

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating Schedule M – Garden Suite Regulations and adding garden suite as a permitted use accessory to a single family dwelling in the R1-A, R1-B, and R1-G Zones.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1081)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption GENERAL REGULATIONS by adding the following words:

“Schedule M – Garden Suite Regulations”
- 3 The Zoning Regulation Bylaw is also amended by adding after Schedule L – Small Scale Commercial Urban Food Production Regulations the provisions contained in Schedule 1 of this Bylaw.
- 4 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:
 - (a) in Schedule A – Definitions by amending the definition of Garden Suite to read as follows:

“Garden Suite means a building attached to a foundation, used or designed as a self-contained dwelling unit located on a lot with a single family dwelling and does not include a strata lot.”
 - (b) in Part 1.1 – R1-A Zone, Rockland Single Family Dwelling District, by amending section 1.1.1.a by adding garden suite as an accessory use so that the subsection reads as follows:

“a. Single family dwelling with no more than one of the following accessory uses:
Secondary suite subject to the regulations in Schedule “J”; or
Garden suite subject to the regulations in Schedule “M”; or
Roomers and/or Boarders up to a maximum of 4”
 - (c) in Part 1.2 – R1-B Zone, Single Family Dwelling District, by amending section 1.2.1.a by adding garden suite as an accessory use so that the subsection reads as follows:

“a. Single family dwelling with no more than one of the following accessory uses:
Secondary suite subject to the regulations in Schedule “J”; or
Garden suite subject to the regulations in Schedule “M”; or
Roomers and/or Boarders up to a maximum of 4”

- (d) in Part 1.6 – R1-G Zone, Gonzales Single Family Dwelling District, by amending section 1.6.1.a by adding garden suite as an accessory use so that the subsection reads as follows:

“a. Single family dwelling with no more than one of the following accessory uses:
Secondary suite subject to the regulations in Schedule “J”; or
Garden suite subject to the regulations in Schedule “M”; or
Roomers and/or Boarders up to a maximum of 4”

READ A FIRST TIME the 9th day of **March** 2017

READ A SECOND TIME the 9th day of **March** 2017

Public hearing held on the day of 2017

READ A THIRD TIME the day of 2017

ADOPTED on the day of 2017

CITY CLERK

MAYOR

1 Restrictions

- a. A garden suite is only permitted when the primary building is used for a single family dwelling.
- b. A 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.

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, or the minimum front yard setback of the adjoining lots whichever is the greater, when the adjoining lots shares a common lot line other than a rear lot line
- d. Separation space between a garden suite and a single family dwelling (minimum) 2.4m
- d. A garden suite must be located in a rear yard.

3 Rear Yard Site Coverage

- a. Rear yard site coverage (maximum) 25%
- b. Site coverage (maximum) Subject to site coverage regulations in the applicable zone

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

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. Notwithstanding Section 4, the following restrictions apply to a garden suite on a “plus site”:

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| i. <u>Height</u> (maximum) | 5.5m |
| ii. Number of <u>storeys</u> (maximum) | 1.5 |
| iii. Floor <u>area</u> (maximum) | 56m ² |
| iv. <u>Roof deck</u> | Not permitted |

6 Vehicle Parking

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| a. Vehicle parking for a <u>garden suite</u> | Subject to the regulations in Schedule “C” |
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