

District of Squamish
BYLAW NO. 2512, 2016

A bylaw to amend the District of Squamish
Zoning Bylaw No. 2200, 2011

WHEREAS the District of Squamish deems it necessary and appropriate to amend Zoning Bylaw No. 2200, 2011;

NOW THEREFORE the Council of the District of Squamish, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as “District of Squamish Zoning Bylaw No 2200, 2011, Amendment Bylaw (Misc. Amendments) No. 2512, 2016”.
2. **Section 8 (Residential 2 (RS-2))** is amended by replacing the word “duplex” in Subsection 8.1(g) with “two-unit dwellings”.
3. **Section 10 (Multiple Unit Residential 1 (RM-1))** is amended by replacing Subsection 10.1(a) with the following:
 - (a) two-unit dwelling;
4. **Section 11 (Multiple Unit Residential 2 (RM-2))** is amended by replacing Subsection 11.1(a) with the following:
 - (a) two-unit dwelling;
5. **Section 40UUU (Comprehensive Development Zone 81 (CD-81))** is amended by replacing the word “duplex” in Subsection 40UUU.1(h) with “two-unit dwellings”.

Section 40UUU is further amended by replacing the words “duplex” in Subsections 40UUU.2(c) and 40UUUU.2(d) with “two-unit dwelling”.

6. **Section 40XXX (Comprehensive Development Zone 83 (CD-83))** is amended by replacing Subsection 40XXX.1, Block A, (d) with the following:

(d) Two-unit dwelling;

Section 40XXX is further amended by replacing Subsection 40XXX.1, Block B, (a) with the following:

(a) Two-unit dwelling;

7. **Section 4 (General Regulations)** is amended by replacing Subsection 4.1 with the following:

No land, the surface of water, buildings or structures in any zone shall be used by the owner, occupier or any other person for any use except as specifically permitted in the zone in which it is located.

Section 4 is further amended by replacing Subsection 4.4(d)(ii) with the following:

(d)(ii) accessory buildings and structures shall be located not less than 1.52 m from any side or rear lot line.

Section 4 is further amended by replacing Subsection 4.7(c) with the following:

Section 4.7 Screening

(c) Where a lot is developed for a Commercial, Industrial, or Institutional use and where such a lot is separated by a lane from a lot that is within a Residential zone or occupied with a single-, two-, or multiple-unit dwelling, the owner of the residential lot shall provide a fence or landscape screening along the entire lot line abutting the lane of not less than 1.22 metres in height, and not more than 1.83 metres in height, except where the screening consists of plant material, in which case there shall be no maximum height.

Section 4 is further amended by replacing Subsection 4.25(a)(v) with the following:

(v) Garages to a maximum floor area exclusion of 55.7 m² per dwelling unit, except an attached secondary suite;

Section 4 is further amended by replacing Subsection 4.25(a)(vii) with the following:

(vii) Covered balconies, decks, patios and porches that are open on two sides;

8. **Section 13 (Residential Mobile Home Park (RMH-1))** is amended by replacing Subsection 13.1(c) with the following:

(c) Home occupation, residential, subject to Section 4.18.

Section 13 is further amended by adding the following Subsection:

13.11 ACCESSORY BUILDINGS

Accessory buildings must comply with Section 4.4 of this bylaw.

9. **Section 32 (Artisan Village (C-10))** is amended to replace Subsection 32.1(c) with the following:

(c) Home occupation, office, subject to Section 4.18.

10. **Section 4 (General Regulations)** is amended by adding the following to Subsection 4.2:

(q) District Thermal Energy System;

(r) Public Art;

(s) Electric Vehicle Charging Station, except not permitted in any Residential zone.

11. **Section 1 (Interpretation)** is amended by replacing the definition of 'height' in Subsection 1.3 with the following:

HEIGHT with respect to a building or structure refers to the maximum vertical distance from the Height Datum to:

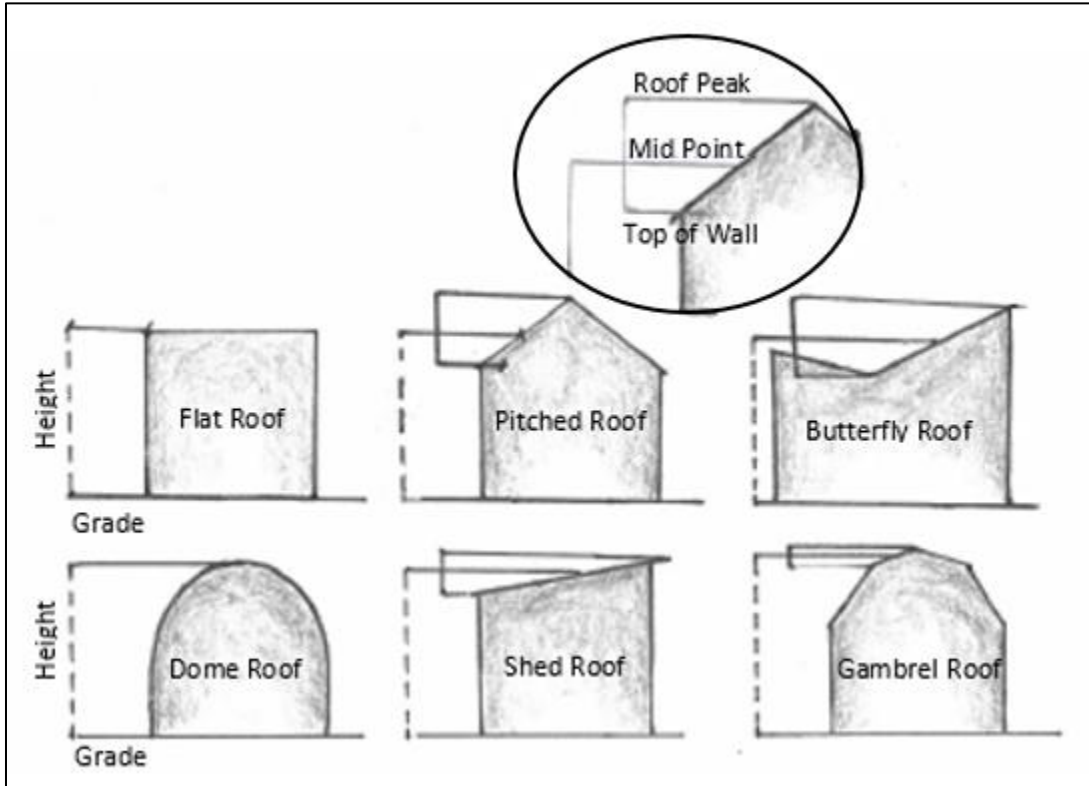
(a) the highest part of a building with flat, domed, A-framed, or Quonset roofs;

(b) the mid-point between the highest ridge of the building and the top of the lowest support wall for a building with a pitched roof;

(c) the mid-point between the ridge and the point immediately below the ridge where the pitch changes for a building with a gambrel roof;

(d) the point midway between the highest ridge of the building and the lowest roof transition for a building with a butterfly roof;

(e) the highest point of all other structures.



12. **Section 4 (General Regulations)** is amended by adding Subsection 4.5(b)(iv) as follows:

4.5 Secondary Suite

(b)(iv) Despite any section of this bylaw, a secondary suite may be located above a detached accessory building, regardless of setbacks, if the detached accessory building was completed prior to March 15, 2016 in accordance with the required setbacks of the day and provided that the secondary suite does not further encroach into the setback area. *It is the responsibility of the owner or applicant to provide sufficient evidence that the existing detached accessory building is legally non-conforming for siting.*

Section 4 is further amended by adding Subsection 4.7(g) as follows:

4.7 Screening

(g) Where a lot is developed for Commercial, Industrial, Institutional or Multiple Unit Residential use, and where such a lot shares a lot line with a lot that is within a Residential zone or that is developed with a residential use as a principal use, heating, cooling, and HVAC equipment shall be screened with a solid-walled structure that extends around all sides and to the highest point or above the top of the equipment to mitigate noise.

Section 4 is further amended by replacing Subsection 4.10(a) with the following:

Section 4.10 Height of Buildings and Structures

(a) The following structures are exempt from the height requirements of this Bylaw: church spires; chimneys; flagpoles; masts; silos; satellite dishes; antennae; water tanks; spires; steeples; belfries; domes; cupolas; monuments; transmission towers; elevator penthouses; screened ventilation machinery; solid screening for heating, cooling, and ventilation equipment; and structures required for a public service use.

Section 4 is further amended by replacing Subsection 4.26(c) with the following:

(c) If a fence is constructed on top of a retaining wall within 1.22 m of a front, exterior side, interior side lot line, or rear lot line, the combined height of the fence and wall shall not exceed 2.44 m.

13. **Section 41 (Off-Street Parking)** is amended as follows:

Subsection 41.11 Design Criteria

(d) Access is amended as follows:

(i) is removed.

(v) No access to a residential off-street parking area from a highway shall be closer than 3.05 metres from a walkway.

(vii) is removed.

14. **Section 33.13 (Business Office Use Conditions)** is amended by adding the following to Subsection 33.13:

(c) Business and Professional Office, Minor shall only be permitted above the first storey in buildings on the properties described as:

i. Strata Lots 14 through 26 District Lots 1305 and 5032 Group 1 New Westminster District Strata Plan BCS2779

ii. Strata Lots 6 through 9 Section 3 Township 50 New Westminster District Strata Plan EPS343

15. **Section 1 (Interpretation)** is amended by replacing the definition of 'useable open space' in Subsection 1.3 with the following:

USEABLE OPEN SPACE, COMMON means a compact, level, unobstructed area or areas, providing maximized access to sunlight, having no dimension less than 6.10 metres, no slope greater than 5 percent to ensure universal access, and being available for the safe and convenient use by the occupants or users of a building or lot for recreation or leisure activities. Common Useable Open Space may be located on roofs or structures or at finished grade, excluding areas used for off-street parking, off-street loading, service driveways or a required front

setback. Without limitation, Common Useable Open Space may be accessible to the public in the case of a statutory right of way agreement and covenant in favour of the District or other similar means.

USEABLE OPEN SPACE, PRIVATE means a compact, level, unobstructed area or areas, providing maximized access to sunlight, and being available for the safe and convenient use by the residents of a dwelling unit. Private Useable Open Space may be located on roofs or structures or at finished grade, excluding areas used for off-street parking, off-street loading, service driveways or the required front setback.

16. **Section 4 (General Regulations)** is amended by replacing Subsection 4.29 with the following:

4.29 COMMON USEABLE OPEN SPACE

For all Multiple Unit or Comprehensive Development zones, at least 30% of the lot area shall be provided as common useable open space in the case of an apartment dwelling and in the case of a townhouse dwelling at least 40 square metres of common useable open space shall be provided per dwelling unit.

17. **Section 10 (Multiple Unit Residential 1 (RM-1))** is amended by inserting the word 'private' before the phrase 'useable open space' in Subsection 10.7.
18. **Section 11 (Multiple Unit Residential 2 (RM-2))** is amended by inserting the word 'private' before the phrase 'useable open space' in Subsection 11.7.
19. **Section 12 (Multiple Unit Residential 3 (RM-3))** is amended by inserting the word 'private' before the phrase 'useable open space' in Subsection 12.7.
20. **Section 13 (Residential Mobile Home Park (RMH-1))** is amended by inserting the word 'common' before the phrase 'useable open space' in Subsection 13.4.
21. **Section 40FF (Comprehensive Development Zone 34 (CD-34))** is amended by inserting the word 'Common' before the phrase 'Useable Open Space' in Subsection 40FF.5(a)(i).

Section 40FF is further amended by replacing Subsection 40FF.5(c)(i) with the following:

- (i) Despite any other section of this bylaw, Common Useable Open Space shall be provided as part of a comprehensive design at not less than a total of 282 m² or 4.6 m² per unit, whichever is greater; and

22. **Section 40EE (Comprehensive Development Zone 35 (CD-35))** is amended by inserting the word 'common' before the phrases 'useable open space' in Subsections 40EE.5 Block A: (a) and Block B: (a).

Section 40EE is further amended by replacing the word 'outdoor' with the phrase 'private useable' in Subsection 40EE.5 Block B: (b).

23. **Section 40DD (Comprehensive Development Zone 36 (CD-36))** is amended by inserting the word 'common' before the phrase 'useable open space' in Subsection 40DD.5(a).

24. **Section 40JJ (Comprehensive Development Zone 40 (CD-40))** is amended by inserting the word 'Common' before the phrase 'Useable Open Space' in Subsection 40JJ.1.6(a).

25. **Section 40DDD (Comprehensive Development Zone 60 (CD-60))** is amended by inserting the phrase 'private' before the phrase 'useable open space' in Subsection 40DDD.7.

26. **Section 40XXX (Comprehensive Development Zone 83 (CD-83))** is amended inserting the word 'Common' before the phrase 'Useable open space' in Subsection 40.XXX.7 Block B:.

27. **Section 40YYY (Comprehensive Development Zone 86 (CD-86))** is amended by replacing Subsection 40YYY.9 with the following:

40YYY.9 MINIMUM PRIVATE USEABLE OPEN SPACE

For a two-unit dwelling, an equivalent of at least 25% of the gross floor area of the dwelling unit shall be provided as private useable open space.

28. **Section 4 (General Regulations)** is amended by replacing Subsection 4.3(c) with the following:

4.3 ACCESSORY RESIDENTIAL DWELLINGS

(c) Notwithstanding that a lot or a building may have been subdivided into strata lots or units, a maximum of one accessory residential dwelling shall be permitted on that lot.

29. Zoning Bylaw No. 2200, 2011 is amended so that the numerical and alphabetical ordering of its provisions, and any and all references to those numbers and letters that appear in any provisions of the bylaw, are revised to be consistent with the amendments of this bylaw.

READ A FIRST AND SECOND TIME this 21st day of February, 2017.

Pursuant to the Community Chapter, **NOTICE WAS ADVERTISED ON** [DATE]th day of [MONTH], [YEAR].

PUBLIC HEARING HELD on this [DATE]th day of [MONTH], [YEAR].

READ A THIRD TIME [DATE]th day of [MONTH], [YEAR].

APPROVED by the [AUTHORITY], pursuant to [LEGISLATION] this [DATE]th day of [MONTH], [YEAR].

ADOPTED this [DATE]th day of [MONTH], [YEAR].

Patricia Heintzman, Mayor

Robin Arthurs, Corporate Officer