



City of Revelstoke

Memorandum to Commissions

File No.: 3900-02

To: Advisory Planning Commission
From: Paul Simon, Senior Planner
Kevin Brooks, Senior Planner, McElhanney
Date: May 18, 2021
Address: Multiple
Subject: Zoning Bylaw Amendments

FILE:	3900-02
OWNER/APPLICANT:	City of Revelstoke
DESCRIPTION	Zoning Bylaw Comprehensive Amendments
OFFICIAL COMMUNITY PLAN:	Multiple
DEVELOPMENT PERMIT AREA:	Multiple
ZONING:	Multiple
LOT AREA	Not applicable

Purpose

To present to the Advisory Planning Commission an overview of the main bylaw changes proposed for a major Zoning Bylaw repeal and replace for their consideration in order to provide comments and/or recommendations to Council.

Advisory Planning Commission Discussion

The proposed amendments are comprehensive and span a multitude of topics. The Commission is requested to provide comments and/or recommendations for Councils consideration on the proposed Zoning Bylaw amendments as it relates to the following:

- If the proposed amendments are consistent with general Official Community Plan (OCP) policies that support flexible housing options, infill development, and sustainability.
- If the proposed amendments are consistent with Council Priorities that seek to improve liveability to provide a range of housing options and increase organizational resilience by streamlining policies to facilitate efficient and effective processes and increase customer service.
- Any recommendations for amendments to the proposed regulations as contained in



City of Revelstoke

Memorandum to Commissions

Attachment #1 ad whether there are any items that are missing.

- If the proposed amendments are supported by the commission.

Background

- A full comprehensive review to update and add development regulations, consolidate and add new zones, align with the OCP and incorporate best practices to modernize the bylaw is a complex undertaking, and as such this will be proposed as a repeal and replace bylaw. This is the initial phase of the comprehensive zoning bylaw review.
- The initial phase includes two types of amendments: Administrative housekeeping amendments and Bylaw content amendments.
 - The administrative amendments do not alter the intent of the regulations, but rather reduce ambiguity, improve clarity regarding intent, and provide consistency in how the bylaw is interpreted and applied. These are technical in nature and will reduce inconsistency in interpretation from bylaw users. These proposed changes will reduce time for the user around bylaw interpretation for items such as roof projections, front yard determination, accessory buildings, height calculations, and fence regulations.
 - Bylaw content changes are more substantial and will have an impact on bylaw users and the ultimate development form. These are proposed changes that staff seek further input from Council and the community on.

Discussion

Administrative Changes

Housekeeping

The bylaw will be formatted to create a more user-friendly document that increases accessibility. Outdated or unnecessary references to legislation will be removed from the document, and regulations that are currently dispersed throughout the bylaw will be consolidated into individual sections.

An example of this is with respect to landscaping and usable open space regulations. These regulations are currently embedded within some zones and not others and are inconsistent. Staff propose to consolidate these requirements and include them as supplementary regulations in the Zoning Bylaw.

In addition, the housekeeping amendments have removed all unlawful delegations that exist in the bylaw. These are items where additional powers have been granted to Council that may not be consistent with the *Local Government Act*. As an example, this includes removing the phrase, "At the option of Council, Council may permit monies to be paid in lieu of providing on-site parking" in Section 12.5(3) of the Zoning Bylaw. Cash-in-lieu of parking is governed by criteria of the *Local Government Act* and is not an option at the desire of



City of Revelstoke

Memorandum to Commissions

Council, but rather an option for a Developer to meet parking regulations. Staff note that all requests to vary parking requirements are subject to Council authorization through a Development Variance Permit. Prior to final presentation of the repeal and replace bylaw for Council consideration, staff will engage in legal review of the proposed bylaw changes to ensure consistency with legislation.

Enhancing Bylaw Clarity

The proposed amendments will include diagrams to visually represent items such as building height calculations, vision clearance, and setback identification which will enhance clarity for users and simplify administration of the bylaw. This will ensure consistent interpretation of the bylaw regulations from both staff and other stakeholders who use the zoning bylaw.

The current zoning bylaw includes multiple examples where regulations are detailed in a specific zone. Regulations that are embedded within individual uses will be removed to create consistency between zones and will provide further clarification to staff and users. Table 1 below provides an example of how removal of the regulations that are embedded within definitions in some uses are proposed. This is one example of many throughout the zoning bylaw where the proposed administrative amendments will streamline the document and provide clarity, but not ultimately change the final development form being pursued.

Table 1: Bylaw Clarity Example

Current Zoning Bylaw No. 1264	Proposed Repeal and Replace Bylaw	Rationale for change
<p><u>Rural Residential 60 Hectare (RR60) Use:</u> Single family dwelling, provided that where a parcel is classified as farmland in accordance with the provisions of the Taxation Act or where land is being farmed and lying wholly or partially within the Agricultural Land Reserve designated pursuant to the Land Commission Act, the following uses shall be permitted provided they are demonstrated to be essential to the operation of the farm</p>	<p><u>Rural Residential 60 Hectare (RR60) Use:</u> Single family dwelling</p>	<p>These are outdated, antiquated references in the bylaw that are the result of decades of zoning bylaw regulations that were recycled with updates. Furthermore, this is contrary to best practises which do not outline conditions in a permitted use and some of the outdated references include legislation that the City does not enforce, such as the Taxation Act.</p>



City of Revelstoke

Memorandum to Commissions

Definitions

Any references to regulations embedded in definitions will be removed, additional definitions will be included, as well as diagrams included for height calculations, irregular lots, setbacks, grade calculations and other common definitions/regulations to improve user accessibility to provide clarification.

Bylaw Content Changes

Accessory Dwelling Units

Provisions are proposed to allow for a second, detached residence on a single parcel. Properties that contain a single-family dwelling, will be permitted one of the following under the proposed regulations:

- Secondary suite is a dwelling unit located within or attached to a dwelling unit;
- Carriage suite which is a detached dwelling unit above a garage; or
- Garden suite which is a detached dwelling unit on ground floor.

These three types of secondary housing units would be referred to as an “Accessory Dwelling Unit” use and would be permitted in most zones that permit a single-family dwelling. For situations where one access is not feasible, amendments to access regulations to allow two accesses on corner or laneway lots will need to be considered by Council as part of these amendments. Some key highlights of the proposed regulations (See Attachment #1, Item #1) include:

- Only lots with single family dwellings may permit a garden suite or carriage suite
 - As per subsequent amendments, secondary suites are proposed to be allowable in single family, two family, and row house dwelling units;
- No more than one accessory dwelling unit per lot;
 - This means that you cannot have a single-family dwelling with a secondary suite and a carriage/garden suite. This is in effort to reduce infill impacts on existing neighbourhood and infrastructure, and to not permit a high-density development in a predominately low density residential area
- Requirements for 1 off street parking stall for an accessory dwelling unit;
- When direct access to a roadway is not available, a 1 m wide pathway from the parking stall to the carriage/garden suite entrance is required;
- A maximum height of 8 m for a carriage suite and 6 m for a garden suite, so long as it does not exceed the height of the primary residence;
- A maximum gross floor area of 90 sq. m for a carriage suite (excluding the first storey garage) and garden suite; and



City of Revelstoke

Memorandum to Commissions

- A minimum of 10 sq. m of dedicated usable open space for the occupant of the carriage/garden suite.

Additional Allowances for Secondary Suites

Staff propose an amendment to the secondary suite regulations and definition to allow this development form in single family, two family and row house dwelling units (See Attachment #1, Item #2). These secondary suites would need to be located in a single real estate entity, would require 1 dedicated parking stall for the suite, and be subject to compliance with BC Building Code regulations. This typically means that the properties most suitable for this would be those that have vertical fire wall separation between units and are subdivided through a party wall subdivision or a strata subdivision. However, each application would be evaluated on a context specific basis and the applicant would be required to demonstrate alignment with zoning and building code regulations.

Parking

Staff propose an additional parking regulation to specify reductions in parking requirements for multi-family and mixed-use projects when certain criteria are met (See Attachment #1, Item #3). This includes:

- The property is within 500 m of a bus stop, pharmacy, and grocery store; and
- One bike stall per unit is provided for

When these criteria are met, parking requirements are proposed to be reduced from 1.5 stalls per unit, to 0.5 stalls per bachelor/1 bedroom unit, and 1 stall per 2 bedroom/3 bedroom unit. This introduces a sliding scale for parking requirements and focuses development around walkability and alternative modes of transportation rather than vehicle dominate infrastructure, in line with Council priorities and Official Community Plan policies.

Food Security

To address community concerns and Council priorities regarding urban agriculture, staff have proposed additional regulations and uses to support food production uses (See Attachment #1, Item #4). This includes:

- Allowance for food production such as fruit, vegetable, and other plant production uses in all zones;
- Regulations and flexibility to guide the siting of greenhouses in the front yard (typically accessory buildings are not permitted in the front yard in residential zones) to allow for maximum sun exposure;
- Proposed amendments to home occupation regulations and definition to allow minor agricultural pursuits as a home occupation (i.e., minor farm gate sales), while ensuring that the use is secondary to the primary residential use and offsite impacts are mitigated; and



City of Revelstoke

Memorandum to Commissions

- Inclusion of a definition of Minor Agriculture to ensure that clarification is provided that this does not include animal agriculture (excluding keeping of hens in accordance with current bylaws)

Parking and Storage

Regulations to provide further guidance on parking commercial vehicles, boats, and recreational vehicles in residential zones are provided (See Attachment #1, Item #5). These regulations are for municipalities to ensure that residential lots in the City do not become storage yards. This will assist the City with respect to bylaw enforcement and ensure residential properties remain for residential purposes.

Policy Direction

Applicable policies from [Official Community Plan Bylaw No. 1950 \(OCP\)](#) are outlined below and include those within Parts 3.

Part 3 – Charting Our Future

Section 3.1 (People)

- Educate the community about infill, compact, and mixed use development and strengthen the understanding that affordable ownership and rental housing is a community-wide issue shared by all Revelstoke residents and businesses.
- Increase community awareness of food security issues by encouraging local food production and purchasing, potentially creating local food co-ops.

Section 3.2 (Environment)

- Reduce the amount of particulate and other emissions from transportation, industry, open burning and home heating.
- Take actions to reduce greenhouse gas emissions from City operations to meet the BC Climate Charter target of carbon neutrality by 2012, consistent with a City Greenhouse Gas Emission Inventory and Reduction Action Plan. Consider tree planting programs, more fuel efficient or alternatively-powered vehicles, multi-modal transportation, passive or alternative power and heating sources, and green buildings.

Section 3.3 (Economic)

- Encourage the establishment of small businesses through appropriate zoning bylaws.
- Facilitate local business efforts by providing sufficient opportunities for property and facilities.
- Continue to improve the City's business and development friendliness.
- Encourage and accommodate existing and new businesses and economic sectors to create year-round employment.



City of Revelstoke

Memorandum to Commissions

Section 3.4 (Land Use)

- Ensure all buildings incorporate good urban design and smart growth principles.
- Promote the use of a wide variety of housing options that encourage affordability such as secondary residential suites in all residential zones.
- Encourage development that directs work toward existing communities (infill), and creates a compact, diverse adaptable mixed-use built form.
- Develop parking bonusing through a Comprehensive Parking Strategy that considers infill development, multi-modal transportation options and below grade or integrated parkades, including criteria listed on the next page for density bonusing.
- Permit infill developments that are integrated into the surrounding neighbourhood.

Conclusion:

Staff have been engaged in completing comprehensive zoning bylaw amendments, and are seeking recommendations from the Advisory Planning Commission with respect to the whether the amendments align with the OCP and Council priorities.

Attachments:

Attachment #1 – Summary of Proposed Zoning Bylaw Content Changes

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul Simon', is written over a white background.

Paul Simon, Senior Planner