

PART 8H

LGS – LANEWAY AND GARDEN SUITE PILOT PROJECT OVERLAY ZONE

8H.1 INTENT

The LGS Overlay is intended to accommodate laneway suites in order to support intensification within the city.

8H.2 APPLICATION

- (1) Notwithstanding other relevant sections of this Bylaw, the provisions of this overlay shall apply to the development of a Dwelling, Laneway Suite or Dwelling, Garden Suite only on the lands identified in Table 8H.T1.
- (2) The overlay zone shall be in addition to and shall overlay all other zones where it is applied so that any parcel of land lying in the overlay zone shall also lie in one or more of the other zones provided for by this Bylaw. The effect is to create a new zone, which has the characteristics and limitations of the underlying zones, together with the characteristics and limitations of the overlay zone.
- (3) Unless specifically exempted, the regulations, standards and criteria of the overlay zone shall also supplement and be applied in addition but not in lieu of any regulations, standards and criteria applicable to the underlying zone.
- (4) In the event of conflict between the requirements of the overlay zone and those of the underlying zone, the overlay zone requirements shall apply, unless specifically exempted.
- (5) In the event of conflict between the requirements of this overlay zones and another overlay zone, the overlay zone with the most stringent requirements shall apply, unless specifically exempted.

8H.3 LAND USE REQUIREMENTS

- (1) Table 8H.T1 lists land uses and land use intensities that are permitted or discretionary in the Laneway and Garden Suite Pilot Project Overlay zone, subject to:
 - (a) the land use specific regulations in Table 8H.T1;
 - (b) the development standards in subpart 8H.3;

- (c) the parking and loading requirements in subpart 8H.5;
- (d) the landscaping, buffering and visual screening requirements of subpart 8H.6; and
- (e) the other regulations of this Bylaw.

TABLE 8H.T1:LAND USE CLASSIFICATION				
Sec.	Land Uses	Permitted	Discretionary	Land Use Specific Regulations
T1.1	<ul style="list-style-type: none"> • Dwelling, Laneway Suite • Dwelling, Garden Suite 	<p>Permitted on the lands legally described as:</p> <ul style="list-style-type: none"> (a) Lot 18, Block 567, Plan 101161189 & Lot 5, Block 567, Plan AP3598 Municipally known as 2990 Albert Street; (b) Lot 18, Block 10, Plan G384 Municipally known as 1932 Atkinson Street; (c) Lot 5, Block 4, Plan EX5374 Municipally known as 62 Charles Crescent; (d) Lot 40, Block 38, Plan 101209249 Municipally known as 2117 Edward Street; (e) Lot 4 & 5, Block 543, Plan K1416 & Lot 49, Block 543, Plan 101191520 Municipally known as 3321 Regina Avenue; (f) Lot 6, Block 7, Plan FL2604 Municipally known as 2822 Sinton Avenue; 		<ul style="list-style-type: none"> (1) Notwithstanding any other provision of this Bylaw, a “Dwelling, Secondary Suite” shall not be permitted on any property identified under the Permitted column of this table. (2) A “Dwelling, Laneway Suite” or “Dwelling, Garden Suite” shall only be permitted on a property also containing a one-unit detached dwelling, which shall, for the purposes of this part, be referred to as the “Primary Dwelling.” (3) The Gross Floor Area of a “Dwelling, Laneway Suite” or “Dwelling, Garden Suite”, excluding any area of the suite that is used as a garage, shall not exceed 80 sq. m or 80% of the gross floor area of the primary dwelling, whichever is less. (Refer to Figure 8H.F1)

- (2) Land uses other than Dwelling, Laneway Suite and Dwelling, Garden Suite are prohibited in the Laneway and Garden Suite Overlay zone.

8H.4 DEVELOPMENT STANDARDS

- (1) Notwithstanding any other provisions of this Bylaw and unless otherwise stated as an exception in Table 8H.T3, the following standards in Table 8H.T2 shall apply to the development of a Dwelling, Laneway Suite or Dwelling, Garden Suite.
- (2) Standards pertaining to lot size, lot area, site coverage, or other aspects of development that are not in conflict with Table 8H.T2 shall be governed by the standards of the underlying zone as specified in this Bylaw.

TABLE 8H.T2 LGS OVERLAY ZONE DEVELOPMENT STANDARDS			
Sec.	Development Criteria	Dwelling, Laneway Suite	Dwelling, Garden Suite
T2.1	Minimum Side Yard Setback		
	(1) Where Lot frontage width is less than 8.7 metres		
	(a) one side		
	(i) portions of any building below 3.5 metres side wall height	0.6 metres	0.6 metres
	(ii) portions of any building above 3.5 metres side wall height (Refer to Figure 8H.F2)	1.2 metres	1.2 metres
	Other Side	1.2 metres	1.2 metres
	(2) Lot frontage width is equal to or greater than 8.7 metres and less than 12.5 metres		
	(a) one Side	1.2 metres	1.2 metres
	(b) other Side	1.2 metres	1.2 metres
	(3) Lot frontage width is equal to or greater than 12.5 metres		
	(a) one side	1.2 m metres + 10% Lot width	1.2 metres + 10% Lot width
	(b) other side	1.2 metres	1.2 metres
	(4) Side yard setback with Parking Pad & Pedestrian Walkway		
(a) one side	As per applicable property width standards.	As per applicable property width standards.	
(b) other side	3.0 metres	3.0 metres	
T2.2	Minimum Rear Yard Setback		
	(1) No parking pad located between Laneway Suite and a rear lane	1.2 metres	N/A
	(2) Parking pad located between Laneway Suite and a rear lane	7.5 metres	N/A
	(3) No rear lane	N/A	2.0 metres
T2.3	Separation Distance from Primary Dwelling		
	(1) At the closest point between the two structures	5.0 metres	5.0 metres
T2.4	Maximum Building Height	5.8 metres	5.8 metres
T2.5	Maximum Structure Massing (Refer to Figure 9C.15.F1)		
	(1) Maximum Width	11.0 metres	11.0 metres
	(2) Maximum Depth	9.0 metres	9.0 metres

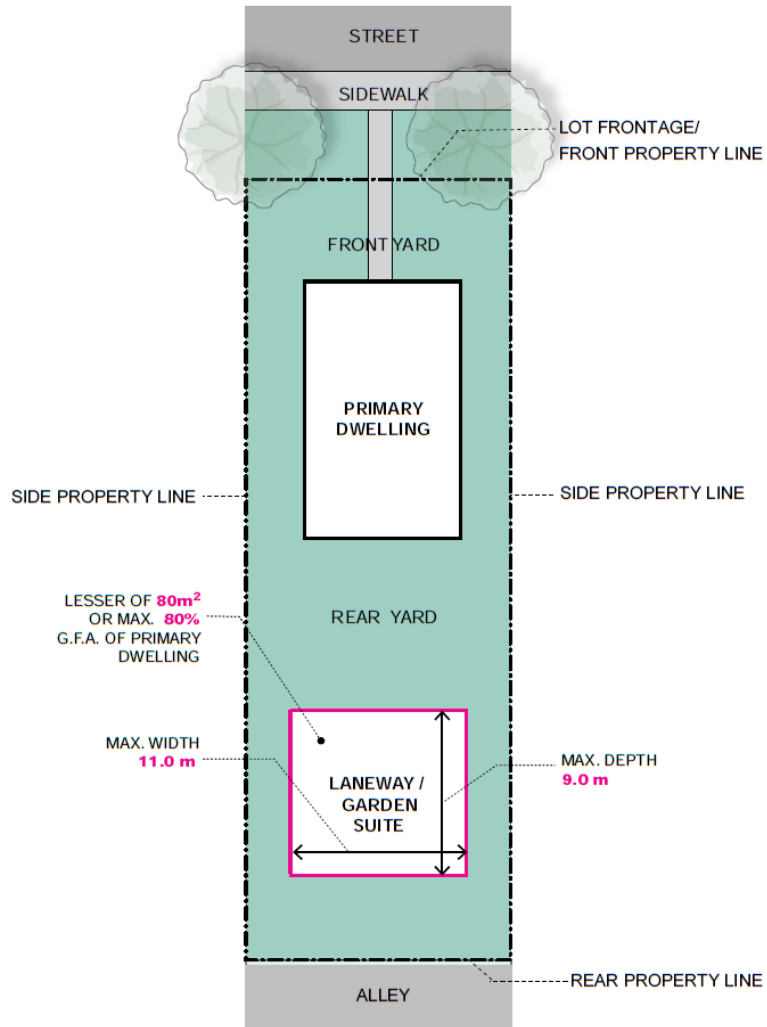


Figure 8H.F1: Maximum Floor Area, Width and Depth

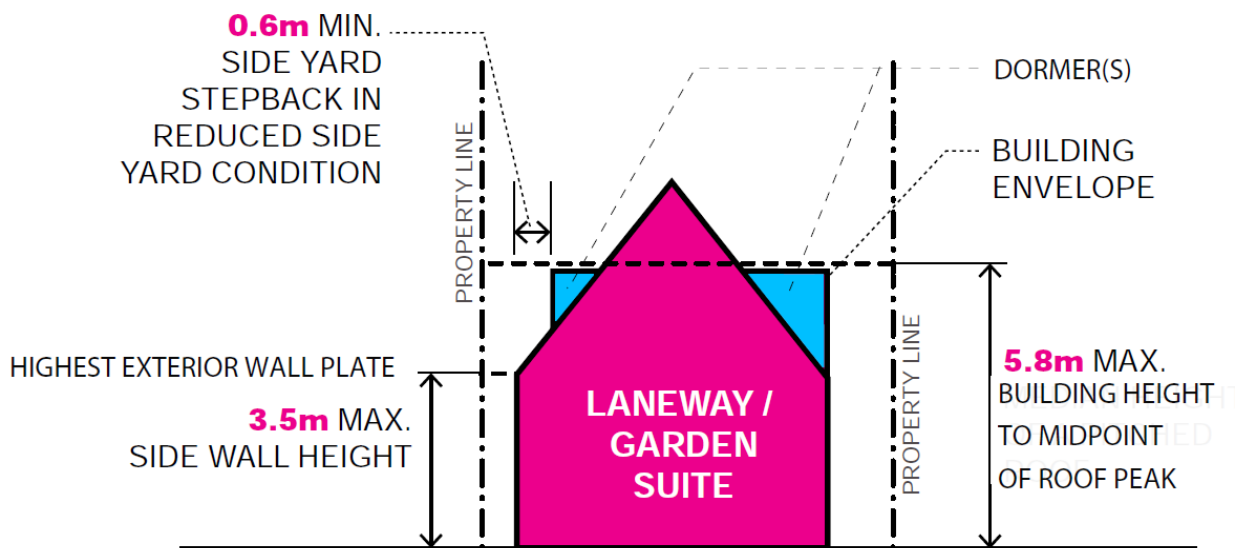


Figure 8H.F2: Structure Height and Side Yard Step back

8H.5 EXCEPTIONS

Notwithstanding other regulations within Table 8H.T2 of this Bylaw, the following site-specific exemptions shall apply:

TABLE 8H.T3 LGS OVERLAY ZONE DEVELOPMENT EXCEPTIONS	
Subject Property	Exception
2990 Albert Street	Maximum permitted dwelling, laneway suite structure depth – 14.5 metres
1932 Atkinson Street	Maximum permitted laneway suite structure depth – 11 metres
	Maximum permitted laneway suite gross floor area – 42 square metres

8H.6 PERMITTED YARD ENCROACHMENTS

- (1) Covered platforms including balconies, associated with the Dwelling, Laneway Suite or Dwelling, Garden Suite may extend into the required yard setback to a maximum of 0.6 metres.
- (2) Encroachments are subject to 1E.1.8 in Chapter 1.

8H.7 ADDITIONAL DEVELOPMENT STANDARDS

- (1) Where a Dwelling, Laneway Suite or Dwelling, Garden Suite contains a dormer with a roof area greater than 70% of half of the building footprint, height shall be measured as the vertical distance from grade to the mean level between the top of the dormer highest exterior wall plate and the ridge of a pitched roof, as illustrated in Figure 8H.F3.

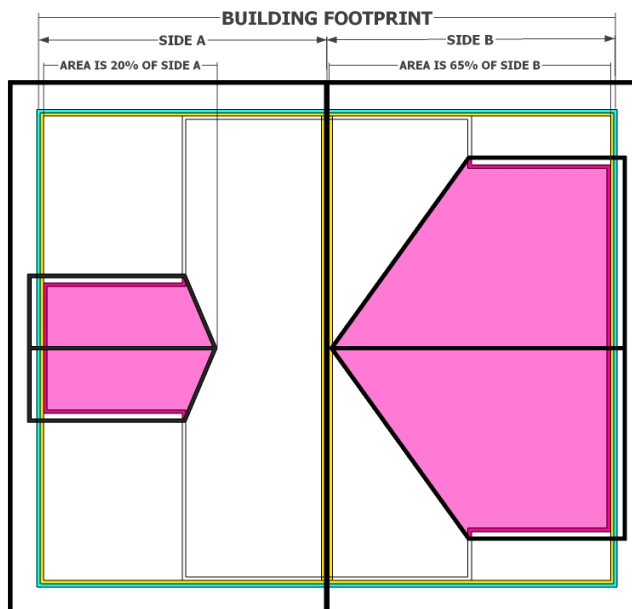


Figure 8G.F3 – Aerial View of Dormer Roof Area

- (2) A basement is not permitted within a Dwelling, Laneway Suite or Dwelling, Garden Suite.
- (3) Where the conventional zoning regulations applicable for a secondary suite or accessory building are in conflict with the development regulations found in Part 8H of this Bylaw, the regulations in Part 8H shall take precedence.
- (4) Primary entrances to a Dwelling, Laneway Suite or Dwelling, Garden Suites shall be oriented to the side or rear of the lot only.
- (5) An accessible walkway, providing access from the street to the Dwelling, Laneway Suite or Dwelling, Garden Suite shall be required on all lots containing such a dwelling.

8H.8 PARKING

Notwithstanding the on-site parking requirements of the underlying zone:

- (a) the required parking stalls for the principal dwelling and the Dwelling, Laneway Suite or Dwelling, Garden Suite may be provided as tandem parking; and
- (b) the required parking spaces for a Dwelling, Laneway Suite shall be accessed from the lane.

8H.9 LANDSCAPING REGULATIONS

A minimum of 30% of a lot containing a Dwelling, Laneway Suite or Dwelling, Garden Suite shall have a pervious surface.