

Mark-up of Proposed Text Amendment to Zoning Bylaw 12800

Black Font	Existing Text in Zoning Bylaw 12800
Strikethrough:	Proposed deletion from Zoning Bylaw 12800
<u>Underline:</u>	Proposed addition to Zoning Bylaw 12800

3. General Interpretation

3.2 Provisions for existing Development Permits and Direct Control Provisions

3. For all Direct Control Provisions created prior to the passage of Bylaw 11844, which contain Single Detached Housing, Semi-detached Housing, Duplex Housing or Secondary Suite as a listed Use, the maximum number of Single Detached Housing Dwellings per Lot shall be one, the maximum number of Semi-detached Housing or Duplex Housing Dwellings per Site shall be two, and the maximum number of Secondary Suites per ~~Lot, in addition to the~~ principal ~~Single Detached Housing~~ Dwelling, shall be one, unless specifically noted otherwise in the Direct Control Provision.

6.1 General Definitions

Floor Area Ratio means the numerical value of the Floor Area of the building or structure relative to the Site upon which it is located, excluding:

- Basement areas used exclusively for storage or service to the building, or as a Secondary Suite;
- Parking Areas below ground level;
- Walkways required by the Development Officer;

Rationale

The proposed deletion will allow Direct Control zones to adapt and have similar opportunities for secondary suites as standard zones.

Secondary Suites in basements excluded from the calculation of Floor Area Ratio as they do not add to the massing of the building.

- d. Floor Areas devoted exclusively to mechanical or electrical equipment servicing the development, divided by the area of the Site; and
- e. indoor Common Amenity Area, divided by the area of the Site.

Multi-unit Project Developments are developments of three or more principal Dwellings, Commercial or Industrial uses developed on a Site that includes common property, such as, but not limited to, communal parking areas, driveways, private roadways, amenity areas, or maintenance areas that are shared. Typical Multi-unit Project Developments include rental projects and conventional Condominium developments, developed in accordance with the Condominium Property Act, RSA 2000, c. C-22.

Zero Lot Line Development means a development on a Site where one Site Side Setback is reduced to 0 m and each principal Dwelling is developed on its own Lot.

7.2 Residential Uses

7.2(2) **Duplex Housing** means development consisting of a building containing only two principal Dwellings, with one of those Dwellings placed over the other in whole or in part. Each principal Dwelling has separate and individual access, not necessarily directly to ground level. This type of development is designed and constructed as two principal Dwellings at the time of initial construction of the building. This Use does not include ~~Secondary Suites or~~ Semi-detached Housing.

7.2(5) **Row Housing** means development consisting of a building containing a row of three or more principal Dwellings joined in whole or in part at the side only with none of those Dwellings being placed over another in whole or in part. ~~Individual Dwellings are separated from one another by a Party Wall.~~ Each principal Dwelling has separate, individual, and direct access to ground level. This Use does not include Stacked Row Housing or Blatchford Townhousing.

“Principal Dwelling” is added throughout the text to clarify that certain definitions and regulations do not apply to secondary suites.

The definitions of Duplex Housing, Semi-detached Housing, and Row Housing, are proposed to be changed to allow for secondary suites.

The requirement for each Dwelling to be separated by a Party Wall is removed as this is primarily a Building Code requirement, and the Party Wall could be replaced by a fire wall.

7.2(6) **Secondary Suite** means development consisting of a Dwelling located within, and Accessory to, a structure in which the principal ~~use~~ Dwelling is Single Detached Housing, Semi-detached Housing, Duplex Housing, or Row Housing. A Secondary Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of the principal Dwelling within the structure. A Secondary Suite also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from ~~the side or rear of~~ outside the structure. This Use Class includes the Development or Conversion of Basement space or ~~above-Grade-space~~ space above ground level to a separate Dwelling, or the addition of new floor space for a Secondary Suite to an existing ~~Single-Detached~~ Dwelling. A Secondary Suite shall not be subject to separation from the principal Dwelling through a condominium conversion or subdivision. This Use Class does not include Apartment Housing, ~~Duplex Housing,~~ Garden Suites, ~~Semi-detached Housing,~~ Lodging Houses, Blatchford Lane Suites, Blatchford Accessory Suites, or Blatchford Townhousing.

7.2(7) **Semi-detached Housing** means development consisting of a building containing ~~only~~ two principal Dwellings joined in whole or in part at the side or rear with ~~no~~ neither of those Dwellings being placed over another in whole or in part. Each principal Dwelling has separate, individual, and direct access to ground level. This type of development is designed and constructed as two Dwellings at the time of initial construction of the building. This Use does not include ~~Secondary Suites or~~ Duplexes.

7.2(8) **Single Detached Housing** means development consisting of a building containing ~~only~~ one principal Dwelling which is separate from any other principal Dwelling or building. ~~Where a Secondary Suite is a Permitted or Discretionary Use in a Zone, a building which contains Single Detached Housing may also contain a Secondary Suite.~~ This Use includes Mobile Homes which conform to Section 78 of this Bylaw.

Flexibility in the location of the secondary suite entrance is added while still requiring that the principal dwelling and secondary suite appear to be a single dwelling.

Text prohibiting the separation of a secondary suite from the principal dwelling is moved from development regulations to the definition of secondary suite. This will ensure that secondary suites are associated with and subordinate to a principal dwelling. This also creates a distinction between a semi-detached or row house with a secondary suite, and a stacked row house, which are eligible for condominium conversion.

Redundant text proposed to be removed.

7.2(9) **Stacked Row Housing** means development consisting of a building containing three or more principal Dwellings arranged two deep, either vertically so that Dwellings are placed over others, or horizontally so that Dwellings are attached at the rear as well as at the side. Each Dwelling shall have separate and individual access, not necessarily directly to ground level, provided that no more than two Dwellings may share access to ground level. This Use does not include Duplex Housing, Row Housing, or Apartment Housing.

Adding the word “principal” to the definition of stacked row housing ensures that adding a suite to a semi-detached or row house does not make the development a stacked row house.

54.2 Schedule 1

Schedule 1 - Vehicular Parking Requirement

Schedule 1(A): All Areas Outside of the Downtown Special Area, Main Street Corridors, and Transit Nodes	
Residential and Residential-Related Uses	
2. Garden Suite Secondary Suite	1 parking space in addition to the parking requirements for primary <u>principal</u> Dwelling.
8. Major Home Based Business Except: a. Bed and Breakfast	1 parking space in addition to parking required for primary <u>principal</u> Dwelling. 1 parking space per guest room is required in addition to the parking required for the primary <u>principal</u> Dwelling.
Community, Educational, Recreational and Cultural Service Use Classes	
31. Child Care Services	b) employee parking shall be provided at

“Primary dwelling” changed to “principal dwelling” for consistency.

	<p>the rate of:</p> <p>i) 1 parking space per 100.0 m² of Floor Area; or</p> <p>ii) 1 parking space per 360.0 m² of Floor Area where the Child Care Service is proposed within 400 m of an LRT Station, Transit Centre, Transit Avenue, or all Lots within the boundaries of the Oliver Area Redevelopment Plan, as adopted by Bylaw 11618, as amended, or all Lots within the boundaries of the Strathcona Area Redevelopment Plan, as adopted by Bylaw 11890, as amended; or</p> <p>iii) Where the Child Care Service is for a dayhome/group family care providing care to 7 or more children within the residence of the child care provider, 1 parking space for each non-resident employee, in addition to the parking required for the primary <u>principal</u> Dwelling. Where a Front Yard Driveway provides access to a parking space that is not within the Front Yard, the Development Officer may consider this Driveway as the provision of a parking space that is in tandem.</p>
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Schedule 1(C) Transit Oriented Development and Main Streets Overlay	
Residential and Residential-Related Uses	
2. Garden Suite Secondary Suite	0 parking spaces in addition to the parking requirements for primary <i>principal</i> Dwelling.

86. Secondary Suites

A Secondary Suite shall comply with the following regulations:

- ~~1. the minimum Site area for a Single Detached Dwelling containing a Secondary Suite is 360 m², except in the case of the RR Zone, where it shall be the same as the minimum Site area for the Zone.~~
1. ~~1.~~ The maximum Floor Area of the Secondary Suite, *excluding the area covered by stairways*, shall be as follows: *be less than the Floor Area of the principal Dwelling*.
 - ~~a. in the case of a Secondary Suite located completely below the first storey of a Single Detached Dwelling (other than stairways or a common landing), the Floor Area (excluding the area covered by stairways) shall not exceed the Floor Area of the first storey of the associated principal Dwelling.~~
 - ~~b. in the case of a Secondary Suite developed completely or partially above Grade, the Floor Area (excluding the area covered by stairways) shall not exceed 40% of the total Floor Area above Grade of the building containing the associated principal Dwelling, nor 70 m², whichever is the lesser.~~
- ~~2. the minimum Floor Area for a Secondary Suite shall be not less than 30 m².~~

Changing the maximum floor area for secondary suites developed completely or partially above grade allows more flexibility in how the inside of the building is arranged. Requiring the floor area of the suite to be less than the principal dwelling ensures that they remain subordinate to the principal dwelling.

The rationale for a minimum size is unclear. All suites will still be required to provide adequate living, cooking and sanitary facilities. Removing the requirement allows more housing options for different household needs and preferences.

2. ~~a~~A Secondary Suite shall be developed in such a manner that the exterior of the principal ~~building~~ Dwelling containing the Secondary Suite shall appear as a single Dwelling from a public roadway other than a Lane.
3. ~~e~~Only one of a Secondary Suite or a Garden Suite may be developed in conjunction with ~~a~~ each principal Dwelling.
4. ~~a~~A Secondary Suite shall not be developed within the same principal Dwelling containing a Group Home or Limited Group Home, Child Care Services or a Major Home Based Business, unless the Secondary Suite is an integral part of a Bed and Breakfast Operation in the case of a Major Home Based Business~~;~~;
5. ~~notwithstanding the definition of Household within this Bylaw, the number of unrelated persons occupying a Secondary Suite shall not exceed three. A maximum of one Household shall occupy a Secondary Suite.~~
8. ~~the Secondary Suite shall not be subject to separation from the principal Dwelling through a condominium conversion or subdivision.~~
6. Secondary Suites shall not be included in the calculation of densities in this Bylaw.
7. When a Secondary Suite is accessory to a Discretionary Use in a Zone, the development permit for the Secondary Suite is not valid until the development permit for the Discretionary Use is valid.

110 (RF1) Single Detached Residential Zone

110.2 Permitted Uses

4. Secondary Suites where developed within Single Detached Housing, Semi-Detached Housing or Duplex Housing

110.4 Development Regulations for Permitted and Discretionary Uses

The requirement for the principal building to appear as one dwelling is clarified as semi-detached and row housing buildings do not appear as one dwelling. This wording ensures that each principal dwelling and its secondary suite look like one dwelling.

Wording is updated to align with the definition of Household, which is limited to a maximum of three unrelated persons.

Text prohibiting the separation of a secondary suite from the principal dwelling is moved from development regulations to the definition of secondary suite. This ensures the provision cannot be varied.

These clauses are added throughout to ensure that secondary suites are only allowed in uses that are listed in the zone.

13. Each *principal* Dwelling within Semi-detached Housing shall be individually defined through a combination of architectural features that may include variations in the rooflines, projection or recession of the façade, porches or entrance features, building materials, or other treatments.

As above, this clarification ensures that suites and the principal dwelling will appear as one dwelling.

115 (RSL) Residential Small Lot Zone

115.2 Permitted Uses

4. Secondary Suites, where developed within Single Detached Housing, Semi-Detached Housing or Duplex Housing

115.4 Development Regulations for Permitted and Discretionary Uses

12. Except where Semi-detached Housing or Duplex Housing, ~~Secondary Suites, and Garden Suites~~ are allowed in this Zone, and may thereby constitute two *principal* Dwellings on a lot, a maximum of one *principal* Dwelling per lot shall be allowed.

Regulations having to do with the maximum number of dwellings on site are changed throughout to allow secondary suites in semi-detached, duplex, and row housing.

120 (RF2) Low Density Infill Zone

120.2 Permitted Uses

5. Secondary Suites, where developed within Single Detached Housing, Semi-Detached Housing or Duplex Housing

120.4 Development Regulations for Permitted and Discretionary Uses

13. Each *principal* Dwelling within Semi-detached Housing shall be individually defined through a combination of architectural features that may include variations in the rooflines,

projection or recession of the façade, porches or entrance features, building materials, or other treatments.

130 (RPL) Planned Lot Residential Zone

130.2 Permitted Uses

4. Secondary Suites, where developed within Single Detached Housing

140 (RF3) Small Scale Infill Development Zone

140.1 General Purpose

The purpose of this Zone is to provide for Single Detached Housing and Semi-detached Housing while allowing small-scale conversion and infill redevelopment to buildings containing up to four principal Dwellings under certain conditions, ~~and~~ including Secondary Suites and Garden Suites.

140.4 Development Regulations for Permitted and Discretionary Uses

19. The maximum number of Dwellings per Site shall be as follows:

- a. where Single Detached Housing is developed in this Zone, a maximum of one ~~Single Detached~~ principal Dwelling per Site, ~~and, where the provisions of this Bylaw are met, up to one Secondary Suite or Garden Suite~~;
- b. where Semi-detached Housing or Duplex Housing are allowed in this Zone, a maximum of two principal Dwellings per Site shall be allowed; and
- c. where Apartment Housing, Stacked Row Housing, or Row Housing are allowed in this Zone, a maximum of four principal Dwellings per Site shall be allowed.

20. Each *principal* Dwelling within Semi-detached Housing and Row Housing shall be individually defined on all Façades through a combination of architectural features that may include variations in the rooflines, non-repetitive window spacing, projection or recession of the Façade, porches or entrance features, building materials, colour, or other treatments.

150 (RF4) Semi-detached Residential Zone

150.2 Permitted Uses

5. Secondary Suites, where developed within Single Detached Housing, Semi-Detached Housing or Duplex Housing

150.4 Development Regulations for Permitted and Discretionary Uses

13. The maximum number of Dwellings per Site shall be as follows:
- a. where Semi-detached Housing and Duplex Housing are allowed in this Zone, a maximum of two *principal* Dwellings per Site shall be allowed; and
 - b. where Single Detached Housing is developed in this Zone, a maximum of one *principal* Dwelling per Site, ~~and, where the provisions of this Bylaw are met, up to one Secondary Suite or Garden Suite shall be allowed.~~
15. Each *principal* Dwelling within Semi-detached Housing shall be individually defined through a combination of architectural features that may include variations in the rooflines, projection or recession of the façade, porches or entrance features, building materials, or other treatments.

155 (RMD) Residential Mixed Dwelling Zone

155.2 Permitted Uses

5. Secondary Suites, where developed within Single Detached Housing, Semi-Detached Housing or Row Housing

155.4. Development Regulations for Permitted and Discretionary Uses

3. Row Housing shall not exceed five principal Dwellings per building.
27. Each principal Dwelling within Semi-detached Housing and Row Housing, including a Zero Lot Line Development Site, shall be individually defined through a combination of architectural features that may include variations in the rooflines, projection or recession of the façade, porches or entrance features, building materials, or other treatments.

160 (RF5) Row Housing Zone**160.2 Permitted Uses**

4. Secondary Suites, where developed within Single Detached Housing, Semi-detached Housing or Row Housing

(Renumber the rest of Section 160.2 accordingly)

160.3 Discretionary Uses

- ~~10. Secondary Suites, where developed within a Single Detached Housing form~~

(Renumber the rest of Section 160.3 accordingly)

160.4 Development Regulations for Permitted and Discretionary Uses

Secondary Suites are listed as a permitted use in all zones that allow single detached, semi-detached, duplex, or row housing as permitted or discretionary uses.

11. Principal Dwellings shall be Family Oriented, in accordance with the requirements of this Bylaw.
19. Each principal Dwelling within Semi-detached Housing and Row Housing shall be individually defined through a combination of architectural features that may include variations in the rooflines, projection or recession of the façade, porches or entrance features, building materials, or other treatments.

165 (UCRH) Urban Character Row Housing Zone

165.2 Permitted Uses

4. Secondary Suites, where developed within Semi-detached Housing or Row Housing

(Renumber the rest of Section 165.2 accordingly)

170 (RF6) Medium Density Multiple Family Zone

170.2 Permitted Uses

3. Secondary Suites

(Renumber the rest of Section 170.2 accordingly)

170.3 Discretionary Uses

- ~~10. Secondary Suites, where developed within a Single Detached House~~

170.4 Development Regulations for Permitted and Discretionary Uses

10. Principal Dwellings shall be Family Oriented, in accordance with the requirements of the definition within this Bylaw.

210 (RA7) Low Rise Apartment Zone

210.2 Permitted Uses

7. Secondary Suites

(Renumber the rest of Section 210.2 accordingly)

210.3 Discretionary Uses

~~12. Secondary Suites~~

(Renumber the rest of Section 210.3 accordingly)

220 (RA8) Medium Rise Apartment Zone

220.2 Permitted Uses

7. Secondary Suites

(Renumber the rest of Section 220.2 accordingly)

220.3 Discretionary Uses

~~10. Secondary Suites~~

(Renumber the rest of Section 220.3 accordingly)

230 (RA9) High Rise Apartment Zone

230.2 Permitted Uses

11. Secondary Suites, where developed within Row Housing

(Renumber the rest of Section 230.2 accordingly)

570 (CS1) Community Services 1 Zone

570.2.3 Permitted Uses

3. Secondary Suites, where developed within Row Housing

(Renumber the rest of Section 570.2.3 accordingly)

571 (CS2) Community Services 2 Zone

571.2.3 Permitted Uses

3. Secondary Suites, where developed within Row Housing

(Renumber the rest of Section 571.2.3 accordingly)

572 (CS3) Community Services 3 Zone

572.2.3 Permitted Uses

3. Secondary Suites, where developed within Row Housing

(Renumber the rest of Section 572.2.3 accordingly)

573 (CS4) Community Services 4 Zone

573.2.3 Permitted Uses

3. Secondary Suites, where developed within Row Housing

(Renumber the rest of Section 573.2.3 accordingly)

814 Mature Neighbourhood Overlay

814.3 Development Regulations

13. Semi-detached Housing shall have:

- a. a portion of the principal front Façade of each principal Dwelling staggered a minimum of 0.6 m behind or forward from the principal front Façade of the other attached principal Dwelling; and
- b. a portion of the principal rear Façade of each principal Dwelling staggered a minimum of 0.6 m behind or forward from the principal rear Façade of the other attached principal Dwelling.

14. Row Housing shall articulate the Façade of each principal Dwelling, by:

- a. recessing or projecting a portion of the front Façade from the remainder of the front Façade of that Dwelling; or
- b. including an Unenclosed Front Porch that projects a minimum of 1.0 m from the front Façade.

910.7 (HA) Heritage Area Zone

2. Permitted Uses

bb. Secondary Suites, where developed within Row Housing

(Renumber the rest of Section 910.7.2 accordingly)

920.10 (TMU) Terwillegar Mixed Use Zone

2) Discretionary Uses

d. Residential

iii. Secondary Suites, where developed within Row Housing

(Renumber the rest of Section 920.10.2.d accordingly)

940.5 (GLD) Griesbach Low Density Residential Zone

5) Development Regulations

q. The maximum number of Dwellings per lot shall be as follows:

- i. where Single Detached Housing is developed in this Zone, a maximum of one ~~Single Detached~~ principal Dwelling per Lot; ~~lot, and, where the provisions of this Bylaw are met, up to one Secondary Suite or Garden Suite per lot shall be allowed;~~
- ii. where Semi-detached Housing, Duplex Housing are developed in this Zone, a maximum of two principal Dwellings per ~~lot~~ Lot shall be allowed; and
- iii. where Row Housing is developed in this Zone, a maximum of sixteen principal Dwellings per ~~lot~~ Lot shall be allowed.

940.9 (GLG) Griesbach Low Density Residential with Garden Suites Zone**5) Development Regulations**

- o. The maximum number of Dwellings per lot shall be as follows:
 - i. where Single Detached Housing is developed in this Zone, a maximum of one Single Detached *principal* Dwelling per Lot; ~~lot, and, where the provisions of this Bylaw are met, up to one Secondary Suite or Garden Suite per lot shall be allowed;~~
 - ii. where Semi-detached Housing, Duplex Housing are developed in this Zone, a maximum of two *principal* Dwellings per ~~lot~~ Lot shall be allowed; and
 - iii. where Row Housing is developed in this Zone, a maximum of sixteen *principal* Dwellings per ~~lot~~ Lot shall be allowed.

960.4 (RA7a) Ambleside Low-Rise Apartment Zone**2. Permitted Uses**

f. *Secondary Suites, where developed within Row Housing*

(Renumber the rest of Section 960.4.2 accordingly)

960.6 (UVCa) Ambleside Urban Village Commercial Zone**2. Permitted Uses**

d. *Secondary Suites, where developed within Row Housing*

(Renumber the rest of Section 960.6.2 accordingly)

998.4 (SLD) Stillwater Low Density Residential Zone**2. Permitted Uses**

- d. Secondary Suites, where developed within Single Detached Housing or Semi-Detached Housing

4. Development Regulations for Permitted and Discretionary Uses

- n. Except where Semi-detached Housing or Duplex Housing, ~~Secondary Suites, and Garden Suites~~ are allowed in this Zone, and may thereby constitute two principal Dwellings on a lot, a maximum of one principal Dwelling per lot shall be allowed.

998.5 (SRH) Stillwater Row Housing Zone**2. Permitted Uses**

- d. Secondary Suites, where developed within Single Detached Housing, Semi-detached Housing or Row Housing

(Renumber the rest of Section 998.5.2 accordingly)

3. Discretionary Uses

- ~~g. Secondary Suites~~

(Renumber the rest of Section 998.5.3 accordingly)

998.6 (SRA) Stillwater Rear Attached Row Housing Zone

2. Permitted Uses

f. Secondary Suites, where developed within Row Housing

(Renumber the rest of Section 998.6.2 accordingly)