



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Matt Faucher
Current Planner

COUNCIL MEETING: REG ☒ COW ☐ I/C ☐
COUNCIL MEETING DATE: December 12, 2022
REPORT DATE: November 22, 2022
FILE: 3090-20 (DVP00576)

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 3708 25TH AVENUE

PURPOSE:

To review Development Variance Permit Application 00576 (DVP00576) to vary the maximum building height as measured in storeys in Zoning Bylaw 5000 in order to support the construction of a six unit multi family development at 3708 25th Avenue.

RECOMMENDATION:

THAT Council support Development Variance Permit application 00576 (DVP00576) to vary the following section of Zoning Bylaw 5000 to permit the construction of a multi family development on LT 1 DL 71 ODYD PL 20017 (3708 25th Avenue) as outlined in the report titled "Development Variance Permit Application for 3708 25th Avenue" dated November 22, 2022 and respectfully submitted by the Current Planner:

- a) Section 9.10.6 maximum height from the lesser of 10m or 2.5 storeys to 10m or 3 storeys;

AND FURTHER, that Council's support of DVP00576 is subject to the following:

- a) the site plan, floor plan and building elevations (Attachment 1) illustrating the general siting, layout and dimensions of the proposed development be attached to and form part of DVP00576; and
- b) that prior to issuance of DVP00576 a Development Permit is ready for issuance.

ALTERNATIVES & IMPLICATIONS:

THAT Council not support Development Variance Permit application 00576 (DVP00576) to vary the following section of Zoning Bylaw 5000 to permit the construction of a multi family development on LT 1 DL 71 ODYD PL 20017 (3708 25th Avenue) as outlined in the report titled "Development Variance Permit Application for 3708 25th Avenue" dated November 22, 2022 and respectfully submitted by the Current Planner:

- a) Section 9.10.6 maximum height from the lesser of 10m or 2.5 storeys to 10m or 3 storeys.

Note: Denial of the Development Variance Permit application would restrict the height of the proposed structure to meet the existing provisions of Zoning Bylaw 5000. The applicant would be required to revise the proposal and future development on the subject property to meet the prevailing zoning provisions.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 15, 2022, the Advisory Planning Committee passed the following resolution:

"THAT Council support Development Variance Permit application 00576 (DVP00576) to vary the following sections of Zoning Bylaw 5000 to permit the construction of a multi family development on LT 1 DL 71 ODYD PL 20017 (3708 25th Avenue) as outlined in the report titled "Development Variance Permit Application for 3708 25th Avenue" dated November 7, 2022 and respectfully submitted by the Current Planner:

- a) Section 9.10.6 maximum height from the lesser of 10m or 2.5 storeys to 10m or 3 storeys;*

AND FURTHER, that Council's support of DVP00576 is subject to the following:

- a) the site plan, floor plan and building elevations (Attachment 1) illustrating the general siting, layout and dimensions of the proposed development be attached to and form part of DVP00576; and*
- b) that prior to issuance of DVP00576 a Development Permit is ready for issuance."*

B. Rationale:

1. The subject property is located at 3708 25th Avenue (Figures 1 and 2) and is approximately 1,180m² (0.29 ac) in size.
2. The subject application pertains to development regulations within Section 9.10.6 of Zoning Bylaw 5000 (Attachment 2). The application proposes to increase the maximum number of storeys for principal structures from 2.5 to 3 in order to reduce grading and retaining requirements needed to achieve the maximum height of 2.5 storeys.
3. The subject property is designated as Residential Medium Density in the Official Community Plan (OCP). The site currently contains a single detached dwelling. The RM1 (Row Housing Residential) zone allows for a maximum of 24.5 units per gross acre. Given the size of the subject property, a maximum of seven units is permitted. The application proposes to construct a six unit multi family development. The RM1 zone allows for a maximum of six dwelling units in a building.
4. The application proposes to vary the number of storeys (2.5 to 3.0) while maintaining the maximum building height (10m). The proposed development meets the maximum

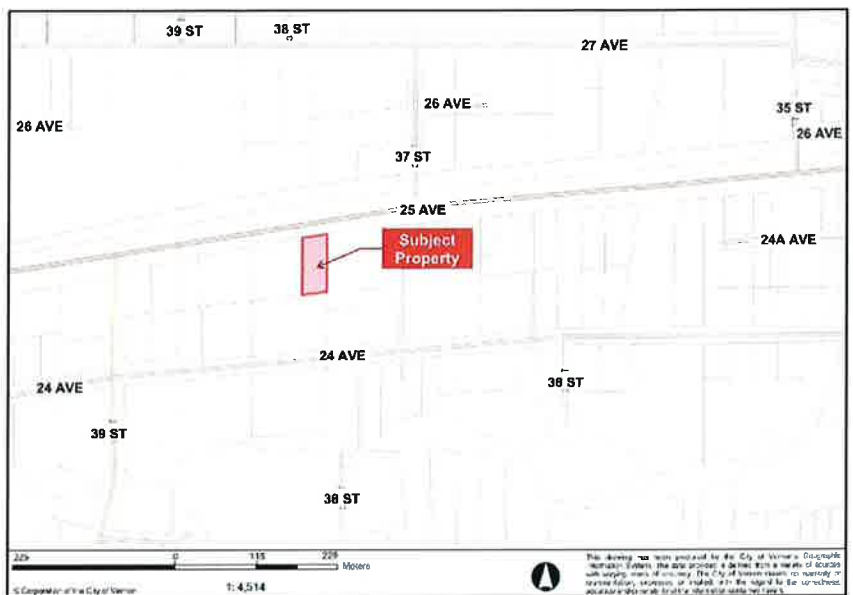


Figure 1 - Property Location Map



Figure 2: Aerial Photo of Property

height of 10m for principal structures. The subject property has minimal amounts of slope over 12%. For the proposed development to meet the 2.5 storey height measurement, retaining walls and additional fill would be required which would not align with the general character of the area or the grade of neighbouring properties.

5. Administration supports the requested variances for the following reasons:

- a) The proposed structure meets the maximum height as measured in metres.
- b) Approval of the variance would reduce the amount of grading and retaining walls required on the site, solely to meet the 2.5 storey maximum height requirement.
- c) Given the grade of the subject property, adding additional fill and retaining walls to meet the 2.5 storey maximum height regulation would not be aligned with the character of the area or grade of neighbouring properties.
- d) The application is otherwise compliant with Zoning Bylaw 5000 and the OCP.

C. Attachments

Attachment 1 – Site Plan, Floor Plans and Elevations dated April 08, 2022

Attachment 2 – RM1 – Row Housing Residential Zone

D. Council's Strategic Plan 2019 – 2022 Goals/Action Items:

The subject application involves the following goals/action items in Council's Strategic Plan 2019 – 2022:

- Increasing the number of new units in existing neighbourhoods with close proximity to services.
- Increasing attainable housing by supporting multi-family developments with close proximity to services.

E. Relevant Policy/Bylaws/Resolutions:

1. The following provisions of City of Vernon Bylaws are relevant to the subject application:

- Zoning Bylaw 5000:

Section 9.10.6 Maximum height is the lesser of 10.0m or 2.5 storeys.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

X 
Matt Faucher
Current Planner

Approved for submission to Council:


Will Pearce, CAO

Date: 05. DEC 2022

X 
Kim Flick

Director, Community Infrastructure and Development

REVIEWED WITH

- | | | |
|--|---|--|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input checked="" type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input checked="" type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input checked="" type="checkbox"/> Engineering Development Services |
| <input checked="" type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Nov 15/22) | | |
| <input type="checkbox"/> OTHER: | | |

G:\3000-3699 LAND ADMINISTRATION\3090 DEVELOPMENT VARIANCE PERMITS\20 Applications\DVP00576\2 PROC\Rpt\221122_mf_Council Rpt_DVP00576.docx



PROJECT:
3708 5-Plex
3708 5th Ave., Vernon, BC

CONSULTANT TEAM:
ARCHITECTURAL
LAKE MONSTER STUDIO
ARCHITECTURE + DESIGN
Contact: Kim Fuller
778-506-4567



ARCHITECTURAL

A0.1	COVER SHEET
A1.1	SITE PLAN
A2.1	FULL FLOOR PLANS
A2.2	UNIT 1 FLOOR PLANS
A2.3	UNIT 2, 3, 4 & 5 FLOOR PLANS
A2.4	UNIT 6 FLOOR PLANS
A3.1	ELEVATIONS
A3.2	PERSPECTIVE VIEWS

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ARCHITECTURE + DESIGN
3004 29 St., Vernon, BC V1T 5A7 778.506.4567

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STUDIO NAME

PROJECT

DATE: 04/12/2022

ISSUED FOR DEVELOPMENT PERMIT

DATE

NAME

PROJECT

3708 5-PLEX

ADDRESS

3708 5th Ave., Vernon BC

PROJECT NO.

1111

COVER SHEET

RECEIVED APR 12 2022

DP975

A0.1

9.1 - RM1 - ROW HOME RESIDENTIAL

9.10.2 PRIMARY USES

ROW HOUSING

9.10.6 DEVELOPMENT REGULATIONS

MAX. DENSITY (8.5 UNITS/ACRE)
50%
MAX. SITE COVERAGE:
BUILDINGS + DRIVEWAYS:
MAX. BUILDING HEIGHT:
MIN. FRONT YARD:
MIN. SIDE YARD:
(REAR DRIVE ALSE)
MIN. REAR YARD:
MAX. DWELLINGS / BUILDINGS
MIN. DWELLING WIDTH

MAX. 6 UNITS
55%
10m or 2.5 STOREYS
4.0m
1.2m
3.0m ONE SIDE
6.0m
6
6.5m

PROP. ROW HOUSING

PROP. 6 UNITS
PROP. 34.37%
PROP. 34.37 + 17.82 = 52.19%
PROP. 3.0 STOREYS (VARIANCE)
PROP. NORTH 4.0m
PROP. EAST 1.2m
PROP. WEST 9.87m
PROP. SOUTH 6.5m
PROP. 6 DWELLINGS / BUILDING
PROP. 6.72m

9.10.7 OTHER REGULATIONS

25.0m² OF PRIVATE OPEN SPACE SHALL
BE PROVIDED PER DWELLING

PROP. 18.5m² PATIO + BACKYARD
A 5.8m² DECK = 27.1m²

7.6 - PARKING AND LOADING

7.3.11 DIMENSIONS OF PARKING SPACES

MIN. LENGTH
MIN. WIDTH
MIN. 30' PARKING AISLE WIDTH
DRIVE ALSE

6.0m
2.5m
7.0m

PROP. 6.0m
PROP. 3.0m
PROP. 7.0m + @ OH DOOR OPENINGS
PROP. 5.0m

7.1 PARKING SCHEDULE

(TABLE 7.1)
ROW HOUSING
MIN. VISITOR PARKING STALLS
TOTAL PARKING STALLS

0 / 3 BED DWELLING
1.0 STALL / 7 DWELLING
MIN. 12 STALLS

PROP. 12 STALLS (8 TANDEM GARAGES)
PROP. 1 STALL
PROP. 12 STALLS

6.0 - LANDSCAPE BUFFER

MINIMUM LANDSCAPE BUFFER - RM1:

FRONT YARD (LEVEL 1)
SIDE YARD WEST (LEVEL 1)
SIDE YARD EAST (LEVEL 1)
REAR YARD (LEVEL 2)

1.5m (VEG OR FENCE)
1.5m (VEG OR FENCE)
1.5m (VEG OR FENCE)
1.5m (VEG & FENCE)

PROP. VEGETATION
PROP. 6' TALL FENCE & VEGETATION
PROP. 6' TALL FENCE & VEGETATION
PROP. 6' TALL FENCE & VEGETATION

AREAS

SITE AREA 1181.25m² (12712.1 sq ft)

BUILDING FOOTPRINTS 405.96m² (4369.74sq ft)

% COVERAGE 34.37%

PAVED SURFACES 234.55m² (2524.68sq ft)

% COVERAGE 21.41%

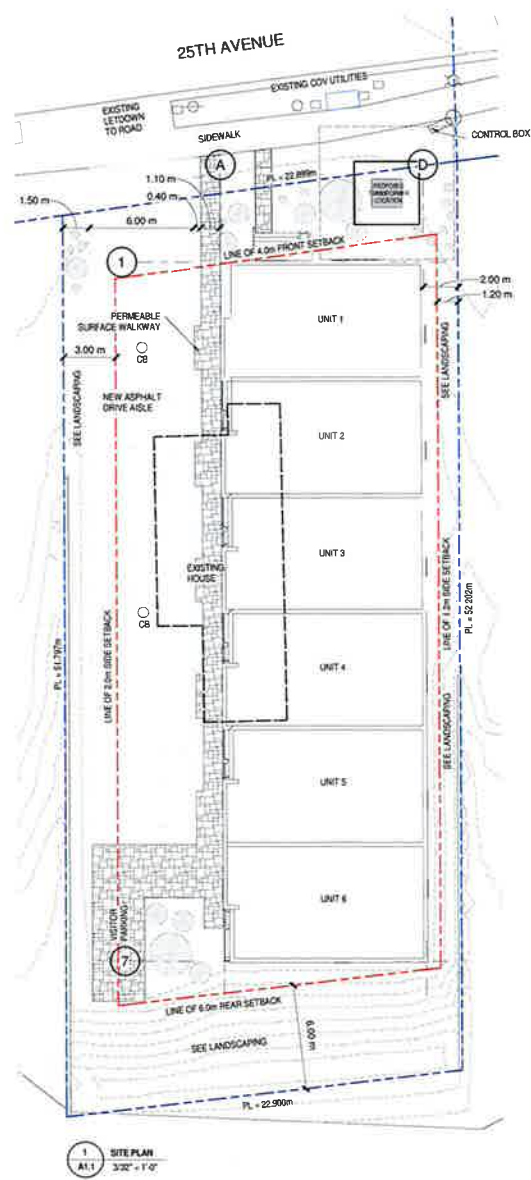
TOTAL AREA 640.51m² (6894.39sq ft)

IMPERMEABLE SURFACES 54.22%

PERMEABLE SURFACES 113.72m² (1224.08sq ft)

SITE PLAN LEGEND

	PROPERTY LINE		PERMEABLE HARD SURFACE
	SETBACK LINE		ASPHALT GROUND
	3m LANDSCAPED BUFFER OR SET		
	CONTOUR LINE (1'-0" INTERVAL)		



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ISSUED FOR DEVELOPMENT PERMIT

DATE: 2024/06/10

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DATE: 2024/06/10

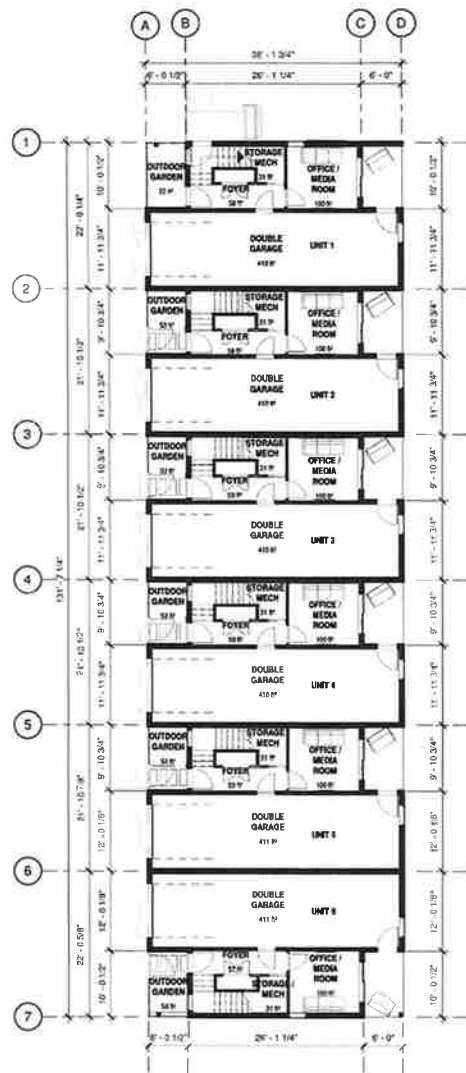
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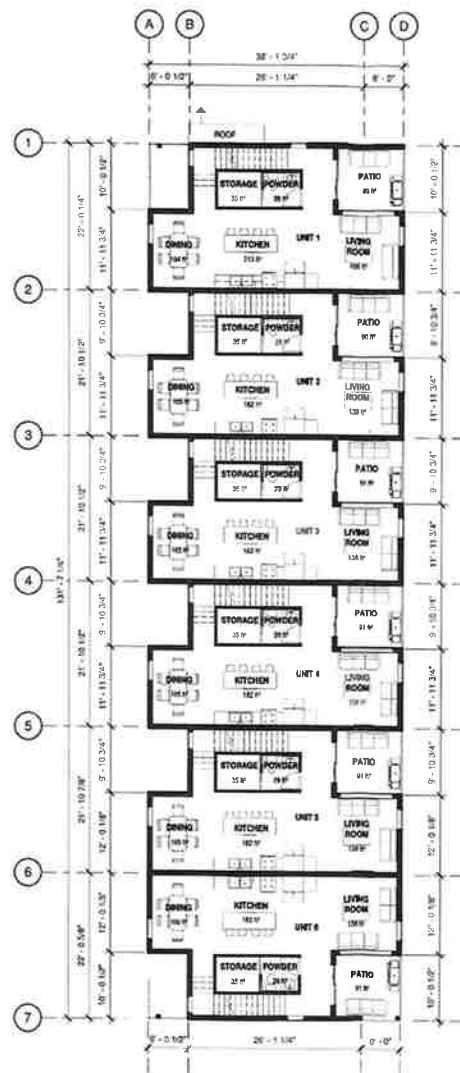
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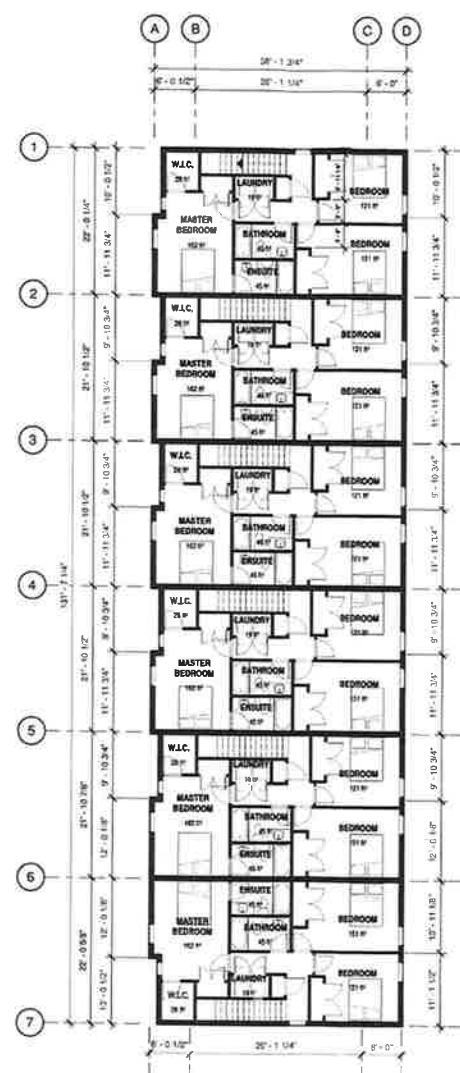
SITE PLAN



1 FULL MAIN FLOOR
18' x 110'



2 FULL SECOND FLOOR
18' x 110'



3 FULL THIRD FLOOR
18' x 110'

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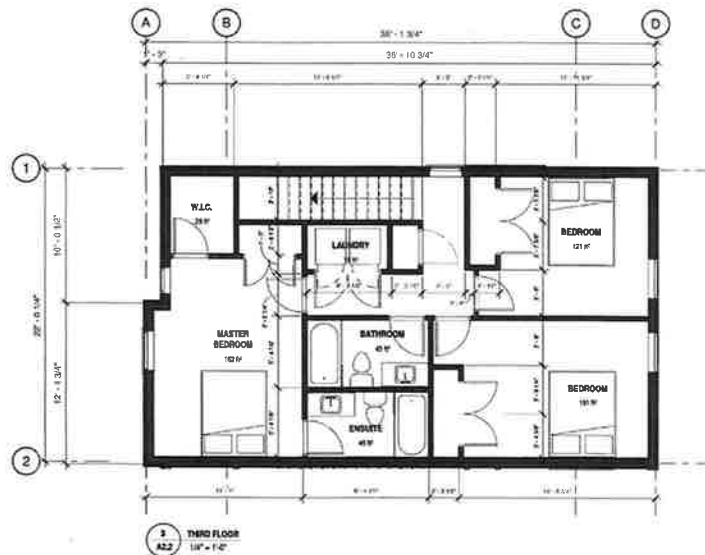
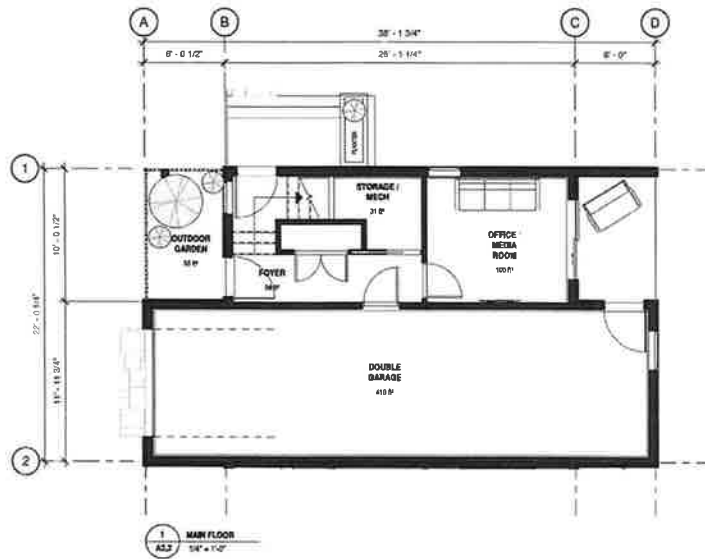
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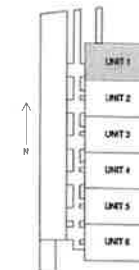
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FULL FLOOR PLANS



2 BEDROOM UNIT:
MAIN FLOOR 196.8 SQFT
SECOND FLOOR 268.9 SQFT
THIRD FLOOR 215.8 SQFT
TOTAL 681.5 SQFT
GARAGE / MECH 411.5 SQFT
PRIVATE OPEN SPACE 268.1 SQFT



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REVISIONS

PROJECT

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SCALE

DATE

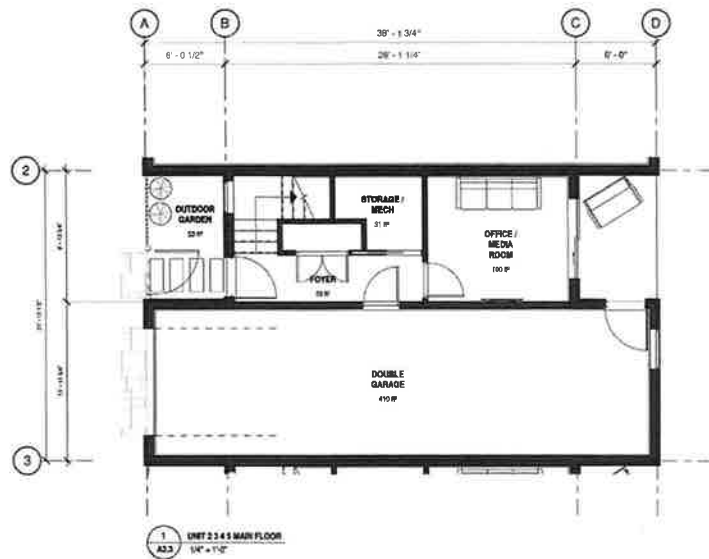
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SCALE

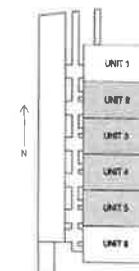
PROJECT

DATE

UNIT 1 FLOOR PLANS



3 BEDROOM UNIT:
 MAIN FLOOR 196.9 SQFT
 SECOND FLOOR 565.8 SQFT
 THIRD FLOOR 718.6 SQFT
 TOTAL 1481.3 SQFT
 GARAGE / MECH 411.3 SQFT
 PRIVATE OPEN SPACE 289.1 SQFT



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NOTES:
 The drawings are for the proposed development of Lake Monster Studio.
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 development.

CONSULTANT

CLIENT

2023.04.01

3004 29 St., Vernon, BC V1T 5A7 778.535.4567

ISSUED FOR DEVELOPMENT PERMIT

DATE

DATE

PROJECT NO.

3004 29 St.

ADDRESS

3004 29 St., Vernon, BC

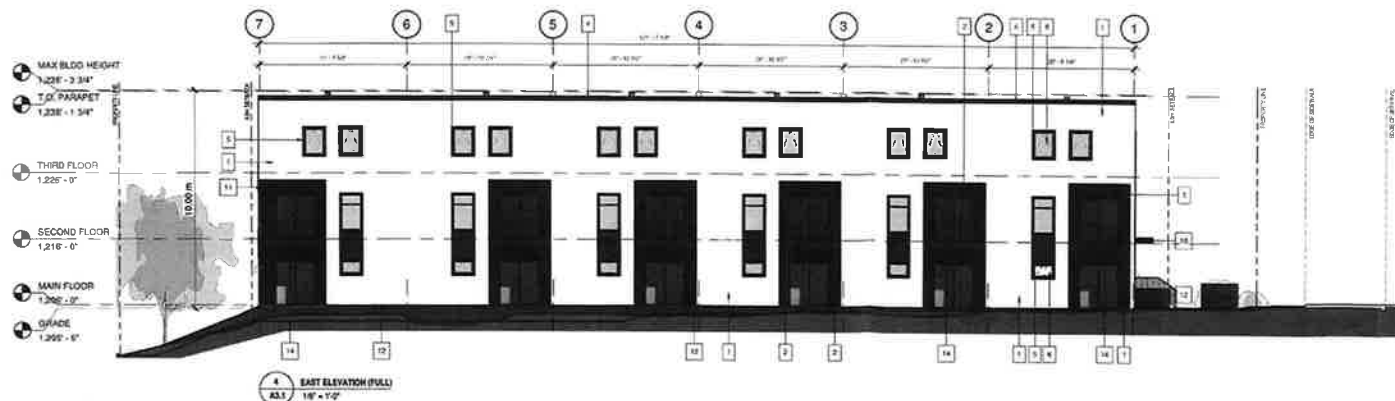
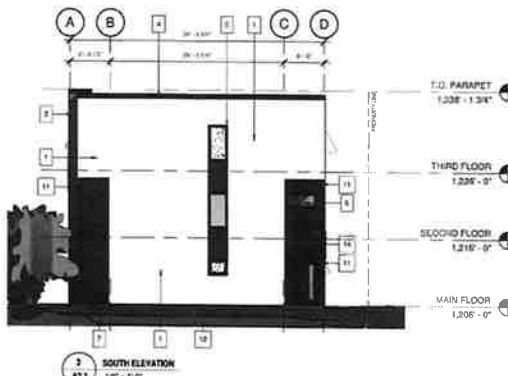
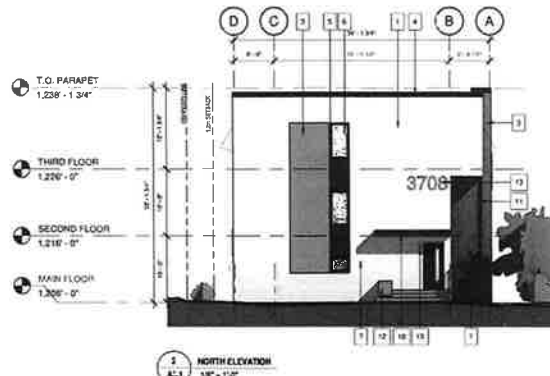
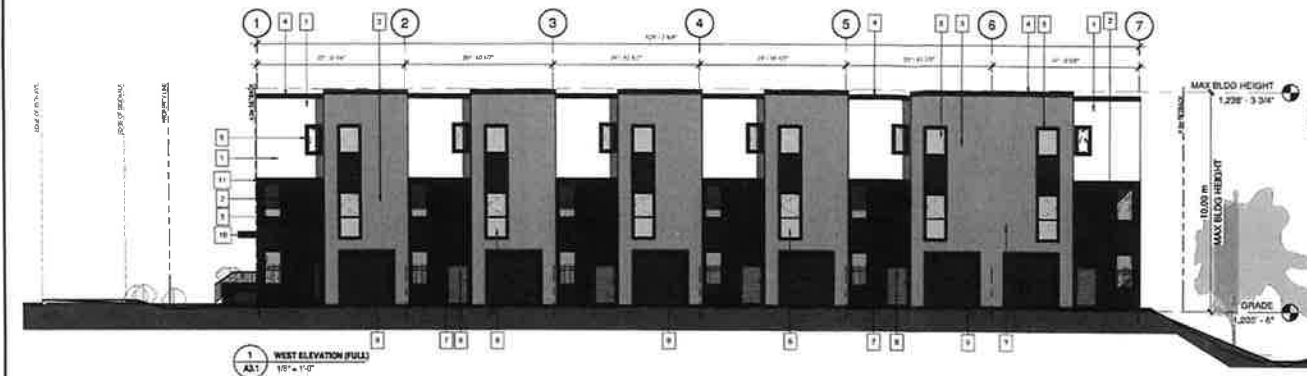
PROJECT NO.

1987.25.44

TITLE

UNIT 2, 3, 4, & 5 FLOOR

PLANS



- MATERIAL LEGEND:**
1. CEMENTITIOUS CLADDING - WHITE
 2. CEMENTITIOUS CLADDING - DARK GREY / BLACK
 3. VERTICAL METAL CLADDING - GREY / SILVER
 4. PREFINISHED ALUMINUM PARAPET - DARK GREY
 5. WINDOW TRIM - BLACK / DARK GREY
 6. TYPICAL GLAZING
 7. METAL / ALUMINUM FENCING - DARK GREY
 8. FROSTED PANEL - TBD
 9. ALUMINUM / WOOD GARAGE DOOR - DARK GREY
 10. ENTRANCE CANOPY (TBD) - DARK GREY
 11. EXPOSED STEEL BEAM - POWDER COATED BLACK
 12. EXPOSED CONCRETE - GREY
 13. METAL UNIT NUMBERING - SILVER
 14. HARDIE BOARD TRIM - DARK GREY / BLACK

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10/20
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ISSUED FOR DEVELOPMENT PERMIT

10/20

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10/20

10/20

10/20

10/20

ELEVATIONS

A3.1



1 FRONT PERSPECTIVE
A3.3
12" x 10"



1 REAR PERSPECTIVE
A3.3
12" x 10"

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PROJECT NAME

ADDRESS

CLIENT NAME

DATE OF DRAWING

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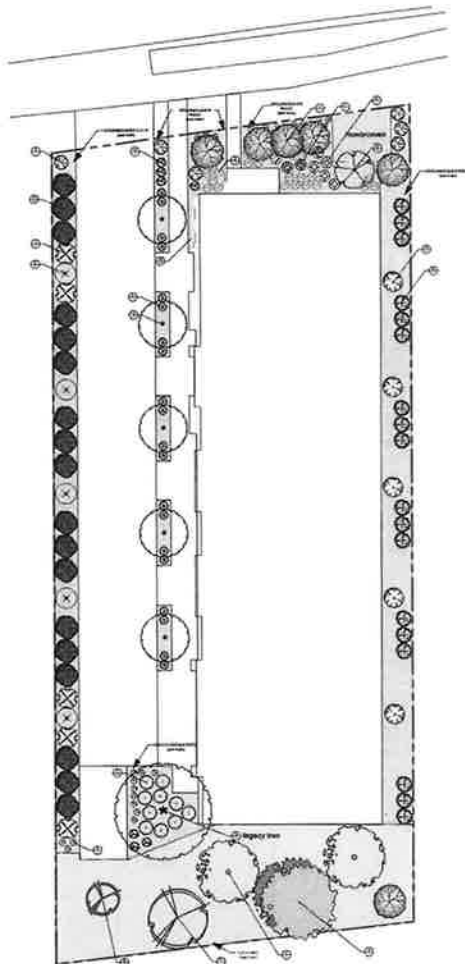
DESIGNER

PROJECT NO.

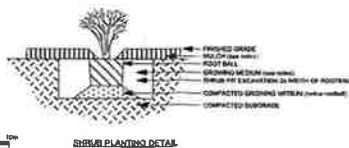
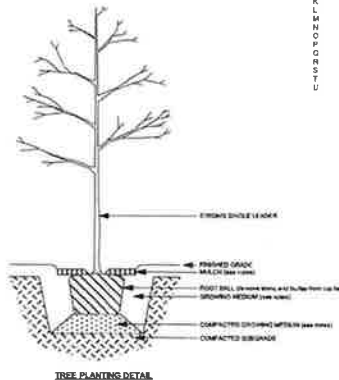
PROJECT NAME

DATE

PERSPECTIVE VIEWS



0' 10' 20'



DRAWING NOTES

GROUND COVER ROCK:
The contractor shall supply and place groundcover rock to provide some shade on the driveway. Product shall be 20mm diameter to a depth of 100mm.

All ground cover rock areas shall be within 100mm of the driveway edge.

COO'S MAIL:
The contractor shall supply and place coo's mail to these areas shown on this drawing.

GROWING MEDIUM:
All growing medium shall be new or amended topsoil (equal parts of peat moss, healthy root growth for these plants specified on this plan).

LANDSCAPE EDGING:
The contractor shall supply and place 100mm high, 100mm wide, 100mm deep edging to separate ground cover rock and driveway.

EXPLANATION:
The contractor shall supply and place irrigation system. All work and products shall meet or exceed the highest standards of B.C. Standards and Specifications.

All trees, shrubs and groundcover shall be locally sourced and shall be installed within 100mm of the driveway.

PLANT LIST

ID	QTY	COMMON NAME	BOTANICAL NAME	SIZE
A	1	Scotch Pine	Pinus sylvestris	1.8M
B	1	Chesapeake Honey Spirea	Picea sibirica 'Chesapeake'	1.8M
C	2	Amur Maple	Acer ginnale	60cm CAL.
D	1	Purple Rose Laurel	Rubus pinnatifidus 'Purple Rose'	60cm CAL.
E	6	Pinkish Pileated Birch	Betula papyrifera 'Pinkish'	60cm CAL.
F	1	Shiny Mountain Ash	Sorbus aucuparia	60cm CAL.
G	1	Royal Star Magnolia	Magnolia stellata 'Royal Star'	40cm CAL.
H	10	Calceolarius Juniper	Juniperus communis 'Calceolarius'	1.2m HS.
I	8	Walton Mock Orange	Philadelphus lewisii 'Walton'	40cm CONT.
J	5	Tinkerbelle Lilac	Syringa 'Tinkerbelle'	40cm CONT.
K	6	Concorde Barberry	Berberis thunbergii 'Concorde'	40cm CONT.
L	20	Red Fothergilla	Colonymna canadensis 'Red Fothergilla'	40cm CONT.
M	7	White English Lavender	Lavandula angustifolia 'White'	40cm CONT.
N	20	Purple Emperor Juniper	Sorbus 'Purple Emperor'	40cm CONT.
O	10	Jack Frost Elginia	Berberis macrophylla 'Jack Frost'	40cm CONT.
P	10	Oregon Grape	Mahonia aquifolium	40cm CONT.
Q	10	Mugel Hibiscus	Hydrangea macrophylla 'Mugel'	40cm CONT.
R	5	Black Arctostaphylos	Arctostaphylos uva-ursi 'Black'	1.2m HS.
S	5	Northwest Light Helleborus	Helleborus viridis 'Northwest Light'	40cm CONT.
T	5	Golden Summer Hydrangea	Hydrangea macrophylla 'Golden Summer'	40cm CONT.
U	5	Royal Prince Oak	Quercus robur 'Royal Prince'	60cm CAL.

ESTD 1989
SWAN LAKE MARKET & Garden
7530 HIGHLAND RD.
VERNON, B.C.
V8B 2N6
TEL: (250) 543 7814
FAX: (250) 543 7823
info@swanlakemarket.com



GENERAL NOTES:
1. Check and verify all dimensions and quantities.
2. All materials shall be of the highest quality and shall meet or exceed the highest standards of B.C. Standards and Specifications.
3. All work shall be completed within the specified time frame.

DATE	ISSUED FOR
28 MARCH 2022	Client Review
1 APRIL 2022	For client review

PROJECT TITLE
**3708 25th Avenue
VERNON, BC**

LANDSCAPE PLAN

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Job No: 250001
Date: 28 MARCH 2022
Scale: 1/8" = 1'-0"
Sheet: 10
Drawn by: [Signature]
Checked by: [Signature]

SHEET NUMBER
L1.0

RM1

9.10 RM1 : Row Housing Residential**9.10.1 Purpose**

The purpose is to provide a **zone** for ground oriented medium **density row housing** on urban services.

9.10.2 Primary Uses

- care centre, major
- duplex housing
- four-plex housing
- group home, major
- row housing
- semi-detached housing
- seniors housing
- single detached housing

9.10.3 Secondary Uses

- boarding rooms *(Bylaw 5440)*
- care centres, minor
- home based businesses, minor
- secondary suites (in single detached housing only)
- seniors assisted housing
- seniors supportive housing

9.10.4 Subdivision Regulations

- Minimum **lot width** is 26.0m, except it is 7.5m for fee simple **row housing** and **semi-detached dwellings**.
- Minimum **lot area** is 800m², or 10,000m² if not serviced by a **community sewer system**.
- Maximum **density** is 48.0 units per gross hectare (19.5 units/gross acre).
- Maximum **site coverage** is 65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 85%.

9.10.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot Area		Minimum Lot Width	
	interior	corner	interior	corner
Semi-Detached Housing	225m ²	275m ²	7.5m	9.0m
Row Housing	150m ²	200m ²	6.5m	7.8m

9.10.6 Development Regulations

- With a housing agreement pursuant to Section 4.9, the maximum **density** shall be 60.0 units per gross hectare (24.5 units/gross acre).
- Where **parking spaces** are provided completely beneath habitable space of a primary **building** or beneath useable common amenity areas, providing that in all cases the **parking spaces** are screened from view, the maximum **density** shall be 60.0 units per gross hectare (24.5 units/gross acre). Where all the required parking is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the additional density permitted shall be

determined through multiplying the additional 12.0 units per gross hectare (5 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas.

- Maximum **site coverage** is 50% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 55%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.0m, except it is 6.0m from a garage or **carport** to the back of curb or sidewalk for vehicular entry.
- Minimum **side yard** is 1.2m, or 0.0m for shared interior **party walls** except it is 4.5m from a **flanking street**. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m. The **side yard** is 0.0m for fee simple **row housing** and **semi-detached dwellings**.
- Minimum **rear yard** is 6.0m, except it is 1.0m for **secondary buildings**.
- Maximum six **dwelling** units located in a **building**, with each row housing unit having a minimum width of 6.5m and 7.5m for semi-detached housing units.

9.10.7 Other Regulations

- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
(Bylaw 5540)
- In order for bareland strata **development** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the size, **height** and **setbacks** of the **building** as specified in each **zone**.
- A minimum area of 25m² of private open space shall be provided per **dwelling**.
- Vehicular access to the **development** is only permitted through either a driveway shared by at least 3 units or a rear **lane**.
- For **seniors assisted housing**, **seniors housing** and **seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- No more than 6 **dwellings** may be located in a **row house building**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development**, **yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings** and **structures**, excluding **perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)