

TO: MAYOR & COUNCIL
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **HOUSING CHOICES – PHASE 1A ZONING BYLAW AMENDMENTS**
PURPOSE: To propose amendments to the *Burnaby Zoning Bylaw* to implement the final program for Housing Choices Phase 1a.

RECOMMENDATION

THAT the proposed amendments to *Burnaby Zoning Bylaw No. 4742*, as described in *Sections 3.1, 3.2 and 3.3* of the report titled “Housing Choices - Phase 1a Zoning Bylaw Amendments” dated July 10, 2023, be approved; and

THAT the City Solicitor be authorized to bring forward amendments to *Burnaby Zoning Bylaw No. 4742* effective September 18, 2023, to implement the final program for Housing Choices Phase 1a, substantially as set out in (*Attachment 1*) of the report titled “Housing Choices – Phase 1a Zoning Bylaw Amendments” dated July 10, 2023, and that the bylaw be advanced to First Reading and to a Public Hearing at a future date.

CHIEF ADMINISTRATIVE OFFICER’S COMMENTS

I concur with the recommendation of the General Manager Planning and Development.

EXECUTIVE SUMMARY

This report outlines the proposed *Zoning Bylaw* amendments to implement Phase 1a of the Housing Choices program. These amendments will permit laneway homes and suites in semi-detached homes on properties with laneway access, as well as corner lots and through lots¹, in Burnaby’s single and two family neighbourhoods. The proposed amendments to the *Zoning Bylaw* are set out in (*Attachment 1*). The amendment bylaw appears elsewhere on the Council agenda.

1.0 POLICY SECTION

The Housing Choices program generally aligns with the following Council adopted plans, reports and policies: *Corporate Strategic Plan* (2022), *Official Community Plan* (1998), *HOME: Burnaby’s Housing and Homelessness Strategy* (2021), *Burnaby’s Housing*

¹ Corner lots and through lots are subject to the approval of the General Manager Engineering with respect to street access.

Needs Report (2021) and the Mayor's Task Force on Community Housing Final Report (2019).

2.0 BACKGROUND

Housing Choices is a City program to introduce more housing variety to Burnaby's single and two family neighbourhoods. The program was set up to implement one of the actions from Burnaby's 10-year housing action plan (*HOME: Burnaby's Housing and Homelessness Strategy*), adopted by Council on December 6, 2021.

On June 19, 2023, Council approved the first phase of the program, "Phase 1a," to permit laneway homes and secondary suites in semi-detached homes on properties with lanes, as well as on corner lots and through lots,² in Burnaby's single and two family neighbourhoods. At the same meeting, Council also authorized staff to prepare bylaw amendments to implement Phase 1a.

Additional housing types will be introduced in Phase 1b of the program. The scope of work and schedule for Phase 1b was also approved by Council on June 19, 2023.

Further changes are currently being explored to simplify regulations throughout the *Zoning Bylaw*. This is intended to make it easier to build new housing and may result in subsequent updates to the proposed *Zoning Bylaw* amendments presented within this report.

3.0 GENERAL INFORMATION

Sections 3.1 to 3.3 provide an overview of the proposed *Zoning Bylaw* amendments as they pertain to laneway homes, suites in semi-detached homes and parking regulations for both housing types. The proposed text amendments are detailed in (*Attachment 1*). These amendments are proposed to come into effect on September 18, 2023.

The proposed amendments are intended to implement the program elements approved by Council on June 19, 2023. The proposed amendments integrate the program elements into the appropriate sections of the *Zoning Bylaw*, and in some cases amend definitions and other regulations to support program requirements. Further rationale for the proposed amendments can also be found in the Council report titled "Housing Choices Phase 1a: Draft Program", dated February 27, 2023.

3.1 Laneway Homes

The following amendments to the *Zoning Bylaw* are proposed to permit the construction of laneway homes in the R1, R2, R3, R4, R5, R6, R9, R10, R11, R12 and RM6 Districts:

² For corner lots and through lots, with the approval of the General Manager Engineering in respect to access to adjacent streets.

(i) Changes to Section 3 Definitions:

- Adding a definition for “Laneway Home”, where “laneway home” means a detached accessory dwelling unit, and for the purposes of the *Zoning Bylaw*, is not an accessory building.
- Excluding laneway homes from the definition for “Accessory Building,” as many of the regulations for accessory buildings, such as maximum height and floor area, conflict with the proposed regulations for laneway homes.

(ii) Changes to Section 6 Supplementary Regulations:

- Setting the minimum distance between buildings on the same lot in R Districts at 2.4 m (7.87 ft.) and allowing projections up to 0.6 m (1.97 ft.) into this distance for certain design features, such as cornices and bay windows.
- Allowing one laneway home per lot, including lots with secondary suites.
- Prohibiting subdivision and/or stratification of laneway homes.
- Restricting certain uses in laneway homes, such as a boarding use; boarding, lodging or rooming houses; group homes; private hospitals; supportive housing and home occupations that include on-site client services.
- Requiring vehicular access to laneway homes from a lane or, subject to the approval of the General Manager Engineering, adjacent side or rear streets for corner lots and through lots.
- Prohibiting cellars and crawl spaces in laneway homes, to encourage livability.
- Setting laneway home side and rear setbacks to a minimum of 1.2 m (3.94 ft.), and outside of flanking side yards on corner lots, and outside of vision clearance areas at street and lane corners.
- Establishing fire safety and fire access requirements (e.g. provision of a 0.91 m (3 ft.) fire access corridor to the laneway home, and establishing a maximum distance between unsprinklered laneway homes and the street).
- Defining a minimum floor area of 32.52 m² (350 sq. ft.) for laneway homes, to align with BC Housing guidelines.
- Requiring laneway homes to be located in a rear yard or, in the case of a through lot, behind the main residence.
- Prohibiting short-term rental of laneway homes.

(iii) Changes to R1, R2, R3, R4, R5, R9, R10, R11 and R12 Residential District Schedule Regulations:

- Permitting 45% maximum lot coverage for lots with a laneway home.
- Establishing a maximum gross floor area of the lesser of 0.2 FAR or 140 m² (1,507 sq. ft.) for laneway homes.
- Excluding laneway homes from above grade floor area calculations for the single family dwelling on the same lot.
- Limiting laneway home height to 2 storeys and a maximum of 5.8 m (19.0 ft.) to 7.62 m (25 ft.), depending on whether the roof is sloping or flat and subject to certain District-specific height considerations.

- Allowing an additional 0.5 m (1.64 ft.) in height to support laneway homes that meet or exceed the highest performance standards for Step 5 of the BC Energy Step Code or the BC Zero Carbon Step Code.

3.2 Suites in Semi-Detached Homes

The following amendments to the *Zoning Bylaw* are proposed to permit the construction of suites in semi-detached homes in the R4, R5, R6, R12 and RM6 Residential Districts:

(i) Changes to Section 3 Definitions:

- Revising the definition for “Basement” so that basements are not counted as a storey if stated elsewhere in the *Zoning Bylaw*. This amendment aligns with proposed amendments to R4, R5 and R12 District regulations, which state that, in a semi-detached dwelling with a secondary suite, a basement shall not be considered a storey.
- Excluding semi-detached dwellings with secondary suite(s) from the definition for “Dwelling, Multiple Family,” which is currently defined as being any building consisting of three or more dwelling units. As the regulations for multiple family dwellings are more suitable for townhouse and apartment-style building forms and higher density settings, it is proposed that semi-detached dwellings be excluded from the definition of “Dwelling, Multiple Family.”
- Adding a definition for “Primary Dwelling Unit,” to assist in distinguishing a principal unit from a secondary suite in a semi-detached home, and the main residence from a secondary suite or laneway home on a single family lot.
- Clarifying the definition for “Dwelling, Semi-Detached” to include front to back as well as side by side primary dwelling unit configurations.
- Revising the definition for “Dwelling, Single Family” to mean any building consisting of one primary dwelling unit.
- Revising the definition for “Dwelling, Two Family” to mean a semi-detached dwelling or a duplex dwelling.
- Adding a definition for “Ground Level Suite,” which is a unit at or below grade that is certified by the SAFERhome Standard Society as meeting certain universal design standards and is accessed by an accessible path.
- Revising the definition for “Secondary Suite” to mean an accessory dwelling unit fully contained within a primary dwelling unit.

(ii) Changes to Section 6 Supplementary Regulations:

- Amending the minimum floor area for secondary suites to 32.52 m² (350 sq. ft.) to align with BC Housing guidelines.
- Removing the requirement that a secondary suite not exceed 40% of the gross floor area of the principal dwelling, to encourage a variety of secondary suite sizes in single and two family dwellings.

- Limiting secondary suites to one per primary dwelling unit and allowing them to be located anywhere within the primary dwelling unit.
- Prohibiting subdivision and/or stratification of secondary suites.
- Restricting certain uses in a primary dwelling unit that contains a secondary suite, including within the secondary suite, such as a boarding use; child care facilities; boarding, lodging and rooming houses; group homes; private hospitals; supportive housing and home occupations that include on-site client services.
- Requiring vehicular access from a lane or, subject to the approval of the General Manager Engineering, adjacent side or rear street for corner lot and through lots.
- Prohibiting short-term rental in semi-detached dwelling units containing a secondary suite, including within the secondary suite.

(iii) Changes to R4, R5 and R12 Residential District Schedule Regulations:

- In the R4 and R5 Districts, setting the minimum lot area for two family dwellings at 557.4 m² (6,000 sq. ft.), consistent with the requirement for single family dwellings.
- In the R4 and R5 Districts, setting the minimum lot width for two family dwellings at 15.0 m (49.2 ft.), consistent with the requirement for single family dwellings in those Districts.
- Revising the floor area requirements for second storeys in two-storey semi-detached dwellings, by removing floor area limits and requiring that at least one-third of the constructed gross floor area of the primary dwelling unit be located on the second storey.
- Restricting the floor area of a floor containing a secondary suite in a semi-detached dwelling unit to no greater than that of the storey next above or below it.
- Excluding the floor area of a secondary suite from the calculation of gross floor area for a semi-detached dwelling.
- Excluding a basement or floor containing a ground level suite from the storey count of a semi-detached dwelling containing a secondary suite.
- Revising the height limits for semi-detached dwellings, to permit additional height for dwellings with secondary suites. The revised heights (for sloping roofs) are up to 10.5 m (34.4 ft.) for a two-storey semi-detached dwelling with a ground level suite and 9 m (29.5 ft.) for a two-storey semi-detached dwelling with a secondary suite other than a ground level suite.
- Providing additional height up to a maximum (for sloping roofs) of 7.62 m (25 ft.) for one-storey semi-detached homes to accommodate ground level suites.
- Prohibiting cellars in new one-storey semi-detached dwellings, to encourage livability (cellars are already prohibited in two-storey).
- Allowing secondary suites in existing semi-detached homes with cellars within the existing floor area of the cellar.

- In the R4 District, reducing the minimum side yard setback to 1.5 m (4.9 ft.) for an interior lot and to 3.0 m (9.84 ft.) for side yards adjoining the flanking street, consistent with the side yard setbacks in the R5 District.
- In the R12 District, removing reference to “front-to-back two-family dwellings” in the list of uses permitted, as this dwelling type is now included under the revised definition for semi-detached dwellings.
- In the R12 District, removing Section 112.12, which limits kitchens to the ground floor only, in order to accommodate suites with kitchens on any floor of the building.

3.3 Parking Regulations

The proposed parking amendments for properties containing laneway homes and two family dwellings with secondary suites include introducing the following requirements to Section 800 of the *Zoning Bylaw*:

- Providing one van accessible parking space per property containing a single family dwelling with a laneway home or semi-detached dwelling with a ground level suite.
- Providing one regular accessible parking space per property containing a single family dwelling with only a secondary suite and for each primary dwelling unit in a semi-detached dwelling with a secondary suite that is not a ground level suite.
- Providing all of the above-noted required parking spaces on an uncovered outdoor parking pad or in a carport (additional parking spaces on the property may be uncovered, in a carport or in a garage).
- Removing the exception for the requirement to provide an energized outlet capable of Level 2 electric vehicle charging or higher for parking spaces for secondary suites, so that all required parking spaces for new dwelling units will be required to include electric vehicle charging infrastructure.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Community engagement for the Housing Choices program began in spring 2022. A dedicated project webpage was established at that time. As of June 6, 2023, the project webpage has been accessed 27,758 times by a total of 17,647 users.

Phase 1a included three rounds of community engagement and directly involved over 4,000 people. Events included two public surveys, three virtual workshops, one in-person workshop and three open houses. A final round of engagement was held in spring 2023 to present the draft program to the public before finalizing the details. A summary of what we heard was provided in reports to Council on May 30, 2022, February 27, 2023, and June 19, 2023.

5.0 FINANCIAL CONSIDERATIONS

The proposed amendments implement Phase 1a of the Housing Choices program. Financial considerations for this program were discussed in the June 19, 2023, Council report.

Respectfully submitted,

E.W. Kozak, General Manager Planning and Development

ATTACHMENTS

Attachment 1 – Proposed Text Amendments

REPORT CONTRIBUTORS

This report was prepared by Andrew Macaulay, Planner 2, and reviewed by Lily Ford, Planner 3, Carl Isaak, Director Community Planning, Jennifer Wong, Assistant City Solicitor, and Lee-Ann Garnett, Deputy General Manager Planning and Development.

Attachment 1. Phase 1a: Proposed Text Amendments to *Burnaby Zoning Bylaw No. 4742*

This attachment details the proposed text amendments to *Burnaby Zoning Bylaw No. 4742* to implement the final program for Housing Choices Phase 1a. The program introduces laneway homes and suites in semi-detached homes to single and two family properties on lanes, and on corner and through lots.

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

The tables are organized under the following sections:

- 1.0 Laneway Homes
- 2.0 Suites in Semi-Detached Homes
- 3.0 Parking Regulations

1.0 Laneway Homes

Section	Existing Text	Proposed Text
3	N/A	<u>"LANEWAY HOME" means a detached accessory dwelling unit. For the purposes of this bylaw, a laneway home is not an accessory building.</u>
3	"ACCESSORY BUILDING" means (1) a building, the use or intended use of which is ancillary to that of a principal building situated on the same lot, or (2) a building which is ancillary to a principal use being made of the lot upon which such building is located.	"ACCESSORY BUILDING" means (1) a building, the use or intended use of which is ancillary to that of a principal building situated on the same lot, or (2) a building which is ancillary to a principal use being made of the lot upon which such building is located. <u>For the purposes of this bylaw, a laneway home is not an accessory building.</u>
6.3	6.3 Distances between Buildings on the same Lot: Where the exterior walls...overlap, the clear distance between such overlapping walls shall not be less than the following: (1) When windows to habitable rooms occur in the overlapping section of either or both of the opposing walls: (a) In RM, C8 and C9 Districts...	6.3 Distances between Buildings on the same Lot: Where the exterior walls...overlap, the clear distance between such overlapping walls shall not be less than the following: (1) When windows to habitable rooms occur in the overlapping section of either or both of the opposing walls: (a) In RM, C8 and C9 Districts... (b) In all zoning districts, except <u>R and</u> RM Districts and developments in the C8 and C9 Districts... (2) When no windows in habitable rooms occur in the overlapping section of either or both of the opposing walls: (a) In RM, C8 and C9 Districts...

	<p>(b) In all zoning districts, except RM Districts and developments in the C8 and C9 Districts...</p> <p>(2) When no windows in habitable rooms occur in the overlapping section of either or both of the opposing walls:</p> <p>(a) In RM, C8 and C9 Districts...</p> <p>(b) In all zoning districts, except RM Districts and developments in the C8 and C9 Districts...</p>	<p>(b) In all zoning districts, except R and RM Districts and developments in the C8 and C9 Districts...</p>
6.3.1	<p>6.3.1 Notwithstanding Section 6.3, no detached garage or carport shall be located closer than 4.5 m (14.8 ft.) from the principal building in the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts. (B/L No. 10124-94-12-05)</p>	<p>6.3.1 Notwithstanding Section 6.3, no detached garage or carport shall be located closer than 4.5 m (14.8 ft.) from the principal building in the R1, R2, R3, R4, R5, R9, R10, R11 and R12 Districts. (B/L No. 10124-94-12-05)</p> <p>Distances between Buildings in R Districts</p> <p><u>(1) The minimum distance between buildings in R Districts on the same lot is 2.4 m (7.87 ft.).</u></p> <p><u>(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.):</u></p> <p><u>- belt courses, cornices, eaves, gutters, sills, chimneys, or other similar features, and bay windows.</u></p>
6.7.2	N/A	<p><u>Section 6.7.2 Laneway Homes</u></p> <p><u>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:</u></p> <p>a) <u>Only one laneway home shall be permitted on each lot;</u></p> <p>b) <u>A laneway home may be located on a lot containing a single family dwelling with a secondary suite;</u></p> <p>c) <u>A laneway home shall have a minimum floor area as set out in Section 6.10(1);</u></p>

- 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.
- 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.
- k) There shall be a 0.91 m (3 ft.) fire access corridor on a minimum of one side of the lot:
 - (i) from the front lot line to the laneway home; or
 - (ii) on a corner lot, from the flanking side lot line to the laneway home.

		<u>The fire access corridor shall contain a paved or gravel path and be clear to sky of any projections or obstructions.</u>
6.10 (1)	<p>Minimum Floor Area for Dwelling Units:</p> <p>No single family, two family or row house dwelling shall contain less than 56m² (602.80 sq. ft.) of floor area for each dwelling unit except that a single family dwelling in an R1 District shall contain at least 93 m² (1,001.08 sq. ft.) of floor area.</p> <p>Notwithstanding the foregoing, a secondary suite shall contain at least 30.0 m² (322.93 sq. ft.) of floor area.</p>	<p>Minimum Floor Area for Dwelling Units:</p> <p>No <u>primary dwelling unit</u> in a single family dwelling or two family dwelling, or row house dwelling shall contain less than 56m² (602.80 sq. ft.) of floor area for each dwelling unit except that a <u>primary dwelling unit</u> in a single family dwelling in an R1 District shall contain at least 93 m² (1,001.08 sq. ft.) of floor area.</p> <p>Notwithstanding the foregoing, a <u>A secondary suite and laneway home shall each contain at least 30.0 m² (322.93 sq. ft.) 32.52 m² (350 sq. ft.) of floor area.</u></p>
6.12 (5)	N/A	<p><u>Exceptions to Rear Yard Requirements:</u></p> <p><u>A laneway home may be permitted in a rear yard, subject to the provisions of Section 6.7.2 and the applicable district schedules.</u></p>
6.29(1)(b)	<p>(b) short-term rental shall not be permitted in:</p> <ul style="list-style-type: none"> i. a rental unit; ii. ... 	<p>(b) short-term rental shall not be permitted in:</p> <ul style="list-style-type: none"> i. a rental unit; ii. ... vii. <u>a laneway home</u>
101.3 102.3 103.3 110.3 111.3	Lot coverage shall not exceed 40 percent.	Lot coverage shall not exceed 40 percent, <u>except that lots with a laneway home shall have a maximum lot coverage of 45 percent.</u>
104.3 (1) 105.3 (1) 109.3 112.3	Lot coverage shall not exceed 40 percent, except that lots having a garage or carport detached from the principal building shall have a maximum lot coverage of 45 percent.	Lot coverage shall not exceed 40 percent, except that lots having a garage or carport detached from the principal building, <u>or a laneway home</u> , shall have a maximum lot coverage of 45 percent.
101.4 (6) 102.4 (6) 103.4 (6) 104.4 (5) 105.4 (5) 109.4 (6) 110.4 (5) 111.4 (5) 112.4 (5)	N/A	<u>A laneway home may have a maximum gross floor area equal to the lesser of 0.20 of the lot area or 140 m² (1,507 sq. ft.). A garage attached to the laneway home shall be included in the calculation of gross floor area of the laneway home.</u>

101.5 (6) 102.5 (6) 103.5 (6) 104.5 (8) 105.5 (8) 109.5 (6) 110.5 (7) 111.4.1 (6) 112.4.1 (6)	N/A	<u>The floor area of a laneway home shall be excluded from calculation of above grade floor area.</u>
101.6.1 102.6.1 103.6.1 104.6.1 105.6.1 109.6.1 112.6.1	N/A	<u>Height of a Laneway Home:</u> (1) <u>Subject to the applicable exceptions in section 6.4, no portion of a laneway home shall exceed a height of:</u> a) <u>2 storeys and 7.6 m (24.9 ft.) for a building with a sloping roof, or</u> b) <u>2 storeys and 6.7 m (22 ft.) for a building with a flat roof;</u> <u>measured vertically from the lowest point along the perimeter of the laneway home from the lower of the natural or finished grade.</u> (2) <u>Notwithstanding subsection (1) of this section, where a laneway home meets or exceeds the highest performance standards for:</u> a) <u>Step 5 of the BC Energy Step Code, and/or</u> b) <u>the BC Zero Carbon Step Code;</u> <u>the height may be increased by 0.5 m (1.64 ft.).</u>
110.6	Height of a Principal Building ... (2) Subject to the applicable exceptions in section 6.4, no part of a principal building shall have an elevation greater than (a) 7.6 m (24.9 ft.) for a building with a sloping roof, or (b) 5.8 m (19.0 ft.) for a building with a flat roof ...	<u>Height of a Principal Building or Laneway Home</u> ... (2) Subject to the applicable exceptions in section 6.4, no part of a principal building <u>or laneway home</u> shall have an elevation greater than... (a) 7.6 m (24.9 ft.) for a building with a sloping roof, or (b) 5.8 m (19.0 ft.) for a building with a flat roof ...
111.5	Height of a Principal Building (1) The height of a principal building with a gross floor area greater than	<u>Height of a Principal Building or Laneway Home</u> (1) The height of a principal building with a gross floor area greater than...shall not exceed 6.1 m (20 ft.)

	<p>...shall not exceed 6.1 m (20 ft.)</p> <p>(2) The height of a principal building with a gross floor area of ...or less shall not exceed</p> <p>(a) 7.6 m (24.9 ft.) for a building with a sloping roof, or</p> <p>(b) 5.8 m (19.0 ft.) for a building with a flat roof.</p> <p>(3) ...</p>	<p>(2) The height of a principal building with a gross floor area of ...or less shall not exceed</p> <p>(a) 7.6 m (24.9 ft.) for a building with a sloping roof, or</p> <p>(b) 5.8 m (19.0 ft.) for a building with a flat roof</p> <p>(3) ...</p> <p>(4) <u>The height of a laneway home shall not exceed the maximum height for a principal building provided in Section 111.5 (1) and (2), as applicable.</u></p>
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2.0 Suites in Semi-Detached Homes

Section	Existing Text	Proposed Text
3	"BASEMENT" means the portion of a building between two floor levels that is partly underground but has at least one-half its height, from its finished floor to the underside of the joists of the floor next above it, above average natural grade as determined by the Building Inspector; and a basement shall be considered to be a storey.	"BASEMENT" means the portion of a building between two floor levels that is partly underground but has at least one-half its height, from its finished floor to the underside of the joists of the floor next above it, above average natural grade as determined by the Building Inspector; and a basement shall be considered to be a storey <u>unless otherwise stated in this Bylaw.</u>
3	"DWELLING, MULTIPLE FAMILY" means any building consisting of three or more dwelling units, but does not include a supportive housing facility.	"DWELLING, MULTIPLE FAMILY" means any building consisting of three or more dwelling units, but does not include a supportive housing facility <u>or a semi-detached dwelling with secondary suite(s).</u>
3	"DWELLING, SEMI-DETACHED" means a two-family dwelling wherein the two dwelling units are placed side by side or front to back.	"DWELLING, SEMI-DETACHED" means a two-family dwelling wherein the two <u>primary</u> dwelling units are placed side by side <u>or front to back.</u>
3	"DWELLING, SINGLE FAMILY" means any building consisting of one dwelling unit. Such a dwelling may include a secondary suite, subject to Section 6.7.1 of this Bylaw.	"DWELLING, SINGLE FAMILY" means any building consisting of one <u>primary dwelling unit.</u>

3	"DWELLING, TWO FAMILY" means any building divided into two dwelling units.	"DWELLING, TWO FAMILY" means <u>a semi-detached dwelling or a duplex dwelling.</u>
3	N/A	"GROUND LEVEL SUITE" means a secondary suite that is: a) <u>located at or below grade;</u> b) <u>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</u> c) <u>certified by the SAFERhome Standard Society by the issuance of a SAFERhome Standards Certificate.</u>
3	N/A	"PRIMARY DWELLING UNIT" means: a) <u>for a single family dwelling, the dwelling unit that is the principal use of the lot; or</u> b) <u>for a semi-detached dwelling, the dwelling unit within each side that is the principal use of that side.</u> <u>Each primary dwelling unit may contain a secondary suite.</u>
3	"SECONDARY SUITE" means an accessory dwelling unit fully contained within a single family dwelling.	"SECONDARY SUITE" means an accessory dwelling unit fully contained within a <u>primary dwelling unit.</u>
6.7.1(1)(e)	a secondary suite shall have a minimum floor area of 30.0 m ² (322.93 sq. ft.);	a secondary suite shall have a minimum floor area as set out in Section 6.10(1);
6.7.1(1)(f)	The floor area of a secondary suite shall not exceed forty percent (40%) of the gross floor area of the principal building.	The floor area of a secondary suite shall not exceed forty percent (40%) of the gross floor area of the principal building.
6.7.1(2)	N/A	<u>Section 6.7.1 (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:</u> a) <u>Only one secondary suite shall be permitted in each primary dwelling unit of a semi-detached dwelling;</u> b) <u>A secondary suite may be permitted anywhere within the primary dwelling unit;</u> c) <u>A secondary suite shall meet the requirements for a secondary suite under the British Columbia Building Code;</u> d) <u>A secondary suite shall have a minimum floor area as set out in Section 6.10(1);</u>

		<p>e) <u>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;</u></p> <p>f) <u>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;</u></p> <p>g) <u>A semi-detached dwelling with a secondary suite shall be:</u></p> <p>(i) <u>on a lot with vehicular access from a lane; or</u></p> <p>(ii) <u>subject to the approval of the Director Engineering, on a corner lot with vehicular access from the street abutting the side lot line; or</u></p> <p>(iii) <u>subject to the approval of the Director Engineering, on a through lot.</u></p>
6.10(1)	<p>No single family, two family or row house dwelling shall contain less than 56 m² (602.80 sq.ft.) of floor area for each dwelling unit except that a single family dwelling in an R1 District shall contain at least 93 m² (1,001.08 sq.ft.) of floor area. Notwithstanding the foregoing, a secondary suite shall contain at least 30.0 m² (322.93 sq.ft.) of floor area.</p>	<p>Minimum Floor Area for Dwelling Units:</p> <p>No <u>primary dwelling unit</u> in a single family dwelling or two family dwelling, or row house dwelling shall contain less than 56m² (602.80 sq. ft.) of floor area for each dwelling unit except that a <u>primary dwelling unit</u> in a single family dwelling in an R1 District shall contain at least 93 m² (1,001.08 sq. ft.) of floor area.</p> <p>Notwithstanding the foregoing, a A secondary suite and laneway home shall each contain at least 30.0 m² (322.93 sq. ft.) <u>32.52 m² (350 sq. ft.)</u> of floor area.</p>
6.29(1)(b)	<p>(b) short-term rental shall not be permitted in:</p> <p>iii. a rental unit;</p> <p>iv. a single family dwelling containing a secondary suite, including within the secondary suite</p>	<p>(b) short-term rental shall not be permitted in:</p> <p>i. a rental unit;</p> <p>ii. a single family dwelling <u>or semi-detached dwelling unit</u> containing a secondary suite, including within the secondary suite</p>

104.2(1)	R4 Single Family Dwelling. Each lot shall have an area of not less than 557.4 m ² (6,000 sq. ft.) and a width of not less than 15.0 m (49.2 ft.).	R4 Single Family Dwelling and Two Family Dwelling. Each lot shall have an area of not less than 557.4 m ² (6,000 sq. ft.) and a width of not less than 15.0 m (49.2 ft.).
104.2(4)	R4 Two-family Dwelling. Each lot shall have an area of not less than 758.06 m ² (8,160 sq. ft.) and a width of not less than 20.7 m (68 ft.).	R4 Two-family Dwelling. Each lot shall have an area of not less than 758.06 m² (8,160 sq. ft.) and a width of not less than 20.7 m (68 ft.).
104.4(6) 105.4(6)	N/A	<u>In a semi-detached dwelling unit, the floor area of a floor containing a secondary suite shall not exceed the floor area of the storey next above or below it.</u>
104.4(7) 105.4(7)	N/A	<u>In a semi-detached dwelling unit, the floor area of a secondary suite shall be excluded from the calculation of gross floor area under subsection (1)(a).</u>
104.4(8) 105.4(8)	N/A	<u>A semi-detached dwelling shall not be developed with a cellar.</u>
104.4(9) 105.5(9)	N/A	<u>A one-storey semi-detached dwelling that exists, or that was approved for construction by the issuance of a building permit, on September 18, 2023, and that contains a cellar may be developed with a secondary suite in the cellar provided that the gross floor area of the cellar shall not exceed that which existed on September 18, 2023.</u>
104.5(3) 105.5(3)	For duplex dwellings and one storey semi-detached dwellings the gross floor area for all floors located above a cellar, basement, crawl space or ground surface shall not exceed 116m ² (1,247.3 sq. ft.) per dwelling unit.	(3) For duplex dwellings and one storey semi-detached dwellings <u>without secondary suites</u> , the gross floor area for all floors located above a cellar, basement, crawl space or ground surface shall not exceed 116m ² (1,247.3 sq. ft.) per dwelling unit. <u>(3.1) For a one storey semi-detached dwelling with a secondary suite, the gross floor area of the primary dwelling unit shall not exceed 116 m² (1,247.3 sq. ft.).</u>
104.5(5)	A two-storey semi-detached dwelling shall not a) be developed with a cellar; b) have a dwelling unit with a gross floor area greater than 204.4 m ² (2,200 sq. ft.) nor a second floor with a gross floor area greater than 69.69 m ² (750 sq. ft.)	A two-storey semi-detached dwelling shall not: a) be developed with a cellar; b) have a <u>primary</u> dwelling unit with a gross floor area greater than 204.4 m ² (2,200 sq. ft.); nor a second floor with a gross floor area greater than 69.69 m² (750 sq. ft.), c) have a combined above grade <u>gross</u> floor area of the two <u>primary</u> dwelling units that exceeds 0.30 of the lot area plus 139.35 m ² (1,500 sq. ft.); or

	c) have a combined above grade floor area of the two dwelling units that exceeds 0.30 of the lot area plus 139.35 m ² (1,500 sq. ft.).	d) <u>have a primary dwelling unit with a second storey floor area less than one-third of its constructed gross floor area.</u>
104.7(2) 105.7(2)	<p>Semi-detached Dwelling:</p> <p>Subject to the applicable exceptions in section 6.4, the height of a semi-detached dwelling shall not exceed the following:</p> <p>a) <u>for a one-storey dwelling, 5.5 m (18.0 ft.)...</u></p> <p>b) <u>for a two-storey dwelling with a sloping roof, 9 m (29.5 ft.)...</u></p> <p>c) <u>for two-storey dwelling with a flat roof, 7.4 m (24.3 ft.)...</u></p>	<p>Semi-detached Dwelling <u>without a secondary suite:</u></p> <p>Subject to the applicable exceptions in section 6.4, the height of a semi-detached dwelling <u>without a secondary suite</u> shall not exceed the following:</p> <p>a) <u>for a one-storey dwelling, 5.5 m (18.0 ft.)...</u></p> <p>b) <u>for a two-storey dwelling with a sloping roof, 9 m (29.5 ft.)...</u></p> <p>c) <u>for a two-storey dwelling with a flat roof, 7.4 m (24.3 ft.)...</u></p>
104.7(3) 105.7(3)	N/A	<p><u>Semi-detached Dwelling with a secondary suite other than a ground level suite:</u></p> <p><u>Subject to the applicable exceptions in section 6.4, the height of a semi-detached dwelling with a secondary suite other than a ground level suite shall not exceed the following:</u></p> <p>a) <u>for a one-storey semi-detached dwelling, 5.5 m (18.0 ft.) measured from the front average elevation to the highest point of the structure; and</u></p> <p>b) <u>for a two-storey semi-detached dwelling:</u></p> <p>i. <u>for a building with a sloping roof, 9 m (29.5 ft.) measured from the lower of the front average elevation or the rear average elevation to the highest point of the structure; and</u></p> <p>ii. <u>for a building with a flat roof, 7.4 m (24.3 ft.) measured from the lower of the front average elevation or the rear average elevation to the highest point of the structure</u></p>

<p>104.7(4) 105.7(4)</p>	<p>N/A</p>	<p><u>Semi-detached Dwelling with ground level suite:</u></p> <p><u>Subject to the applicable exceptions in section 6.4, the height of a semi-detached dwelling with a ground level suite shall not exceed the following:</u></p> <p>(a) <u>for a one-storey semi-detached dwelling:</u></p> <p>i. <u>for a building with a sloping roof, 7.62 m (25 ft.) measured from the lower of the front average elevation or the rear average elevation to the highest point of the structure; and</u></p> <p>ii. <u>for a building with a flat roof, 6.1 m (20 ft.) measured from the lower of the front average elevation or the rear average elevation to the highest point of the structure; and</u></p> <p>(b) <u>for a two-storey semi-detached dwelling:</u></p> <p>i. <u>for a building with a sloping roof, 10.5 m (34.4 ft.) measured from the lower of the front average elevation or the rear average elevation to the highest point of the structure; and</u></p> <p>ii. <u>for a building with a flat roof, 8.9 m (29.2 ft.) measured from the lower of the front average elevation or the rear average elevation to the highest point of the structure.</u></p>
<p>104.7(5) 105.7(5)</p>	<p>N/A</p>	<p><u>In a semi-detached dwelling with a secondary suite, a basement or floor containing a ground level suite shall not be considered a storey.</u></p>
<p>104.10(1)</p>	<p>Side yards shall be provided with a minimum width of 1.5 m (4.9 ft.) for the least side yard and 3.5 m (11.5 ft.) for the sum of both side yards.</p>	<p>Side yards shall be provided with a minimum width of 1.5 m (4.9 ft.) for the least side yard and 3.5 m (11.5 ft.) for the sum of both side yards.</p>
<p>104.10(2)</p>	<p>In the case of a corner lot, the side yard adjoining the flanking street shall be not less than 3.5 m (11.5 ft.) in width.</p>	<p>In the case of a corner lot, the side yard adjoining the flanking street shall be not less than 3.5 <u>3.0</u> m (11.5 <u>9.84</u> ft.) in width.</p>

104.12(2) 105.12(2)	Parking for a two storey semi-detached dwelling shall be provided in a detached garage or carport at the rear of the lot except where there is no abutting lane or the Director Engineering is satisfied that access from a lane is not feasible because of an extreme grade, in which case a garage or carport having a maximum area of 42 m ² (452.1 sq. ft.) may be attached to the dwelling.	(2) Parking for a two storey semi-detached dwelling <u>without a secondary suite</u> shall be provided in a detached garage or carport at the rear of the lot except where there is no abutting lane or the Director Engineering is satisfied that access from a lane is not feasible because of an extreme grade, in which case a garage or carport having a maximum area of 42 m ² (452.1 sq. ft.) may be attached to the dwelling.
105.2(1)	R5 Single Family Dwelling. Each lot shall have an area of not less than 557.4 m ² (6,000 sq. ft.) and a width of not less than 15.0 m (49.2 ft.).	R5 Single Family Dwelling <u>and Two Family Dwelling</u> . Each lot shall have an area of not less than 557.4 m ² (6,000 sq. ft.) and a width of not less than 15.0 m (49.2 ft.).
105.2(4)	R5 Two-family Dwelling. Each lot shall have an area of not less than 668.88 m ² (7,200 sq. ft.) and a width of not less than 18.28 m (60 ft.).	R5 Two-family Dwelling. Each lot shall have an area of not less than 668.88 m² (7,200 sq. ft.) and a width of not less than 18.28 m (60 ft.).
105.5(5)	A two-storey semi-detached dwelling shall not a) be developed with a cellar; b) have a dwelling unit with a gross floor area greater than 185.8 m ² (2,000 sq. ft.) nor a second floor with a gross floor area greater than 65.03 m ² (700 sq. ft.) c) have a combined above grade floor area of the two dwelling units that exceeds 0.30 of the lot area plus 139.35 m ² (1,500 sq. ft.).	A two-storey semi-detached dwelling shall not a) be developed with a cellar; b) have a <u>primary</u> dwelling unit with a gross floor area greater than 185.8 m ² (2,000 sq. ft.); nor a second floor with a gross floor area greater than 65.03 m² (700 sq. ft.) c) have a combined above grade gross floor area of the two <u>primary</u> dwelling units that exceeds 0.30 of the lot area plus 139.35 m ² (1,500 sq. ft.); or d) <u>have a primary dwelling unit with a second storey floor area less than one-third of its constructed gross floor area.</u>
105.7(3), (4) and (5)	N/A	See 104.7 (3), (4) and (5) above
112.1(2)	Semi-detached dwellings and front-to-back two-family dwellings	Semi-detached dwellings and front-to-back two-family dwellings
112.5(4)	The gross floor area of the second floor of each dwelling	The gross floor area of the second floor of each <u>primary</u> dwelling unit shall not exceed 65 m² (700

	unit shall not exceed 65 m ² (700 sq. ft.).	<u>sq. ft.) be less than one-third of the constructed gross floor area of the primary dwelling unit.</u>
112.5(6)	N/A	<u>In a semi-detached dwelling unit, the floor area of a secondary suite shall be excluded from the calculation of gross floor area under subsections (1), (2) and (3).</u>
112.5 (7)	N/A	<u>In a semi-detached dwelling unit, the floor area of a floor containing a secondary suite shall not exceed the floor area of the storey next above or below it.</u>
112.6(1)	Height of Principal Building: The height of a principal building shall not exceed, ... (b) for a two-family dwelling, 7.62 m (25 ft.) for a house with a sloping roof and 6.1 m (20 ft.) for a house with a flat roof	Height of Principal Building: The height of a principal building shall not exceed, ... (b) for a two-family dwelling <u>(excluding a semi-detached dwelling with a secondary suite)</u> , 7.62 m (25 ft.) for a house with a sloping roof and 6.1 m (20 ft.) for a house with a flat roof; (c) for a <u>semi-detached dwelling with a secondary suite other than a ground level suite</u> , 9 m (29.5 ft.) for a building with a sloping roof and 7.4 m (24.3 ft.) for a building with a flat roof; and (d) for a <u>semi-detached dwelling with a ground level suite</u> , 10.5 m (34.4 ft.) for a building with a sloping roof and 8.9 m (29.2 ft.) for a building with a flat roof.
112.6(3)	N/A	<u>In a semi-detached dwelling with a secondary suite, a basement or floor containing a ground level suite shall not be considered a storey.</u>
112.12	Kitchens in Semi-Detached or Two Family Dwellings on Lots Having a Width of 13.72m (45 ft.) or Less: The kitchen and any other cooking facilities shall be located only on the ground floor of each dwelling unit. In the case of a strata lot, and for the purposes of this section, the lot width shall be the total width of the lands included within the strata plan.	Kitchens in Semi-Detached or Two Family Dwellings on Lots Having a Width of 13.72m (45 ft.) or Less: The kitchen and any other cooking facilities shall be located only on the ground floor of each dwelling unit. In the case of a strata lot, and for the purposes of this section, the lot width shall be the total width of the lands included within the strata plan.

3.0 Parking Regulations

Section	Existing Text	Proposed Text								
800.3.1(1)	<p>Parking Spaces for Disabled Persons:</p> <p>(1) 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.</p>	<p><u>Accessible Parking Spaces in Districts other than R1, R2, R3, R4, R5, R6, R9, R10, R11, and R12 Districts:</u></p> <p>(1) <u>Except in the R1, R2, R3, R4, R5, R6, R9, R10, R11, and R12 Districts,</u> 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.</p>								
800.3.2	N/A	<p><u>Accessible Parking Spaces in R1, R2, R3, R4, R5, R6, R9, R10, R11, and R12 Districts</u></p> <p>(1) <u>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.</u></p> <p>(2) <u>Accessible parking spaces shall be provided in accordance with the following:</u></p> <table><tr><th><u>USE</u></th><th><u>REQUIRED ACCESSIBLE PARKING SPACES</u></th></tr><tr><td>(a) <u>lot with a laneway home</u></td><td><u>1 van accessible parking space per primary dwelling unit</u></td></tr><tr><td>(b) <u>lot with a ground level suite</u></td><td><u>1 van accessible parking space per primary dwelling unit with a ground level suite</u></td></tr><tr><td>(c) <u>lot with single family dwelling with a secondary suite and no laneway home</u></td><td><u>1 regular accessible parking space</u></td></tr></table>	<u>USE</u>	<u>REQUIRED ACCESSIBLE PARKING SPACES</u>	(a) <u>lot with a laneway home</u>	<u>1 van accessible parking space per primary dwelling unit</u>	(b) <u>lot with a ground level suite</u>	<u>1 van accessible parking space per primary dwelling unit with a ground level suite</u>	(c) <u>lot with single family dwelling with a secondary suite and no laneway home</u>	<u>1 regular accessible parking space</u>
<u>USE</u>	<u>REQUIRED ACCESSIBLE PARKING SPACES</u>									
(a) <u>lot with a laneway home</u>	<u>1 van accessible parking space per primary dwelling unit</u>									
(b) <u>lot with a ground level suite</u>	<u>1 van accessible parking space per primary dwelling unit with a ground level suite</u>									
(c) <u>lot with single family dwelling with a secondary suite and no laneway home</u>	<u>1 regular accessible parking space</u>									

		<div> <div>(d) <u>lot with semi-detached dwelling with a secondary suite that is not a ground level suite</u></div> <div>1 regular accessible parking space per primary dwelling unit with a secondary suite that is not a ground level suite</div> </div> <div>(3) <u>Direct and unobstructed access shall be provided from the laneway home or ground level suite to the accessible or van accessible parking space.</u></div> <div>(4) <u>The minimum dimensions of accessible and van accessible parking spaces are as set out in Section 800.3.1(3).</u></div>
800.4 (1)	<p>USE</p> <p>Single family, two family and row-house dwellings.</p> <p>REQUIRED PARKING SPACES</p> <p>1 for each dwelling unit</p>	<p>USE</p> <p>Single family <u>dwelling without a secondary suite or laneway home</u>, two family <u>dwellings without a secondary suite</u>, and row-house dwellings</p> <p>REQUIRED PARKING SPACES</p> <p>1 for each dwelling unit</p>
800.4(1a)	<p>USE</p> <p>Single family dwelling with secondary suite</p> <p>REQUIRED PARKING SPACES</p> <p>1 independently accessible parking space for each dwelling unit. The Director Planning and Building may waive the requirement for a second parking space where the single family dwelling was constructed before January 1, 2014 and the Director Planning and Building is satisfied that it is not feasible to create a second parking space on the property.</p>	<p>USE</p> <p>Single family dwelling with <u>a secondary suite and/or laneway home</u>, and two family <u>dwellings with a secondary suite</u></p> <p>REQUIRED PARKING SPACES</p> <p>1 independently accessible <u>outdoor parking space or carport space</u> for each <u>primary dwelling unit, which:</u></p> <div> <div>(a) <u>meets the accessibility requirements of Section 800.3.2; and</u></div> <div>(b) <u>is accessed from:</u> <div> <div>(i) <u>a lane; or</u></div> <div>(ii) <u>subject to the approval of the Director Engineering, on a corner lot, from the street abutting the side lot line; or</u></div> <div>(iii) <u>subject to the approval of the Director Engineering, on a</u></div> </div> </div> </div>

		<p><u>through lot, from the rear street.</u></p> <p>The Director Planning and Building may waive the requirement for a second parking space where the single family dwelling was constructed before January 1, 2014 and the Director Planning and Building is satisfied that it is not feasible to create a second parking space on the property.</p>
800.8 (1)	<p>All parking spaces required for dwelling units pursuant to Sections 800.4 and 800.3.1(2) shall include an energized outlet capable of providing Level 2 charging or a higher charging level for an electric vehicle, except:</p> <p>...</p> <p>(b) parking spaces for secondary suites</p>	<p>All parking spaces required for dwelling units pursuant to Sections 800.4, and 800.3.1(2) <u>and 800.3.2(2)</u> shall include an energized outlet capable of providing Level 2 charging or a higher charging level for an electric vehicle, except:</p> <p>...</p> <p>(b) parking spaces for secondary suites</p>