

Comparison Redline Document – Bylaw 2021-14 (Proposed Amendments to Zoning Bylaw 2012-20 – Periodic Revisions)

February 17, 2021

Note to Reader:

Blue = Explanatory Notes of the proposed amendments copied from Draft Bylaw 2021-14

Red = Proposed text to be deleted from Zoning Bylaw 2012-20

Green = Proposed text to be added to Zoning Bylaw 2012-20

AMENDMENTS TO SECTION 1 – GENERAL ADMINISTRATION

Explanatory Notes 1. & 2.: Delete reference to public infrastructure in s. 1.6.2 and add new section 1.6.3 that allows for smaller lots with reduced regulations for public infrastructure, such as wells, substations, pump houses, etc., when not adjacent to residential zones.

1.6 Uses and Regulations

- 1.6.1 Except as otherwise allowed by this bylaw, use and development in each zone shall be in accordance with the uses listed for the zone and all the appropriate requirements of this bylaw.
- 1.6.2 Notwithstanding section 1.6.1, ~~public infrastructure~~, “Fire Smart” projects, reclamation of former mine sites, and remediation of land containing contaminated material shall be permitted in any zone. ~~The development regulations of section 12.5 shall apply to public infrastructure in any zone.~~
- 1.6.3 Public infrastructure shall be permitted in all zones. Notwithstanding the provisions of this bylaw and the Subdivision Control Bylaw, the minimum area and width of lots used for public walkways or public infrastructure may be less than required. The Development Officer may reduce setback requirements for public infrastructure unless it is directly adjacent to a residentially zoned property and the public infrastructure is >5 m² in area, in which case the public infrastructure must adhere to the setbacks of the adjacent residential zone.

AMENDMENTS TO SECTION 2 – DEFINITIONS

Explanatory Note 3: Amend the following definitions for clarity:

- Floor Area, Gross – clarify that the internal components of a building, such as living suites, are measured using the centreline of internal walls.
- Public Infrastructure – reclassify electrical substations as a public utility that requires a permit, instead of public infrastructure, which does not.

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- Walkways – clarify that they are not necessarily for public use when established on private property.

Explanatory Note 4: Delete definitions for amateur antenna structure and internal sidewalk that are not used in the bylaw but covered by other defined terms/regulations. Add new definitions for the terms Awning and Canopy that are found in the bylaw but not currently defined.

~~“AMATEUR RADIO ANTENNA” means an installation consisting of an antenna or antenna array, mounted on a metal or support structure, for the purpose of receiving and transmitting radio signals by private, federally licensed amateur radio operators.~~

“AWNING” means a projection supported solely from the building, constructed with a fabric or plastic skin stretched over a frame used for shelter from the weather.

“CANOPY” means a projection outward from the face of the building, primarily designed to provide shelter from the weather.

“FLOOR AREA, GROSS” means the sum of the horizontal areas of each storey of the building measured from the centreline of interior walls or exterior faces of the exterior walls providing that in the case of a wall containing windows, the glazing line of the windows may be used. The gross floor area measurement excludes attached garages, attics, balconies, breezeways, carports, porches, and terraces.

~~“INTERNAL SIDEWALK” means an appropriately surfaced access route from the street and/or parking area that leads to the entrance(s) of residential dwellings.~~

“PUBLIC INFRASTRUCTURE” means a system, works, or equipment whether owned or operated by or for the City, or by a corporation or commission under agreement with or under franchise from the City or under a Territorial or Federal statute, which furnishes services and facilities available to or for the use of all the inhabitants of the City, including water, sewer, gas, and storm lines, electrical and telecommunication ~~substations,~~ lines and towers, public roads, ~~and drainage ponds,~~ ditches and swales.

“PUBLIC UTILITIES” means buildings, facilities, or equipment, whether owned or operated by the City or by a corporation or commission under agreement with or under franchise from the City or under a Territorial or Federal statute, which furnishes services and facilities available to or for the use of all the inhabitants of the City, including but not limited to landfills and waste treatment facilities, sewage treatment facilities, pump houses and stations, water treatment plants, and electrical production facilities and substations, and drainage ponds.

“WALKWAY” means an appropriately surfaced ~~public~~ path designed for use by pedestrian and/or bicycle traffic.

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AMENDMENTS TO SECTION 4 – DEVELOPMENT PERMITS

Explanatory Note 5: Clarify when a permit would not be needed for installing canopies and awnings, as well as the construction, maintenance, and repair of public infrastructure and utilities

- 4.2.1 No development permit is required for the following developments provided that such developments comply with all provisions of this bylaw and other applicable legislation:
- a) alterations to any building or structure provided that such work does not change the use or intensity of use of the building or structure;
 - b) residential construction for which there is no change in use or intensity of use.
 - c) additions to existing single detached and duplex housing;
 - d) construction of accessory buildings and structures in residential zones;
 - e) commercial uses in non-residential zones for which there is no change in use or intensity of use;
 - f) erection of any fence, wall or gate not exceeding the height specified in the applicable zone, or any canopy or awning not overhanging public property;
 - g) use of premises as a temporary polling station, Returning Officer's headquarters, candidate's campaign office and any other official temporary use in connection with a Federal, Territorial, School Council, or City election, referendum or census;
 - h) erection, repair and replacement of television and other minor communication related structures such as aerials, towers and satellite receivers/dishes in non-residential districts;
 - i) installation, ~~of public utilities and municipal services in public roads and maintenance, or and~~ repair of public infrastructure ~~utilities and municipal services~~;
 - j) erection of temporary structures incidental to construction, maintenance or alteration of a building or structure for which a development permit has been issued;
 - k) landscaping, where the existing grade and surface drainage pattern is not materially altered and will not create off-site impacts;
 - l) demolition of a building or structure under 10 m², except a designated heritage structure;

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AMENDMENTS TO SECTION 5 – GENERAL DEVELOPMENT REGULATIONS

Explanatory Note 6: Corrections to the “yard” and “setback” references in this sentence to clarify that setback applies to both the front and side yards.

Explanatory Note 7: Clarify the height regulations of structures such as satellite dishes, photovoltaic panels, or radio masts that are permitted as accessory structures in residential zones.

Explanatory Note 8: Introduce new regulations for placement of canopies and awnings that include size, ability to project over public sidewalks, and insurance requirements. New insurance amount reflects the minimum coverage amount recommended by City’s insurer.

5.1.2 Accessory buildings and structures shall:

- a) not exceed 6.0 m in height, except in the RC1 and RC2 zones where they shall not exceed 8.0 m;
- b) not be located in the front **yard** or exterior side yard setbacks;
- c) except as provided in section 5.1.2 d), not be located closer than 0.6 m from any interior side or rear lot line on any residentially zoned lot for buildings and structures up to 4.5 m in height and not closer than 1.5 m for buildings and structures exceeding 4.5 m in height, except duplex garages in the RS, and RD zones where (with the agreement of both property owners) the structure may straddle the common interior side lot line;
- d) not be located closer than 3 m from the interior side and rear lot lines in RC1 and RC2 zones up to 6 m in height, and 6 m for buildings and structures over 6 m in height;
- e) not be located less than 1.0 m from the principal building;
- f) comply with all applicable setback and height requirements in a commercial or industrial zone;
- g) have an exterior finish compatible with the principal building; and
- h) not be used as dwellings.
- i) permitted extension shall be no more than 50% of the width of the sidewalk.
- j) in the case of a satellite dish, a radio or television mast, or energy generation structures, not be higher than the height permitted for any structure in that zone.

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~~5.1.3 In a residential zone, a satellite dish larger than 1.0 m in diameter, or a radio or television mast shall not:~~
~~k) a) be in a front yard setback; or~~
~~l) b) be higher than the height permitted for any structure in that zone.~~

~~5.2 **Canopies and Awnings**~~

~~5.2.1 Canopies or awnings for weather protection or building ornamentation are only permitted as accessory structures.~~

5.2.1 All canopies and awnings shall be constructed in accordance with the National Building Code. They shall be self-supporting from the building face to which they are attached and designed to direct runoff and snow away from the sidewalk below.

5.2.2 Canopies and awnings may overhang a public sidewalk in zones where the front yard setback is 1.0 m or less. All canopies or awnings which overhang a public sidewalk, street, or other City property require a development permit. Where such canopies and awnings extend beyond the property line over a public sidewalk, the minimum vertical clearance shall be 2.6 m measured from the sidewalk, and the maximum extension shall be no more than 3.0 m or 80% of the width of the sidewalk, whichever is less.

5.2.3 With every application for a development permit for a canopy or an awning overhanging public property the owner shall:

- a) file with the City in a form satisfactory to the City, a public liability and property damage insurance policy with the City of Whitehorse named as additional insured, in the minimum principal amount of \$ ~~2,000,000.00~~ 3,000,000.00 inclusive of limits in respect of a loss sustained by one or more persons or damage to property;
- b) execute the policy under seal by an insurance company registered to do business within the Yukon Territory, indemnifying against liabilities, claims, actions, loss, damages, judgements, costs, and expenses which may accrue or be suffered by installation, manner of suspension or alteration;
- c) ensure the maintenance and use of the awning or canopy in respect of which the application for their permit has been made; and
- d) maintain such insurance in force until the awning or canopy has been taken down and removed.”

Explanatory Note 9: Clarify that existing gateway landscaping requirements along major roads and highways also applies to frontage roads.

5.5 Site Design

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Gateway Landscaping

- 5.5.2.5 The required vegetation calculated for landscape plantings or vegetative buffers in any zone shall be doubled for any property ~~abutting~~ accessed from Two Mile Hill, Robert Service Way, Alaska Highway, ~~or~~ North Klondike Highway, or any connecting frontage roads.

Explanatory Notes 10 to 18: Remove reference to 'internal sidewalks' from the bylaw and replace it with 'walkways' which is a defined term. This change occurs throughout the bylaw and impacts other sections as well, including numerous charts.

Remove the requirement to develop a patio from numerous sections and tables.

Walkways ~~and Patios~~

- 5.5.2.12 Walkways ~~and patios~~ shall provide for on-site pedestrian circulation with adequate connections with parking lots, public sidewalks, etc. Commercial and multiple family residential developments shall provide connections to adjacent active transportation networks. Attention shall be paid to ensure adequate drainage and shelter from wind, and to discourage ice and snow accumulation on walking paths in winter. See also section 7 of this bylaw.

5.5.3 Specific Requirements by Zone Class

5.5.3.1 Residential Zones

Comprehensive Zones

- a) All single detached, duplex, triplex and townhouse housing, where each dwelling is on a separate fee simple lot, shall have a walkway connecting the house to the sidewalk or street, ~~internal sidewalks~~ and complete landscaping in the front yard to a minimum grass or xeriscape standard with at least one tree ~~and~~ or three shrubs which must be installed within two years of issuance of the first occupancy approval. ~~Where houses do not have lane access, a hard surfaced driveway is also required.~~ Where a lot fronts on two streets, the landscaping standard shall apply to both frontages. Landscaping will be completed in accordance with section 5.5.3 of this bylaw.
- b) All multiple housing developments shall have walkways ~~internal sidewalks~~ and complete landscaping of the front yard, to be installed within two years of the issuance of the first occupancy approval. Where a lot fronts on two streets, the landscaping standard shall apply to both frontages. Landscaping will be completed in accordance with section 5.5.3 of this bylaw.

Walkways ~~and Patios~~

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- n) Walkways ~~and patios~~ are ~~not~~ required in any all comprehensive residential zones, RD, RM, RP, an RR zones, and ~~but where constructed the design~~ shall provide for on-site pedestrian circulation with adequate connections with parking areas, public sidewalks, etc. Primary walkways in RCM, RCM2, RCM3, RM and RP zones shall be hard surfaced and a minimum of 1.5 m in width.

Summary Table – Residential Zones

Specific Landscaping Requirements	Residential Zones							
	RCM, RCM2, RCM3	RCS, RCS 2, RCS 3	RCT, RCT 2	RD	RM	RP	RR	RS
Drainage	√	√	√	√	√	√	√	√
Fences and Walls	-	-	-	-	-	-	-	-
Irrigation	√	-	√	-	√	√	-	-
Landscape Plantings	√	√	√	√	√	√	√	√
Preservation of Existing Vegetation	√	√	√	√	√	√	√	√
Safer Cities Strategies	√	-	√	-	√	√	-	-
Screening of Compost, Recycling and Refuse Bins	√	-	√	√	√	-	-	-
Screening of Storage Areas	√	√	√	√	√	√	√	√
Vegetative Buffers	√	-	√	-	√	√	-	-
Walkways and Patios	√	√	√	√	√	√	√	-
Winter Cities Design Principles	√	-	√	-	√	√	-	-
Xeriscaping	√	-	√	-	√	√	-	-
Key:	Required	√	Not Required	-				

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5.5.3.2 Commercial Zones

Walkways ~~and Patios~~

- f) Walkways ~~and patios~~ are required in all commercial zones and shall provide for on-site pedestrian circulation with adequate connections with parking areas, public sidewalks, active transportation routes, etc. Primary walkways in all commercial zones shall be hard surfaced and a minimum 1.5 m in width.

Summary Table – Commercial Zones

Landscaping Requirements	Commercial Zones								
	CC	CC C	CH	CIM	CM 1, CM 2	CM W	CN, CNC, CNC 2	CP G	CS
Drainage	√	√	√	√	√	√	√	√	√
Fences and Walls	-	-	-	-	-	*	-	-	-
Irrigation	-	√	√	√	√	√	√	-	√
Landscape Plantings	√	√	√	√	√	*	√	√	√
Preservation of Existing Vegetation	-	-	√	√	√	-	√	-	√
Safer Cities Strategies	√	√	√	√	√	√	√	*	√
Screening of Compost, Recycling and Refuse Bins	√	√	√	√	√	√	√	*	√
Screening of Storage Areas	√	√	√	√	√	√	√	√	√
Vegetative Buffers	-	-	√	-	-	*	√	-	√
Walkways and Patios	√	√	√	-	√	*	√	√	√
Winter Cities Design Principles	√	√	√	√	√	√	√	*	√

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Xeriscaping	-	√	√	√	√	√	√	-	√
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Key:

- √ Required
- * See specific zone regulations
- Not required/not applicable

5.5.3.3 Industrial Zones

Walkways and Patios

- e) Walkways ~~and patios~~ are not required in industrial zones. Where provided, walkways and patios shall provide for on-site pedestrian circulation with adequate connections with parking areas, etc.

Summary Table – Industrial Zones

Landscaping Requirements	Industrial Zones			
	IS	IH	IQ	IA
Drainage	√	√	√	√
Fences and Walls	-	-	-	-
Irrigation	√	√	√	√
Landscape Plantings	√	√	√	√
Preservation of Existing Vegetation	√	√	√	√
Safer Cities Strategies	√	√	√	√
Screening of Compost, Recycling and Refuse Bins	√	√	√	√
Screening of Storage Areas	√	√	√	√
Vegetative Buffers	√	√	√	√
Walkways and Patios	-	-	-	-
Winter Cities Design Principles	√	√	-	√

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~~CC — Core Commercial~~

~~CCG — Cultural/Commercial/Community~~

~~CH — Highway Commercial~~

~~CIM — Mixed Use Commercial/Industrial~~

~~CM1 — Mixed Use Commercial~~

~~CM2 — Mixed Use Commercial 2~~

~~CMW — Mixed Use Waterfront/Motorways~~

~~CN — Neighbourhood Commercial~~

~~CNC — Comprehensive Neighbourhood Commercial~~

~~CNC2 — Comprehensive Neighbourhood Commercial 2~~

~~CPG — Commercial Parking Garage~~

~~CS — Service Commercial~~

Industrial Zones

~~IA — Airport~~

~~IH — Heavy Industrial~~

~~IQ — Quarries~~

~~IS — Service Industrial~~

Public/ Institutional Zones

~~PS — Public Services~~

~~PU — Public Utilities~~

~~PW — Public Waterfront~~

Explanatory Note 20: Allow for eaves to project to property line where there is a zero lot line setback.

5.6 Yards

Projections into Yards

5.6.5 Chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or ornamental features may project into a required yard, provided such projections do not exceed 0.6m.

5.6.6 Steps, eaves, sunlight control projections, awnings, canopies, balconies, decks or porches may project into a required yard setback, provided that such projections do not exceed 2.0 m in the case of a front, rear, or exterior

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side yard setback, and 0.6 m in the case of an interior side yard setback. In no case shall an eave be closer than 0.15 m to the property line, except where the setback is 0.0 m and the roof slopes away from the property line or the roof drainage is being directed away from the property line to the satisfaction of the Development Officer. In the case of the RC1 zone, any projection may not exceed 2.0 m into any required yard setback. In the RR and RS, and RS2 zones, arctic entries accessing the principal structure may project up to 2.0 m into the front, rear or exterior side yard setback, provided the projection does not exceed 6 m² gross floor area. ~~The projection cannot exceed 6 m² gross floor area.~~

AMENDMENTS TO SECTION 6 – SPECIFIC USE REGULATIONS

Explanatory Note 21: Allow vehicle access from the front or side of a multiple housing lot for developments that have an internal road network, allowing for better circulation and fire services response.

6.4 **Comprehensive Development Zones**

Access

- 6.4.1 a) Where a residential development abuts a lane, there shall be no vehicular access permitted from the front of the lot and no parking or vehicle storage in the front yard. In the case of multiple housing developments ~~with three or more buildings~~ that are accessed by an internal road network, access may be permitted from the front or side of the lot ~~at the discretion of the Development Officer and the City Engineer.~~

Explanatory Note 22: Add a maximum height for garden suites in the AG-Agriculture zone that is the same as country residential zones. This regulation is missing from the bylaw.

6.7 **Garden Suites**

6.7.1 Garden suites, when permitted, shall:

- a) be separate from the principal dwelling;
- b) have a maximum gross floor area of 100 m², including basement floor area, except that in the RC1 zone the maximum gross floor area is 150 m²;

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- c) have a maximum height of 7.0 m in urban residential areas and 8.0 m in country residential and agriculture areas;
- d) be located in the rear yard, except in RC1 and RC2 zones where they may also be located in the front and side yards;
- e) provide private or shared amenity areas equal to 10% of the net rentable area of the garden suite;
- f) be limited to one suite per lot;
- g) have a minimum setback of 3.0 m from the principal building; and
- h) be limited to 60 m² gross floor area when located on the second storey of an accessory building in urban residential areas.

Explanatory Note 23: Make better use of land in multiple housing developments by allowing a small portion (5%) of required 25% amenity space to be attributed to private amenity space.

6.14 Multiple Housing Developments

~~6.14.4 For multiple housing uses in residential zones a minimum of 25% of the lot area shall be developed as amenity space, of which 10% of the lot area must be contiguous, functional space, accessible to all residents, to the satisfaction of the Development Officer. The amenity space shall be designed to encourage enjoyment and recreational uses of the space, such as play areas, picnic areas, sundecks, roof decks, and natural treed areas.~~

6.14.4 For multiple housing uses in residential zones a minimum of 25% of the lot area shall be developed as amenity space, of which:

- a) 10% of the lot area must be contiguous, functional, fenced space, accessible to all residents, to the satisfaction of the Development Officer.
- b) For developments other than apartment housing, up to 5% of the lot area may be allocated as private amenity space, provided the area is at grade, and is in addition to the minimum private amenity space requirement for the unit to which the space is allocated.
- c) The amenity space shall be suitably landscaped and designed to encourage enjoyment and recreational uses of the space, such as play areas, picnic areas, sundecks, roof decks, and natural treed areas.

Explanatory Note 24: Adding new regulations on how sea cans/shipping containers may be used.

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6.20 ***Shipping Containers/Sea Cans***

6.20.1 Shipping containers/sea cans may be placed temporarily on a property for the purpose of storing materials or equipment in any zone, for a period of 9 months or less, but only in conjunction with an active building permit.

6.20.2 In industrial zones or the CIM zone, shipping containers/sea cans that are accessory to another permitted use and used primarily for cold storage do not require a development permit. If a shipping container/sea can is altered in any way, or becomes part of a larger structure it is no longer exempt from permitting and must adhere to the regulations in this bylaw.

6.20.3 In non-industrial zones, shipping containers/sea cans are considered accessory buildings or structures and development must adhere to the regulations set out in section 5.1 of this bylaw.

AMENDMENTS TO SECTION 7 – PARKING AND LOADING

Explanatory Note 25: Add missing parking/hard-surfacing requirement for RS2-Residential Single Detached 2 zone, as it was left out of an existing list of zones unintentionally.

7.2 ***Hard-surfacing and Marking***

7.2.1 Every off-street parking, loading and unloading space, and access to it provided or required, including areas contained within publicly owned road right-of-way, shall be hard-surfaced when the adjacent public street or lane is hard-surfaced. Where the access to any parking, loading or unloading space is hard surfaced after the development is complete, the owner or occupant shall hard-surface such space and the area contained within City owned land to which a curb crossing permit applies within one year, unless otherwise specifically permitted under this bylaw. This regulation does not apply to single family or duplex development in the RC1, RC2, RP and RS, and RS2 zones.

Explanatory Note 26: Create less onerous parking space requirements for commercial storage developments as they don't have a large staff component requiring parking.

<i>Table 7.3.6 b) Commercial Parking Requirements</i>

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Development	Parking Spaces		Loading Spaces		Class 2 Bicycle Parking
	Spaces	Per	Spaces	Per	Number
Hotels	1	2 sleeping units	1	Establishment	1
	1	100m ² gross floor area			
Motels	1	1 dwelling or sleeping unit	1	Establishment	1
Offices, Health Services	1	33m ² gross floor area	N/A	N/A	1
Development	Parking Spaces		Loading Spaces		Class 2 Bicycle Parking
	Spaces	Per	Spaces	Per	Spaces
Business Support Services	1	33m ² gross floor area	1	Up to 465m ² GFA	1
			2	465m ² - 2300m ² GFA	
			1 additional	Each additional 2300m ² of GFA	
Retail Stores, Household Repair Services, Personal Service Establishments with a gross floor area of less than 1,000m ²	1	50m ² gross floor area	N/A	N/A	1
Retail Stores, Household Repair Services, Personal Service Establishments with a gross floor area of greater than 1,000m ²	1	33m ² gross floor area	N/A	N/A	2

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Custom Indoor Manufacturing, Fleet Services	1	50m ² gross floor area	N/A	N/A	1
	or 1.5	Vehicle in fleet			
Caretaker Residence*	1	Residence	N/A	N/A	1
Gas Bars, Wholesaling*	1	33m ² gross floor area	N/A	N/A	N/A
Eating and Drinking Establishments	1	5 seats	1	Establishment	1
<u>Self-Contained or individually accessed Commercial Storage</u>	<u>1</u>	<u>33 m² dedicated office space</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Indoor or stacked Commercial Storage</u>	<u>1</u>	<u>33 m² dedicated office space</u>	<u>1</u>	<u>2000 m² GFA</u>	<u>N/A</u>

Explanatory Note 27: Clarify the minimum size and location for small car parking spaces and specify that they must be grouped within parking lots. The minimum parking space area stated in the amended s. 7.5.5 reflects the existing minimum length and width parking space requirements currently noted in the zoning bylaw.

7.5 Parking Spaces, Aisles, Pedestrian Walkways and Landscaping

~~7.5.5 For parking spaces other than parallel parking spaces, up to 10% of the required parking spaces may be of a length shorter than that required under section 7.5.2 to a minimum of 4.9 m.~~

~~7.5.6 In non-accessory parking lots and parking garages, up to 20% of the required parking spaces may be reduced to 2.4 m wide and 4.9 m long, provided that:~~

- ~~a) all such spaces are contiguous, not intermixed with full size spaces; and~~
- ~~b) the spaces are clearly marked for small cars, using appropriate signage.~~

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- 7.5.5 Where at least 10 parking spaces are provided, up to 10% of required accessory or non-accessory parking spaces (not including parallel parking spaces) may be reduced to a minimum area of 13.45 m², provided that:
- a) all such spaces are contiguous and not intermixed with full size spaces; and
 - b) the spaces are clearly marked for small cars, using appropriate signage.
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AMENDMENTS TO SECTION 8 – SIGNS

Explanatory Note 28: Reduce notice time for property owners to remove illegally placed signage, from 30 days to 24 hours before enforcement action may commence by the City. The revision is designed to allow for a more timely removal/relocation of smaller signs (i.e. sandwich board signs), while maintaining longer notice times for enforcement processes on larger signs.

8.6 *Abandoned and Unlawful Signs*

- 8.6.2 Where the City orders the removal of a sign, it shall give notice in writing to the property owner or permit holder no less than ~~thirty days~~ 24 hours prior to the ordered removal date.
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AMENDMENTS TO SECTION 9 – RESIDENTIAL ZONES

Explanatory Note 29: Delete the minimum setback between principal and accessory structures in the RCS-Comprehensive Residential Single Family zone as this is already addressed through accessory development regulations. Reduce the minimum rear yard setback for single storey developments in the RCS-Comprehensive Residential Single Family zone to allow a larger footprint.

9.6 *RCS Comprehensive Residential Single Family*

9.6.5 Development Regulations

- a) the minimum lot width is 12.0 m except that the minimum lot width may be reduced to 10.0 m where rear lane access is provided.
- b) the minimum lot area for single detached housing is 320 m².

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- c) the minimum aggregate lot area for duplex housing is 550 m².
- d) the maximum site coverage is 50%.
- e) the maximum height is 10.0 m.
- f) the minimum front yard setback is 4.0 m, and the maximum front yard setback is 8.0 m.
- g) the minimum side yard setback for the principal building is 1.5 m except that in the case of a side-by-side duplex on separate adjacent lots, one side yard setback may be reduced to zero.
- h) the minimum side yard setback for an accessory building is 0.6 m. In the case of a shared garage as part of a side-by-side duplex on separate lots, one side yard setback for the accessory building may be reduced to 0 m.
- i) the corner lot setback for the principal building is 4.0 m minimum from each street, and 8.0 m maximum from one street, and 1.5 m from all other sides.
- j) the minimum rear yard setback is 11.0 m for the principal building. In the case that the principal building is one storey, the rear yard setback may be reduced to 6.0 m.
- ~~k) the minimum building separation between the principal building and an accessory building is 7 m.~~

Explanatory Note 30: Exclude mobile homes from the required 7.5 m setback from park boundaries and rely on setbacks established from 'pad site' boundaries.

9.13 RP Residential Mobile Home Park

9.13.5 Development Regulations

- a) the minimum area of a mobile home park is 2.0 ha.
- b) the maximum number of mobile home sites in a mobile home park shall not exceed 15 mobile home sites per hectare.
- c) the minimum setback from a park boundary to the placement of ~~a mobile home~~, recreation or service areas (except for waterfront recreation), any accessory building or structure (except signs), garbage disposal area, part of any private sewage disposal system (except those placed underground), is 7.5 m.

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Explanatory Note 31: Add a missing minimum lot width in the RR-Restricted Residential zone.

9.14 RR *Restricted Residential Detached*

9.14.4 Development Regulations

- a) the minimum lot width is 14.0 m.
- b) the minimum lot area is 700 m².
- c) the maximum site coverage is 35%.
- d) the maximum height is 10.0 m.
- e) the minimum front yard setback is 6.0 m.
- f) the minimum side yard setback is 3.0 m on one side and 1.5 m on the other side.
- g) the corner lot setback is 6.0 m from each street and 1.5 m from all other sides.
- h) the minimum rear yard setback is 6.0 m except on a corner lot.
- i) the minimum width of a single detached dwelling shall be 6.0 m.

Explanatory Note 32: Replace “sidewalk” reference with “walkway” term. (Consistent with 10. to 18.)

9.14.5 Other Regulations

- a) All single detached houses shall install a hard-surfaced driveway, ~~associated internal sidewalks~~ walkway, and complete landscaping of the front yard in accordance with section 5.5.2.8 within one year of issuance of the occupancy permit. Where a lot fronts on two streets, the landscaping standard shall apply to both frontages.

Explanatory Note 33 and 34: Clarify the side yard setbacks for triplexes in the RS-Residential Single Family and RS2-Residential Single Family 2 zones.

9.15 RS *Residential Single Detached*

9.15.5 Development Regulations

- a) the minimum lot width is 14.0 m.
- b) the minimum lot width for a side-by-side duplex on separate, adjacent lots is 10.0 m.

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- c) the minimum lot area for single detached housing is 462 m².
- d) the minimum lot area for a side-by-side duplex on separate, adjacent lots is 372 m².
- e) the minimum aggregate lot area for duplex housing is 744 m².
- f) the minimum lot area for triplex housing is 1208 m².
- g) the maximum site coverage is 40%.
- h) the maximum height is 10.0 m.
- i) the minimum front yard setback is 6.0 m.
- j) the minimum side yard setback is 3.0 m on one side and 1.5 m on the other side except that:
 - (1) where there is access to the rear of the lot by a lane, the side yard setback requirement may be reduced to 1.5 m on both sides; and
 - (2) in the case of a side-by-side duplex on separate, adjacent lots, one side yard setback may be reduced to zero and the other shall be 3.0 m; and
 - (3) for a duplex or triplex on a single lot the side yard setback shall be 3 m on both sides
- k) the corner lot setback is 6.0 m from each street and 1.5 m from all other sides.
- l) the minimum rear yard setback is 3.0 m.
- m) lots with a minimum aggregate lot area of 1208 m² are permitted to have both a living suite and a garden suite, subject to the regulations of this bylaw.

9.16 RS2 Residential Single Detached 2

9.16.5 Development Regulations

- a) the minimum lot width is 14.0 m.
- b) the minimum lot width for a side-by-side duplex on separate, adjacent lots is 10.0 m.
- c) the minimum lot area for single detached housing is 462 m².
- d) the minimum lot area for a side-by-side duplex on separate, adjacent lots is 372 m².
- e) the minimum aggregate lot area for duplex housing is 744 m².
- f) the minimum lot area for triplex housing is 1208 m².
- g) the maximum site coverage is 40%.

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- h) the maximum height is 9.0 m.
 - i) the minimum front yard setback is 6.0 m.
 - j) the minimum side yard setback is 3.0 m on one side and 1.5 m on the other side except that:
 - (1) where there is access to the rear of the lot by a lane, the side yard setback requirement may be reduced to 1.5 m on both sides; and
 - (2) in the case of a side-by-side duplex on separate, adjacent lots, one side yard setback may be reduced to zero and the other shall be 3.0 m; and
 - (3) for a duplex or triplex on a single lot the side yard setback shall be 3.0 m on both sides.
 - k) the corner lot setback is 6.0 m from each street and 1.5 m from all other sides.
 - l) the minimum rear yard setback is 3.0 m.
 - m) a minimum of two of four of the appearance requirements specified for comprehensive zones are required.
 - n) lots with a minimum aggregate lot area of 1208 m² are permitted to have both a living suite and a garden suite, subject to the regulations of this bylaw.
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AMENDMENTS TO SECTION 10 – COMMERCIAL ZONES

[Explanatory Note 35](#): Allow 'personal service establishments' in Marwell, per the approved Marwell Plan, which recommends an expanded range of commercial uses.

10.4 **CIM** **Mixed Use Commercial/Industrial**

10.4.2 Principal Uses

- a) aircraft sales/service
- b) animal clinics
- c) animal shelters
- d) auctions/auction grounds
- e) business support services
- f) commercial schools

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- g) commercial storage
- h) community recreation services
- i) custom indoor manufacturing
- j) eating and drinking establishments
- k) emergency and protective services
- l) equipment sales/rentals, heavy
- m) fabrication shops
- n) fleet services
- o) gas bars
- p) garden centres
- q) general contractor services
- r) health services
- s) household repair services
- t) indoor participant recreation services
- u) industrial, salvage
- v) kennels
- w) manufacturing
- x) mobile catering food services
- y) offices (above the ground floor)
- z) outdoor recreation equipment rentals/sales
- aa) personal service establishments (Marwell only)
- bb) pet clinics
- cc) processing, light
- dd) retail services, convenience
- ee) Retail Services, Restricted
- ff) vehicle sales and service
- gg) warehouse sales

Explanatory Note 36: Adding a missing maximum density along Centennial Street that is established through policy in the OCP but not included in the Zoning Bylaw.

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(Proposed Amendments to Zoning Bylaw 2012-20 – Periodic Revisions)

10.6 **CM2 Mixed Use Commercial 2**

10.6.7 Special Modifications

- a) A portion of Centennial Street in Porter Creek, as shown on the Zoning Map, is designated CM2x. The special modifications are as follows:
- (1) The addition of single detached dwellings and gas bars as principal uses
 - (2) Minimum yard setbacks are as follows: front - 6.0 m; rear - 6.0 m; side - 3.0 m;
 - (3) Maximum height is 10.0 m
 - (4) The addition of crematoria as a secondary use to Lots 78 and 79, Porter Creek, Plan 25142 LTO, located at 1101 and 1103 Centennial Street
 - (5) Retail services, restricted are not permitted
 - (6) The maximum density is 60 u/ha.

Notwithstanding the above, the CM2 zone shall apply in its entirety.