

<u>COUNCIL AGENDA</u>	
Date: JUN/29/2024 July 31, 2024	Item: B/L (COMMITTEE) 3.



3.

DISTRICT OF WEST VANCOUVER
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

COUNCIL REPORT

Date:	July 26, 2024
From:	Winnie Yip, Senior Community Planner David Hawkins, Senior Manager of Community Planning & Sustainability
Subject:	Proposed Zoning Amendments for Small-Scale Multi-Unit Housing to Comply with Ministerial Notice
File:	13.2515.02/05.2024

RECOMMENDATION

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5351, 2024” be considered for first, second, and third readings and adoption at the August 19, 2024 special Council meeting scheduled for 3 p.m. in the Municipal Hall Council Chamber and via electronic communication facilities (WebEx video conferencing software), and that notice be given of the scheduled consideration.

1.0 Purpose

To initiate zoning bylaw amendment procedures in response to the ministerial notice of non-compliance with the Provincial requirements for Small-Scale Multi-Unit Housing (SSMUH), received on July 25, 2024 (**Appendix A**).

2.0 Legislation/Bylaw/Policy

Provincial *Bill 44: Housing Statutes (Residential Development) Amendment Act* came into effect on December 7, 2023. This amendment to the *Local Government Act (LGA)* mandates zoning bylaw changes to allow for SSMUH on various lands that permit single-family and duplex uses by June 30, 2024.

3.0 Council Strategic Objective(s)/Official Community Plan

Council Strategic Plan

Council’s 2024-2025 Strategic Plan identifies the goal to “expand a diverse housing supply” and specifically includes:

- Objective 2.2: Respond to other new legislation (Bill 44 – 2023: Housing Statutes (Residential Development) Amendment Act, 2023) designed to speed up local government development approvals.

4.0 Financial Implications

This report and the proposed amendment bylaw were prepared under existing staff resources which would otherwise have been directed to other District planning initiatives.

The proposed amendments could gradually increase the residential tax base and result in the collection of Development Cost Charges for District roads, utilities and parks over time.

5.0 Background

The Province amended the *Local Government Act* and *Local Government Zoning Bylaw Regulation* in December 2023 and introduced new provisions requiring amendments to zoning bylaws to permit SSMUH on specific residential lands by June 30, 2024. Council previously considered and defeated proposed zoning bylaw amendments on May 27, 2024.

5.1 Previous Decisions

Council, at its May 27, 2024, regular meeting, defeated the following resolution:

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5327, 2024” be read a first time.

6.0 Analysis

6.1 Discussion

On July 25, 2024, the District received a notice from the Minister of Housing regarding the District’s non-compliance with section 481.3 of the LGA (SSMUH requirements). The notice outlines the Minister’s objections and identifies specific zones that the Province deems to be non-compliant with the legislation.

These zones identified by the Province as requiring amendments to comply with SSMUH generally reflect those that were subject of the previously defeated bylaw, with material discrepancies limited to:

1. The inclusion of the PA2, CD41, CD47, and CD49 zones; and
2. The inclusion of all RD1 and RD2 zones (as opposed to previously proposed amendments of only including parcels that meet the site minimum requirements for duplex).

A comparison table between the Province’s notice and the previously proposed amendments is attached as **Appendix B**.

Pursuant to Section 787(2)(b) of the LGA, the District must alter its zoning bylaw in accordance with the ministerial notice within 30 days after the receipt of the notice (i.e., by August 24, 2024). To respond, staff prepared

the proposed Amendment Bylaw No. 5351 for Council’s consideration **(Appendix C)**.

The recommendation for Council’s consideration of the proposed bylaw on August 19, 2024 would meet both the LGA’s public notice requirements and the 30-day compliance deadline of the ministerial notice.

Section 787(3) of the LGA further stipulates, and the ministerial notice reiterates, that if the District does not alter the zoning bylaw in accordance with the notice, the Minister “may, with the prior approval of the Lieutenant Governor in Council, make an order that enacts or amends a bylaw” to permit SSMUH densities as outlined in section 481.3 of the LGA, and may also establish “the siting, size, dimension, location or type of housing units required to be permitted”.

6.2 Climate Change & Sustainability

Not applicable.

6.3 Public Engagement and Outreach

Section 464(4) of the LGA prohibits a local government from holding a public hearing on a zoning bylaw proposed to comply with SSMUH requirements of the legislation. Section 467(1) of the same Act requires a public notice be given.

6.4 Other Communication, Consultation, and Research

Not applicable.

7.0 Options

7.1 Recommended Option

At the time of consideration of this report, Council may:

- (a) set the date for first, second, third readings and adoption of the proposed zoning bylaw amendment bylaw and give the public notice of the scheduled meeting.


7.2 Considered Options

- (b) Provide additional direction (to be specified).


Staff note that the ministerial order requires zoning bylaw amendments be adopted by August 24, 2024 and compliance may be hindered should alternative direction be given.

8.0 Conclusion

The District received a notice from the Minister of Housing outlining objections to the District's zoning bylaw, citing non-compliance with SSMUH legislation. To meet compliance and avoid further actions by the ministry, the proposed amendment bylaw has been prepared for Council's consideration on August 19, 2024.

Author: 

Winnie Yip, Senior Community Planner



David Hawkins, Senior Manager of Community Planning and Sustainability

Appendices

- A. Ministerial Notice on SSMUH Non-Compliance
- B. Comparison between Previously Proposed Zoning Bylaw Amendments and Provincial Notice Requirements
- C. Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5351, 2024



July 25, 2024

Reference: 69212

His Worship Mark Sager and Council
City of West Vancouver
750 - 17th Street
West Vancouver BC V7V 3T3
Email: mark@westvancouver.ca

Dear Mayor Sager and Councillors:

Pursuant to section 787(1) of the Local Government Act, this letter provides notice that I am satisfied that the District of West Vancouver has failed, within the time required under the *Local Government Act*, to adopt a zoning bylaw which complies with section 481.3 of the *Local Government Act*.

- The District of West Vancouver has declined to exercise its zoning powers to permit the required densities.
- If any parcel within a zone is limited to the residential uses listed in the definition of 'restricted zone' as set out in section 481.3 (1) of the *Local Government Act*, the province considers this to be a restricted zone.
- Several zones within the District's current zoning bylaw are considered to be restricted zones.

Pursuant to section 787 (2) of the Local Government Act, my objections to the District of West Vancouver's zoning bylaws are as follows:

District of West Vancouver Zone or Portion Thereof, applicable to parcels of the minimum prescribed size or larger¹	Objection
Lands within the following zones that are within 400m of a bus stop ² CU5 – 1768 Argyle Avenue PA2 CD4 CD41 CD47 CD48 CD49 CD77 CD81 CD82 RD1 RD2 RD3	Constitutes a restricted zone pursuant to section 481.3 (1) of the Local Government Act. Pursuant to section 481.3 (5) of the Local Government Act and section 2 (3) of the Local Government Zoning Bylaw Regulation, the prescribed minimum number of housing units that must be permitted is 6.
Lands with the following zones that are further than 400m from a bus stop ² CU5 – 1768 Argyle Avenue PA2 CD4 CD41 CD47 CD48 CD49 CD77 CD80 CD81 CD82 RD1 RD2 RD3	Constitutes a restricted zone pursuant to section 481.3 (1) of the Local Government Act. Pursuant to section 481.3 (4) of the Local Government Act and section 2 (1) of the Local Government Zoning Bylaw Regulation, the prescribed minimum number of housing units that must be permitted is 3 or 4.

¹ Parcels which meet the criteria established in section 481.4 (1) of the Local Government Act or section 3 of the Local Government Zoning Bylaw Regulation are excluded from the objection.

² Pursuant to section 2 (4) of the Local Government Zoning Bylaw Regulation, a bus stop is a bus stop for the purposes of section 481.3 (5) (a) of the Act if the bus stop is served by at least one bus route in respect of which a bus is scheduled to stop at the bus stop as follows: (a) at least every 15 minutes, on average, between the hours of 7 a.m. and 7 p.m., Monday to Friday; (b) at least every 15 minutes, on average, between the hours of 10 a.m. and 6 p.m. on Saturdays and Sundays.

District of West Vancouver Zone or Portion Thereof, applicable to parcels of the minimum prescribed size or larger ¹	Objection
CU3	Constitutes a restricted zone pursuant to section 481.3 (1) of the Local Government Act. Pursuant to section 481.3 (3) of the Local Government Act and section 2 (1) of the Local Government Zoning Bylaw Regulation, the prescribed minimum number of housing units that must be permitted is 2 or 3.

The Ministry of Housing has received the District of West Vancouver's request to have Eagle Island and Abode Island exempted from the small-scale multi-unit housing (SSMUH) legislative requirements. Additional notices of objection may be issued in the future.

Pursuant to section 787 (2) (b), the District of West Vancouver must, within 30 days after receipt of this notice, alter its zoning bylaw in accordance with this notice.

Pursuant to section 481.3 (7), in developing or adopting a zoning bylaw to permit the use and density of use required under that section to be permitted, a local government must consider applicable guidelines, if any, under section 582.1. The SSMUH Provincial Policy Manual and Site Standards³ and any subsequent policy bulletins (SSMUH Extensions Policy Bulletin⁴, SSMUH Controlled Access Highway Referrals and Notification of Exempted Land and Bylaw Compliance Policy Bulletin⁵) can be found online at the following link: www2.gov.bc.ca/gov/content/housing-tenancy/local-governments-and-housing/housing-initiatives/smale-scale-multi-unit-housing.

You are reminded that, pursuant to section 457.1 of the Local Government Act:

The following powers must not be exercised in a manner that unreasonably prohibits or restricts the use or density of use required to be permitted under section 481.3 [zoning bylaws and small-scale multi-family housing]:

- (a) a power under section 488 [designation of development permit areas];*
- (b) a power in relation to a land use regulation bylaw or land use permit;*
- (c) a power in relation to a heritage alteration permit, as defined in section 586 [definitions in relation to Part 15];*
- (d) a power under section 614 [designation of heritage conservation areas].*

³ www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/local-governments-and-housing/ssmuh_provincial_policy_manual.pdf

⁴ www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/local-governments-and-housing/ssmuh_extensions_policy_bulletin.pdf

⁵ www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/local-governments-and-housing/ssmuh_highways_policy_bulletin.pdf

If the District of West Vancouver does not alter the zoning bylaw in accordance with this notice, the Minister of Housing may, with the prior approval of the Lieutenant Governor in Council, make a ministerial order that enacts or amends a bylaw referred to in section 479 of the *Local Government Act* to permit, in relation to an area, the use and minimum density of use required to be permitted under section 481.3 of the *Local Government Act*. The ministerial order may also, in relation to the area, establish the siting, size, dimension, location or type of housing units required to be permitted under section 481.3 of the *Local Government Act*.

Public record indicates that District staff brought forward proposed amendments to the District's zoning bylaw, and that Council chose not to adopt these or any other amendments that would bring the bylaw into alignment with the legislation. The Province is working hard to increase housing supply to ensure communities have the housing that they need, including establishing legislative requirements that will facilitate more small-scale multi-unit housing development. Local governments have an important role in these efforts. Interim reporting indicates the District of West Vancouver has achieved 18 per cent of the year one housing targets issued under the *Housing Supply Act*. By enabling small-scale multi-unit housing through the required bylaw amendments, the District will make more progress towards achieving the housing targets and address critical housing need in the community.

Sincerely,



Ravi Kahlon
Minister of Housing

CC: Hope Dallas, Corporate Officer, City of West Vancouver
Scott Findlay, Municipal Manager, City of West Vancouver

APPENDIX B

SSMUH - Comparison between Previously Proposed Amendments and Provincial Notice Requirements

Zone	Address and/or # of Parcels Impacted	Previously proposed unit # (May 27, 2024)	Province proposed unit # (notice dated July 25, 2024)
CU3	580 18th St (Royal Canadian Legion – Pacific 60) & 1763 Bellevue Ave (3 parcels)	6	3
CU5	1768 Argyle Ave (Navy Jack House) (1 parcel)	6	6
PA2	11 parcels	Not included	4 or 6 if ≤ 400m from prescribed bus stop
CD4	6385 Nelson Ave, 6528/38 Marine Dr (3 parcels)	4	4
CD41	Garrow Way (6217-6223 Imperial Ave) (3 parcels)	Not included	4
CD42	Telegraph Hill (3 parcels)	Exempted	Not included
CD47	Hollyburn Mews (already has 9 units on 1 parcel)	Not included	6
CD48	2599 Marine Dr (1 parcel)	4	4
CD49	2066-2072 Fulton Ave (1 parcel)	Not included	6
CD77	5500 Block Parthenon Pl & 5490 Marine Dr (15 parcel)	4	4
CD80	382-398 Mathers Ave (8 parcels)	3	3
CD81	800 Taylorwood Pl (21 parcels)	4	4
CD82	6255 & 6265 Imperial Ave, 6620-6678 Marine Dr (10 parcels)	4	4
RD1 < 555 m ²	20 parcels	Not included	3 units, as sites are < 280 m ²
	120 parcels	Not included	4 or 6 if ≤ 400m from prescribed bus stop
RD1 ≥ 555 m ²	109 parcels	6	6
	15 parcels	4	4
RD2 < 557.5 m ²	1 parcels	Not included	3 units, as site is < 280 m ²
	2 parcels	Not included	4 or 6 if ≤ 400m from prescribed bus stop
RD2 ≥ 557.5 m ²	32 parcels	4	4
RD3	1844/46 Bellevue Ave & 2302/04 Bellevue Ave (4 parcels)	6	6
RM1	45 parcels (all apartments)	6	Not included

Notes: Highlighted rows indicate discrepancies;

The Province acknowledged receipt of RS6 (Eagle Island) exemption request and notes that they may issue additional notice of objections in the future.

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District of West Vancouver

**Zoning Bylaw No. 4662, 2010,
Amendment Bylaw No. 5351, 2024**

Effective Date:

**Zoning Bylaw No. 4662, 2010,
Amendment Bylaw No. 5351, 2024**

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District of West Vancouver

Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5351, 2024

A bylaw to amend zoning for lands subject to Local Government Act requirements on small-scale multi-unit housing (Bill 44).

Previous amendments: Amendment bylaws 4672, 4677, 4678, 4679, 4689, 4701, 4680, 4710, 4697, 4716, 4712, 4737, 4726, 4736, 4757, 4752, 4767, 4787, 4788, 4784, 4772, 4791, 4805, 4809, 4828, 4854, 4873, 4866, 4895, 4839, 4898, 4927, 4944, 4905, 4974, 4967, 4982, 4962, 4928, 4992, 5001, 5021, 5024, 5009, 4938, 5044, 5055, 5051, 5068, 5065, 5087, 5069, 5110, 5106, 5132, 5161, 5160, 5013, 5122, 5155, 5169, 5192, 5175, 5171, 5201, 5230, 5081, 5223, 5270, 5281, 5321, 5328, 5336, and 5338.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for amendments to the Zoning Bylaw to comply with Local Government Act requirements on small-scale multi-unit housing (Bill 44);

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5351, 2024.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amendment of Regulations

- 3.1 Zoning Bylaw No. 4662, 2010, Schedule A, Section 110 – Definitions, is amended by:
- 3.1.1 Deleting the definition “Detached secondary suite” in its entirety and replacing with the following:
- a self-contained, detached dwelling unit accessory to a single family dwelling, or a duplex dwelling where permitted.
- 3.1.2 Deleting the definition “Dwelling, ground-oriented” in its entirety and replacing with the following:
- two or more principal dwellings and/or principal residential buildings – such as infill, multiplexes and rowhouses, each with access to the street, lane or site without the use of common, enclosed stairwells or corridors – that may be on a single lot or subdivided into separate lots.
- 3.1.3 Retitling the definition “Floor area ratio – other than single dwellings and duplex dwellings” to “Floor area ratio – other than single-family, duplex, and ground-oriented dwellings”
- 3.1.4 Retitling the definition “Floor area ratio – single dwellings and duplex dwellings” to “Floor area ratio – single-family, duplex, and ground-oriented dwellings”
- 3.1.5 Adding the definition “Prescribed bus stop” following the definition “Porte cochère”, referencing section 120.02:
- a bus stop served by at least one bus route that is scheduled to stop at the bus stop at least every 15 minutes, on average, between the hours of:
- (a) 7 a.m. and 7 p.m., Monday to Friday;
 - (b) 10 a.m. and 6 p.m., on Saturdays and Sundays
- 3.1.6 Deleting the definition “Secondary suite” in its entirety and replacing it with the following:
- a dwelling unit accessory to a principal dwelling, either located within or abutting to the principal building. The two dwelling units and any common spaces make up a single real estate entity that cannot be stratified or otherwise legally separated from the other.

3.2 Zoning Bylaw No. 4662, 2010, Schedule A, Section 120 – General Regulations for all Zones, is amended by:

3.2.1 Deleting section 120.02 in its entirety and replacing with the following:

- (1) Lots zoned for single family dwelling use that existed as lots of record at the time of adoption of Zoning Bylaw 4662, 2010 (effective January 24, 2011) and which are smaller than required in the zone to qualify for single family dwelling use may be used for single family dwelling use with secondary suite and/or detached secondary suite uses, at 3 dwellings maximum, in addition to accessory and non-residential uses customarily permitted in single family dwelling zones.
- (2) Lots zoned for duplex and/or ground-oriented dwelling uses that existed as lots of record at the time of adoption of Zoning Bylaw 4662, 2010 (effective January 24, 2011) and which are smaller than required to qualify for the permitted residential uses in the zone may be used as follows:

	Parcel	Permitted Use	Density
(a)	Site area equal to or less than 280 square metres	(i) Detached secondary suites (ii) Single family dwellings (iii) Secondary suites	3 dwellings maximum
(b)	Site area greater than 280 square metres	(i) Detached secondary suites (ii) Duplex dwellings (iii) Ground-oriented dwellings (iv) Single family dwellings (v) Secondary suites	4 dwellings maximum
(c)	Site area greater than 280 square metres, and wholly or partly within 400 metres from a prescribed bus stop	(i) Detached secondary suites (ii) Duplex dwellings (iii) Ground-oriented dwellings (iv) Single family dwellings (v) Secondary suites	6 dwellings maximum

In addition to accessory and non-residential uses customarily permitted in ground-oriented dwelling use zones.

- (3) Lots zoned for commercial use that existed as lots of record at the time of adoption of Zoning Bylaw 4662, 2010 (effective January 24, 2011) and which are smaller than required in the zone to qualify for commercial use, may be used for any commercial use permitted in the zone.

3.2.2 Retitling section 120.21 “Floor Area Ratio – Other Than Single Family Dwelling and Duplex Dwelling” to “Floor Area Ratio – Other Than Single-Family, Duplex, and Ground-Oriented Dwellings”

3.3 Zoning Bylaw No. 4662, 2010, Schedule A, section 130 – General Regulations for Residential Zones and Uses Only, is amended by:

3.3.1 Deleting Section 130.01(6)(c) in its entirety and replacing with the following:

- (c) within ground-oriented dwelling zones, the accessory building shall be located no less than 1.2 metres from a principal building.

Part 4 Amendment of Zones

4.1 Zoning Bylaw No. 4662, 2010, Schedule A, Section 251 – RD1 Duplex Dwelling Zone 1, is amended by:

4.1.1 Adding the following to section 251.01 (Permitted Uses) after (e), and renumbering section 251.01 accordingly:

- (f) ground-oriented dwellings

4.1.2 Deleting section 251.03 (Site Area) in its entirety and replacing with:

- (1) Single family dwelling – 370 square metres minimum
- (2) Duplex dwelling – 555 square metres minimum
- (3) Ground-oriented dwellings – 280 square metres minimum

4.1.1 Deleting section 251.04 (Minimum Lot Width) in its entirety and replacing with:

- (1) Single family dwelling – 10 metres minimum
- (2) Duplex dwelling – 14.3 metres minimum

- (3) Duplex dwelling – 12.9 metres minimum applicable only to 7 Glenmore Drive (Legal Description: Lot B, Block 1 of Block C, District Lot 604, Group 1, New Westminster District, Plan EPP86368) PID: 031-196-756
- (4) Ground-oriented dwellings – 14.3 metres minimum

4.1.2 Adding the following in section 251.05 (Lot Coverage) after (2)(c):

- (3) Ground-oriented dwelling – 40% of Lot Area Maximum

4.1.3 Deleting section 251.06 (Floor Area Ratio) in its entirety and replacing with:

- (1) Single family dwelling
 - (a) 0.35 of lot area maximum if lot area is greater than 677 square metres; or
 - (b) 237 square metres maximum if lot area is between 474 and 677 square metres; or
 - (c) 0.5 of lot area maximum if lot area is less than 474 square metres
 - (d) Notwithstanding Section 251.07(3), additional floor area permitted for an infill detached secondary suite shall be allowed as follows for the following property:

Legal Description	Civic Address	Maximum Detached Secondary Suite Floor Area
PID 012-867-756; Lot 3, Block 10, District Lot 237, Plan 3459	1186 Duchess Avenue	71.1 m ²

- (2) Duplex dwelling – 0.5 of lot area maximum
- (3) Ground-oriented dwelling – 0.5 of lot area maximum

4.1.4 Deleting section 251.09(1) in its entirety and replacing with:

- (1) Ground-oriented dwelling, duplex and single family dwellings of 1 storey, with or without basement; or 2 storeys, with or without basement, in which the upper storey width is less than 2/3 the minimum main storey width:
 - (a) minimum side yard: 1.52 metres
 - (b) minimum combined side yard: 20% of site width, but no less than 3 metres or more than 12.1 metres

- 4.1.5 Adding the following as section 251.10 after section 251.09:

251.10 Yard Exception

Ground-oriented dwelling – Notwithstanding any other provisions in Section 251 of this bylaw, no minimum yard is required adjoining a site line created on or after July 1, 2024, provided that the site line is not shared with:

- (1) a lot created:
 - (a) prior to July 1, 2024; or
 - (b) on or after July 1, 2024 with a yard adjoining the site line in accordance with Sections 251.08, 251.09 or 251.10 of this bylaw; or
- (2) an open or un-opened public street right-of-way including a lane

- 4.1.6 Adding the following as section 251.14 after section 251.13:

251.14 Off-Street Parking

Notwithstanding 141.01(2) and 144.01 of this bylaw, no minimum vehicle parking is required for residential uses, if site is greater than 280 square metres, and is wholly or partly within 400 metres from a prescribed bus stop

- 4.1.7 Adding the following as section 251.03 (Density) after section 251.02, and renumbering section 251 accordingly:

251.03 Density

- (1) 3 dwellings maximum per lot if site is less than 280 square metres; or
- (2) 4 dwellings maximum per lot; or
- (2) 6 dwellings maximum if site is greater than 280 square metres, and is wholly or partly within 400 metres from a prescribed bus stop

- 4.2 Zoning Bylaw No. 4662, 2010, Schedule A, Section 252 – RD2 Duplex Dwelling Zone 2, is amended by:

- 4.2.1 Adding the following to section 252.01 (Permitted Uses) after (e), and renumbering section 252.01 accordingly:
- (f) ground-oriented dwellings
- 4.2.2 Deleting section 252.03 (Site Area) in its entirety and replacing with:
- (1) Single family dwelling – 279 square metres minimum
 (2) Duplex dwelling – 557.5 square metres minimum
 (3) Ground-oriented dwellings – 280 square metres minimum
- 4.2.3 Deleting section 252.04 (Minimum Lot Width) in its entirety and replacing with:
- (1) Single family dwelling – 7.6 metres minimum
 (2) Duplex dwelling – 14.9 metres minimum
 (3) Ground-oriented dwellings – 14.9 metres minimum
- 4.2.4 Adding the following in section 252.05 (Lot Coverage) after (2)(c):
- (3) Ground-oriented dwelling – 40% of Lot Area Maximum
- 4.2.5 Adding the following in section 252.06 (Floor Area Ratio) after (2)(c):
- (3) Ground-oriented dwelling – 0.5 of lot area maximum
- 4.2.6 Deleting section 252.09(1) in its entirety and replacing with:
- (1) Ground-oriented dwelling, duplex and single family dwellings of 1 storey, with or without basement; or 2 storeys, with or without basement, in which the upper storey width is less than $\frac{2}{3}$ the minimum main storey width:
- (a) minimum side yard: 1.52 metres
 (b) minimum combined side yard: 20% of site width, but no less than 3 metres or more than 12.1 metres
- 4.2.7 Adding the following as section 252.10 after section 251.09:

252.10 Yard Exception

Ground-oriented dwelling – Notwithstanding any other provisions in Section 252 of this bylaw, no minimum yard is required adjoining a site line created on or after July 1, 2024, provided that the site line is not shared with:

- (1) a lot created:
 - (a) prior to July 1, 2024; or
 - (b) on or after July 1, 2024 with a yard adjoining the site line in accordance with Sections 252.08, 252.09 or 252.10 of this bylaw; or
- (2) an open or un-opened public street right-of-way including a lane

4.2.8 Adding the following as section 252.14 after section 252.13:

252.14 Off-Street Parking

Notwithstanding 141.01(2) and 144.01 of this bylaw, no minimum vehicle parking is required for residential uses, if site is greater than 280 square metres, and is wholly or partly within 400 metres from a prescribed bus stop

4.2.9 Adding the following as section 252.03 (Density) after section 252.02, and renumbering section 252 accordingly:

252.03 Density

- (1) 3 dwellings maximum per lot if site is less than 280 square metres; or
- (2) 4 dwellings maximum per lot; or
- (2) 6 dwellings maximum if site is greater than 280 square metres, and is wholly or partly within 400 metres from a prescribed bus stop

4.3 Zoning Bylaw No. 4662, 2010, Schedule A, Section 253 – RD3 Duplex Dwelling Zone 3, is amended by:

- 4.3.1 Deleting section 253.01 (Permitted Uses) in its entirety and replacing with the following:

- (a) accessory buildings and uses
- (b) child care
- (c) community care
- (d) detached secondary suites
- (e) duplex dwellings
- (f) ground-oriented dwellings
- (g) home based business
- (h) secondary suites
- (i) single family dwellings

- 4.3.2 Adding the following as section 253.12 after section 253.11:

253.11 Off-Street Parking

Notwithstanding 141.01(2) and 144.01 of this bylaw, no minimum vehicle parking is required for residential uses, if site is greater than 280 square metres, and is wholly or partly within 400 metres from a prescribed bus stop

- 4.3.3 Adding the following as section 253.03 (Density) after section 253.02, and renumbering section 253 accordingly:

253.03 Density

- (1) 4 dwellings maximum per lot; or
- (2) 6 dwellings maximum if site is wholly or partly within 400 metres from a prescribed bus stop

- 4.4 Zoning Bylaw No. 4662, 2010, Schedule A, Section 503 – CU3 – Community Use Zone 3, is amended by:

- 4.4.1 Adding the following to section 503.01 (Permitted Uses) after (b), and renumbering section 503.01 accordingly:

- (c) ground-oriented dwellings

- 4.4.2 Deleting section 503.03(1) in its entirety and replacing with the following:

- (1) Residential dwelling uses – 557.5 square metres minimum

- 4.4.3 Deleting section 503.04(1) in its entirety and replacing with the following:

(1) Residential dwelling uses – 15.2 metres minimum

4.4.4 Deleting section 503.06(1) in its entirety and replacing with the following:

(1) Residential dwelling uses – 7.6 metres minimum

4.4.5 Deleting section 503.07(1) in its entirety and replacing with the following:

(1) Residential dwelling uses – 1.52 metres minimum

4.4.6 Deleting section 503.08(1) in its entirety and replacing with the following:

(1) Residential dwelling uses – 7.62 metres maximum

4.4.7 Deleting section 503.09(1) in its entirety and replacing with the following:

(1) Residential dwelling uses – 2 storeys maximum

4.4.8 Deleting section 503.10(1) in its entirety and replacing with the following:

(1) Notwithstanding 141.01(2) and 144.01 of this bylaw, no minimum vehicle parking is required for residential dwelling uses.

4.4.9 Adding the following as section 503.03 (Density) after section 503.02, and renumbering section 503 accordingly:

503.03 Density

Ground-oriented dwellings – 3 dwellings maximum per lot

4.5 Zoning Bylaw No. 4662, 2010, Schedule A, Section 561 – PA2 Public Assembly Zone 2 (Place of Worship), is amended by:

4.5.1 Deleting section 561.01 (Permitted Uses) in its entirety and replacing with the following:

- (a) accessory buildings, structure and uses
- (b) accessory residential use
- (c) child care
- (d) community care
- (e) ground-oriented dwelling
- (f) home based business
- (g) kindergarten
- (h) places of worship
- (i) secondary suites
- (j) single family dwelling

4.5.2 Adding the following to section 561.02 (Conditions of Use) after (3):

- (4) Notwithstanding any other provision of Section 561, a site with the principal use of a single family dwelling or ground-oriented dwelling shall be regulated in accordance with:
 - (a) the regulations of Section 202 - RS2 on Lot 3 Block 47 District Lot 556 Plan 7912
 - (b) the regulations of Section 203 - RS3 on:
 - (i) Amended Lot 10 (Explanatory Plan 3997) Block 1 District Lot 811 Plan 4763,
 - (ii) Block B District Lot 1073 Plan 13560,
 - (iii) Lot C District Lot 1074 Plan 21190,
 - (iv) The East ½ of the North West ¼ of District Lot 1074 Except Part in Plan 10097,
 - (v) Lot 9 Block 23 Capilano Estates Plan 9253,
 - (vi) The North East Part of District Lot 1070 except the east 108.5 feet, part on Highway Plan 25 and part on Highway Plan 113, and
 - (vii) Lot 1, District Lots 1045 and 1046, Plan 21562
 - (c) the regulations Section 205 – RS5 on:
 - (i) Lot J District Lot 1050 Plan 21309,
 - (ii) Amended Lot 22 (see 257794L) Block 12 District Lot 554 Plan 2709,
 - (iii) Lot 11 of Lot A Block 6 District Lot 775 Plan 5213,
 - (iv) Lot A Blocks 6 to 12 District Lot 775 Plan 17240, and

(v) Lot 8 Block A of Block 5 East Part of District Lot 554
Plan 2019

(5) Notwithstanding any other provision of Section 561, ground-oriented dwelling use is only permitted on sites less than 4,050 square metres

4.5.3 Adding the following to section 561.10, after (2):

(3) Notwithstanding 561.11(2), 141.01(2) and 144.01 of this bylaw, no minimum vehicle parking is required for residential uses, if site is greater than 280 square metres, and is wholly or partly within 400 metres from a prescribed bus stop

4.5.4 Adding the following as section 561.03 (Density) after section 561.02, and renumbering section 561 accordingly:

561.03 Density

Ground-oriented dwellings –

(1) 4 dwellings maximum per lot

(2) 6 dwellings maximum if site is wholly or partly within 400 metres from a prescribed bus stop

4.6 Zoning Bylaw No. 4662, 2010, Schedule A, Section 604 – CD4 – 6520 and 6540 Marine Drive, is amended by:

4.6.1 Adding the following to section 604.01 (Permitted Uses) after (b), and renumbering section 604.01 accordingly:

(c) detached secondary suites

(d) ground-oriented dwellings

4.6.2 Deleting section 604.03 (Density) in its entirety and replacing with the following:

4 dwellings maximum

4.6.3 Adding the following as section 604.04 (Floor Area Ratio) after section 604.03:

604.04 Floor Area Ratio

The floor area ratio (FAR) shall not exceed 0.35 on any individual lot.

- 4.6.4 Deleting section 604.08 (Off-Street Parking) in its entirety, and renumbering section 604 accordingly.
- 4.7 Zoning Bylaw No. 4662, 2010, Schedule A, Section 641 – CD41 – Garrow Bay, is amended by:
- 4.7.1 Adding the following to section 641.01 (Permitted Uses) after (d), and renumbering section 641.01 accordingly:
- (e) ground-oriented dwellings
- 4.7.2 Deleting section 641.02 (Density) in its entirety and replacing with the following:
- The density shall be limited to not more than 4 dwellings per lot, and the recreational use of any public lands within the zone
- 4.8 Zoning Bylaw No. 4662, 2010, Schedule A, Section 647 – CD47 – Hollyburn Mews, is amended by:
- 4.8.1 Deleting section 647.01 (Permitted Uses) in its entirety and replacing with the following:
- (1) Accessory buildings and structures
(2) Detached secondary suite
(3) Duplex
(4) Ground-oriented dwelling
(5) Home based business
- 4.8.2 Deleting section 647.07 (Off-Street Vehicle Parking) in its entirety and replacing with the following:
- (1) Notwithstanding 141.01(2) and 144.01 of this bylaw, no minimum vehicle parking is required for residential dwelling uses.

4.9 Zoning Bylaw No. 4662, 2010, Schedule A, Section 648 – CD48 – Closed Municipal Road, is amended by:

4.9.1 Adding the following to section 648.1.01 (Permitted Uses) after (c), and renumbering section 648.1.01 accordingly:

- (d) Detached secondary suites
- (e) Ground-oriented dwellings

4.9.2 Adding the following as section 648.1.03 (Density) after section 648.1.02:

648.1.03 Density

4 dwellings maximum

4.9.3 Deleting section 648.1.10 (Off-Street Parking) in its entirety, and renumbering section 648.1 accordingly.

4.10 Zoning Bylaw No. 4662, 2010, Schedule A, Section 649 – CD49 – 2074 Fulton Avenue, is amended by:

4.10.1 Deleting section 649.01 (Permitted Uses) in its entirety and replacing with the following:

- (1) Detached secondary suite
- (2) Duplex
- (3) Ground-oriented dwelling
- (4) Home based business

4.10.2 Deleting section 649.02(1) in its entirety and replacing with the following:

- (1) 6 dwellings maximum

4.10.3 Deleting section 649.08 (Off-Street Vehicle Parking) in its entirety and replacing with the following:

Notwithstanding 141.01(2) and 144.01 of this bylaw, no minimum vehicle parking is required for residential dwelling uses.

4.11 Zoning Bylaw No. 4662, 2010, Schedule A, Section 677 – CD77 – 5500 Block Parthenon Place & 5490 Marine Drive, is amended by:

- 4.11.1 Adding “Detached secondary suites” and “Ground-oriented dwellings” to section 677.03(1) (Permitted Use – Building Lots), and reordering section 677.03(1) alphabetically.
- 4.11.2 Adding the following to section 677.05 (Density) after (1):
 - (2) 4 dwellings maximum per Building Lot.
- 4.11.3 Deleting section 677.09 (Off-Street Parking) in its entirety, and renumbering section 677 accordingly.
- 4.12 Zoning Bylaw No. 4662, 2010, Schedule A, Section 680 – CD80 – 382-398 Mathers Avenue, is amended by:
 - 4.12.1 Adding “Ground-oriented dwelling” to section 680.02(1) (Permitted Uses – Strata Lots), and reordering section 680.02(1) alphabetically.
 - 4.12.2 Adding the following to section 680.04 (Density) after (2):
 - (2) 3 dwellings maximum per strata lot.
 - 4.12.3 Deleting section 680.03 in its entirety and renumbering section 680 accordingly.
- 4.13 Zoning Bylaw No. 4662, 2010, Schedule A, Section 681 – CD81 – 800 Taylorwood Place, is amended by:
 - 4.13.1 Adding “Detached secondary suites” and “Ground-oriented dwellings” to section 681.02 (Permitted Uses), and reordering section 681.02 alphabetically.
 - 4.13.2 Deleting section 681.05 in its entirety and replacing with the following:
 - (1) 1 principal building per residential strata lot.
 - (2) 4 dwellings maximum per residential strata lot.
 - 4.13.3 Deleting section 681.09 (Off-Street Parking) in its entirety.
- 4.14 Zoning Bylaw No. 4662, 2010, Schedule A, Section 682 – CD82 – 6255 & 6265 Imperial Avenue, 6620 – 6678 Marine Drive, is amended by:

- 4.14.1 Adding “Ground-oriented dwellings” to section 682.02(1) (Permitted Uses – Individual Lots), and reordering section 682.02(1) alphabetically.
- 4.14.2 Adding the following to section 682.04 (Density) after (1):
(2) 4 dwellings maximum per individual lot.
- 4.14.3 Deleting section 682.08 (Off-Street Parking) in its entirety.

Part 5 Amendment of Table of Contents

- 5.1 Zoning Bylaw No. 4662, 2010, Schedule A, Table of Contents is amended accordingly.

PUBLICATION OF NOTICE OF FIRST READING on [Date]

READ A FIRST TIME on [Date]

READ A SECOND TIME on [Date]

READ A THIRD TIME on [Date]

ADOPTED by the Council on [Date].

Mayor

Corporate Officer

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