

Public Hearing

Zoning Amendment Bylaw No. 734, 2023

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Proposed to update housing definitions and regulations:

- Definitions of dwelling unit, single-detached, duplex and multi-unit dwellings are updated to reflect common language and clarify the difference between types of dwellings, especially types of manufactured homes (mobile and modular) and secondary suites.
- The term “temporary” is moved from definitions to regulations and those regulations are updated.
- References to each of the terms wherever they are used in the bylaw form part of the proposed amendment.

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Dwelling, Single Detached means any detached *building* containing one *dwelling unit* occupied or intended to be occupied as a permanent or long-term residence and, where permitted by this Bylaw, one *secondary suite*.

Dwelling, Multi-Unit means a building consisting of three (3) or more dwelling units.

Dwelling, Duplex means a residential building containing two dwelling units neither of which contains a secondary suite.

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Household means:

1. An individual, or two or more persons related by blood, marriage, common law marriage, adoption, or foster parenthood sharing one (1) *dwelling unit*; or
2. Not more than five (5) unrelated persons sharing one (1) *dwelling unit*.

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Manufactured Home means a *dwelling unit*, built in a factory environment in one or more sections, intended to be occupied in a place other than its manufacture. *Manufactured homes* may be constructed to either the CAN/CSA A277 (*Modular Home*) or CAN/CSA Z240 MH (*Mobile Home*) standard.

Mobile Home means a *dwelling unit* built to the CAN/CSA Z240 MH standard whether ordinarily equipped with wheels or not that is designed, constructed or manufactured to be moved from one place to another by being towed or carried.

Modular Home means a *manufactured home* constructed to the CAN/CSA A277 *Modular Home* standard, built in 2 or more sections to be assembled on a permanent foundation.

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Manufactured Homes and Additions

- 3.14 Manufactured homes shall comply with the following conditions:
1. Use of a CAN/CSA A277 Modular Home as a single-detached dwelling is subject to placement of the home on a permanent foundation constructed of concrete or unit masonry complying with the provisions of the current Provincial Building Code.

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Principal Building means the *building or structure* that contains the principal use.

Temporary Building means a building that does not have its exterior walls supported on continuous concrete or masonry foundations.

Use means the purpose for which land or a *building* is intended, or for which land, a *building or a structure* is, or may be, occupied and maintained.

Temporary Buildings

- 3.34 A temporary building or structure may be erected for interim operations on a lot being developed for a period not to exceed the duration of construction.
- 3.35 In all the cases, temporary buildings or structures shall be subject to the following requirements:
1. A Building Permit is required, issued by the municipality, prior to placement of a temporary building or structure; and
 2. The building shall be sited for a maximum period of 180 days within one calendar year; and
 3. When the temporary building or structure is removed the site shall be restored or landscaped.

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Principal Building means the *building or structure* that contains the principal use.

Secondary Suite means an additional dwelling unit located within a single-detached dwelling:

1. Having a total floor area of not more than 90m²;
2. Located in and part of a building which is a single real estate entity (a secondary suite cannot be separately strata titled).

Secondary Suites

- 3.5 No dwelling unit shall be permitted as a secondary suite unless it conforms to the following requirements:
1. there is only one (1) secondary suite per single-detached dwelling;
 2. the total floor area is not more than 90m²;
 3. the secondary suite is constructed in accordance with the applicable Building Code regulations and has been approved by a building inspector;
 4. a separate outside entrance to the secondary suite is provided; and
 5. one (1) additional off-street parking space is provided on the lot.

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Flood Construction Level means the designated flood level plus the allowance for freeboard and is used to establish the elevation of the underside of a floor system or top of a concrete slab for habitable buildings. It also establishes the minimum crest level of a Standard Dike. Where the designated flood level cannot be determined or where there are overriding factors, an assessed elevation above the natural boundary of the watercourse or standing body of water or above the natural ground elevation may be used.

2. **Setback Requirements**

1. Notwithstanding any other provisions of this Bylaw, no building or structure or any part thereof shall be constructed, reconstructed, moved, extended or located:
 1. Within 30m from the top of bank of the Fraser River and the Thompson River;
 2. Within 15m of the natural boundary of Lytton Creek or any other watercourse;
 3. Within 7.5m of the natural boundary of any standing body of water or structure for flood protection or seepage control or of any dike right-of-way.

3. Elevation Requirements

1. Notwithstanding any other provisions of this Bylaw, no building or structure or any part thereof shall be constructed, reconstructed, moved, extended or located with the underside of a wooden floor system or top of a concrete slab of any area used for habitation, business, or storage of goods damageable by floodwaters is located:
 1. lower than 8 m above the natural boundary of the Fraser River and the Thompson River.
 2. lower than 1.5 m above the natural boundary of Lytton Creek or any other watercourse or standing body of water.
2. Where soils are used to achieve the required elevation stated 3.1.1, no portion of the fill slope shall be closer than the distance stated in 3.1.2 from the natural boundary, or the inboard toe of any structure for flood protection or seepage control, or the inboard side any dike right-of-way, and the face of the landfill slope shall be adequately protected against erosion from flood flows, wave action, ice or other debris.
3. Foundations constructed in alluvial fan areas shall be designated by a Professional Engineer to ensure that they are anchored to minimize the impact of flood, sediment and erosion damage; footings are extended below scour depth, or fill materials are armoured where elevation is achieved by fill, to protect against scour, erosion and flood flows.

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Village of Lytton Zoning Bylaw No. 484, 1998 Schedules A (Zoning Bylaw Text) Sections 2 through 14; Schedule B (Floodplain Provisions); and Schedule C (Parking and Loading Regulations) shall be amended to delete and replace each instance of the terms addressed in items 2 through 22 above as applicable.

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Proposes to:

1. Replace the definitions of parcel, parcel lines, parcel area and parcel coverage with the terms lot, lot lines, lot area and lot coverage;
2. Replace the definitions of building lines with the definition of setbacks and yard;
3. Define lot types;
4. Add definitions of awning, balcony, canopy, deck and building envelope to aid in calculating setbacks and lot coverage;
5. Add Figures 1.1, 1.2 and 1.3 to illustrate and help explain each of lot lines, yards, lot types and the calculation of lot coverage; and
6. Add a definition of Floodplain setback as distinct from lot line setbacks.

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Lot means a parcel of land, including Crown Land, title to which has been registered in the Land Title Office by the deposit of a plan or other description, but does not include a street or lane.

Lot Area means the total horizontal area within the lot lines of a lot.

Lot Line means the legally defined boundary of any lot.

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Lot Width means the length of the *front lot line* except in the case of an irregularly shaped *lot*, where the width shall be the horizontal distance between the *side lot lines* at the *front lot line setback*. For a reverse pie-shaped *lot*, the lot width is the horizontal distance between the *side lot lines* at the *rear lot line setback*.

Lot Depth means the horizontal distance between the mid-points of the front and rear lot lines.

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Lot Line, Front means the lot line common to the *lot* and an abutting *street*, and in the case of a *corner lot*, the shortest of these lines shall be considered the *front lot line*; or in the case of a *Through Lot* both lot lines shall be considered *front lot lines*.

Lot Line, Rear means the *lot line* opposite to, and most distant from the *front lot line*, or where there is no *lot line* in that relationship with the *front lot line*, the point of intersection of any lot lines and opposite the *front lot line*.

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Lot Line, Side means a *lot line* other than the *rear lot line* or the *front lot line*.

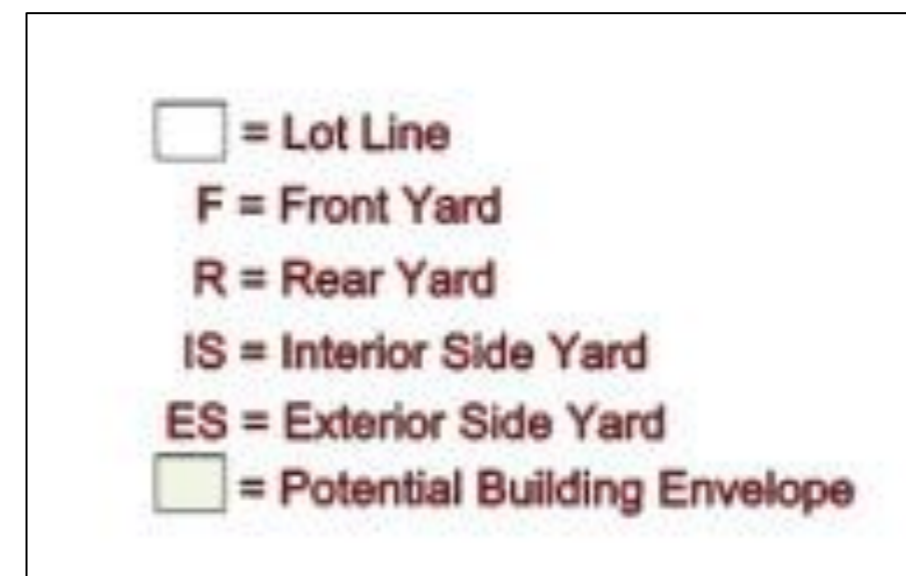
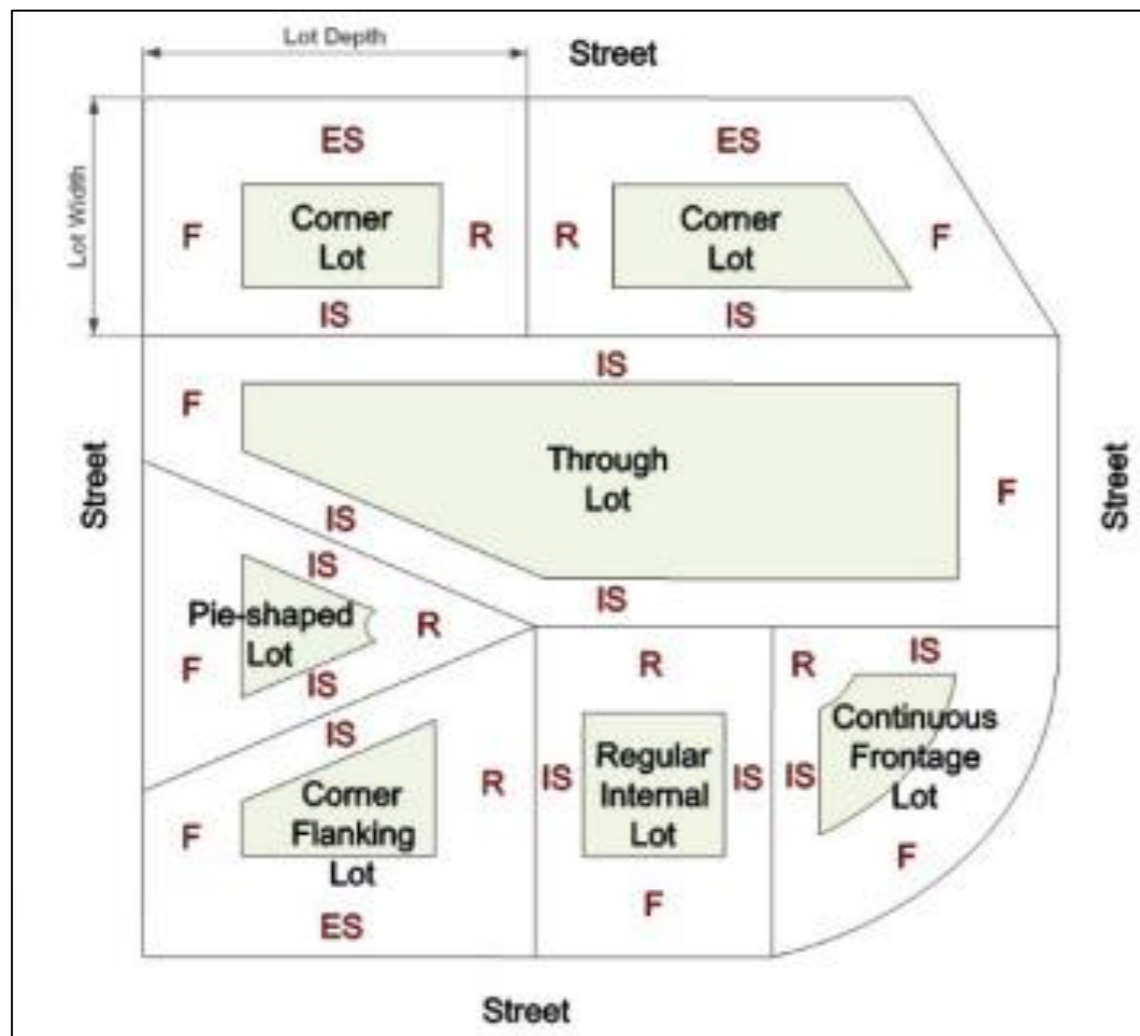
Lot Line, Exterior Side means the lot line not being the front or rear lot line, common to a lot and an abutting street other than a lane or walkway.

Lot Line, Interior Side means the *lot line* not being the front or *rear lot line*, common to more than one *lot* or to the *lot line* and a *lane* or walkway.

Setback means the required distance from a lot line to any area of a lot on which a building or structure may be sited in accordance with this bylaw.

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Figure 1.3 Illustration of Lot types with Lot Lines and Yards Identified



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Building Envelope means that area of the lot which may be used for the footprint of a building or structure including setback requirements.

Yard means an area between the *principal building* and relevant *lot line*.

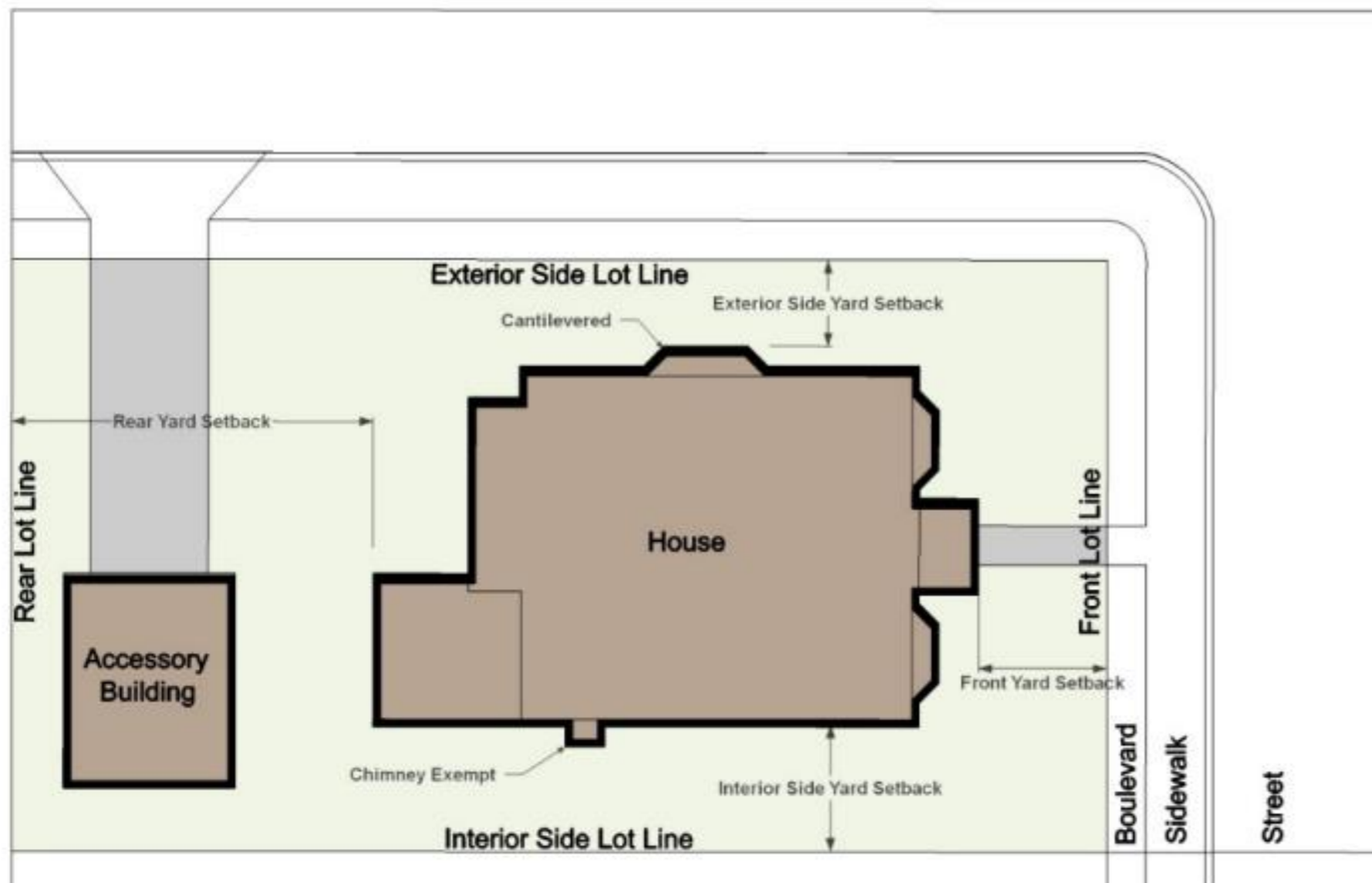
Yard, Front means the area between the side lot lines extending from the front lot line to the nearest wall or supporting member of a building or structure.

Yard, Rear means the area between the side lot lines extending from the rear lot line to the nearest wall or supporting member of a building or structure.

Yard, Side means that part of the lot which extends from a front lot line to a rear lot line between the side lot line and the nearest wall or supporting member of a building or structure.

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Figure 1.1 Lot Lines and Yards



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Lot, Corner means a lot other than a through lot abutting two or more streets excluding lanes, or a lot that has two intersecting lot lines abutting a street which substantially changes direction at the point of intersection.

Lot, Through means a lot abutting two (2) parallel or approximately parallel streets, other than lanes.

Panhandle Lot means any lot which gains street frontage through the use of a narrow strip of land which is an integral part of the said lot, described as “the panhandle”.

Lot, Strata means a lot shown on a strata plan according to the *Strata Property Act*.

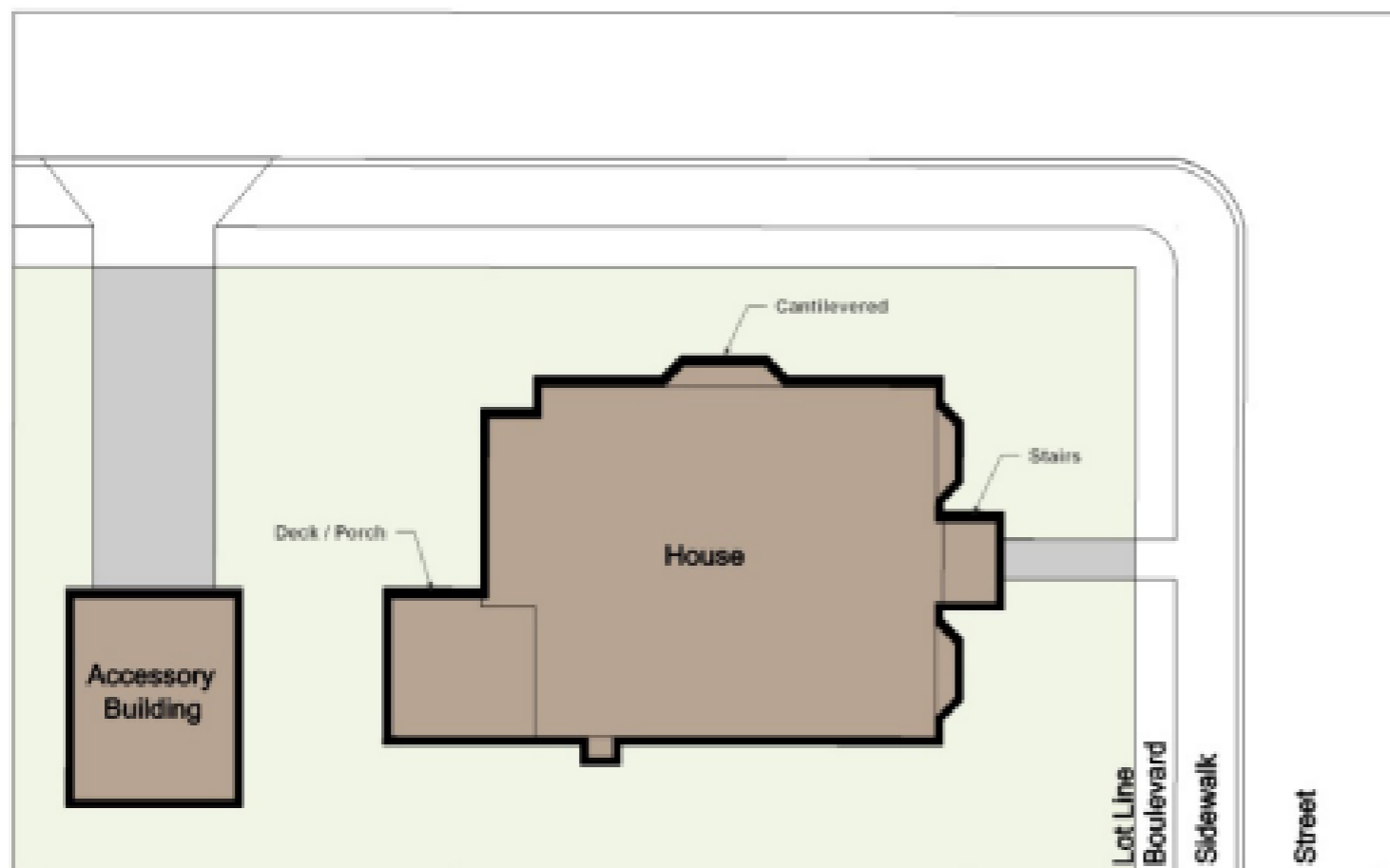
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Lot Coverage means the total ground level area of all principal and accessory buildings and structures of any kind located on a lot, measured to the outside of the foundations or footings, divided by the lot area and expressed as a percentage but excluding the areas of the following:

1. balconies located above the first storey which are cantilevered from a building without footings or support extending to the ground;
2. canopies and awnings;
3. uncovered decks and patios that are not more than 0.6m (2.0ft) above grade; and
4. uncovered swimming pools.

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Figure 1.2 Lot Coverage Calculation Example



Principal Building:	122m ² +
Deck & Stairs:	24m ² +
<u>Accessory Building:</u>	<u>37m²</u>
Total (Structures):	183m ²

Lot Area: 580m²

Total (Structures)	183m ² ÷
<u>Lot Area</u>	<u>580m²</u>
0.316 = 31.6%	

Awning means a retractable or non-retractable covering of non-rigid materials such as canvas or similar fabric projecting from the exterior wall of the building.

Balcony means a platform, attached to and projecting from the face of a building above the first storey, normally surrounded by a balustrade or railing, and used as an outdoor porch or sun deck with access only from within the building.

Canopy means a non-retractable hood cover or marquee which projects from the wall of a building. It does not include an awning, projecting roof, roof eaves, or enclosed structure.

Deck means a structure more than 0.6m (2 ft) above grade without a roof or walls, except for visual partitions and railings, used as an outdoor amenity area.

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Floodplain Setback means the minimum required distance from the natural boundary of a watercourse, lake or other body of water to any landfill or structural support required to elevate a floor system above the flood level.