

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
Underline: Proposed addition to Zoning Bylaw 12800

86. **Secondary Suites**

A Secondary Suite shall comply with the following regulations:

- 8. Notwithstanding Section 54.2, where a Secondary Suite is developed in accordance with Section 93 of this Bylaw, the minimum number of Parking Spaces shall be 0.

87. **Garden Suites**

Garden Suites shall be developed in accordance with the following regulations:

- ~~1. The minimum Site Area shall be 360 m² in the RF1, RF2, RF3, RF4, RF5, RF6, RA7, RA8, and RA9 Zones, 1.0 ha in the RR Zone, and 280 m² in all other Zones.~~
- 1. The minimum Site Width for a Garden Suite shall be the same as the minimum Site Width prescribed for Single Detached Housing in the underlying Zone.
- 2. The maximum Height shall be as follows:
 - a. 6.5 m where the Garden Suite has a roof slope of 4/12 (18.4°) or greater.
 - b. 6.2 m where the Garden Suite has a roof slope of less than 4/12 (18.4°).

Rationale

Parking for Secondary Suites that meet inclusive design standards is reduced to zero, in alignment with regulations for garden suites.

Minimum site area is removed to align with the approach to secondary suites. Site coverage regulations will continue to ensure the garden suite is proportional to the property on which it is located.

- c. notwithstanding (a) and (b) above, in the case of the TSDR, TSLR and the GLG zones, the maximum Height shall be 7.5 m.
- d. notwithstanding (a), (b) and (c) above, where there is no Lane abutting the Site, the maximum Height shall be 4.3 m.
- e. notwithstanding Section 52.1(b), Height shall be determined by measuring from the horizontal plane through Grade to the highest point of the parapet where a Garden Suite has a flat roof.

~~3. The maximum total Floor Area for a Garden Suite shall be 120 m².~~

3. Floor Area for Dwelling space in a Garden Suite shall be provided in accordance with the following:

- a. for the purposes of this regulation, Floor Area shall exclude ~~Parking Areas~~ Basement areas within the Garden Suite, ~~up to 4 m² of the area covered by stairways, and~~ up to 6 m² of the area covered by elevators and any associated landing area on each storey, and up to 6 m² of the area covered by stairways;
- b. ~~the maximum Floor Area shall be 75 m²; the maximum total Floor Area for a Garden Suite shall be 130 m²;~~
- ~~e. the minimum Floor Area shall be 30 m².~~
- c. in the RF1, RF2, RF3, RF4, RF5, RF6, RA7, RA8, and RA9 Zones, the maximum Second Storey Floor Area shall be 50 m², except where the Garden Suite complies with the regulations of Section 93 the maximum Second Storey Floor Area shall be 60 m²; and
- d. in all other Zones, the maximum Second Storey Floor Area shall be 60 m².

4. Notwithstanding the maximum Site Coverage prescribed for Accessory Buildings in the underlying Zone:

- a. in the RF1, RF2, RF3, RF4, RF5, RF6, RA7, RA8, and RA9 Zones:
 - i. the maximum Site Coverage of a Garden Suite shall be in accordance with the following:

The overall building size of a garden suite, including the living and parking space, is increased to 130 square meters. More flexibility is provided for the size of the living area.

Floor area exemption for staircases is increased by 2 m² to accommodate typical staircase sizes. The 6 m² exemption for elevators now applies to each storey so elevators are not counted twice in floor area calculations.

Based on feedback received from stakeholders and Action 10 of the Infill Roadmap 2018, accessible Garden Suites will be allowed a second storey floor area of 60 m²

- A. the total maximum Site Coverage of the Garden Suite and other Accessory buildings shall not exceed 18%;
 - B. the total maximum Site Coverage of other Accessory buildings and any Parking Area within the Garden Suite shall not exceed 12%; and
 - C. the total maximum Site Coverage including Accessory buildings and the principal Dwelling shall not exceed the total maximum Site Coverage as prescribed by the regulations of the underlying Zone by more than 2% of Site Area.
- b. in all other Zones:
- i. the maximum Site Coverage of a Garden Suite shall be increased by 2% of Site Area provided that:
 - A. the total maximum Site Coverage of other Accessory buildings and any Parking Area within the Garden Suite shall not exceed the maximum Accessory building Site Coverage as prescribed by the regulations of the underlying Zone; and
 - B. the total maximum Site Coverage including Accessory buildings and the principal Dwelling shall not exceed the total maximum Site Coverage as prescribed by the regulations of the underlying Zone by more than 2% of Site Area.
5. A Garden Suite shall be located not less than 18.0 m from the Front Lot Line.
6. Where the vehicle doors face a Lane Abutting the Rear Lot Line, the minimum Rear Setback shall be 1.2 m.
7. Where the vehicle doors do not face a Lane Abutting the Rear Lot Line, the minimum Rear Setback shall be 0.6 m.
8. The minimum Side Setback shall be the same as that prescribed for Single Detached Housing within the underlying Zone or applicable Overlay.

9. The minimum distance between a Garden Suite and the principal Dwelling on the same Site, shall be 4 m.
10. Where a Garden Suite contains a Parking Area, the Garden Suite shall have an entrance separate from the vehicle entrance to the Parking Area, either from a common indoor landing or directly from the exterior of the structure.
11. Where a Garden Suite is two Storeys, the applicant shall provide information regarding the location of windows and the location of any existing Amenity Areas on Abutting properties. Second Storey windows shall be placed and sized such that they reduce overlook into Yards and windows of Abutting properties to the satisfaction of the Development Officer through one or more of the following:
 - a. reducing direct views of Rear Yard or Side Yard Amenity Areas, or direct views into a Garden Suite window on an Abutting Site through off-setting window placement, locating windows above eye level, or obscuring windows with translucent treatment;
 - b. strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
 - c. placing larger windows such as Principal Living Room Windows to face a lane, a flanking street, or the larger of any Side Yard abutting another property.
12. Rooftop Terraces shall not be allowed on Garden Suites.
13. Platform Structures greater than 1.0 m above Grade shall be fully contained within the rear 6.0 m of the Site, except that they may extend along the full length of a façade facing the Side Lot Line Abutting a flanking public roadway.
14. Platform Structures greater than 1.0 m above Grade shall provide Privacy Screening to reduce overlook onto Abutting properties.
15. *In order to reduce perceived building mass.* Façades shall be articulated to the satisfaction of the Development Officer through two or more of the following:
 - a. projection or recession of portions of the façade;
 - b. projecting architectural features;

The additional wording helps clarify the intent of the articulation requirements

- c. platform structures;
 - d. use of two or more exterior finishing materials;
 - e. ~~Landscaping with shrubs along building Façades, in addition to Landscaping required by Section 55 of this Bylaw; variation in rooflines:~~
 - f. entrance features oriented toward the public roadway, including a Lane;
 - g. glazing or windows on the ground floor covering a minimum of 50% of the width of a Façade that faces a public roadway, including a Lane:
 - h. dormers; or
 - i. window trim with a minimum width of 0.075 m.
16. On Corner Sites the façades facing the Lane and the flanking Side Lot Line shall use consistent building materials and architectural features.
17. Façades facing a Lane shall have exterior lighting.
18. Garden Suites shall have a covered entrance feature over the main door.
19. Only one of a Secondary Suite or Garden Suite may be developed in conjunction with a principal Dwelling.
20. ~~Notwithstanding the definition of Household within this Bylaw, the number of unrelated persons occupying a Garden Suite shall not exceed three. A maximum of one Household shall occupy a Garden Suite.~~
21. A Garden Suite shall not be allowed within the same Site containing a Group Home or Limited Group Home, or a Major Home Based Business and an associated principal Dwelling, unless the Garden Suite is an integral part of a Bed and Breakfast Operation in the case of a Major Home Based Business.
22. Where Garden Suites are Discretionary within the applicable Zone, the Development Officer may exercise discretion in considering a Garden Suite having regard to:
- a. compatibility of the Use with the siting, geodetic elevations, and Height characteristic of surrounding development;
 - b. the effect on the privacy of adjacent properties;

Variation in rooflines is introduced as a new opportunity to meet articulation requirements.

Glazing or windows at ground level is another new opportunity to meet articulation requirements.

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

- c. the policies and guidelines for Garden Suites contained in a Statutory Plan for the area.

23. A Garden Suite shall not be subject to separation from the principal Dwelling through a condominium conversion or subdivision.

~~24. deleted~~

24. Notwithstanding Section 54.2, where a Garden Suite is developed in accordance with Section 93 of this Bylaw, the minimum number of Parking Spaces shall be 0.

93. ***Inclusive Design***

1. A Dwelling or Sleeping Unit shall be considered to ~~meet~~ **have** Inclusive Design standards when it is constructed to meet or exceed the following minimum requirements:
 - a. one no-step entry to the Dwelling or Sleeping Unit, and to the building in which the Dwelling or Sleeping Unit is located, as applicable, either at the front, side, or rear of the Dwelling or Sleeping Unit or through an attached Garage;
 - b. flush or barrier-free paths minimal thresholds within the Dwelling or Sleeping Unit, and between the Dwelling or Sleeping Unit and Amenity Areas;
 - c. all areas of the Dwelling or Sleeping Unit have a minimum turning diameter of 1.5 m, including the kitchen and bathroom;
 - d. all hallways have a minimum width of 1.1 m;
 - e. all doorways into and within the Dwelling or Sleeping Unit have a minimum clearance width of 0.9 m;
 - f. the following are all included on ~~the main~~ the same floor of the Dwelling or Sleeping Unit, ~~including within Dwellings that contain more than one Storey and/or a Basement:~~
 - i. a bathroom that includes:
 1. a sink, toilet, and accessible tub or shower, and

Wording clarifies that if a unit is located in a building, the building entrance must also have a no-step entry.

Wording is changed to require flush thresholds as minimal thresholds can pose mobility issues. Flush thresholds are also required between the unit and amenity areas such as balconies.

This change in language will allow dwellings above grade to meet inclusive design standards.

2. reinforced walls for the purpose of installing grab bars at the toilet, and at the tub or shower;
 - ii. laundry facilities, if laundry facilities are contained within the Dwelling or Sleeping Unit; and
 - iii. a minimum of one bedroom, unless the Dwelling or Sleeping Unit is designed as a Studio;
- g. if the Dwelling *or building* contains more than one Storey and/or a Basement, *a stair lift or elevator or* the ability to accommodate the installation of a *stair* lift or elevator, such that:
- i. *barrier-free access can be provided from the building entry level to the entrance of the Dwelling;*
 - ii. any stairway providing access between floors *of the Dwelling* is constructed in a straight line, with a minimum width of 1.0 m, and with 3.0 m clearance at the bottom landing; or
 - iii. closets on each floor contain a minimum area of 1.3 m x 1.5 m, are vertically aligned, and are constructed to be able to function as a residential elevator shaft.

This wording clarifies that garden suites built above a garage area must be able to accommodate a stair lift or elevator to access to the dwelling space. This also clarifies that any accessible units within an apartment building must have access from ground level to their unit from either an elevator or stairlift.