:</p> <p>(1) Existing Lots:</p> <p>(a) The minimum lot area and lot width requirements of this Bylaw shall not apply to any lot in an A, R, C1, C2, C3, C4, M1, M2, M3, M4, M5, or P5 District which has an area or width less than that required by this Bylaw, ...</p> <p>(b) Subject to the provisions of Section 6.5 (Conversion of Buildings), the lot area and width requirements in R4 and R5 Districts may be reduced to permit the structural modification, alteration or remodelling of an existing single family dwelling that was erected on the lot before 1971 January 02 so as to create two dwelling units,</p> <p>(i) Where the dwelling is on a lot in an R4 District that has an area not less than 670 m² (7,212.06 sq.ft.) and a width not less than 18.5 m (60.70 ft.), or</p> <p>(ii) Where the dwelling is on a lot in an R5 District that has an area not less than 500 m² (5,382.13 sq.ft.) and a width not less than 13.5 m (44.29 ft.). (B/L No. 8737-87-05-25)</p> <p>(2) Lots of Irregular Shape</p> <p>In R Districts, on "pie-shaped" or other irregularly shaped asymmetrical lots, lot frontages may be reduced below the minimum prescribed widths, provided that the average lot width throughout a depth of 30 m (98.43 ft.) measured along a perpendicular line from the centre of the property on the frontage street complies with the required minimum lot width.</p>	<p>Lot Area and Width:</p> <p>(1) Existing Lots:</p> <p>(a) The minimum lot area and lot width requirements of this Bylaw shall not apply to any lot in an A, <u>R1</u>, C1, C2, C3, C4, M1, M2, M3, M4, M5, or P5 District which has an area or width less than that required by this Bylaw, ...</p> <p>(b) Repealed. Subject to the provisions of Section 6.5 (Conversion of Buildings), the lot area and width requirements in R4 and R5 Districts may be reduced to permit the structural modification, alteration or remodelling of an existing single family dwelling that was erected on the lot before 1971 January 02 so as to create two dwelling units,</p> <p>(i) — Where the dwelling is on a lot in an R4 District that has an area not less than 670 m² (7,212.06 sq.ft.) and a width not less than 18.5 m (60.70 ft.), or</p> <p>(ii) — Where the dwelling is on a lot in an R5 District that has an area not less than 500 m² (5,382.13 sq.ft.) and a width not less than 13.5 m (44.29 ft.). (B/L No. 8737-87-05-25)</p> <p>(2) Lots of Irregular Shape</p> <p>In <u>the R1</u> Districts, on "pie-shaped" or other irregularly shaped asymmetrical lots, lot frontages may be reduced below the minimum prescribed widths, provided that the average lot width throughout a depth of 30 m (98.43 ft.) measured along a perpendicular line from the centre of the property on the frontage street complies with the required minimum lot width.</p>
<p>6.12</p>	<p>Yards:</p> <p>(1) Projections into Required Yards:</p> <p>The following features and structures may project into a required front, side or rear yard:</p> <p>...</p> <p>(e) An uncovered patio or terrace, which may be open or enclosed, in any yard in an A, R or RM District subject to the fence height limitations as specified in Section 6.14.2 of this Bylaw. The provision of an awning or similar temporary covering for such a terrace shall be permitted. (B/L No. 14170-20-07-06)</p> <p>...</p>	<p>Yards:</p> <p>(1) Projections into Required Yards:</p> <p>The following features and structures may project into a required front, <u>street</u>, side or rear yard:</p> <p>...</p> <p>(e) An uncovered patio or terrace, which may be open or enclosed, in any yard in an A, <u>R1</u> or RM District subject to the fence height limitations as specified in Section 6.14.2 of this Bylaw. The provision of an awning or similar temporary covering for such a terrace shall be permitted. (B/L No. 14170-20-07-06)</p> <p>...</p>

(2) Exceptions to Front Yard Requirements:

In A or R Districts when at least 50 percent of the frontage of lots in a single zoning district in any one block front, excluding the corner properties, is improved with permitted principal buildings and all of such buildings have front yards that are less than the minimum front yard requirement for the district, then all new buildings in the same zoning district in the block front may provide a front yard with a depth equal to the average existing front yard depth in the block front, except that no front yard shall be less than 6.0 m (19.69 ft.) in depth.

(2.1) Front Yard Averaging:

For lots in R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts, where front yard averaging of the two adjacent lots on each side of the lot is applicable, the following conditions shall apply in determining the average front yard depth:

- (a) where an adjacent lot is vacant, the front yard shall be deemed to have a depth of a required front yard;
- (b) if one or more of the adjacent lots front on a different street or if one or more of the adjacent lots are separated by a street or lane, then such adjacent lots shall not be used in computing the average depth;
- (c) where the lot is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent lots;
- (d) where an adjacent lot is a panhandle lot, the panhandle lot shall be excluded and the two other nearest lots on each side of the lot shall be included in computing the average depth;
- (e) where an adjacent lot is not in a R District, the adjacent lot and any lot beyond such adjacent lot (whether or not such lot is in a R District) shall not be used in computing the average depth.

(3) Exceptions to Side Yard Requirements: ...

(a) In A, R or RM Districts the required side yard on each side of the principal building may be reduced to a minimum of 10 percent of the lot width, provided that:

...

(2) Exceptions to Front Yard Requirements:

In A ~~or R~~ Districts when at least 50 percent of the frontage of lots in a single zoning district in any one block front, excluding the corner properties, is improved with permitted principal buildings and all of such buildings have front yards that are less than the minimum front yard requirement for the district, then all new buildings in the same zoning district in the block front may provide a front yard with a depth equal to the average existing front yard depth in the block front, except that no front yard shall be less than 6.0 m (19.69 ft.) in depth.

(2.1) ~~Repealed. Front Yard Averaging:~~

~~For lots in R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts, where front yard averaging of the two adjacent lots on each side of the lot is applicable, the following conditions shall apply in determining the average front yard depth:~~

- ~~(a) where an adjacent lot is vacant, the front yard shall be deemed to have a depth of a required front yard;~~
- ~~(b) if one or more of the adjacent lots front on a different street or if one or more of the adjacent lots are separated by a street or lane, then such adjacent lots shall not be used in computing the average depth;~~
- ~~(c) where the lot is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent lots;~~
- ~~(d) where an adjacent lot is a panhandle lot, the panhandle lot shall be excluded and the two other nearest lots on each side of the lot shall be included in computing the average depth;~~
- ~~(e) where an adjacent lot is not in a R District, the adjacent lot and any lot beyond such adjacent lot (whether or not such lot is in a R District) shall not be used in computing the average depth.~~

(3) Exceptions to Side Yard Requirements: ...

(a) In A, ~~R~~ or RM Districts the required side yard on each side of the principal building may be reduced to a minimum of 10 percent of the lot width, provided that:

...

	<p>(e) In M Districts, where a lot abuts a lot in an A, R or RM District, or is separated by a street or lane therefrom, the required side yard may be reduced to minimum of 20 percent of the lot width, but need not exceed 3.0 m (9.84 ft.) in M4 Districts.</p> <p>...</p> <p>(5) Exceptions to Rear Yard Requirements: A laneway home may be permitted in a rear yard, subject to the provisions of Section 6.7.2 and the applicable district schedules.</p>	<p>(e) In M Districts, where a lot abuts a lot in an A, <u>R1</u> or RM District, or is separated by a street or lane therefrom, the required side yard may be reduced to minimum of 20 percent of the lot width, but need not exceed 3.0 m (9.84 ft.) in M4 Districts.</p> <p>...</p> <p>(5) Repealed. Exceptions to Rear Yard Requirements: A laneway home may be permitted in a rear yard, subject to the provisions of Section 6.7.2 and the applicable district schedules.</p>
<p>6.15</p>	<p>Screening and Landscaping:</p> <p>(1) Lots and Required Yards:</p> <p>(a) In R, RM, C5 and P Districts, any part of a lot not used for building, parking or loading facilities or outdoor recreation or, in the case of a lot in the P4 or P12 District, not used for any permitted use, shall be fully and suitably landscaped and properly maintained.</p> <p>...</p> <p>(c) In all zoning districts where the side line of a lot abuts a lot in an A, R or RM District, or is separated by a street or lane therefrom, all those portions of a required side yard not used for permitted parking or outdoor play area shall be fully and suitably landscaped and properly maintained.</p> <p>(d) Where the rear line of a lot in an M District abuts a lot in an A, R or RM District, or is separated by a lane therefrom, the required rear yard shall be fully and suitably landscaped and properly maintained.</p> <p>...</p> <p>(2) Storage Yards and Public Works Yards:</p> <p>(a) No storage yard or area shall be permitted in a required front yard nor any required yard which abuts a lot in an R or RM District, or is separated by a street or lane therefrom.</p> <p>...</p> <p>(3) Parking Areas, Loading Areas, Display Yards and Similar Uses:</p> <p>(a) Any parking area, loading area or display yard shall be separated from an adjoining street, or from a directly abutting lot in an A, R or RM District, by a fully and suitably landscaped</p>	<p>Screening and Landscaping:</p> <p>(1) Lots and Required Yards:</p> <p>(a) In <u>R1</u>, RM, C5 and P Districts, any part of a lot not used for building, parking or loading facilities or outdoor recreation or, in the case of a lot in the P4 or P12 District, not used for any permitted use, shall be fully and suitably landscaped and properly maintained.</p> <p>...</p> <p>(c) In all zoning districts where the side line of a lot abuts a lot in an A, <u>R1</u> or RM District, or is separated by a street or lane therefrom, all those portions of a required side yard not used for permitted parking or outdoor play area shall be fully and suitably landscaped and properly maintained.</p> <p>(d) Where the rear line of a lot in an M District abuts a lot in an A, <u>R1</u> or RM District, or is separated by a lane therefrom, the required rear yard shall be fully and suitably landscaped and properly maintained.</p> <p>...</p> <p>(2) Storage Yards and Public Works Yards:</p> <p>(a) No storage yard or area shall be permitted in a required front yard nor any required yard which abuts a lot in an <u>R1</u> or RM District, or is separated by a street or lane therefrom.</p> <p>...</p> <p>(3) Parking Areas, Loading Areas, Display Yards and Similar Uses:</p> <p>(a) Any parking area, loading area or display yard shall be separated from an adjoining street, or from a directly abutting lot in an A, <u>R1</u> or RM District, by a fully and suitably landscaped</p>

	<p>and properly maintained strip of not less than 1.8 m (5.91 ft.) in width.</p> <p>(b) Screening of 1.8 m (5.91 ft.) in height shall be provided and properly maintained:</p> <p>(i) where any parking or loading area abuts a lot in an A, R, or RM District, or is separated therefrom by a street or lane, except however, that where a parking area abuts a lane, the screening along the lane shall be not less than 800 mm (2.62 ft.) nor more than 1 m (3.28 ft.) in height for a distance of not less than 6.0 m (19.69 ft.) from all points of ingress and egress to and from such parking area;</p> <p>(ii) where any display yard, industrial fueling installation, or public utility installation abuts a lot in an A, R, or RM District, or is separated therefrom by a lane.</p> <p>...</p>	<p>and properly maintained strip of not less than 1.8 m (5.91 ft.) in width.</p> <p>(b) Screening of 1.8 m (5.91 ft.) in height shall be provided and properly maintained:</p> <p>(i) where any parking or loading area abuts a lot in an A, <u>R1</u>, or RM District, or is separated therefrom by a street or lane, except however, that where a parking area abuts a lane, the screening along the lane shall be not less than 800 mm (2.62 ft.) nor more than 1 m (3.28 ft.) in height for a distance of not less than 6.0 m (19.69 ft.) from all points of ingress and egress to and from such parking area;</p> <p>(ii) where any display yard, industrial fueling installation, or public utility installation abuts a lot in an A, <u>R1</u>, or RM District, or is separated therefrom by a lane.</p> <p>...</p>
<p>6.17</p>	<p>Parking or Storage of Commercial Vehicles, Recreation Vehicles, Trucks, Trailers, Boats or Equipment in R6, R7, R8 and RM Districts:</p> <p>No commercial vehicle, truck, bus, contractor's equipment, dismantled or wrecked automobile, boat, recreation vehicle, trailer or any similar vehicle, conveyance, craft or equipment shall be parked or stored in the open in an R6, R7, R8 or RM District, except the following which may be parked or stored in the rear yard only:</p> <p>...</p>	<p>Parking or Storage of Commercial Vehicles, Recreation Vehicles, Trucks, Trailers, Boats or Equipment in <u>R6, R7, R8R1</u> and RM Districts:</p> <p><u>(1) No commercial vehicle, truck, bus, contractor's equipment, dismantled or wrecked automobile, boat, recreation vehicle, trailer or any similar vehicle, conveyance, craft or equipment shall be parked or stored in the open in an <u>R6, R7, R8R1</u> or RM District, except the following which may be parked or stored in the rear yard only:</u></p> <p>...</p> <p><u>(2) Notwithstanding subsection (1) paragraphs (c) and (d) and subject to the vision clearance provisions of Section 6.13, one recreation vehicle and one boat having a combined length that does not exceed 12.0 m (39.37 ft.), may be parked in the open in the R1 District subject to the following restrictions:</u></p> <p><u>(a) on a corner lot or on a lot with one street frontage, parking is only permitted within a side yard, side street yard, or rear yard and is not permitted within the required minimum lot line setbacks for side yards and street yards;</u></p> <p><u>(b) on a through lot, no parking is permitted within the required minimum lot line setbacks for street yards or side yards, nor in</u></p>

		<p><u>the area between the required setbacks and the face of the dwelling that is oriented to the street from which the dwelling is addressed; and</u></p> <p><u>(c) on a lot that has no vehicle access to the rear and side yards, either one recreation vehicle or one boat not exceeding 6.0 m (19.69 ft.) in length may be parked on the front driveway or to the side of the front driveway not less than 1.2 m (3.94 ft.) from the side lot lines and not less than 1.8 m (5.91 ft.) from the front lot line.</u></p> <p><u>(3) In the R1 District, the parking must be screened by compact evergreen trees or shrubs at least 1.8 m (5.91 ft.) in height,</u></p> <p><u>(a) on a corner lot or through lot to obscure the view from the closest abutting street,</u></p> <p><u>(b) where the front driveway is used, to obscure the view from any abutting property, and,</u></p> <p><u>(c) where the land beside the front driveway is used, to obscure the view from any abutting property, and from the abutting street.</u></p>
<p>6.17.1</p>	<p>Parking or Storage of Commercial Vehicles, Trucks, Recreation Vehicles, or Boats in R1 to R5 and R9 to R12 Districts:</p> <p>(1) Section 6.17, except paragraphs (c) and (d), applies to parking and storage in an R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts.</p> <p>(2) Notwithstanding subsection (1) and subject to the vision clearance provisions of Section 6.13, one recreation vehicle and one boat having a combined length that does not exceed 12.0 m (39.37 ft.), may be parked in the open in an R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts subject to the following restrictions:</p> <p>(a) on a corner lot or on a lot with one street frontage, no parking is permitted between the front lot line and the dwelling, nor within the required side yards, nor closer than 1.2 m (3.94 ft.) to the side lot lines in the rear yard;</p> <p>(b) on a through lot, no parking is permitted in the required front yards or required side yards, nor in the area between the</p>	<p><i>-Repeal-</i></p>

	<p>required front yard and the face of the dwelling that is oriented to the street from which the dwelling is addressed;</p> <p>(c) on a lot that has no vehicle access to the rear and side yards, either one recreation vehicle or one boat not exceeding 6.0 m (19.69 ft.) in length may be parked on the front driveway or to the side of the front driveway not less than 1.2 m (3.94 ft.) from the side lot lines and not less than 1.8 m (5.91 ft.) from the front lot line.</p> <p>(3) The parking must be screened by compact evergreen trees or shrubs at least 1.8 m (5.91 ft.) in height,</p> <p>(a) on a corner lot or through lot to obscure the view from the closest abutting street,</p> <p>(b) where the front driveway is used, to obscure the view from any abutting property, and,</p> <p>(c) where the land beside the front driveway is used, to obscure the view from any abutting property, and from the abutting street.</p>	
<p>6.20</p>	<p>Calculation of Gross Floor Area:</p> <p>...</p> <p>(2) In addition to the exclusions listed in Section 6.20(1), for the purpose of calculating gross floor area in the R and A Districts, with the exception of category A supportive housing facilities, the following shall be excluded:</p> <p>(a) garages or carports up to a maximum area of 42.0 m² (452.1 sq.ft.), except:</p> <p>(i) in the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts on a lot developed with a single family dwelling, where such garage or carport is located in a cellar; and,</p> <p>(ii) in the R10 and R11 Districts on a lot with lane access, where such garage or carport is attached to any portion of the principal building other than the cellar, unless the Director Engineering is satisfied that access from a lane is not feasible due to an extreme grade, or other restrictions.</p> <p>...</p> <p>(3) In addition to the exclusions listed in Section 6.20(1), for the purpose of calculating gross floor area for category A supportive</p>	<p>Calculation of Gross Floor Area:</p> <p>...</p> <p>(2) In addition to the exclusions listed in Section 6.20(1), for the purpose of calculating gross floor area in the R and A Districts, with the exception of category A supportive housing facilities, the following shall be excluded:</p> <p>(a) garages or carports up to a maximum area of 42.0 m² (452.1 sq.ft.); except:</p> <p>(i) in the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts on a lot developed with a single family dwelling, where such garage or carport is located in a cellar; and,</p> <p>(ii) in the R10 and R11 Districts on a lot with lane access, where such garage or carport is attached to any portion of the principal building other than the cellar, unless the Director Engineering is satisfied that access from a lane is not feasible due to an extreme grade, or other restrictions.</p> <p>...</p> <p>(3) In addition to the exclusions listed in Section 6.20(1), for the purpose of calculating gross floor area for category A supportive</p>

	housing facilities permitted in the R Districts, and in districts other than the R and A Districts, the following shall be excluded: ...	housing facilities permitted in the R Districts, and in districts other than in the R and -A Districts, the following shall be excluded: ...
6.20.1	Calculation of Gross Floor Area in a Building with Over-height Ceilings: For single family and two family dwellings, gross floor area for any portion of a building, with the exception of staircases, where the height from the floor to the ceiling directly above exceeds 4.5 m (14.8 ft.) shall be calculated in accordance with the following: ...	Calculation of Gross Floor Area in a Building with Over-height Ceilings: For single family and two family duplex dwellings, except in the R1 District, gross floor area for any portion of a building, with the exception of staircases, where the height from the floor to the ceiling directly above exceeds 4.5 m (14.8 ft.) shall be calculated in accordance with the following: ...
6.21	Antennae: (1) An antenna is permitted on any lot in any zoning district except the R Districts if it has been given preliminary plan approval and meets the following qualifications, namely: ...	Antennae: (1) An antenna is permitted on any lot in any zoning district except the R1 Districts if it has been given preliminary plan approval and meets the following qualifications, namely: ...
6.24	Impervious Surfaces: (1) This section applies only to Lots in R (Residential) Districts for which an application for a building permit has been made after July 1, 2005 for the construction of a new principal building, whether on new or existing building foundations. ...	Impervious Surfaces: (1) This section applies only to Lots in R (Residential)-the R1 Districts for which an application for a building permit has been made after July 1, 2005 for the construction of a new principal building, whether on new or existing building foundations. ...
6.29	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;	Short-term Rentals: (1) Short-term rental may be permitted as an accessory use to a single family dwelling, two family dwellings <u>small-scale multi-unit housing, row housing</u> rowhouse dwellings, town house dwellings, and multiple family dwellings in R1 , 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;

	<ul style="list-style-type: none"> (ii) a single family dwelling or semi-detached dwelling unit containing a secondary suite, including within the secondary suite; (iii) a multi-family flex unit, including within the flex-unit; (iv) a dwelling unit that is primarily used for a caretaker, watchman, or other persons employed for similar purposes; (v) a dwelling unit that contains 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; (vi) an accessory building or structure; and (vii) a laneway home. 	<ul style="list-style-type: none"> (ii) a single family dwelling or semi-detached<u>primary</u> dwelling unit containing a secondary suite, including within the secondary suite; (iii) a multi-family flex unit, including within the flex-unit; (iv) a dwelling unit that is primarily used for a caretaker, watchman, or other persons employed for similar purposes; (v) a dwelling unit that contains 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; <u>and</u> (vi) an accessory building or structure; and. (vii) a laneway home.
<p>6.30</p>	<p>-N/A-</p>	<p>6.30 Urban Agriculture:</p> <p><u>(1) Urban beekeeping for domestic purposes may be permitted as an accessory use on a lot in the R1 District, subject to the following conditions:</u></p> <ul style="list-style-type: none"> <u>(a) The lot shall:</u> <ul style="list-style-type: none"> <u>(i) have a width of not less than 15 m and an area of not less than 560 m²; and</u> <u>(ii) contain only a single primary dwelling unit with no secondary suite.</u> <u>(b) Not more than two beehives and two nucleus colonies shall be maintained on the lot.</u> <u>(c) The hives or structures inhabited by the bees shall be located in the rear yard and, unless the rear yard is surrounded by a solid fence or hedge not less than 1.8 m in height, shall be:</u> <ul style="list-style-type: none"> <u>(i) set back not less than 7.5 m from all lot lines; and</u> <u>(ii) elevated not less than 2.5 m above the surface of the ground.</u> <p><u>(2) Keeping of backyard chickens for domestic purposes may be permitted as an accessory use on a lot in the R1 District, subject to the following conditions:</u></p> <ul style="list-style-type: none"> <u>(a) The lot shall:</u>

		<p><u>(i) have a width of not less than 15 m and an area of not less than 560 m²; and</u></p> <p><u>(ii) contain only a single primary dwelling unit with no secondary suite.</u></p> <p><u>(b) No less than two and no more than four hens over the age of four months shall be kept at a time on a lot.</u></p> <p><u>(c) Each chicken must be provided with:</u></p> <p><u>(i) no less than 0.35 m² of weatherproof interior coop space; and</u></p> <p><u>(ii) no less than 1.0 m² of outdoor enclosure area that is attached to and forms part of the coop.</u></p> <p><u>(d) The coop, including outdoor enclosure, shall be located:</u></p> <p><u>(i) in the rear yard;</u></p> <p><u>(ii) a minimum distance of 2.4 m from all other buildings on the lot;</u></p> <p><u>(iii) outside the required minimum property line setbacks; and</u></p> <p><u>(iv) outside the required vision clearance areas specified in Section 6.13.</u></p> <p><u>(e) The following activities shall be prohibited:</u></p> <p><u>(i) the keeping of roosters;</u></p> <p><u>(ii) the sale of eggs, meat, or manure; and</u></p> <p><u>(iii) the slaughter of chickens on the lot.</u></p>
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Section 7 – Administration and Enforcement

Section	Existing Text	Proposed Text
7.3 (1)	<p>7.3 Preliminary Plan Approval and Development Permits:</p> <p>...</p> <p>(1)...</p> <p>(a) The construction of one-family and two-family residential dwellings and accessory buildings</p>	<p>7.3 Preliminary Plan Approval and Development Permits:</p> <p>...</p> <p>(1)...</p> <p>(a) The construction of <u>small-scale multi-unit housing, rowhouse dwellings, one family and two family residential dwellings</u> and accessory buildings.</p>

Section 100 – R Districts Schedule Cover Page

Section	Existing Text	Proposed Text
100 (top of page 1)	<p>SCHEDULE NUMBER I</p> <p>100. RESIDENTIAL DISTRICTS (R)</p> <p>Subject to all other provisions of this Bylaw, on any lot, in any district designated as an R District, the following regulations shall apply:</p> <p>...</p> <p><i>[Section 101 (R1) regulations immediately follow on same page]</i></p>	<p>SCHEDULE NUMBER I</p> <p>100. RESIDENTIAL DISTRICTS (R)</p> <p>Subject to all other provisions of this Bylaw, on any lot, in any district designated as an R District, the following regulations <u>within the following Sections</u> shall apply:</p> <p><u>101. Small-Scale Multi-Unit Housing District (R1)</u></p> <p>...</p> <p><i>[new Section 101, R1 SSMUH District, proposed to start on following page, with new “Page 1” in footer]</i></p>

Section 206 – RM6 District

Section	Existing Text	Proposed Text
206.2(2)	<p>Uses Permitted:</p> <p>(1) Townhouse dwellings.</p> <p>(2) Single-family dwellings or two-family dwellings subject to the regulations of the R5 District.</p>	<p>Uses Permitted:</p> <p>(1) Townhouse dwellings.</p> <p>(2) Single-family dwellings <u>Small-scale multi-unit housing</u> or two-family rowhouse dwellings subject to the regulations of the R15 District.</p>
206.3	<p>Uses Permitted in the RM6r Zoning District:</p> <p>Uses permitted in the RM6 District, excluding single-family dwellings or two-family dwellings, provided that the residential uses are restricted to purpose-built rental housing.</p>	<p>Uses Permitted in the RM6r Zoning District:</p> <p>Uses permitted in the RM6 District, excluding <u>small-scale multi-unit housing and rowhouse dwellings</u> single-family dwellings or two-family dwellings, provided that the residential uses are restricted to purpose-built rental housing.</p>

Section 404 – M4 District

Section	Existing Text	Proposed Text
404.1	<p>Uses Permitted: ...</p> <p>(b) Two family dwellings on lots being lawfully used for residential purposes on January 1, 2004.</p> <p>...</p>	<p>Uses Permitted: ...</p> <p>(b) Two-family <u>Duplex</u> dwellings on lots being lawfully used for residential purposes on January 1, 2004.</p> <p>...</p>
404.4	<p>Lot Area and Width: ...</p> <p>(2) Each lot for a two family dwelling shall have an area of not less than 670 m² (7,212.06 sq.ft.) and a width of not less than 18.5 m (60.70 ft.).</p>	<p>Lot Area and Width: ...</p> <p>(2) Each lot for a two-family <u>duplex</u> dwelling shall have an area of not less than 670 m² (7,212.06 sq.ft.) and a width of not less than 18.5 m (60.70 ft.).</p>

Section 600 – A2 District

Section	Existing Text	Proposed Text
602.3	<p>Lot Area and Width:</p> <p>Each lot shall have an area of not less than 0.4 ha (0.9884 acre) and a width of not less than 37 m (121.39 ft.).</p>	<p>Lot Area and Width:</p> <p>Each lot shall have an area of not less than 0.4 ha <u>4050 m²</u> (0.9884 <u>1.0</u> acre) and a width of not less than 37 m (121.39 ft.).</p>

Schedule VII – Off-Street Vehicle Parking

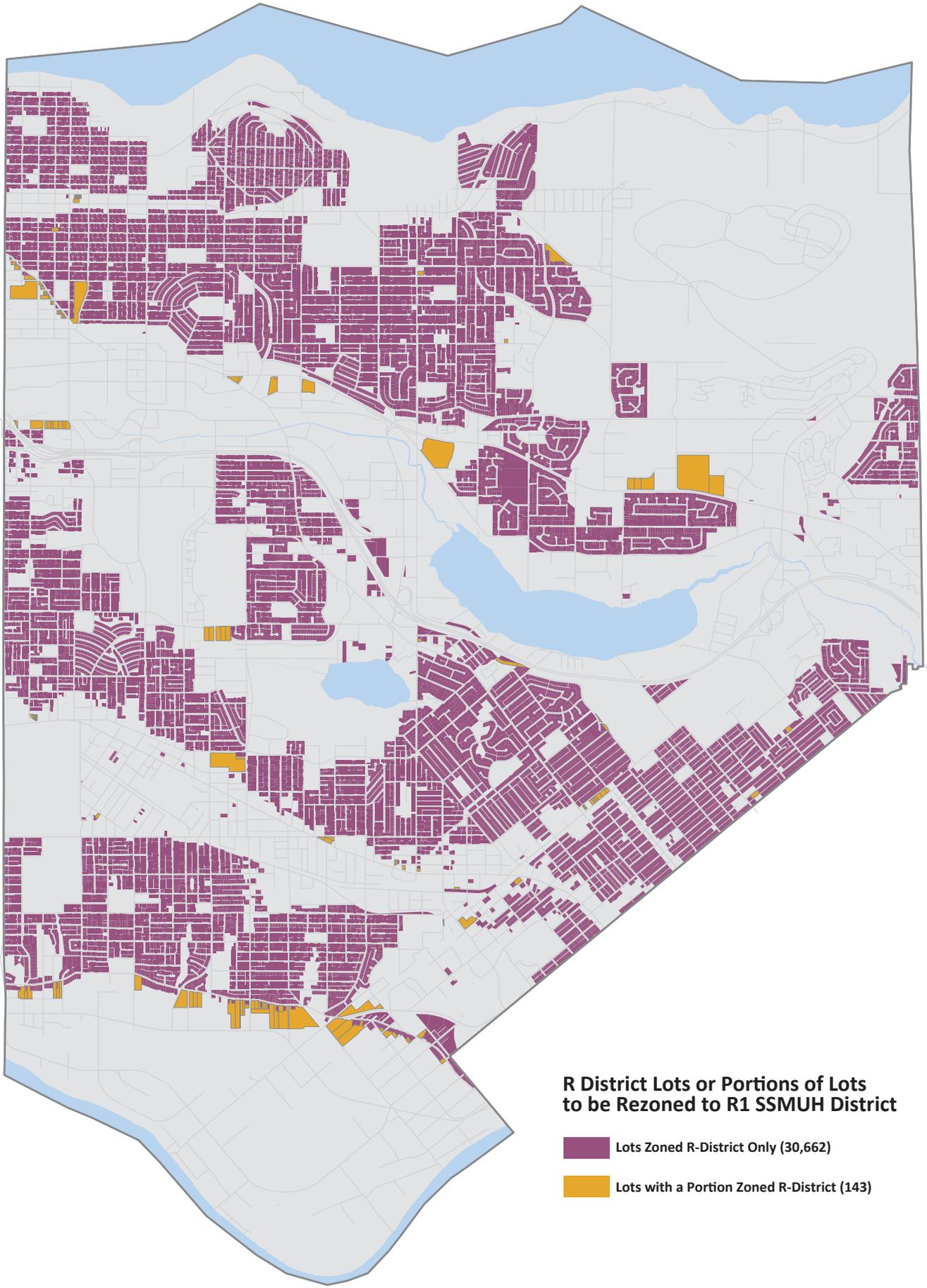
Section	Existing Text	Proposed Text
800.3.1	Accessible Parking Spaces in Districts other than R1, R2, R3, R4, R5, R6, R9, R10, R11, and R12 Districts:	Accessible Parking Spaces in Districts other than R1, R2, R3, R4, R5, R6, R9, R10, R11, and R12 Districts:
800.3.1	(1) Except in the R1, R2, R3, R4, R5, R6, R9, R10, R11, and R12 Districts, accessible and van accessible parking spaces for all developments for which the rezoning bylaw has received Second Reading, or a preliminary plan approval, or a Building Permit application has been submitted after 2019 November 01 shall comply with this Section 800.3.1.	(1) Except in the R1, R2, R3, R4, R5, R6, R9, R10, R11, and R12 Districts, a <u>Accessible</u> and van accessible parking spaces for all developments for which the rezoning bylaw has received Second Reading, or a preliminary plan approval, or a Building Permit application has been submitted after 2019 November 01 shall comply with this Section 800.3.1.
800.3.1	(2a) Multiple family dwellings; excluding townhouse dwellings or row housing dwellings.	(2a) Multiple family dwellings; excluding townhouse dwellings, <u>small-scale multi-unit housing,</u> or row housing rowhouse dwellings.
800.3.2	Accessible Parking Spaces in R1, R2, R3, R4, R5, R6, R9, R10, R11, and R12 Districts: (1) Accessible and van accessible parking spaces in R1, R2, R3, R4, R5, R6, R9, R10, R11, R12 Districts shall comply with this Section 800.3.2. (2) Accessible parking spaces shall be provided in accordance with the following, unless located in a transit-oriented area: Use (1) Lot with a laneway home Requirement 1 accessible parking space per primary dwelling unit Use (b) Lot with a ground level suite Requirement 1 accessible parking space per primary dwelling unit Use	800.3.2 Repealed

	<p>(c) Repealed</p> <p>Use</p> <p>(d) Lot with semi-detached dwelling with a secondary suite that is not a ground level suite</p> <p>Requirement</p> <p>1 accessible parking space per primary dwelling unit with secondary suite that is not a ground level suite.</p> <p>(3) Direct and unobstructed access shall be provided from the laneway home or ground level suite to the accessible or van accessible parking space.</p> <p>(4) The minimum dimensions of accessible and van accessible parking spaces and associated access aisles are as set out in Section 800.3.1(3) and Section 800.3.1(5)(b).</p>	
800.4	<p>Required Off-Street Vehicle Parking Spaces:</p> <p>Off-street vehicular parking or garage spaces shall be provided in accordance with the standards in this section. In the case of a use not specifically mentioned, the required off- street parking spaces shall be the same as for a similar use. For all uses, other than single and two family residential, the Director of Planning and Building may vary the required off-street vehicle parking spaces subject to the approval of a parking study.</p>	<p>Required Off-Street Vehicle Parking Spaces:</p> <p>Off-street vehicular parking or garage spaces shall be provided in accordance with the standards in this section. In the case of a use not specifically mentioned, the required off- street parking spaces shall be the same as for a similar use. For all uses, other than single and two family residential, the Director of Planning and Building may vary the required off-street vehicle parking spaces subject to the approval of a parking study.</p>
800.4	<p>Use</p> <p>(1) Residential uses located within a transit-oriented development area</p> <p>Requirement</p> <p>No parking required</p>	<p>Use</p> <p>(1) Residential uses located within a transit-oriented development area <u>or frequent transit network area</u></p> <p>Requirement</p> <p>No parking required</p>
800.4	<p>Use</p> <p>(1a) Single family dwelling (with or without a secondary suite), two family dwellings, and row house dwellings.</p>	<p>Use</p> <p>(1a) Single family dwelling (with or without a secondary suite), two family dwellings, and row house dwellings.</p>

	<p>Requirement</p> <p>1 for each primary dwelling unit</p>	<p><u>Small-scale multi-unit housing or rowhouse dwelling.</u></p> <p>Requirement</p> <p>1 for each primary dwelling unit</p> <p><u>On a lot with 3 or more primary dwelling units, 0.5 spaces for each primary dwelling unit. For clarity, on a lot with 2 or fewer primary dwelling units, a parking space is not required.</u></p>
800.4	<p>Use</p> <p>(1b) Single family dwelling (with or without a secondary suite) with a laneway home, and two family dwellings, and row house dwellings.</p> <p>Requirement</p> <p>1 outdoor parking space or carport space for each primary dwelling unit, which:</p> <p>(a) meets the accessibility requirements of Section 800.3.2; and</p> <p>(b) is accessed from:</p> <p>(i) a lane; or</p> <p>(ii) subject to the approval of the Director Engineering, on a corner lot, from the street abutting the side lot line; or</p> <p>(iii) subject to the approval of the Director of Engineering, on a through lot, from the rear street.</p>	<p>Use</p> <p>(1b) <u>Repeal</u></p>
800.4	<p>Use</p> <p>(2) Multiple family dwellings, excluding multi-family flex units</p> <p>Requirement</p> <p>1.0 for each dwelling unit, plus 0.05 per dwelling unit for visitor parking</p>	<p>Use</p> <p>(2) Multiple family dwellings, excluding multi-family flex units, <u>small-scale multi-unit housing and rowhouse dwellings.</u></p> <p>Requirement</p> <p>1.0 for each <u>primary</u> dwelling unit, plus 0.05 per dwelling unit for visitor parking</p>
800.4	<p>Use</p>	<p>Use</p>

	<p>(42) Short-term rental within single family dwellings, two family dwelling, and row housing dwellings.</p> <p>Requirement</p> <p>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.</p>	<p>(42) Short-term rental within single family dwellings, two family dwelling, and row housing dwellings. <u>small-scale multi-unit housing and rowhouse dwellings.</u></p> <p>Requirement</p> <p>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.</p>
<p>800.6(1)</p>	<p>(a) Notwithstanding anything in this section contained, on a lot in a Residential District where secondary lane or street access is not available and the width of the side yard is less than 2.6 m (8.53 ft.), a parking space may be developed within the required front yard to accommodate automobiles for each dwelling unit on the lot, provided however, that no parking space shall exceed an area of 37 m² (398.28 sq.ft.), nor be located closer than 1.2 m (3.94 ft.) to any property line. This regulation shall apply only to those lots which were developed prior to 1965 June 07. (B/L No. 6885-76-07-05)</p>	<p>(a) Notwithstanding anything in this section contained, on a lot in a Residential District where secondary lane or street access is not available and the width of the side yard is less than 2.6 m (8.53 ft.), a parking space may be developed within the required front yard to accommodate automobiles for each dwelling unit on the lot, provided however, that no parking space shall exceed an area of 37 m² (398.28 sq.ft.), nor be located closer than 1.2 m (3.94 ft.) to any property line. This regulation shall apply only to those lots which were developed prior to 1965 June 07. (B/L No. 6885-76-07-05)</p>
<p>800.6</p>	<p>(3) No parking area in any required rear yard shall be located closer to any flanking street than is permitted in the side yard which flanks the same street.</p>	<p>(3) No parking area in any required rear yard shall be located closer to any flanking street than the required is permitted in the side yard <u>or street yard setback</u> which flanks the same street.</p>
<p>800.6</p>	<p>(7) Notwithstanding anything in this section contained, the required off-street vehicle parking space for a short-term rental may be located within a required front yard or a side yard.</p>	<p>(7) Notwithstanding anything in this section contained, the required off-street vehicle parking space for a short-term rental may be located within a required front yard or a side yard. <u>on a lot in the R1 District where secondary lane or street access is not available, a maximum of two parking spaces may be developed within the required street yard provided that:</u></p>

		<p><u>(a) no parking space shall exceed an area of 20 m² (215.28 ft²);</u> <u>and</u> <u>(b) no parking space shall be located closer than 1.0 m to any lot line.</u></p>
800.6	-N/A-	<p><u>(8) Notwithstanding anything in this section contained, on a lot in the R1 District where secondary street or lane access is available, a maximum of four parking spaces may be developed within the required street, rear, or side yard setback provided that:</u> <u>(a) no parking space shall exceed an area of 20 m² (215.28 ft²);</u> <u>and</u> <u>(b) no parking space shall be located closer than 1.0 m to any lot line.</u> <u>(c) no parking space shall be located closer to any flanking street or flanking lane than the required side yard, rear yard, or street yard setback which flanks the same street or lane.</u></p>
800.8	(1) All parking spaces required for dwelling units pursuant to Sections 800.4, 800.3.1(2) and 800.3.2(2) shall include an energized outlet capable of providing Level 2 charging or a higher charging level for an electric vehicle, except:	(1) All parking spaces required for dwelling units pursuant to Sections 800.4, <u>and</u> 800.3.1(2) and 800.3.2(2) shall include an energized outlet capable of providing Level 2 charging or a higher charging level for an electric vehicle, except:



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