



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Zoning Amendment 2010

Bylaw

Bylaw No. 423, 2010

Adopted July 19th, 2010, as an amendment to Bylaw 362, 2004

Effective September 7th, 2010

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Zoning Bylaw No. 362, 2004 Amendment Bylaw No. 423, 2010

Whereas the Council of the Village of Lions Bay deems it advisable to amend the Zoning Bylaw to allow
for secondary suites;

Now Therefore the **Council** of the **Village** of Lions Bay enacts as follows:

Part 1 **Citation**

1.1.1 This bylaw may be cited as Zoning Bylaw No. 362, 2004 amendment Bylaw No.423, 2010.

Part 2 **Amends the Zoning Bylaw**

Zoning Bylaw No 362, 2004 is hereby amended as follows, effective September 7th, 2010:

2.1 Part II, **Interpretation**, section 2 is amended adding, in alphabetical order, the following definitions:

“Cooking Facilities” means equipment, devices or appliances that can be used to prepare a meal within a dwelling and includes a sink, counter-top, gas or electric range or stove, counter-top cooking unit, hot plate, wall oven, microwave oven, convection oven, toaster oven, electric frying pan, electric wok, pressure cooker, crock pot, cabinetry for the storage of food or any other such culinary facility or appliance or any combination of such culinary facilities and appliances, and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such facilities and appliances.

“Enforcement Officer” means the **Village** Building Inspector, as well as every person designated by **Council** by name of office or otherwise as a bylaw enforcement officer for the **Village** of Lions Bay.

“Kitchen” means a room for the preparation, cooking or eating of food and containing Cooking Facilities.

“Principal Dwelling Unit” is a Dwelling designed or intended to be used as the Principal Place of Residence for a family.

“Principal Place of Residence” means the residence against which the owner claims or could legally apply for a BC Home Owner grant for the current year.

“**Secondary Suite**” means a Dwelling unit accessory to a Single Family Dwelling use.

“**Single Family Dwelling**” means a building designed for use exclusively as a Principal Dwelling Unit.

- 3.1 Section 3 is amended by deleting the words “The Administrator, being an officer, and the Building Inspector, being authorized to act in the place of the Administrator for the purposes of this section, are authorized” and substituting for them the words “**Enforcement officers** are authorized”.
- 4.1 Section 20 is amended by adding as item “c) A **Secondary Suite** is deemed to be a portion of the Principal Building.”
- 5.1 Section 26 Parking, Table 1, Column II is amended by deleting the words “2 for each dwelling”) for the number of parking spaces required for each **Single Family Dwelling** per parcel, and replacing them with “2 for each **Single Family Dwelling** without a **Secondary Suite** and 3 for each **Single Family Dwelling** with a **Secondary Suite**”.
- 6.1 Section 32 a) is amended by adding as item iv) “one secondary suite”.
- 6.2 Section 32 b) is amended by adding a new sub-section xi) as follows:
- xi) A **Secondary Suite** must meet the following requirements:
- (1) A maximum of one such use is permitted per parcel;
 - (2) The **Secondary Suite** must not be detached from the principal building;
 - (3) The **Secondary Suite** must not occupy a maximum floor area of more than either 90 square meters (968 square feet) or 40% of the total floor area of the building, excluding garage space, whichever is less;
 - (4) A registered owner of the parcel must occupy, as their principal place of residence, either the **Principal Dwelling Unit** or the **Secondary Suite**;
 - (5) The **Secondary Suite** must comply fully with the requirements of the **BC Building Code**;
 - (6) The **Secondary Suite** must be inspected and approved for compliance with all requirements by way of a building permit application, and recorded in a **Secondary Suites** registry maintained by the municipality of the **Village** of Lions Bay;
 - (7) Where a Dwelling has a septic system or field, extra demand on that system or field from the **Secondary Suite** must not cause its capacity to be exceeded;
 - (8) The principal entrance to a **Secondary Suite** must be a separate exterior entrance from that of the **Principal Dwelling Unit**;

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- (9) **The Secondary Suite** must not be subdivided from the **Principal Dwelling Unit** under the Land Title Act or the Strata Property Act;
- (10) The **Secondary Suite** and the **Principal Dwelling Unit** shall not be served by separate water service lines, or separate electrical meters;
- (11) The additional parking space for the **Secondary Suite** must be located so that any vehicle parked there may exit the parcel without the need to maneuver other vehicles.

READ A FIRST TIME	this 17 th day of May, 2010
READ A SECOND TIME	this 17 th day of May, 2010
PUBLIC HEARING	held on this 23 rd day of June, 2010
READ A THIRD TIME	this 5 th day of July, 2010
FINALLY ADOPTED	this 19 th day of July, 2010

Mayor

Village Manager

**Certified a true copy of
Amendment Bylaw 423, 2010 as adopted**

Village Manager