

# Meeting #2

## Zoning Bylaws 101

Wednesday, February 8, 2017



# What we heard at Meeting #1

Key themes that emerged in the comments from Meeting #1 included:

## **Rules and Regulations (this meeting)**

- What are the roles of and relationships between the Local Government Act, Regional Growth Strategy, Official Community Plan, Zoning, and Building Code?

## **Process (phases 1 and 2)**

- Request for lots of visualization and images of different house sizes and forms.
- Request for simple bylaw (and how the process can help create one).
- Interest in more discussion of floor area, height, lot coverage, etc.

## **Uses and Accessory Uses (phases 1 and 2)**

- Coach houses – size considerations, and how to encourage rental of secondary suites.
- Questions about the size and regulation of accessory buildings.
- Opportunities for additional forms – duplexes and fourplexes, other alternative housing forms.

## **Examples from Other Municipalities (meeting #4)**

- Emphasis on seeing examples and how they can work in Belcarra
  - Sooke
  - Whistler
  - Qualicum Beach
  - Oak Bay
  - Richmond

## **Bylaw Content (phases 1 and 2)**

- Can Bylaw 502 maximum sizes be reduced?
- Integration with OCP
- Good neighbour

# Objectives of Meeting #2

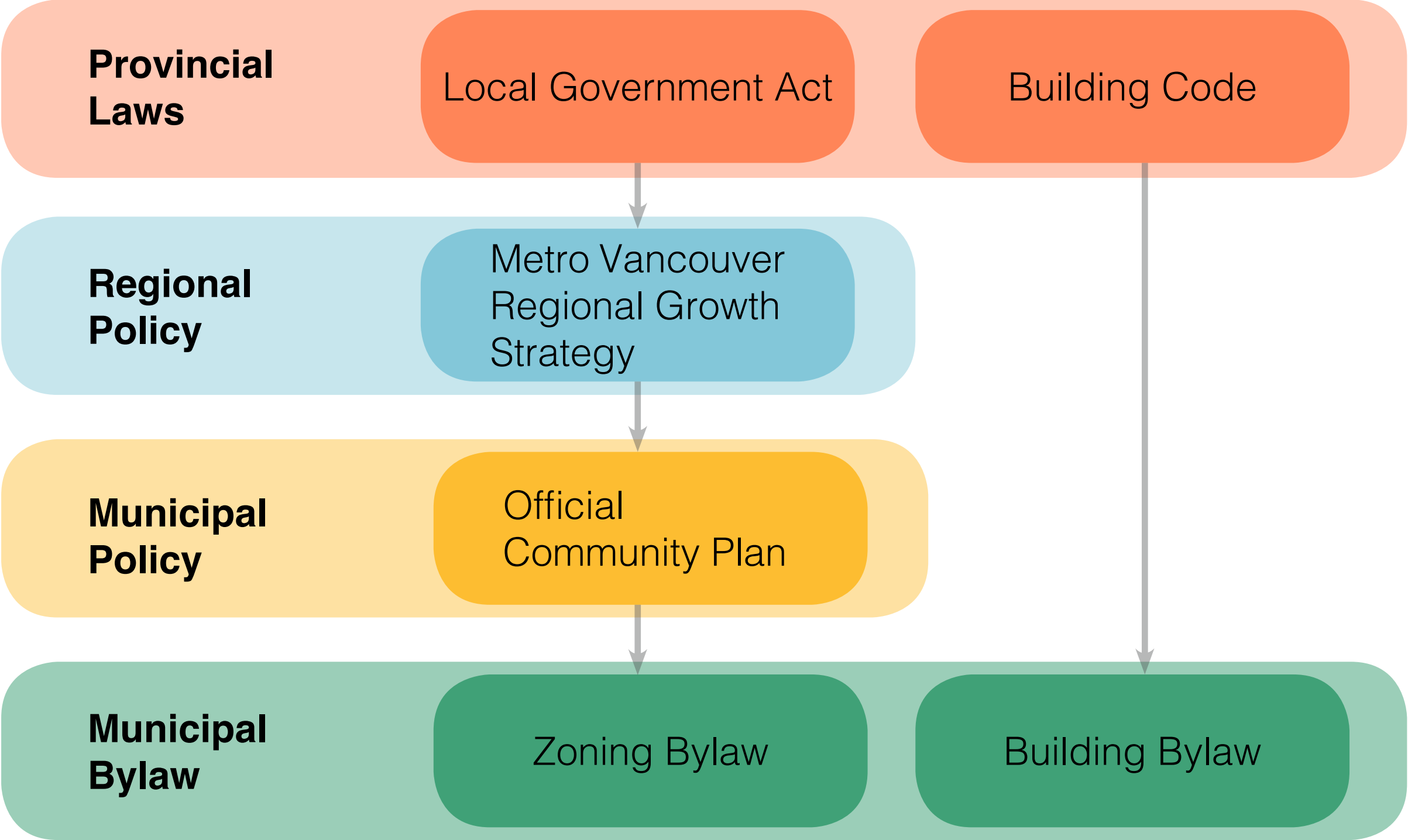
The purpose of Meeting #2 is to develop an understanding of the following topics:

**Which regulations impact the committee's work?**

**What does the Local Government Act allow municipalities to do?**

**What are the key parts of a zoning bylaw?**

# Which regulations impact the committee's work?

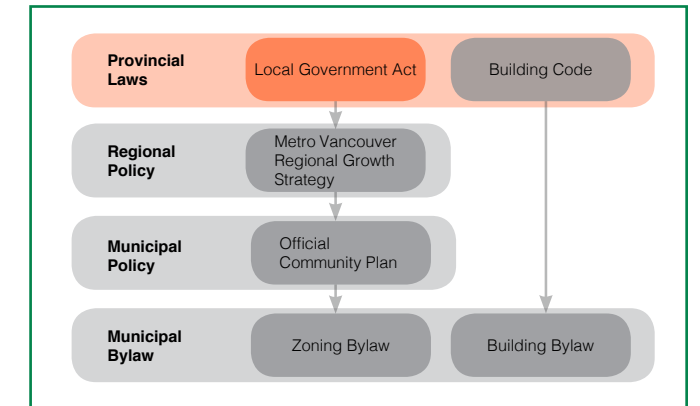


# Local Government Act (LGA)

The Local Government Act is a law created by BC's Provincial Government.

The LGA provides the legal framework for establishing local governments and identifies the roles and responsibilities of local governments.

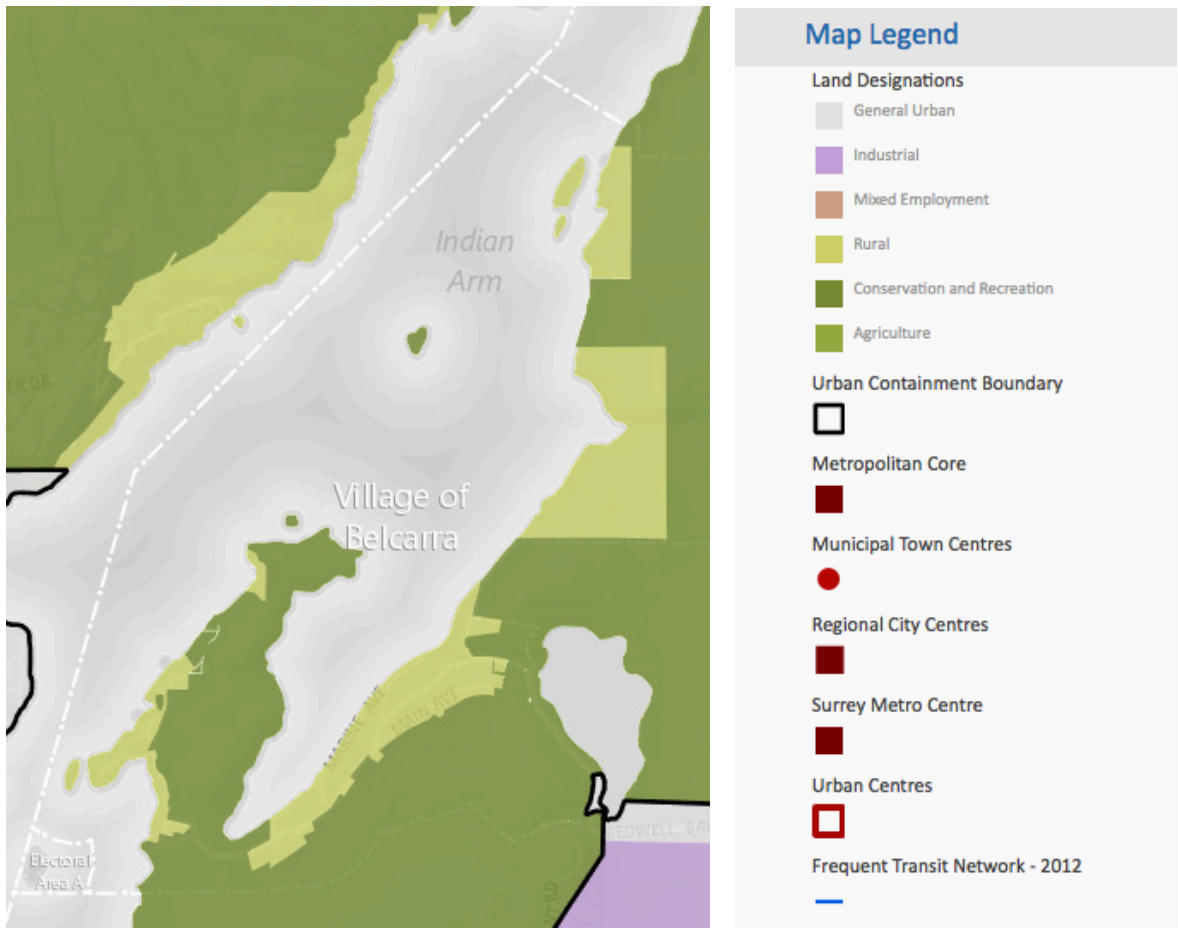
- **Regional Growth Strategies (RGS):** The LGA sets out the structure, roles, and responsibilities for regional districts and outlines what must be included in a Regional Growth Strategy. (*LGA part 13*)
- **Official Community Plans (OCP):** The LGA allows local governments, by bylaw, to adopt one or more official community plans, and requires OCPs to identify the location and amount of land uses such as residential, commercial, industrial, institutional, etc. (*LGA part 14, division 4*)
- **Zoning Bylaws:** The LGA provides municipalities with the authority to divide the municipality into zones. Within those zones, municipalities can regulate land use, density of land use and buildings, siting, size, dimensions, and the location of uses on the land. Municipalities can also establish minimum and maximum dimensions of parcels that can be created by subdivision. (*LGA part 14, division 5*)



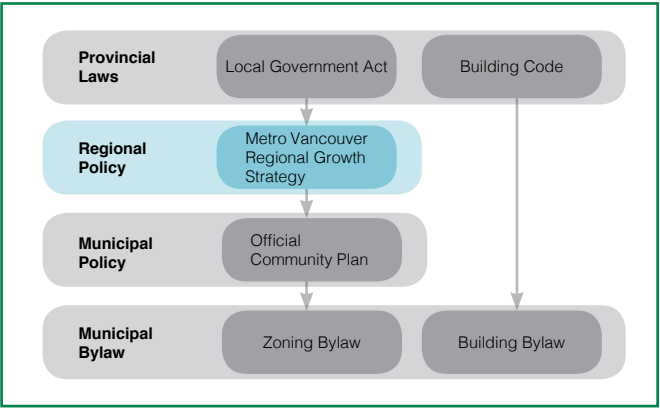
# Regional Growth Strategy (RGS)

The RGS provides a regional overlay for each municipality's land uses.

The goal of the RGS is to focus development in urban areas, supporting employment, preserving agricultural, conservation, and rural areas, and maintaining industrial land.



- Belcarra is designated “**Rural**” and “Conservation and Recreation” by the RGS.
- The RGS seeks to protect rural areas from urban development and to retain their existing rural character.
- Land uses allowed under the rural designation include low density residential, small-scale commercial, industrial, and institutional.



“The purpose of a regional growth strategy is to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources”

- Local Government Act (428)(1)

The RGS is implemented by regional planners and the Metro Vancouver Board.



# Official Community Plan

An OCP guides planning and development decisions and outlines overarching goals and objectives.

## Belcarra OCP Priorities

Belcarra’s OCP identifies the following priorities:

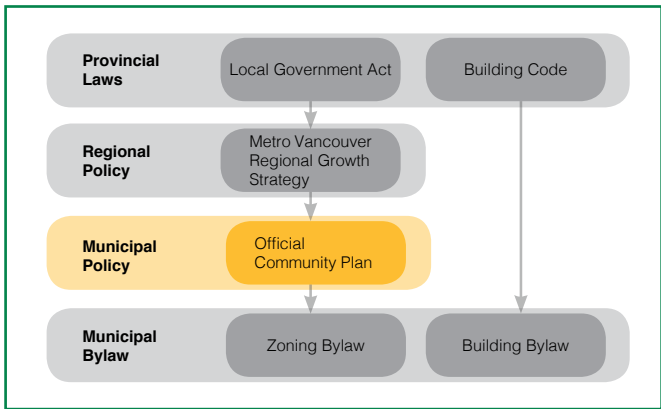
- Land use
- Water use
- Transportation
- Municipal services
- Environmental
- Hazardous land management
- Greenhouse gas emission reduction

## Residential Considerations

Belcarra’s OCP limits residential development to the areas designated **Residential (R)** by the OCP. No commercial or industrial development, except for home-based businesses, is planned.

The OCP provides direction to explore the following alternative housing opportunities within the Zoning Bylaw:

- Stand alone accessory suites within an accessory building
- Up to four small houses on 1 acre lots
- Duplexes



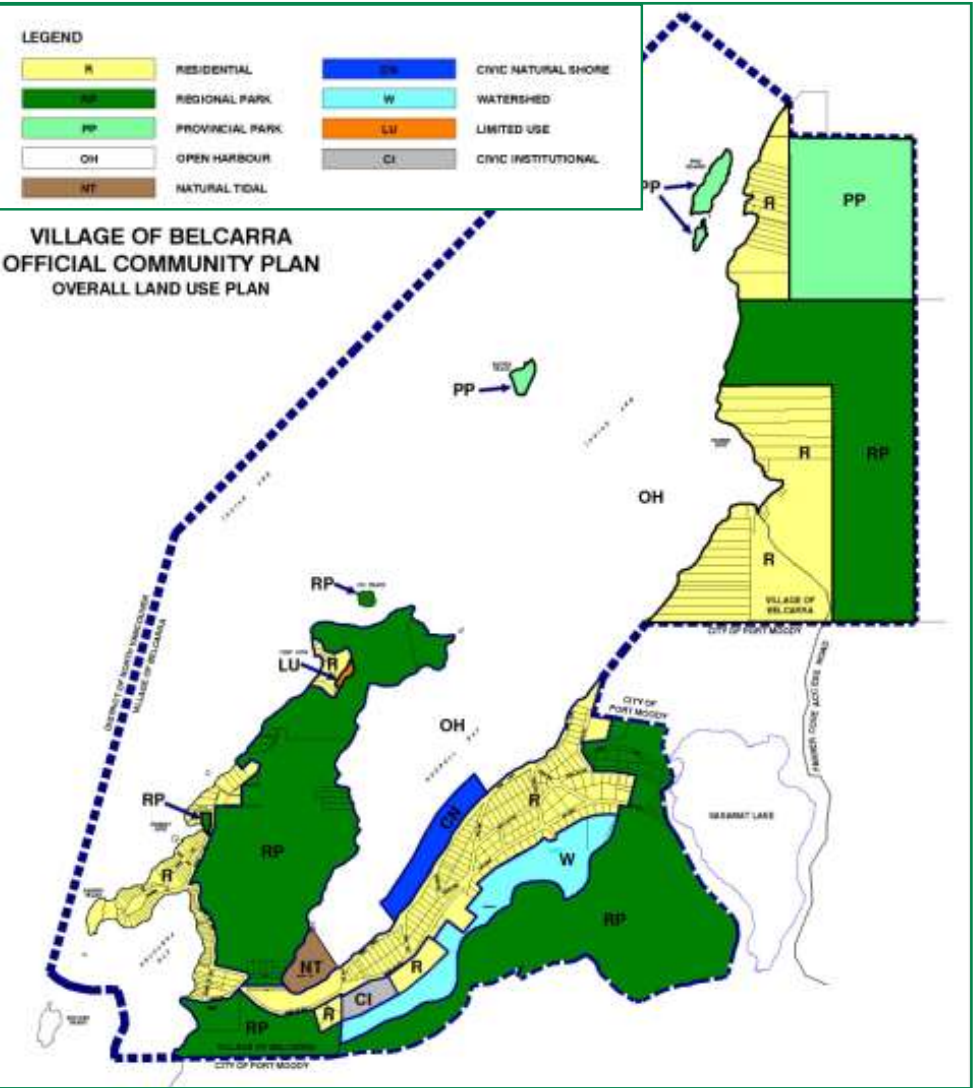
“An official community plan is a statement of objectives and policies to guide decisions on planning and land use management within the area covered by the plan”

- Local Government Act (471)(1)

The OCP was adopted by Village of Belcarra Council and is administered by municipal staff.

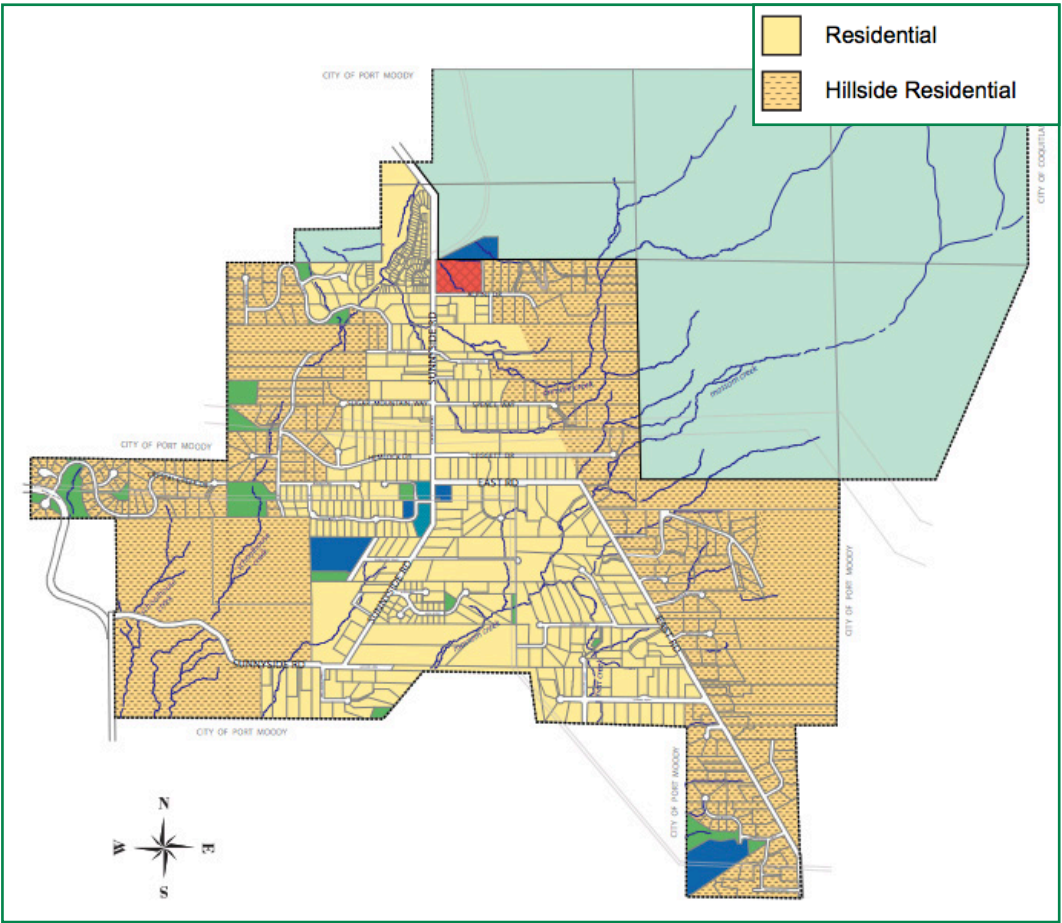
# Official Community Plan (continued)

## Belcarra



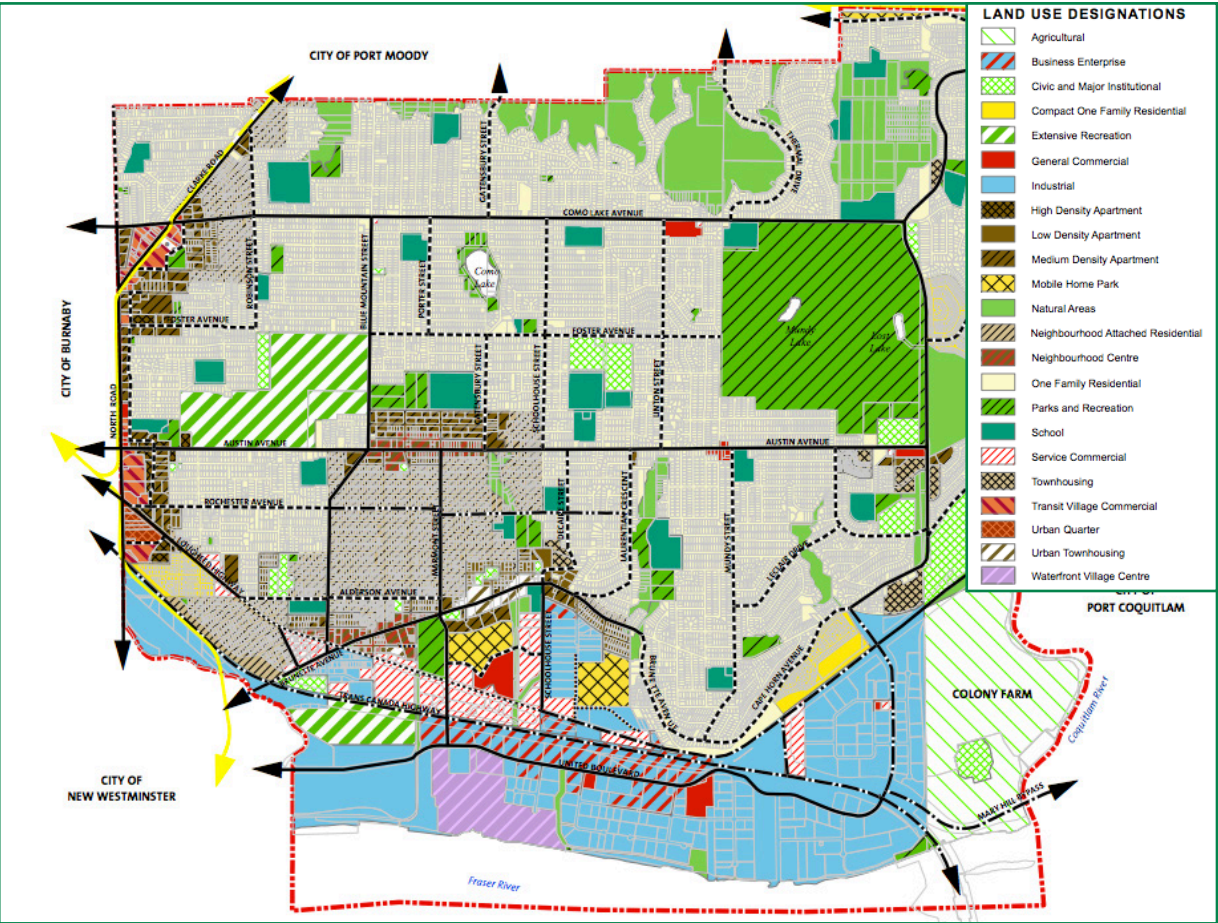
Belcarra’s OCP includes only one residential land use designation.

## Anmore



Anmore’s OCP includes two residential land use designations.

## Southwest Coquitlam



Coquitlam’s land uses are designated by Area and Neighbourhood Plans within the OCP. Southwest Coquitlam has over 8 residential land use designations, ranging from Mobile Home Park to High Density Apartment.



# Zoning Bylaw

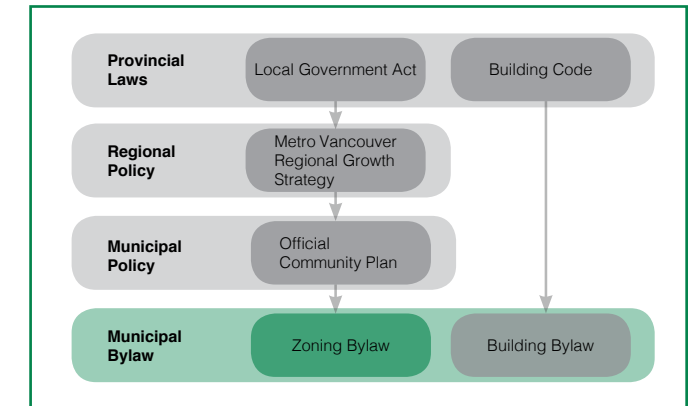
The Zoning Bylaw allows municipalities to regulate the use of land, as well as siting, shape, size, and density.

Belcarra currently has 10 zoning districts:

- Residential 1 (RS-1)
- Residential 2 (RS-2)
- Residential 1A (RS-1A)
- Civic Institutional (CI-1)
- Regional Park (RP-1)
- Provincial Park (PP-1)
- Rural (R-1)
- Marine (W-1)
- Marine 2 (W-2)
- Marine 3 (W-3)

Each zoning district regulates various aspects of land use. This can include:

- Permitted land use
- Minimum lot size
- Minimum lot width
- Maximum number of buildings
- Maximum building height
- Gross maximum floor area
- Gross maximum floor area ratio

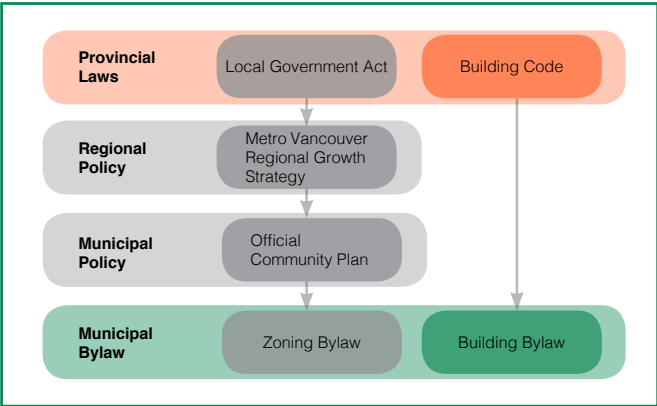


The Zoning Bylaw is administered by Village of Belcarra staff.

# Building Regulations

## BC Building Code

The BC building code provides the minimum requirements for constructing and renovating safe buildings. The Fire Code and Plumbing Code provide relevant standards as well. The Building Code applies to the construction of buildings, extensions, substantial alterations, buildings undergoing a change of occupancy, and upgrading of buildings to remove a hazard. The code includes concepts from the National Building Code, as well as concepts that apply specifically to BC’s needs.



## Belcarra Building and Plumbing Code Regulation Bylaw

The Building and Plumbing Code Regulation Bylaw outlines how Belcarra will interpret and apply the requirements identified in the BC Building Code.

The Building Bylaw is administered and interpreted by building inspectors.

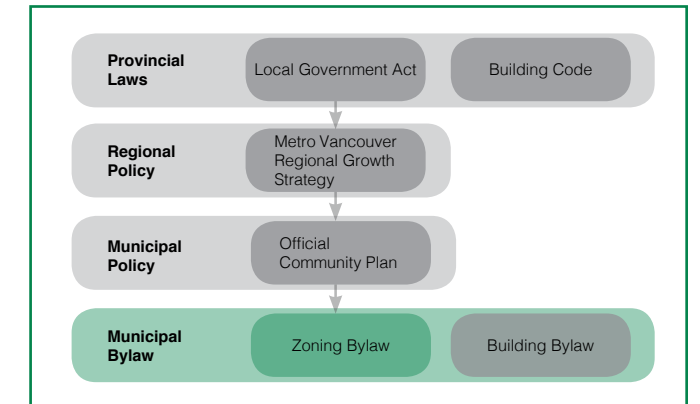
# Zoning Bylaw: what *can* and *can't* be regulated?

The LGA allows municipalities to regulate:

- Use (primary + accessory)
- Shape, size, siting
- Density
- Lot size
- Parking
- Heritage

Zoning Bylaws do not regulate:

- Design
- Materials
- Colour
- Rental vs ownership  
(cannot compel people to rent their property out)
- Sustainability
- Neighbourliness
- Energy efficiency standards



# Parts of a Zoning Bylaw

## Use - Principal Uses

The Zoning Bylaw outlines which uses are permitted within which zones and can even identify which part of a property within a zone can contain certain uses (e.g. commercial only at ground level, residential setbacks, etc).

Types of uses permitted may include:

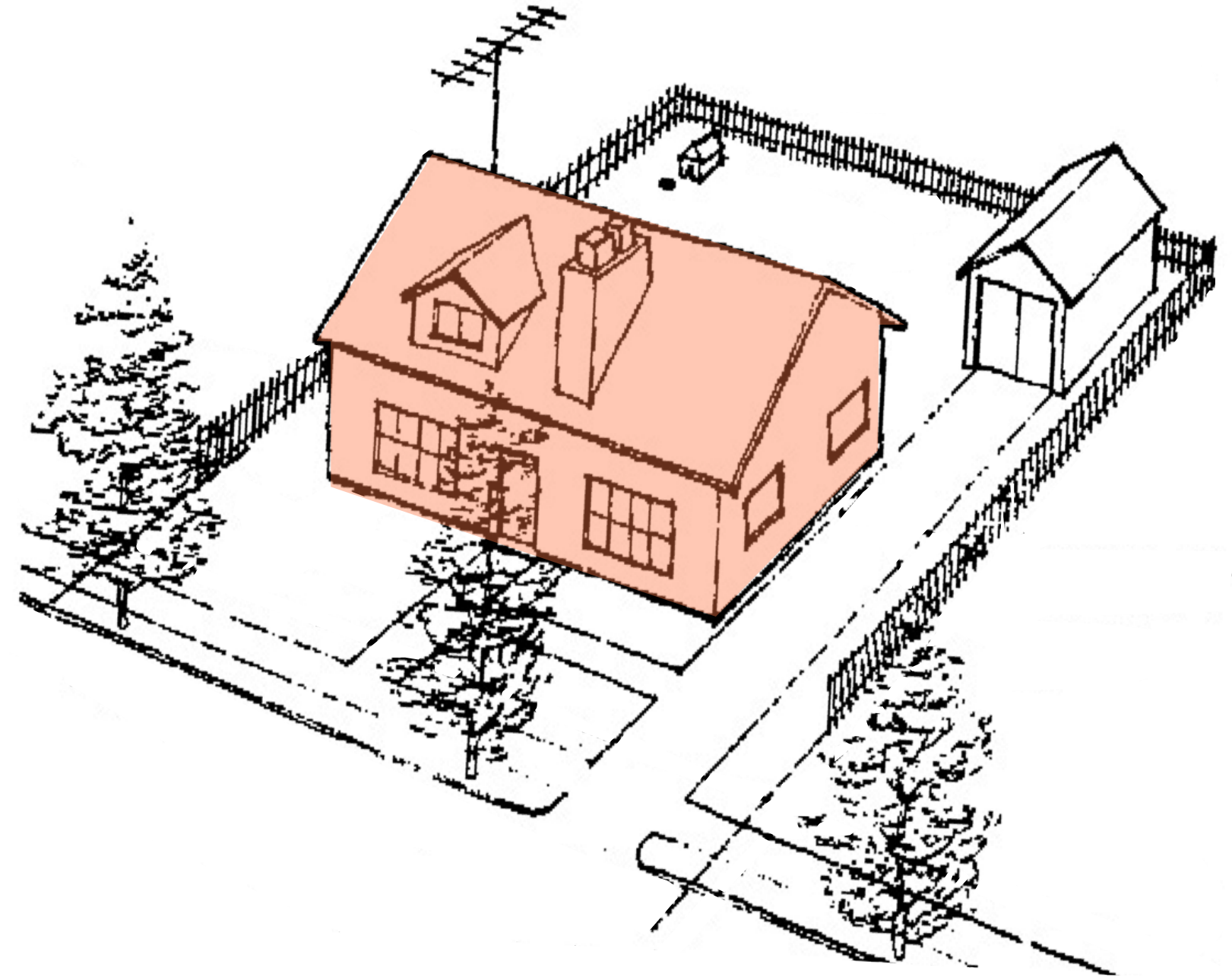
- Single residential dwelling use
- Duplex residential dwelling use
- Home occupation use

Some uses can also be prohibited by the Zoning Bylaw (e.g. weapons use).

Other features:

- Fences
- Retaining walls

Principal Use



*Diagrams adapted from material provided courtesy of Gary Penway*



# Parts of a Zoning Bylaw

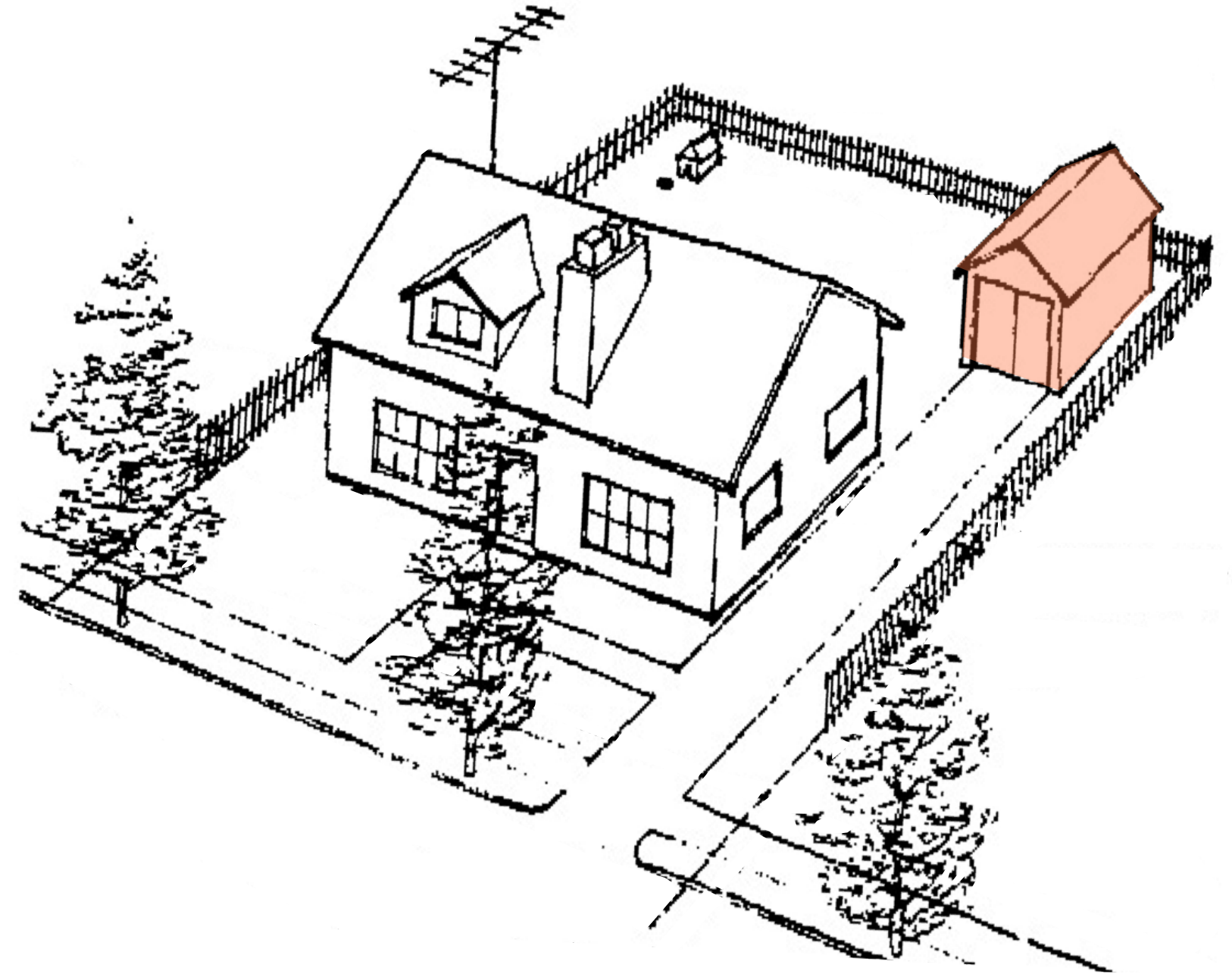
## Use - Accessory Uses

The Zoning Bylaw differentiates between principal and accessory uses. Accessory uses must be associated with and ancillary to a principal use on the same parcel. In other words, you cannot have an accessory use without the principal use.

Types of accessory uses may include:

- Accessory suite/coach home use
- Accessory building use

## Accessory Use



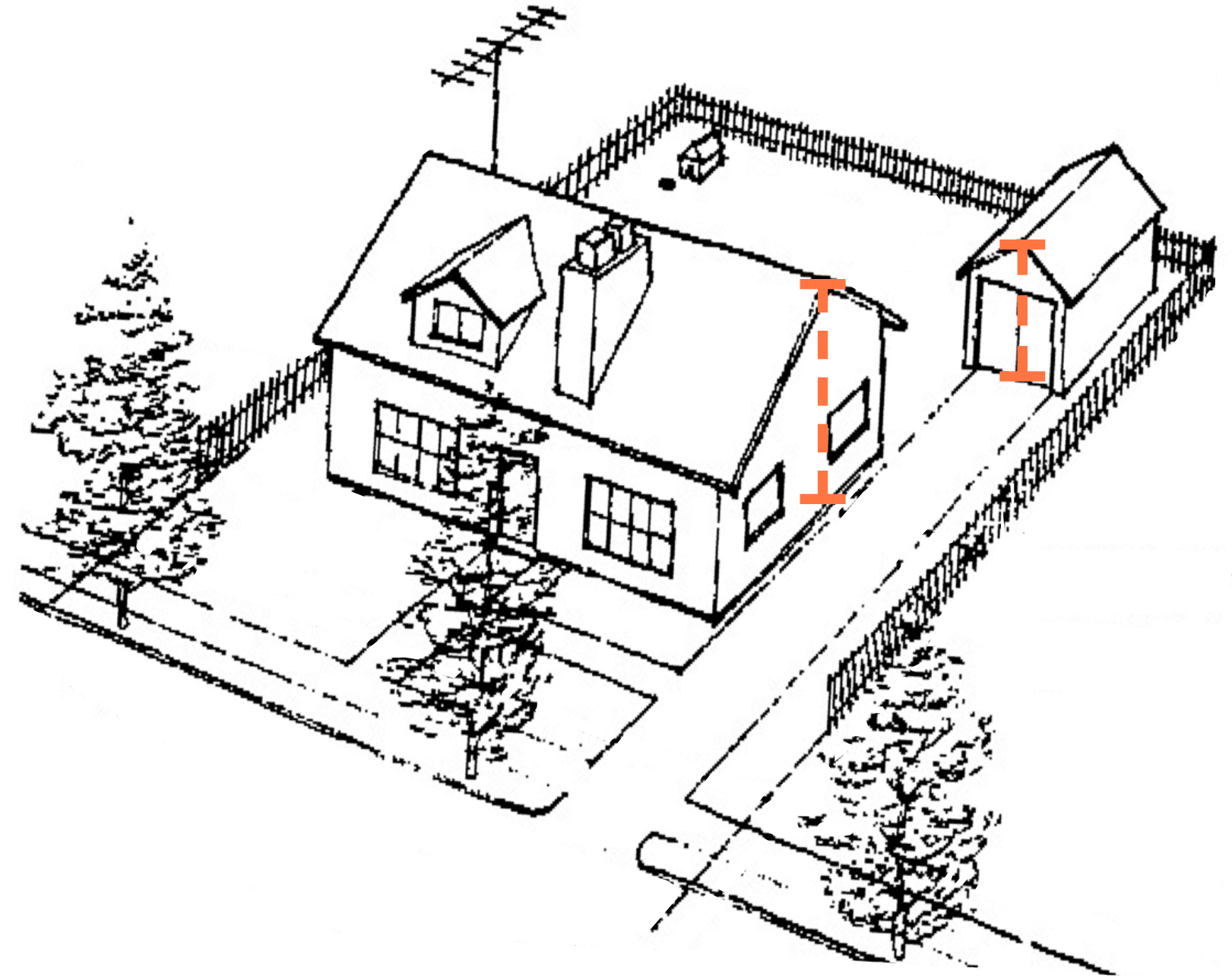
# Parts of a Zoning Bylaw

## Height

The Zoning Bylaw may provide a maximum and a minimum building height in each zone. Maximum and minimum height may differentiate for principal and accessory uses.

The points to and from which height is measured can also be specified.

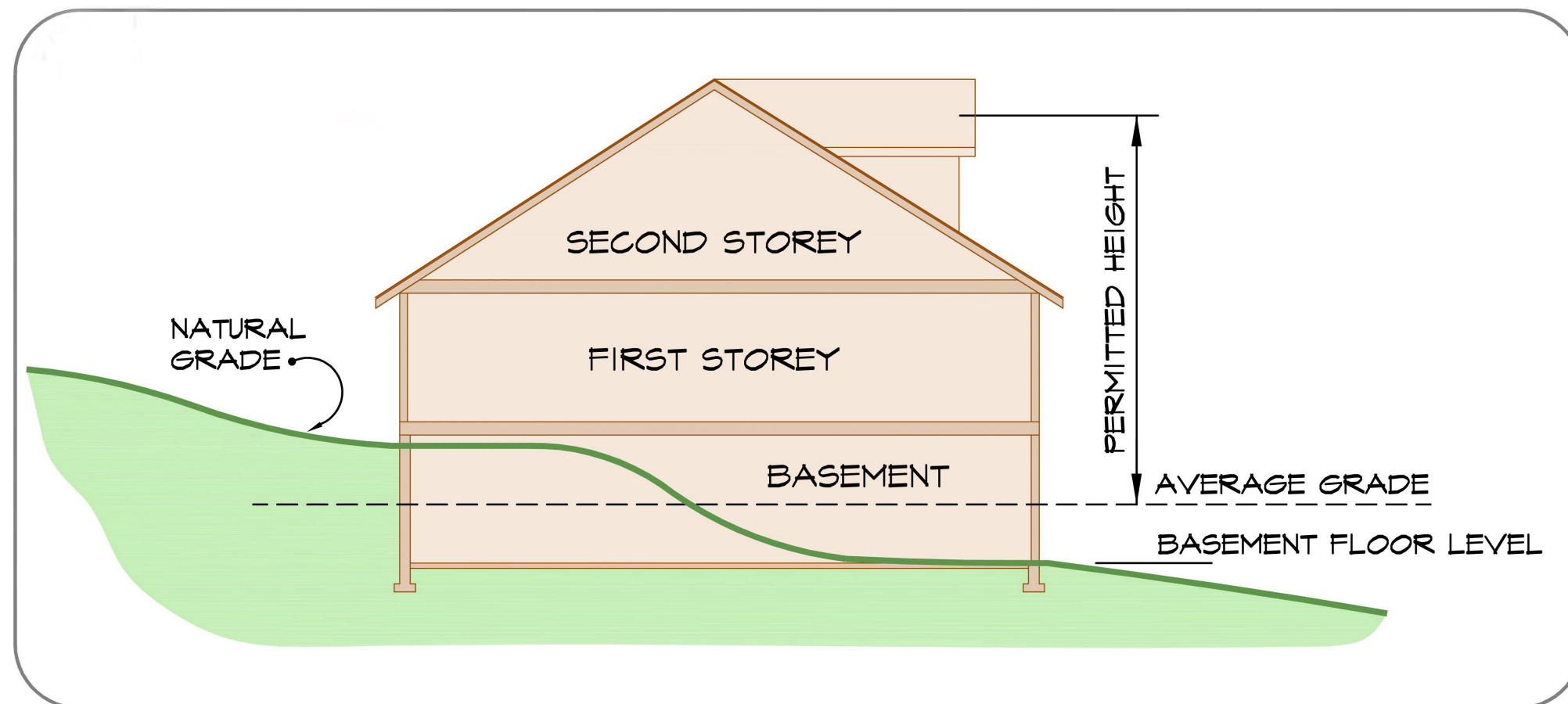
## Maximum Height



# Parts of a Zoning Bylaw

## Height - slope considerations

The presence of a slope on a property may significantly impact the appearance of the size of a building. A zoning bylaw can provide direction for how building height can be calculated to respond to the presence of a slope. Currently, Belcarra measures height from finished grade to the highest point of the roof.



*Diagram adapted from  
City of Victoria materials*

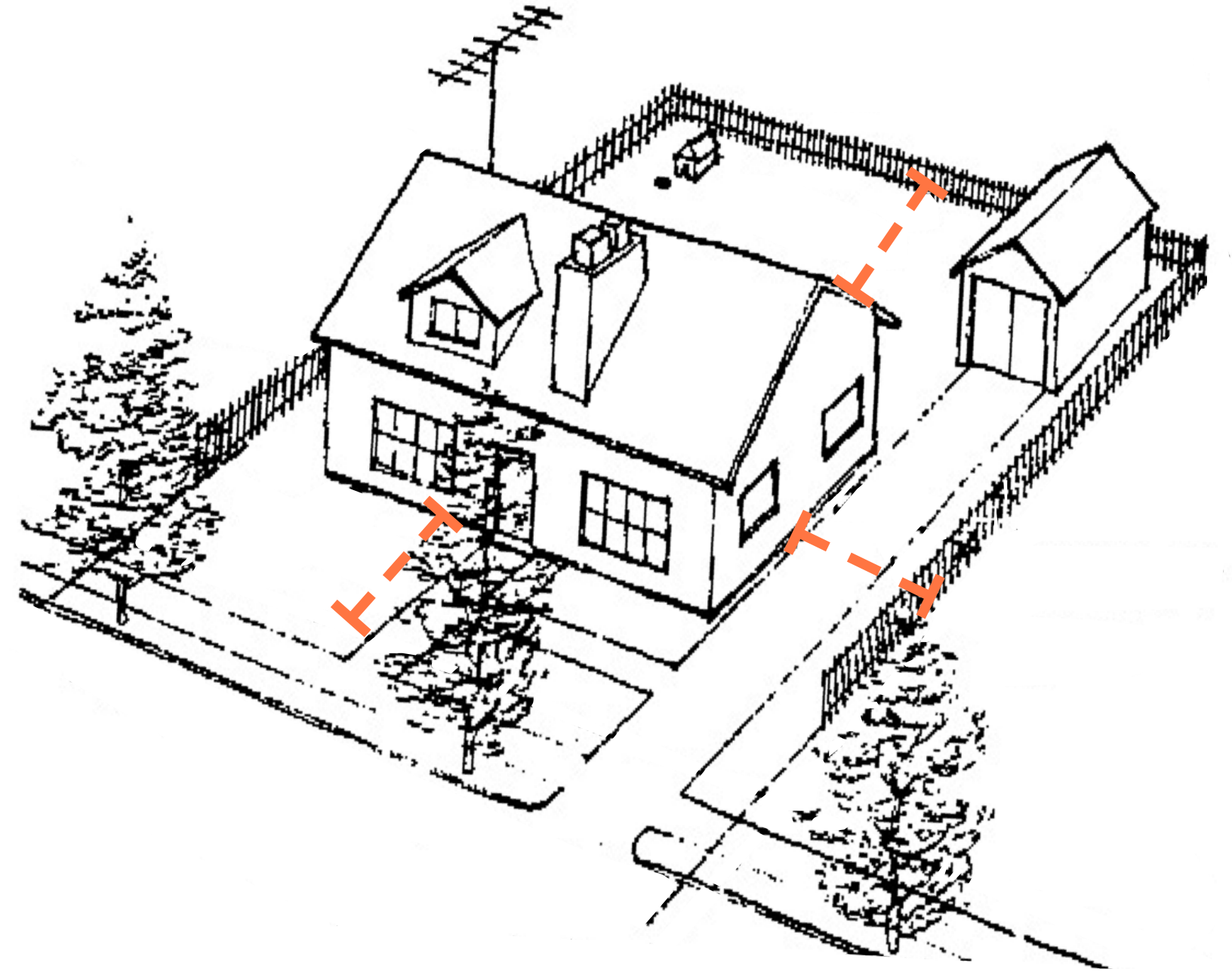


# Parts of a Zoning Bylaw

## Setbacks

The Zoning Bylaw may require setbacks from the front property line, rear property line, side property lines, water courses, and/or the shoreline to ensure uses and buildings are adequately separated for fire safety and to provide adequate access around a lot and its buildings.

## Minimum Setbacks





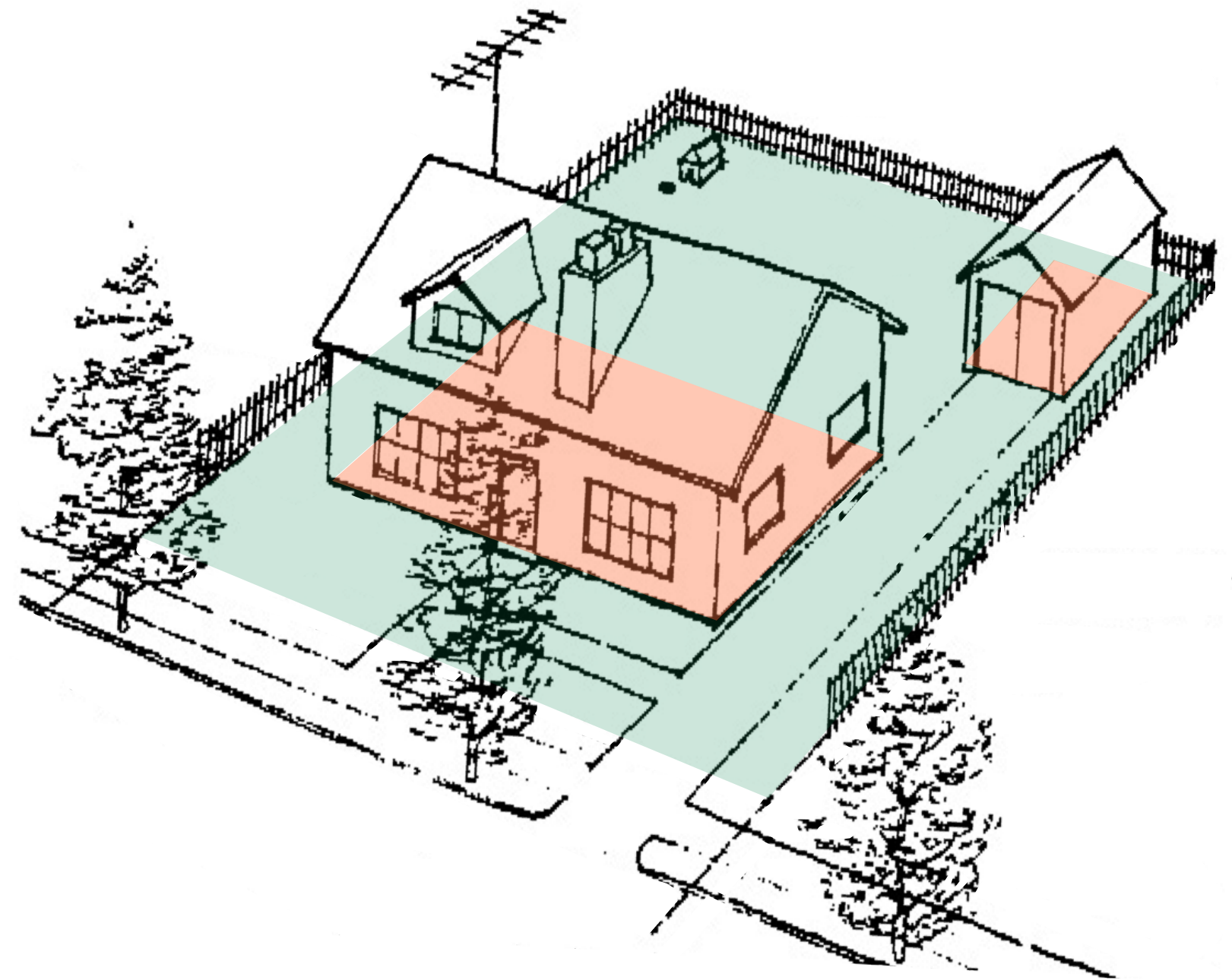
# Parts of a Zoning Bylaw

## Lot Coverage

The maximum or minimum lot coverage is the portion of the parcel that may be covered by principal and accessory uses. Under Belcarra's current bylaw, buildings are limited to 40% lot coverage.

The lot coverage of principal and accessory uses can be regulated separately or together (e.g. 40% total coverage, or 30% for principal and 10% for accessory).

## Maximum Lot Coverage



# Parts of a Zoning Bylaw

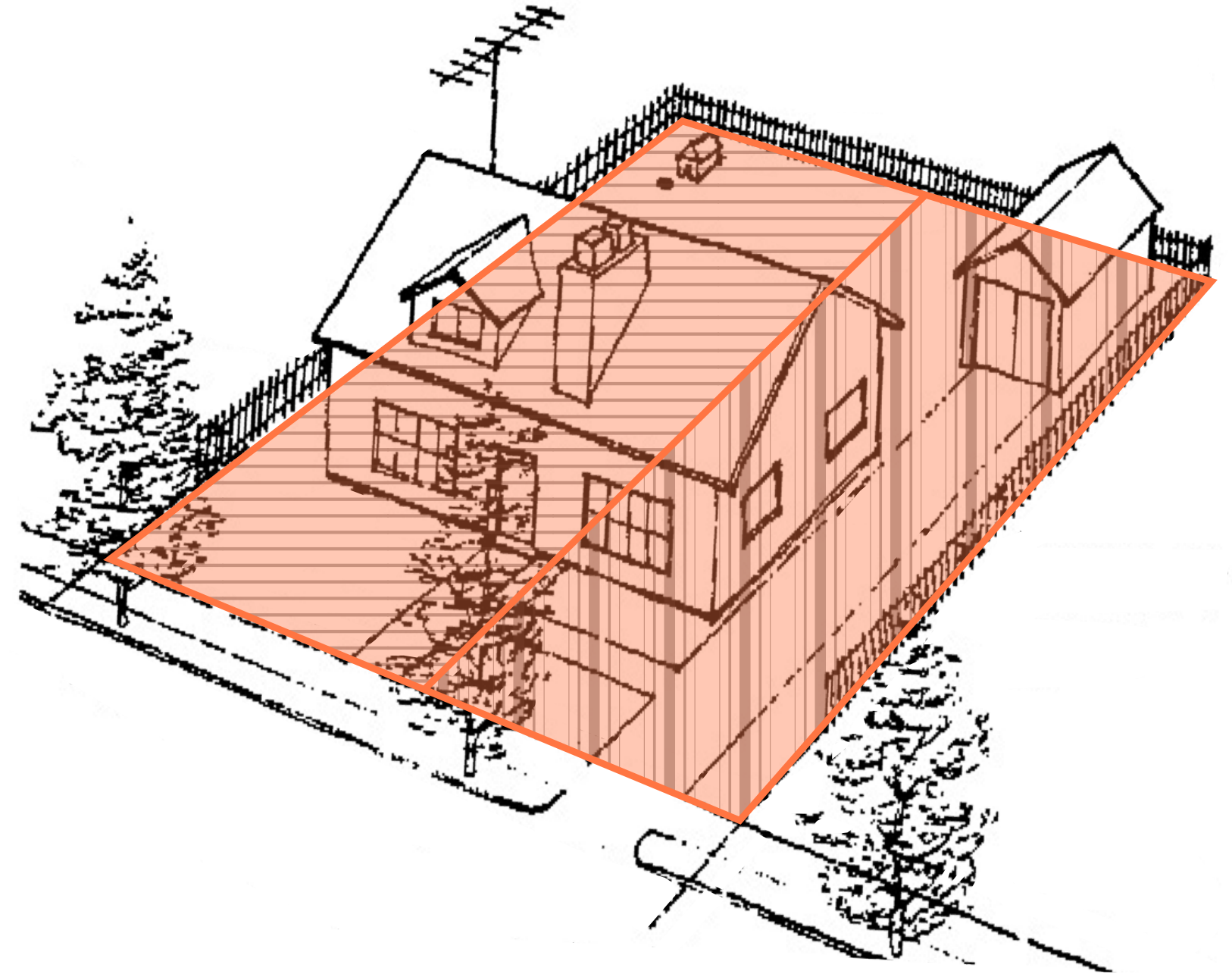
## Minimum Lot Sizes

Zoning bylaws may provide regulations on minimum lot sizes, as well as minimum dimensions such as width and depth.

Usually municipalities will have more than one zone for residential uses, with lot size often being the varying factor between the zones.

Subdivision can also be regulated in a separate bylaw.

## Minimum Lot Size



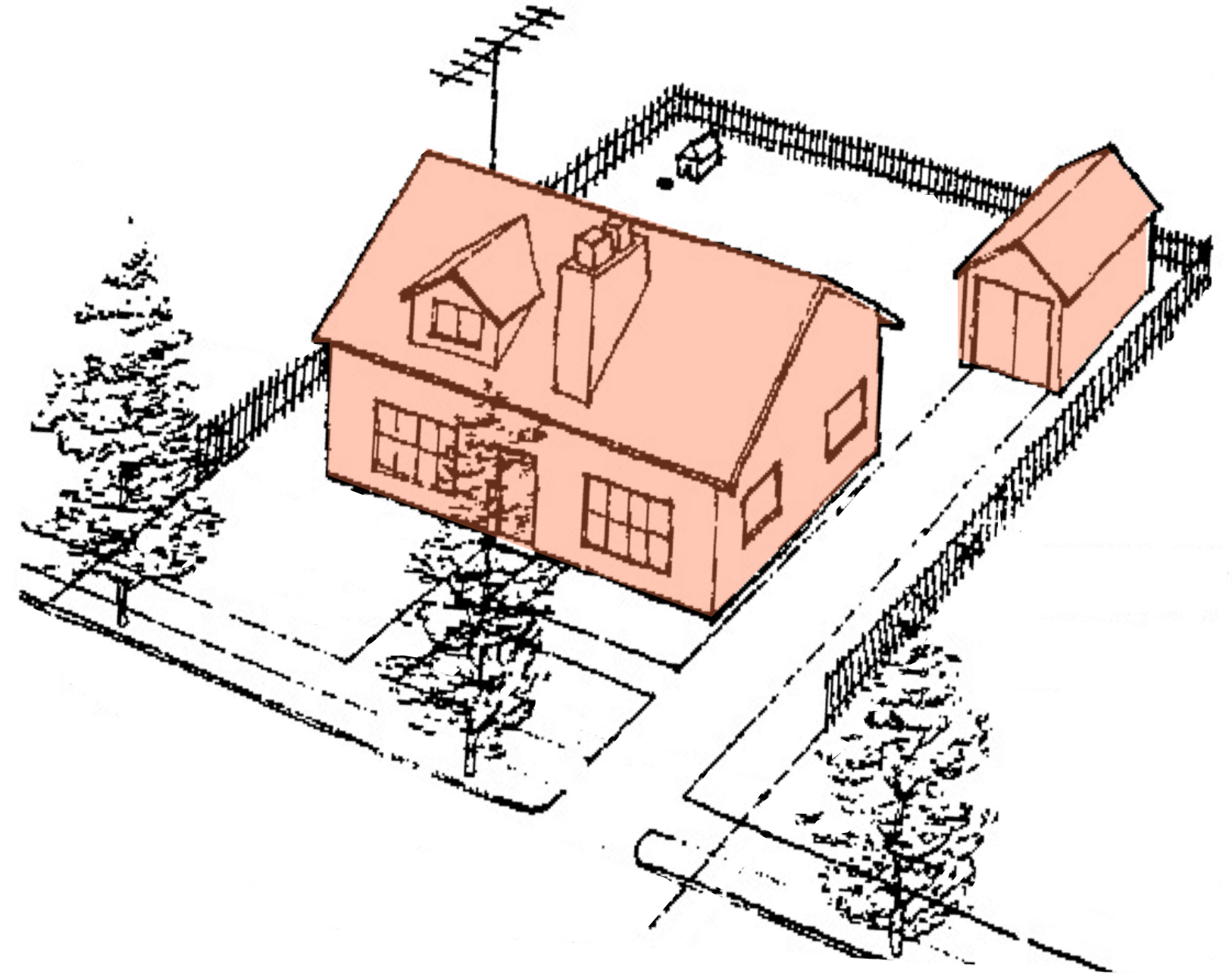
# Parts of a Zoning Bylaw

## Density: Floor Area

The Bylaw may stipulate the maximum floor area of all uses on the property.

Floor area can be set as an absolute maximum, or can be regulated on a sliding scale. For example, Belcarra's current bylaw allows maximum floor areas between 7,000 ft<sup>2</sup> to 12,002 ft<sup>2</sup> depending on the size of the lot.

## Maximum Floor Area



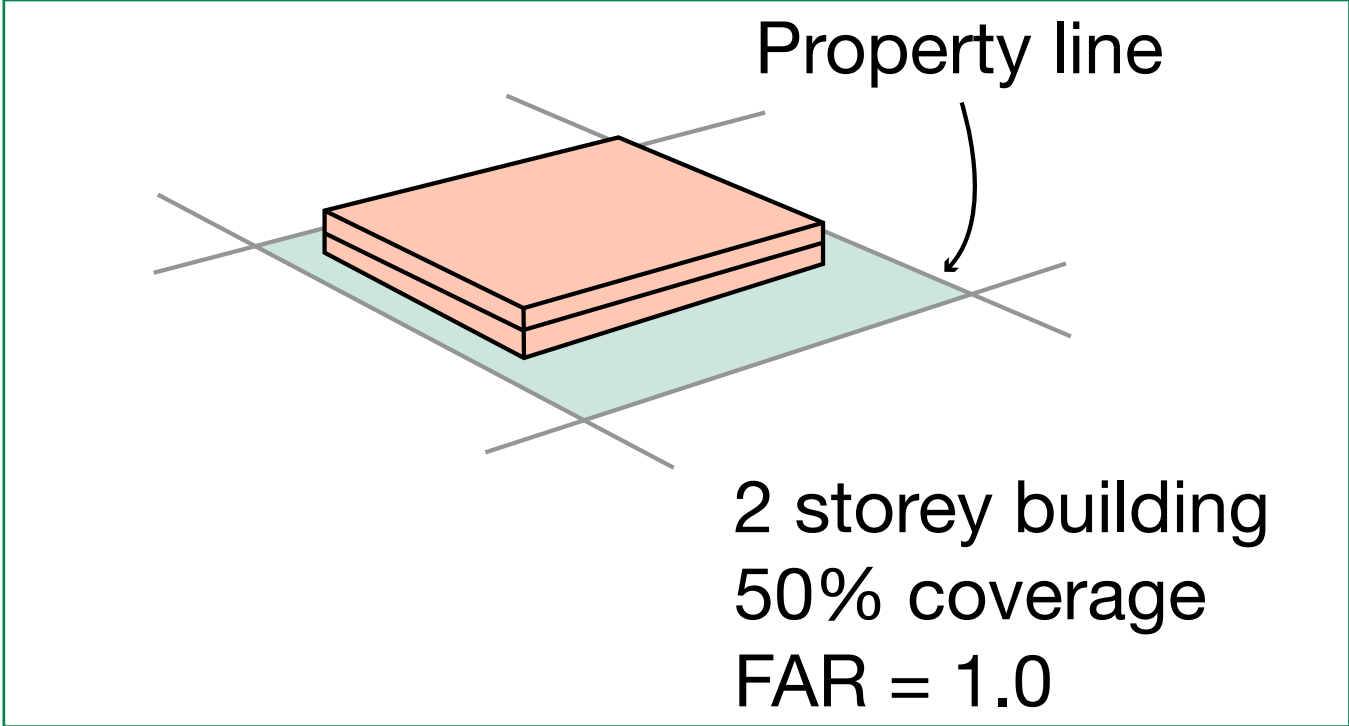
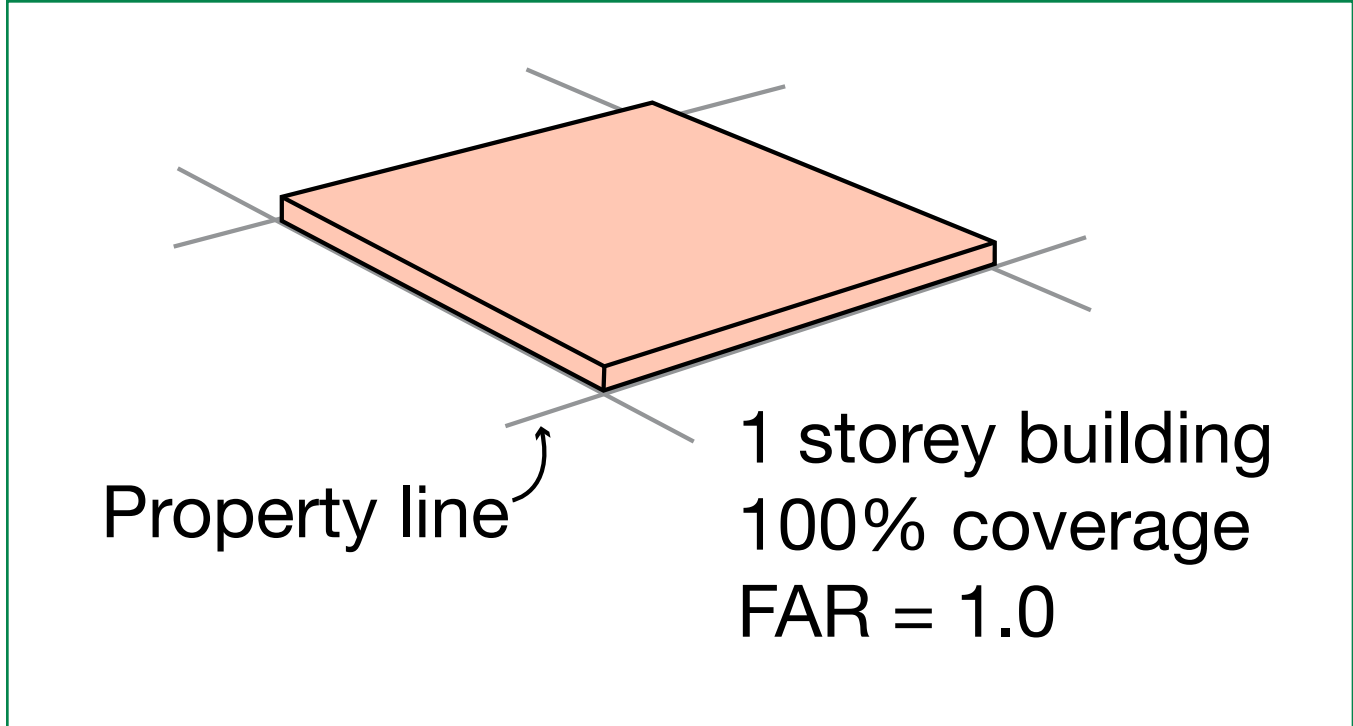
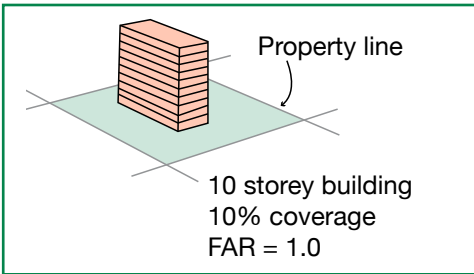
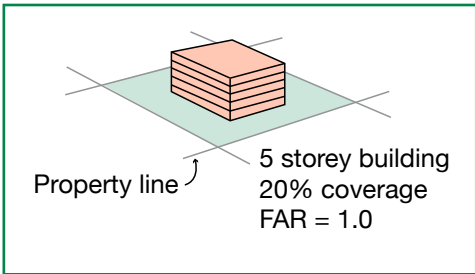


# Parts of a Zoning Bylaw

## Density: Floor Area Ratio

Floor Area Ratio determines the size of the building as a proportion of the property size. This requires smaller buildings on smaller properties, and allows larger buildings on larger properties.

$$\text{Floor Area Ratio} = \frac{\text{Total Floor Area}}{\text{Total Lot Area}}$$



*Diagrams adapted from “Planning and Design Criteria” by Joseph De Chiara and Lee Koppelman.*

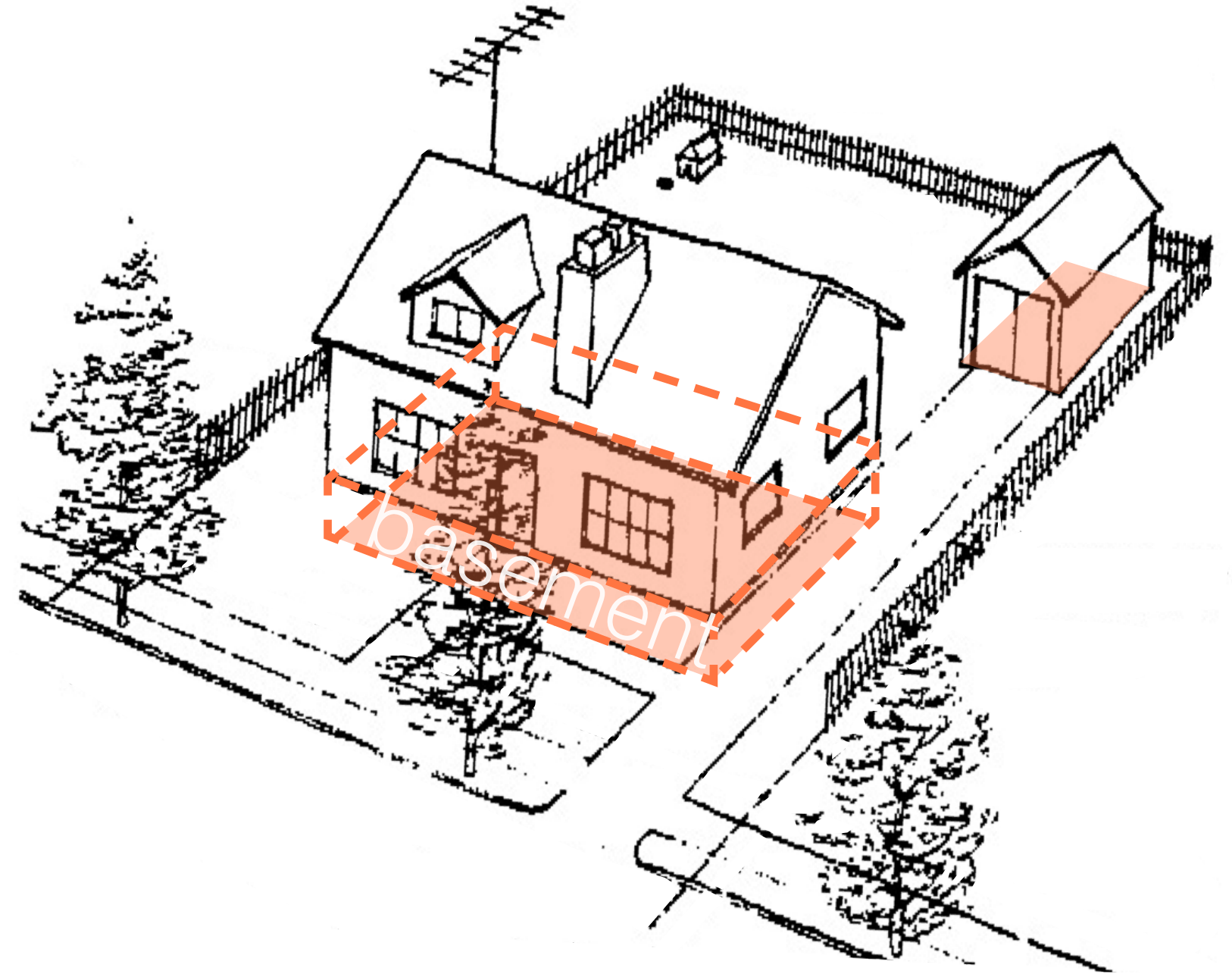


# Parts of a Zoning Bylaw

## Density: Floor Area Exemptions

A zoning bylaw may indicate which parts of a building (or portion of a part) do not count toward the total floor area. This can include basements, parking, porches, decks, and balconies.

## Exempt Floor Area



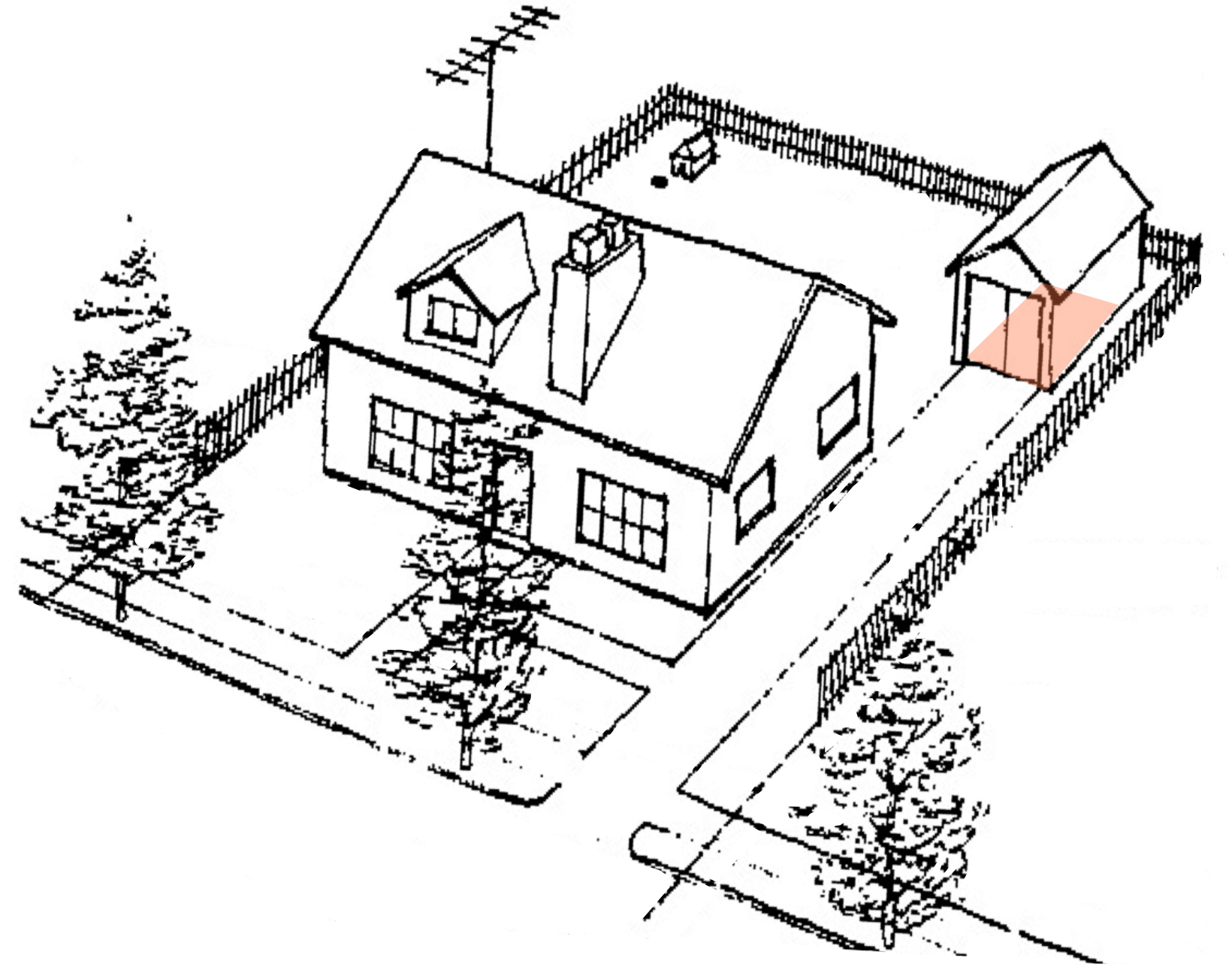
# Parts of a Zoning Bylaw

## Parking

Zoning bylaws regulate the amount of parking required based on building size and uses.

Other factors such as the size of the spaces, their location on the lot, and turning radius requirements can be regulated.

## Parking Requirements



# Belcarra's Zoning Bylaw Context

## Why was the bylaw updated?

- The previous bylaw was updated to address misinformation related to maximum house sizes.

## What changes were made?

- The updated bylaw included maximum house sizes based on property size. The maximum house size is now limited proportionately to property size, and no building may be larger than 12,002 ft<sup>2</sup> on the largest lots.

# Discussion

1. What do you like and don't you like about the current bylaw?
2. What is missing from the current bylaw?
3. What do you hope this update addresses?



# Next Steps

## Meeting #3 - February 22, 2017

### Preliminary Topics:

- Zoning tools and techniques
- Implications of different approaches to zoning
- Zoning bylaw variances and exceptions