



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Barbara Everdene, Long Range Planner
Michelle Austin, Planner
Matt Faucher, Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: December 11, 2023
REPORT DATE: November 29, 2023
FILE: 6450 (Projects/Secondary Suites)

SUBJECT: SECONDARY SUITE AND ACCESSORY DWELLING BYLAW AMENDMENTS

PURPOSE:

To propose amendments to Zoning Bylaw 5000 with updated regulations for secondary suites and accessory dwellings to streamline and encourage the development of this form of rental housing in the City.

RECOMMENDATION:

THAT Council endorse in principle amendments to Zoning Bylaw 5000 to update regulations for secondary suites and accessory dwelling units as outlined in the report titled "Secondary Suite and Accessory Dwelling Bylaw Amendments" dated November 29, 2023 and respectfully submitted by the Long Range Planner and Planners.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 28, 2023, the Advisory Planning Committee passed the following resolution:

THAT the Advisory Planning Committee recommends that Council endorse amendments to Zoning Bylaw 5000 to update regulations for secondary suites and accessory dwelling units as outlined in the report titled "Secondary Suite and Accessory Dwelling Bylaw Amendments" dated November 22, 2023 and respectfully submitted by the Long Range Planner and Planners.

B. Rationale:

1. The City of Vernon's [Housing Action Plan](#), endorsed by Council on September 25, 2022, includes a set of actions to support an increase in the supply of housing units that are diverse in type, size and pricing, accessible and inclusive, with enough units that are "affordable" and "attainable" throughout the community. Action 1.2 commits the City to "reduce barriers and incentivize the construction of new secondary suites and secondary dwellings." This action will promote the low impact densification of existing neighbourhoods and contribute to compact community development.
2. As part of its Homes for People Action Plan, the Province has announced a new [Secondary Suite Incentive Program](#) to stimulate the development of secondary suites as rental housing units, to be administered by BC Housing as of April 2024. Over the past month, the Province has introduced new, draft housing legislation, namely the Housing Statutes (Residential Development) Amendment Act ([Bill 44](#)) and the Housing Statutes (Transit-Oriented Areas) Amendment Act ([Bill 47](#)) that will require comprehensive review by Administration. These provincial actions underline the importance of updating Zoning Bylaw 5000 to reduce barriers to the development of secondary suites and accessory dwelling units, and suggests that a further update may also be required once new legislation is in force.
3. Administration recommends the proposed amendments to Zoning Bylaw 5000 in relation to secondary suites and accessory dwellings to streamline and encourage the development of this form of rental

housing in the City. Proposed amendments lessen the current restrictions on size, form and siting and enable the development of more habitable space, while maintaining standards of liveability on individual sites and between properties in residential neighbourhoods. Reducing barriers further encourages the legalization of secondary suites, supporting safe and healthy living environments in the community.

4. The enclosed bylaw amendments (Attachment 1) propose that for each single detached housing unit, one secondary suite and one accessory dwelling shall be permitted. Currently, no more than one additional dwelling unit (whether a secondary suite or accessory dwelling) is permitted per single detached housing unit. Administration recommends maintaining the regulation that for each semi-detached housing unit, only one secondary suite shall be permitted. These proposed changes are to reduce restrictions and enable the development of more habitable space to meet the urgent need for housing while maintaining standards of liveability on individual sites within residential neighbourhoods.
5. On September 6, 2022, Council approved, in principle, the preparation of draft amendments to Zoning Bylaw 5000 to make secondary suite regulations less restrictive in terms of maximum floor space, height, location on the lot, and on-site parking requirements to enable designers and builders to be more creative and responsive to specific site conditions and bring a more diverse mix of housing options to the market. Currently, the term “**secondary suites**” includes suites enclosed within single detached homes and semi-detached homes, as well as within detached secondary buildings. Administration proposes that the City align with provincial terminology and now refer to suites within detached secondary buildings as “**accessory dwellings**”.
6. Draft amendments to Zoning Bylaw 5000 are enclosed as Attachment 1. Major proposed changes are briefly summarized in the two sections that follow. Should Council approve these changes in principle, Administration will prepare a bylaw for first and second reading with a proposed schedule for public hearing to present to Council on January 8, 2024.

Proposed Amendments to Secondary Suites

7. **Maximum Size.** The proposed change aims to maximize the amount of habitable space in a secondary suite in proportion to the size of the primary dwelling.

Current	Proposed
The net floor area of the suite shall not exceed the lesser of 90m ² or 45% of the entire net floor area.	The gross floor area of the suite shall not exceed 49% of the entire gross floor area.

8. **Parking.** There are no changes to the parking schedule for secondary suites in single detached or semi-detached dwellings.

Proposed Amendments to Accessory Dwellings

9. **Maximum Size.** Traditionally, regulations for accessory dwellings have directed that they be substantially smaller in massing to the primary dwelling. Proposed changes would allow accessory dwellings to be larger than the current standard, while remaining subordinate in massing to the primary dwelling, and allow for more flexible siting on a lot provided that required setbacks are met.

Current	Proposed
The net floor area must be the lesser of 80-90m ² or 60-70% of the net floor area of the primary dwelling, depending on lot size. The net floor area calculation <u>includes</u> garages and basements.	The net floor area of any accessory dwelling shall not exceed 100m ² . The net floor area calculation <u>excludes</u> garages and basements.

Lot coverage of secondary buildings shall not exceed 14% or a maximum area of 90m ² .	Lot coverage of secondary buildings shall not exceed 14%. A secondary building must not exceed a maximum footprint of 100m ² unless it contains an accessory dwelling. A secondary building with an accessory dwelling must not exceed 150m ² .
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10. **Height.** Traditionally, regulations for accessory dwellings have directed that they be subordinate in height to the primary dwelling. Proposed changes would allow accessory dwellings to be a maximum of 7 metres, but do not restrict them from being higher than a principal dwelling less than 7.0 metres high.

Current	Proposed
A maximum of 1.5 to 2 storeys depending on lot size and presence of a lane or flanking street, maximum 2 storeys (1 storey is approx. 3 metres)	A secondary building containing an accessory dwelling shall not exceed 7.0 metres in height.
No secondary building containing a secondary suite shall have a height more than the principal building, as measured from the building grade of each respective building.	Clause removed.

11. **Lot Siting.** Traditionally, regulations for accessory dwellings have directed that they be located behind the primary dwelling at the back of the lot. Proposed changes allow flexibility on the siting of accessory dwellings, provided that they meet setback requirements.

Current	Proposed
Secondary buildings are not permitted in a front yard and are not permitted between the primary building and the front yard.	This clause would no longer apply to secondary buildings that contain an accessory dwelling.

12. **Parking Requirements.** There are no proposed changes to the parking formula of 1 space per dwelling unit. For example, if a single detached house includes a secondary suite and an accessory dwelling on the lot, there would be a requirement for 2 parking spaces per single detached dwelling unit, 1 additional space per secondary suite and 1 additional space per accessory dwelling.

Zones that Permit Secondary Suites and Accessory Dwellings

13. Table 1 summarizes all zones that permit secondary suites (“△”) and accessory dwelling units (“ADUs”) in the enclosed bylaw amendments. Note both single-detached and semi-detached housing may have a secondary suite, but only single-detached housing may have an accessory dwelling unit on the lot.

Table 1: Zones that Permit Secondary Suites and Accessory Dwelling Units

Zone	Zone Name	Single-Detached	△	ADU	Semi-Detached	△
A2	Rural Large Holdings	✓	✓	✓	N/A	N/A
A3	Rural Small Holdings	✓	✓	✓	N/A	N/A
RR	Rural Residential	✓	✓	✓	N/A	N/A
R1	Estate Lot Residential	✓	✓	✓	N/A	N/A
R2	Large Lot Residential	✓	✓	✓	N/A	N/A

R3	Medium Lot Residential	✓	✓	✓	N/A	N/A
R4	Small Lot Residential	✓	✓	✓	✓	✓
R5	Four-plex Housing Residential	✓	✓	✓	✓	✓
R5A	Semi-Detached Residential	N/A	N/A	N/A	✓	✓
R6	Lakeshore Residential	✓	✓	✓	✓	✓
RTR	Resort Residential	✓	✓	✓	✓	✓
RM1	Row Housing Residential	✓	✓	✓	✓	✓
RM2	Multiple Housing Residential	✓	✓	✓	✓	✓
HR1	Hillside Residential Single and Two Family	✓	✓	✓	✓	✓
HR2	Hillside Residential Multi-Family	N/A	N/A	N/A	✓	✓
RST1	Residential Single and Two Family	✓	✓	✓	✓	✓
RST2	Residential Single and Two Family	✓	✓	✓	✓	✓
RTCA	Resort Commercial and Residential	✓	✓	✓	✓	✓
C10A	Tourist Commercial and Residential	✓	✓	✓	✓	✓

Legend: △ = suite; ADU = accessory dwelling unit ✓ = permitted use

C. Attachments:

Attachment 1 – Zoning Bylaw 5000 Text Amendments

D. Council’s Strategic Plan Alignment:

- Governance & Organizational Excellence
- Recreation, Parks & Natural Areas
- Environmental Leadership
- Livability
- Vibrancy
- Not Applicable

E. Relevant Policy/Bylaws/Resolutions:

1. Official Community Plan Bylaw 5470

- Sec. 7.0 Residential
 - Goals – Support the provision of rental units in strata developments, purpose built rental developments and the provision of secondary suites.
 - Supporting Policies – Continue efforts to accommodate secondary suites.

2. Housing Action Plan

- Strategic Direction 1: Increase the Supply of Rental Housing
 - Sec. 1.2 Reduce barriers and incentivize the construction of new secondary suites and secondary dwellings, including allowing suites in semi-detached dwellings.
 - Sec. 1.3 Consider requiring new construction to be secondary suite ready.

3. Council Resolutions:

At its Regular Meeting of August 14, 2023, Council passed the following resolution:

THAT Council endorse amendments to Zoning Bylaw 5000 to allow secondary suites in all residential zones as a permitted use in both single detached and semi-detached dwellings as outlined in the report titled "Secondary Suites in Semi-Detached Dwellings Bylaw Amendments" dated August 2, 2023 and respectfully submitted by the Long Range Planner;

AND FURTHER, that Council give first and second reading and schedule a public hearing to Bylaw 5969 to amend the City of Vernon Zoning Bylaw 5000;

AND FURTHER, that Council support in principle the release of all restrictive covenants in the name of the City of Vernon prohibiting secondary suites in semi-detached housing.

At its Regular Meeting of June 12, 2023, Council passed the following resolution:

THAT Council direct Administration to draft amendments to Zoning Bylaw 5000 to allow secondary suites in all residential zones, including RTR, RTC, and RTCA zones, as a permitted use in both single detached and semi-detached dwellings as outlined in the report titled "Secondary Suite Inclusion in Semi-Detached Dwellings" dated June 1, 2023 and respectfully submitted by the Long Range Planner.

At its Regular Meeting of September 6, 2022, Council passed the following resolution:

THAT Council direct Administration to draft amendments to Zoning Bylaw 5000 to allow secondary suites as a permitted use in semi-detached dwellings as outlined in the report titled "Secondary Suite Review, Proposed Updates, and Inclusion in Semi-Detached Dwellings" dated August 23, 2022 and respectfully submitted by the Long Range Planner;

AND FURTHER, that Council direct Administration to initiate public consultation on whether secondary suites should be allowed in all zones allowing single family dwellings, including RTR, RTC, and RTC A zones;

AND FURTHER, that Council direct Administration to draft bylaw amendments that require all new secondary dwellings to be assessed for Development Cost Charges (DCCs) in response to Province of BC clarification that prohibits specific land use subsidies like DCC waivers for secondary dwellings;

AND FURTHER, that Council direct Administration to review Zoning Bylaw 5000 regulations pertaining to secondary dwellings and report back with recommendations on refining the regulations to encourage the development of more secondary dwellings in the long term rental housing supply.

BUDGET/RESOURCE IMPLICATIONS:

- None Budget Previously Approved New Budget Request
(Finance Review Required)

Prepared by:



X
Barbara Everdene
Long Range Planner

Approved for submission to Council:



Patricia Bridal, CAO

Date: Dec 4 / 2023

X 

For Matt Faucher
Planner

X 

Michelle Austin
Planner

X 

Terry Barton, Director
Planning & Community Services

REVIEWED WITH

- | | | |
|---|---|--|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input checked="" type="checkbox"/> Current Planning |
| <input checked="" type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input checked="" 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 checked="" type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Nov. 28/23) | | |
| <input type="checkbox"/> OTHER: | | |