

REPORTS OF COMMITTEES

2. Committee of the Whole – October 27, 2016

6. Garden Suites

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council direct staff to:

1. Prepare amendments to the following:
 - a. The *Zoning Regulation Bylaw* to allow garden suites in single-family residential zones consistent with the *Garden Suite Policy* and based on the proposed *Zoning Regulation Bylaw Schedule M - Garden Suites* appended to this report;
 - b. The *Garden Suite Policy* to change language pertaining to the requirement for rezoning; and
 - c. The *Land Use Procedures Bylaw* to delegate development permit approval authority for garden suites to staff.
2. That Council direct staff to seek input on the garden suites recommendation prior to submitting bylaws for readings from the Community Association Land Use Committees, members of the Mayor's Task Force on Housing Affordability, and groups that provided input into the Task Force work, and
3. Report back to Council 18 months after implementation as to the effectiveness of the new policy approach.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, and Thornton-Joe
Opposed: Councillors Madoff & Young

7. STAFF REPORTS

7.1 Garden Suites

Committee received a report dated October 7, 2016 outlining an approach to support the *Victoria Housing Strategy, 2016-2025* to increase garden suites as a form of housing.

- Motion:** It was moved by Mayor Helps, seconded by Councillor Alto, that Council direct staff to:
1. Prepare amendments to the following:
 - a. The *Zoning Regulation Bylaw* to allow garden suites in single-family residential zones consistent with the *Garden Suite Policy* and based on the proposed *Zoning Regulation Bylaw Schedule M - Garden Suites* appended to this report;
 - b. The *Garden Suite Policy* to change language pertaining to the requirement for rezoning; and
 - c. The *Land Use Procedures Bylaw* to delegate development permit approval authority for garden suites to staff.
 2. That Council direct staff to seek input on the garden suites recommendation prior to submitting bylaws for readings from the Community Association Land Use Committees, members of the Mayor's Task Force on Housing Affordability, and groups that provided input into the Task Force work.

Councillor Coleman returned to the meeting at 11:23 a.m.

Committee discussed:

- Measuring the impact of garden suites on housing affordability.
- Consultation with the neighbours will be incorporated into the new guidelines.
- Ensuring that the garden suites are not being used for transient accommodations.
- Ensuring that the impacts of garden suites on neighbours are minimal.

Councillor Loveday withdrew from the meeting at 11:39 a.m. and returned at 11:40 a.m.

- Amendment:** It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that the motion be amended to include:
that Council direct staff to:
1. Prepare amendments to the following:
 - a. The *Zoning Regulation Bylaw* to allow garden suites in single-family residential zones consistent with the *Garden Suite Policy* and based on the proposed *Zoning Regulation Bylaw Schedule M - Garden Suites* appended to this report;
 - b. The *Garden Suite Policy* to change language pertaining to the requirement for rezoning; and
 - c. The *Land Use Procedures Bylaw* to delegate development permit approval authority for garden suites to staff.
 2. That Council direct staff to seek input on the garden suites recommendation prior to submitting bylaws for readings from the

Community Association Land Use Committees, members of the Mayor's Task Force on Housing Affordability, and groups that provided input into the Task Force work.

3. **Report back to Council one year after implementation as to the effectiveness of the new policy approach.**

Amendment to the amendment

It was moved by Councillor Loveday, seconded by Mayor Helps, that Council direct staff to:

1. Prepare amendments to the following:
 - a. The *Zoning Regulation Bylaw* to allow garden suites in single-family residential zones consistent with the *Garden Suite Policy* and based on the proposed *Zoning Regulation Bylaw Schedule M - Garden Suites* appended to this report;
 - b. The *Garden Suite Policy* to change language pertaining to the requirement for rezoning; and
 - c. The *Land Use Procedures Bylaw* to delegate development permit approval authority for garden suites to staff.
2. That Council direct staff to seek input on the garden suites recommendation prior to submitting bylaws for readings from the Community Association Land Use Committees, members of the Mayor's Task Force on Housing Affordability, and groups that provided input into the Task Force work.
3. **Report back to Council ~~one year~~ eighteen months after implementation as to the effectiveness of the new policy approach.**

On the amendment to the amendment:
CARRIED UNANIMOUSLY 16/COTW

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CARRIED UNANIMOUSLY 16/COTW

Committee discussed:

- Reviewing the delegation authority at the same time as the effectiveness
- Concerns with removing Council from the approval process.

Councillor Alto withdrew from the meeting at 11:55 a.m.

Main Motion as amended:

that Council direct staff to:

1. Prepare amendments to the following:
 - a. The *Zoning Regulation Bylaw* to allow garden suites in single-family residential zones consistent with the *Garden Suite Policy* and based on the proposed *Zoning Regulation Bylaw Schedule M - Garden Suites* appended to this report;
 - b. The *Garden Suite Policy* to change language pertaining to the requirement for rezoning; and
 - c. The *Land Use Procedures Bylaw* to delegate development permit approval authority for garden suites to staff.
2. That Council direct staff to seek input on the garden suites recommendation prior to submitting bylaws for readings from the

Community Association Land Use Committees, members of the Mayor's Task Force on Housing Affordability, and groups that provided input into the Task Force work; and

3. Report back to Council 18 months after implementation as to the effectiveness of the new policy approach

FOR: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, and Thornton-Joe

AGAINST: Councillors Madoff and Young

CARRIED UNANIMOUSLY 16/COTW



Committee of the Whole Report

For the Meeting of October 27, 2016

To: Committee of the Whole **Date:** October 7, 2016
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Garden Suites

RECOMMENDATION

1. That Council direct staff to prepare amendments to the following:
 - The *Zoning Regulation Bylaw* to allow garden suites in single-family residential zones consistent with the *Garden Suite Policy* and based on the proposed *Zoning Regulation Bylaw Schedule M – Garden Suites* appended to this report;
 - The *Garden Suite Policy* to change language pertaining to the requirement for rezoning; and
 - The *Land Use Procedures Bylaw* to delegate development permit approval authority for garden suites to staff.
2. That Council direct staff to seek input on the garden suites recommendation prior to submitting bylaws for readings from the Community Association Land Use Committees, members of the Mayor's Task Force on Housing Affordability, and groups that provided input into the Task Force work.

EXECUTIVE SUMMARY

The purpose of this report is to provide information, analysis and recommendations on an approach to increase the uptake of garden suites in the City of Victoria.

Garden suites, also referred to as coach houses, carriage houses, laneway suites, etc., are small, detached, ground-oriented units located in the rear yard of a single-family detached dwelling. Garden suites are encouraged in City policy, but generally not in zoning, requiring rezoning applications to be considered on a case-by-case basis. There has been minimal uptake by the public. Since the City began collecting data in 2004, just 29 applications for new garden suites have been submitted and 18 completed. There are likely a number of reasons for the low level of uptake, with a significant one being that the City's processes around the creation of garden suites may be unduly onerous.

Currently, homeowners wanting to build a garden suite on their property must go through the standard building and development permit processes, and must also apply for rezoning. They may lack the time, funds, expertise, or have other barriers to entering into this process. Combined with the already challenging and expensive task of building purpose-built housing with often little or no development experience or expertise, process challenges related to garden suites may be providing a further disincentive to the development of this form of housing.

In an effort to stimulate the development of garden suites, the *Victoria Housing Strategy, 2016-2025* includes as a 2016 outcome "Permit Garden Suites in Zoning". This action will simplify the process of establishing garden suites in order to encourage their development as an affordable housing option.

Staff recommend the best approach to completing this action is to integrate the *Garden Suite Policy* in zoning. This would entail an amendment to the *Zoning Regulation Bylaw* to permit garden suites within single-family residential zones identified in the *Garden Suite Policy* and the creation of a new zoning schedule that includes eligibility criteria to ensure these rental units are developed in accordance with established policy.

PURPOSE

The purpose of this report is to seek approval from Council on a recommended approach to enacting a supporting action of the *Victoria Housing Strategy, 2016-2025*, "Permit Garden Suites in Zoning". This change has the potential to improve housing affordability in Victoria, and once completed, will signify the fulfilment of a second supporting action of the *Victoria Housing Strategy*.

BACKGROUND

The Victoria Housing Strategy

A key objective in Victoria's Strategic Plan 2015-2018 is to "Make Victoria More Affordable." The Mayor's Task Force on Housing Affordability was assembled to strategize how to achieve that objective, and the end result was the *Victoria Housing Strategy 2016-2025*, which was completed and approved by Council on June 16, 2016.

The Housing Strategy contains three broad Strategic Directions to improve housing affordability:

1. **Increase Supply** of attainable housing for low to moderate income households.
2. **Encourage Diversity** of housing types, tenures, and prices across the city and within neighbourhoods.
3. **Build Awareness** and partnerships for affordable housing through communication, education and advocacy.

This report provides recommendations on how to implement a supporting action of Strategic Direction 1, Increase Supply: "Permit Garden Suites in Zoning". It should be noted that this action will also contribute to Strategic Direction 2, Encourage Diversity of housing types, tenures, and prices across the city and within neighbourhoods.

This direction originated from the Mayor's Task Force on Housing Affordability recommendations. The community was invited to provide feedback and input on the draft recommendations through a workshop held June 1, 2015 co-hosted by the City of Victoria, the Urban Development Institute, and the Together Against Poverty Society. The workshop was also webcast live.

Current Situation

Garden suites, also referred to as coach houses, carriage houses, laneway suites, etc., are small, detached, ground-oriented units located in the rear yard of a single-family detached dwelling. Garden suites increase housing diversity and choice, and can improve housing affordability for

both renters and homeowners; for renters, these private accessory buildings can serve as a unique and autonomous housing option, providing increased privacy over secondary suites or multi-unit housing and potentially added affordability. For homeowners, the addition of a garden suite to the property can produce secure rental income, improving housing affordability on the owner side.

Acceptance of Garden Suites varies across the CRD. For example, the City of Colwood allows garden suites in most zones, and only a secondary suite application, building permit, and in some areas a development permit are required to construct a suite. Meanwhile detached secondary rental suites are not permitted in any form in Saanich or Oak Bay.

The City of Victoria's *Garden Suite Policy* details rules and regulations surrounding the development of garden suites in Victoria (Attachment 1). It is staff's recommendation that the current policy be maintained, but that per the Victoria Housing Strategy's action item, the suites be permitted outright in zoning for reasons outlined below.

Barriers

Garden suites are currently encouraged in Victoria through policy, but not permitted in zoning. Since 2004, only 29 applications have been made and 18 projects approved and completed. In comparison, in the City of Vancouver, where the laneway housing program has been in place since 2009, over 800 permits for laneway houses have been issued and over 500 built across the city. Even when considerations such as differences in population and the system of laneway access that exists in the City of Vancouver and not Victoria are taken into account, it is evident that the uptake of this program in the City of Victoria could be improved.

Garden suites are typically more expensive or otherwise challenging to construct than secondary suites, which may only require the upgrades to electrical, plumbing, or other systems. In addition to this, Victoria's zoning restrictions may be deterring the development of garden suites. Currently homeowners wishing to develop this type of dwelling on their property must not only go through the regular building and development permit processes but they must also have their properties rezoned, which can be costly and take a significant amount of time. It is within the City's control and interest to remove barriers to allow homeowners who wish to add rental housing to their properties.

ISSUES & ANALYSIS

The City has the ability to facilitate a potential increase in supply of garden suites in Victoria by simplifying administrative processes to make it easier and more appealing for homeowners to develop garden suites. One of the first steps the City can undertake is the creation of a separate schedule in zoning for garden suites similar to Schedule J, Secondary Suites.

Staff have created a draft schedule for Council's review: "*Zoning Regulation Bylaw Schedule M – Garden Suites*", which is appended to this report in Attachment 2. The Schedule draws all regulations from the current *Garden Suite Policy* (Attachment 1) detailing what is required in terms of rules, regulations, and specifications for homeowners wishing to build a garden suite. Having a separate schedule will clarify and codify all requirements in zoning.

Staff also recommend amending the *Garden Suite Policy* to remove the statement that garden suite properties need to be rezoned. Staff have outlined the options pertaining to this below.

OPTIONS & IMPACTS

Currently, the *Garden Suite Policy* identifies the following zones as appropriate candidates for garden suites:

- R1-A Zone, Rockland Single Family Dwelling District
- R1-B Zone, Single Family Dwelling District
- R1-G Zone, Single Family Dwelling (Gonzales) District
- R-2 Zone, Two Family Dwelling District*
- R-J Zone, Low Density Attached Dwelling District*
- R-K Zone, Medium Density Attached Dwelling District*

(See Attachment 3, Figure 1, for a map of the above zones)

*Garden suites are only permitted in the R-2, R-J and R-K Zones when associated with a single-family detached dwelling which is also permitted in those zones. At this time, garden suites are not permitted for properties with two or more residential units, however this is a future policy consideration identified in the *Victoria Housing Strategy* and will follow this initiative.

In addition to the creation of a new schedule for garden suites, staff have identified options Council may wish to consider that may reduce the barriers to the creation of garden suites.

Option 1 (recommended): Allow garden suites outright in all single-family residential zones. This option will provide homeowners with the least administrative burden, as all applicants with lots that allow this accessory use in zoning and meet the criteria set forth in the zoning schedule will automatically be permitted to build a garden suite. The homeowner would still be required to go through the development permit process, which would provide the City with the opportunity to consider form and character and any zoning variances if any were proposed. This option fully satisfies the objective in the *Victoria Housing Strategy* to 'permit garden suites in zoning.'

Option 2: Allow garden suites outright only on 'plus' sites, and maintain current practice of requiring rezoning for the other garden suite scenarios. 'Plus' sites are identified as lots that meet one of the following criteria:

- a corner lot
- a lot with two street frontages
- a lot with rear yard laneway access
- lots greater than 557m² (6,000ft²) in total area

(See Attachment 3, Figure 2, for a map of plus sites)

This option would permit garden suites throughout Victoria outright in zoning, but to a lesser extent. Applicants with properties that do not meet the 'plus' sites criteria would still be required to go through the current rezoning process. This approach could increase the number of garden suite applications for owners of 'plus site' lots only, and it is presumed the rate of uptake of garden suites in non 'plus' site lots would remain at current levels. Plus sites offer layouts that may provide more site planning flexibility, may therefore have less impact on adjacent neighbours, and could be phased into zoning prior to allowing all scenarios outright.

Should Council choose this Option, the proposed Schedule M (Attachment 2) would need to be adjusted to reflect the plus site criteria noted above. The Garden Suite Policy would also need an amendment to emphasize that regular lots or non-'plus' sites still remain eligible for garden suites going forward, but would need to follow a separate rezoning process.

Additional Recommendation – Delegate Authority

To further reduce barriers and maximize the potential for an increased supply of garden suites, Council could also consider delegating approval authority for development permit applications of garden suites to staff in addition to Option 1 or 2 above. This is provided as an option given the *Garden Suites Policy* contains effective guidelines to control form and character that staff would adhere to in their evaluation of development applications.

Delegating authority has the potential to:

- significantly expedite the development permit process;
- increase the number of applications by making the process more accessible to homeowners;
- demonstrate the City of Victoria's commitment to minimizing processes that may be a hindrance to allowing an increased supply of affordable housing.

Allowing garden suites outright in zoning and delegating approval to staff would provide the most direct path to increasing supply of this type of housing by reducing barriers to the development of garden suites.

Next Steps

Staff recommend Council direct staff to undertake public engagement, including notifying the Community Association Land Use Committees, on the proposed changes to seek and receive feedback prior to bringing the bylaws forward for readings and a Public Hearing.

Additionally, as this action originated from the Mayor's Task Force on Housing Affordability, staff also recommend Council to direct staff to inform groups who provided input on the Task Force recommendations of these changes to give an opportunity for these stakeholders to comment prior to and at the Public Hearing.

Considering garden suites outright in zoning is the first step identified in the *Victoria Housing Strategy* to remove barriers to this form of rental housing. Following this initiative, staff will also be examining new ways to increase the number of secondary suites and garden suites through new policies or initiatives, and will be reporting back with further policy options.

2015 – 2018 Strategic Plan

As a part of the Victoria Housing Strategy, this supporting action originates from the Strategic Plan 2015-2018 objective 6: "Make Victoria More Affordable".

Impacts to Financial Plan

This action will have no direct impact on the Financial Plan and the bylaw amendments will be prepared using existing staff resources.

Official Community Plan Consistency Statement

This action is directly aligned with the Official Community Plan's policy directives of "Land Management and Development" and "Housing and Homelessness".

CONCLUSIONS

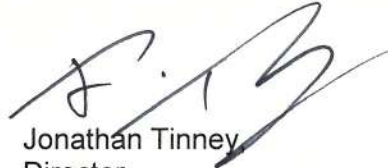
Additional garden suites in the City of Victoria would add to housing diversity and choice for renters, improve housing affordability for homeowners and potentially tenants, and increase rental housing stock overall.

Removing the requirement for rezoning would reduce the administrative burden on homeowners keen on developing this type of housing on their properties, and has the potential to significantly improve uptake of the Garden Suite program, which could be maximized by delegating staff authority for approval of development permits specific to these applications.

Respectfully submitted,



Lindsay Milburn
Senior Planner – Housing Policy
Community Planning



Jonathan Tinney
Director,
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager: _____

Date: _____


October 21, 2016

List of Attachments

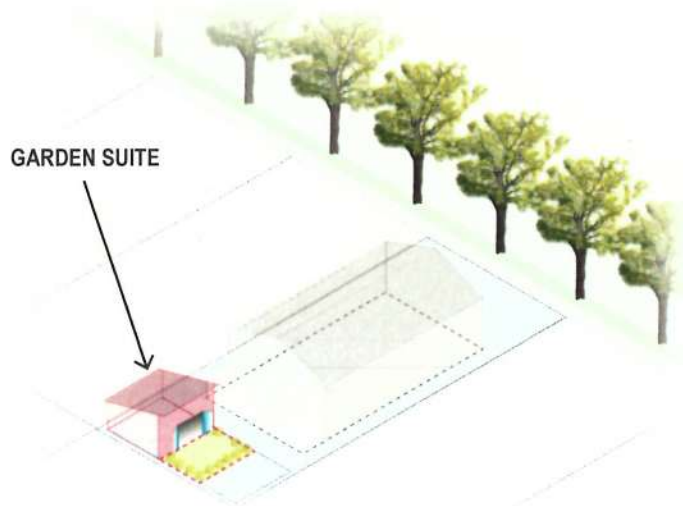
Attachment 1: *The Garden Suite Policy*

Attachment 2: *Draft Zoning Regulation Bylaw Schedule M: Garden Suite Regulations*

Attachment 3: Maps of Garden Suite appropriate zones and 'Plus Sites'

1. What is a Garden Suite?

A Garden Suite is a small, ground-oriented, unit located in the rear yard of a single family detached dwelling.



2. Where can a Garden Suite be located?

Eligible locations for a Garden Suite in Victoria include all properties that contain only a single family detached dwelling and are appropriately zoned. The proposal must meet all requirements of the Garden Suite Policy and should incorporate the design guidelines contained in the Policy. Properties that already have secondary suites are not eligible.



POTENTIAL GARDEN SUITE SITES: The properties shaded in yellow above include sites with the appropriate zoning designation to consider Garden Suites. The graphic is illustrative only.

3. Requirements

The requirements for a Garden Suite to be considered are:

EXISTING LAND USE	Single Family Dwelling
EXISTING ZONING	R1-A Rockland Single Family Dwelling; R1-B, Single Family Dwelling; R1-G Single Family Dwelling (Gonzales); R-2 Two Family Dwelling; R-J Low Density Attached Dwelling; R-K Medium Density Attached Dwelling
LOCATION	Rear yard only
HEIGHT (MAXIMUM)	3.5 m
SETBACKS (MINIMUM)	0.6 m from all lot lines 2.4 m from existing dwelling
CORNER LOT SETBACK ON FLANKING (SIDE) STREET (MINIMUM)	Equal to the existing setback of the primary structure to the flanking street on the adjacent property
REAR YARD SITE COVERAGE (MAXIMUM)	25% maximum
TOTAL SITE COVERAGE (MAXIMUM)	30-40% maximum, based on existing zoning requirement
MAXIMUM TOTAL FLOOR AREA	37 m ² (approximately 400 ft ²)
BUILDING CODE	All BC Building, Plumbing, and Electrical Code regulations apply for residential uses.
STRATA TITLING	Strata titling of properties with Garden Suites is prohibited.
ACCESS	An unobstructed pathway must be constructed and maintained between the public street and the Garden Suite entrance, with a minimum width of 1 m for private and emergency access.
ROOFTOP PATIOS	Interior or exterior structured access to the Garden Suite rooftop is prohibited for all purposes including patios.
PARKING	There are no additional parking requirements for the creation of a Garden Suite but the primary dwelling should have a minimum of 1 parking stall which may not be located in the front yard.
SECONDARY SUITES	Secondary Suites are not permitted on a lot with a Garden Suite.
SERVICING	Servicing to the rear yard must be located underground.

4. Design Guidelines

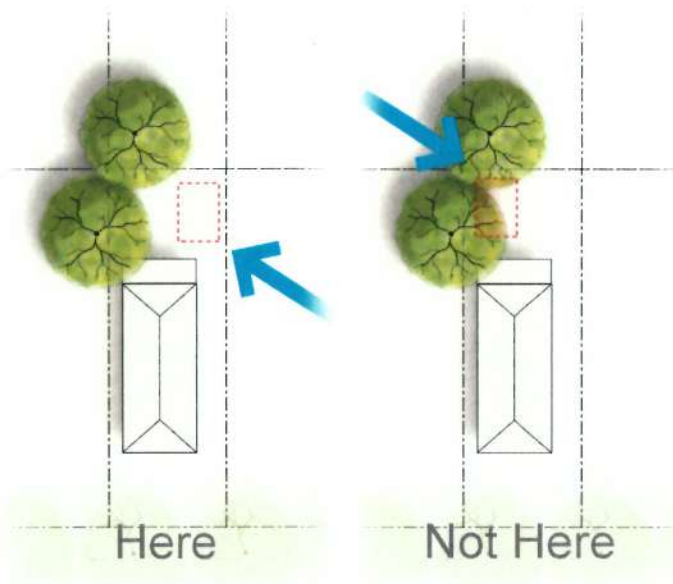
Character

Quality in design, high quality architectural expression, and unique individual identity of a Garden Suite are encouraged. However, the Garden Suite should relate to the principal building on site in terms of materials, roof form, and general architectural expression. The intent, however, is not to create a “miniature version” of the primary building.

Modular and pre-fabricated housing represents a potential opportunity for homeowners to reduce the construction cost and to reduce construction time and disturbance of neighbours. Therefore, these construction methods are supportable. However, the finished structure must be undifferentiated from on-site and adjacent existing structures in terms of quality of construction and the appearance of permanence in addition to meeting all the BC Building, Plumbing, and Electrical Codes.

Respect Mature Landscape Elements

Siting should respect mature trees both on site and on adjacent properties. This means locating the Garden Suite so as to minimize impact on a tree's root system. A certified arborist report may be required as part of the application when a tree on the subject site or a neighbouring lot may be affected.



Minimize Shading

Consideration should be given to minimize shading on adjacent private open space while maximizing contiguous on-site open space. Typically, this means:

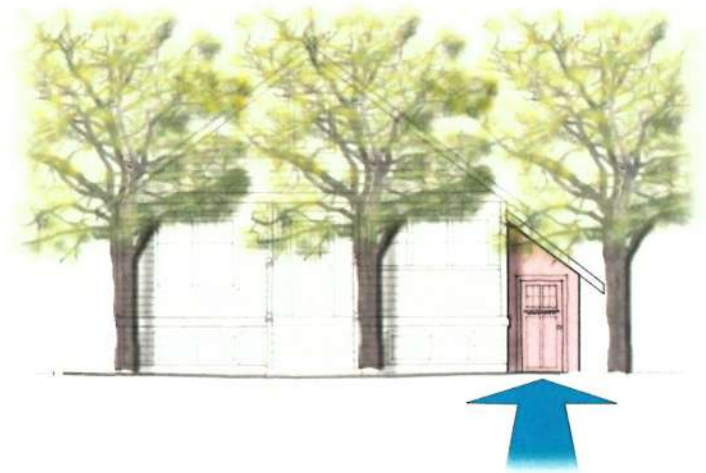
- locating the Garden Suite in the southern portion of the rear yard
- locating the highest portion of a pitched or arched roof at the interior of the site, with the roof sloping down towards the nearest lot line
- orienting the ridge so as to minimize shadow on adjacent lots

Hierarchy of Siting Considerations

In the event that a Garden Suite cannot be sited without adverse impacts to either mature landscape or shading on adjacent properties, the following hierarchy of policies apply:

1. protect mature landscape on adjacent properties
2. protect mature landscape on subject property
3. minimize shading on adjacent properties.

Care should also be taken to minimize the visual impact on adjacent properties. However, this does not mean that the Garden Suite will not be completely unseen from adjacent lots.



Siting

Where possible, the Garden Suite should be located to be at least partially visible from the street.

In the case of corner lots, lots with laneway access or double-fronting lots, the Garden Suites should be directly oriented to the adjacent public right-of-way. This means including front doors that are directly oriented to the street or laneway windows directed towards the street or laneway and landscape that reinforces the location of the entry.

On corner lots, the Garden Suite is sited as close to the side street as possible to create a consistent streetscape pattern.

Windows

Windows should be maximized along those façades oriented to the interior of the site. Windows oriented towards adjacent properties are discouraged and, in some cases, may be prohibited by Building Code regulations.

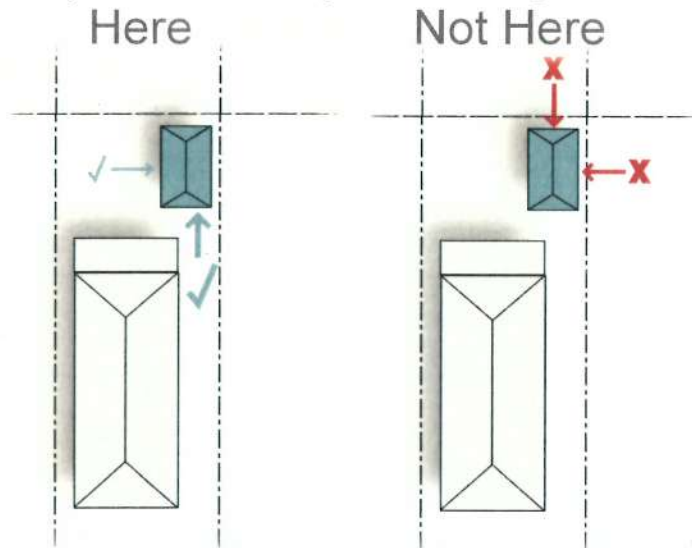
On corner lots, lots with laneway access or double-fronting lots, windows should be oriented to the street or laneway.

Entries and Addressing

Unit entries should be oriented to the street. When this is not practical, a secondary preference would be to locate the entry to the interior portion of the site.

A Garden Suite must be assigned a unique, individual address. This will occur at the building permit stage.

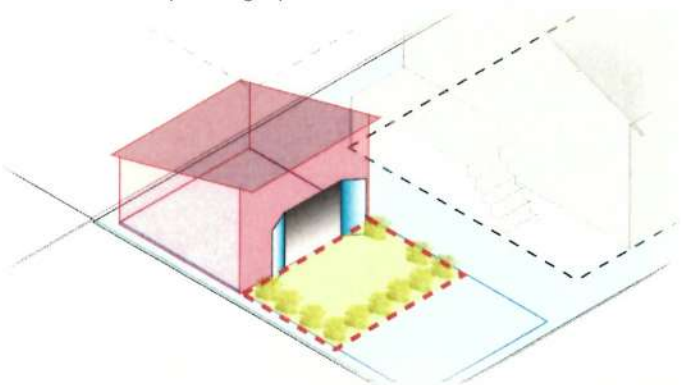
An address sign for the Garden Suite must be located at a clearly visible location along the street frontage.



Usable Outdoor Space

Design and orientation of the Garden Suite should ensure a direct connection with usable outdoor space.

A minimum of 15 m² of semi-private outdoor space should be clearly associated with the Garden Suite. This may be achieved through plantings or changes in surface materials. Hard-surfaced areas are supportable but should include permeable pavers, be decorative in nature, and must not be usable as a parking space.



Rooftops

Rooftop outdoor space is prohibited to mitigate privacy concerns of neighbourhoods.

Rooftop energy initiatives such as solar panels or solar hot water heating may be considered.

Landscape

Green roofs are encouraged as benefits include reducing stormwater runoff, improving water quality, reducing urban heat island effect, conserving energy, creating wildlife habitat, and prolonging the life of the roof membrane. An added benefit is that the green roof may soften the appearance of the Garden Suite from neighbouring lots.

Native plant species and drought-tolerant plants are encouraged in side yard areas, particularly within narrow setbacks between the Garden Suite and adjacent lots where access for maintenance and upkeep is limited.

Heritage

The City will request that all properties identified on the Heritage Register will receive Heritage Designation when a Garden Suite is introduced to a property. Where a property may have heritage value but has not been identified or included on the Heritage Register, the City would encourage applicants to consider heritage designation as they pursue approval of a Garden Suite.

In cases where an existing accessory building is heritage designated, a Heritage Alteration Permit is required and the *Standards and Guidelines for the Conservation of Historic Places in Canada* apply.

In cases where a new Garden Suite is located on a property where the primary structure is protected by heritage designation or is identified on the heritage register, then a Heritage Alteration Permit is not required for construction of the Garden Suite but the *Standards and Guidelines for the Conservation of Historic Places in Canada* should be considered.

Parking and Driveways

No additional parking is required for the Garden Suites but the primary dwelling should have a minimum of 1 parking stall which may not be located in the front yard. Any proposed changes to the parking layout and driveway should include permeable paving materials.

In situations where an existing parking space is displaced by the creation of the Garden Suite, the new parking location should occur within the existing driveway in order to prevent an increase in paved surface but should be located beyond the front face of the primary building as per general parking requirements.

Garbage and Recycling

The proposed site plan should consider the location of extra garbage and recycling bins and screen these from view. These should not be located near the primary entrance of either residence.

5. Exceptions

The requirements for Garden Suites are intended to be consistently applied to all eligible sites. However, given the variety of lot sizes and configurations in the City, natural site conditions unique to each lot, and the possibility that older, existing accessory buildings may not comply with current accessory building requirements, staff may consider recommending approval of a Garden Suite in the following situations.

Exception #1: Existing Garage Conversions

In situations where an existing garage or accessory building is located on site, a Garden Suite may be located within a structure that exceeds the standard requirements provided that:

- the structure was built with all appropriate permits and has not been altered
- the structure is fully upgraded to meet all Building Code requirements for residential use

In the event that a new structure is required to replace the existing legal non-conforming accessory building, the new structure must not exceed the footprint, height, or roof form as defined by the existing structure. Careful documentation of this should be prepared and submitted to the City prior to demolition in order to ensure an opportunity to verify the scale of the existing structure.

Exception #2: "Plus Sites"

Properties that meet the following criteria are considered "Plus Sites":

- a corner lot
- a lot with two street frontages
- a lot with rear yard laneway access
- lots greater than 557 m² (6,000 ft²) in total area.

On "plus sites", there may be an opportunity to increase the floor area of a Garden Suite up to a maximum of 56 m² (600 ft²). The additional floor area may be considered supportable if it can be demonstrated that it would not have a negative impact on privacy, shading, or overlook of or onto neighbouring properties.

Additional floor area may be achieved either by:

- increasing the floorplate- though not to a level exceeding site coverage requirements- to accommodate all floor space on a single level.
- exceeding the height requirement in order to incorporate a loft space with a floor area no greater than 50% of the building footprint, provided that interior floor to ceiling height of the loft space is kept minimal (approximately seven feet) and careful attention is given to prevent excess shading on neighbouring lots.

Exception #3: Protected Trees

In situations where the siting of a Garden Suite is severely



POTENTIAL GARDEN SUITE "PLUS" SITES: The properties shaded in dark yellow in the graphic above indicate potential Garden Suite "Plus" Sites where an additional floor area may be considered. These properties have the appropriate zoning designation for Garden Suites and are either located on a block corner, between two streets, or between a street and a laneway. The graphic is illustrative only.

limited by the presence of protected trees as described in the Tree Preservation Bylaw, a height variance may be considered to accommodate a sleeping loft provided that:

- the maximum floor space of the Garden Suite does not exceed typical requirements
- the floor area of the sleeping loft does not exceed 50% of the ground floor area
- design measures are taken to mitigate shading or overlook concerns on adjacent properties.

6. Note to Applicants

- Submission of a complete rezoning application is required.
- It is advisable to discuss the proposal with your immediate neighbours prior to developing detailed plans. Incorporating early input into a proposal may help to address any potential concerns that neighbours may have.
- Applicants are encouraged to review a preliminary proposal with the City's Engineering and Public Works Department to better understand potential servicing costs and with the City's Planning and Development Department to better understand the rezoning requirements and process. The applicant should also consider aspects related to providing utilities to the Garden Suite including phone, cable, and internet.

Schedule 1

DRAFT SCHEDULE M – GARDEN SUITE REGULATIONS**1 Restrictions**

- a. Garden suite is only permitted when the primary building is used for a single family dwelling.
- b. Garden suite is not permitted on a lot when a single family dwelling contains a secondary suite.
- c. No more than one garden suite is permitted on a lot.
- d. Garden suite must be for family or rental use; subdividing or strata-titling a lot with a garden suite is not permitted.

2 Setback, Separation Space and Location

- a. Rear yard setback (minimum) 0.6m
- b. Side yard setback from interior lot lines (minimum) 0.6m
- c. Side yard setback on a flanking street for a corner lot (minimum) 3.5m
- d. Separation space between a garden suite and a single family dwelling (minimum) 2.4m
- e. A garden suite must be located in a rear yard.

3 Rear Yard Site Coverage and Access

- a. Rear yard Site Coverage (maximum) 25%

4 Height, Storeys, Floor Area and Roof Decks

- a. Height (maximum) 3.5m
- b. Number of storeys (maximum) 1
- c. Floor area (maximum) 37m²
- d. Roof deck Not permitted

DRAFT SCHEDULE M – GARDEN SUITE REGULATIONS**5 Plus Site - Regulations, Height, Storeys and Floor Area**

- a. Properties that meet one or more of the following criteria are considered a plus site:
- a corner lot
 - a lot with two street frontages
 - a lot with rear yard laneway access
 - a lot greater than 557m² in total area.
- b. Height (maximum) 5.5m
- c. Number of storeys (maximum) 1.5
- d. Floor area (maximum) 56m²
- e. Roof deck Not permitted

6 Vehicle Parking

Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part

- a. Garden Suite None

Attachment 3 – Maps

Figure 1: Potential Garden Suite Sites





 Potential garden suite sites

Figure 2: Plus Sites



 Plus Sites, defined as lots that meet one or more of the following criteria: corner lot; a lot with two street frontages; a lot with rear yard laneway access; or a lot greater than 557m² in total area