

# THE CITY OF ROSSLAND

## REQUEST FOR COUNCIL DECISION

**DATE:** April 2, 2014

**TOPIC:** ZONING BYLAW AMENDMENT – SECONDARY SUITE SIZE

**PROPOSAL:** THAT COUNCIL PROVIDE 1<sup>ST</sup> AND 2<sup>ND</sup> READINGS to BYLAW # 2567 AND SET A PUBLIC HEARING FOR MAY 12, 2014

**PROPOSED BY:** Stacey Lightbourne

---

**SUMMARY:** Several contractors and the Building Inspector have identified an inconsistency between the City's Zoning Bylaw and the Building Code for the permitted size of a secondary suite. Currently the City's zoning bylaw permits a maximum allowable net floor area of 70 sq metres (753 sq ft) while the building code permits a maximum allowable net floor area of 90 sq metres (968 sq ft). Staff have reviewed secondary suite regulations in Fernie, Revelstoke, Kimberley and Nelson and all these communities use building code regulations to define the size of secondary suites.

In order for the zoning bylaw to be consistent with building code regulations and with those regulations in other communities, staff propose amending the zoning bylaw regulations for secondary suites so they are consistent with the Building Code.

**STAFF RECOMMENDATION:**

THAT Council provide 1<sup>st</sup> and 2<sup>nd</sup> Readings to Bylaw # 2567 and set a Public Hearing for May 12, 2014.

**OPTIONS AND ALTERNATIVES:**

1. THAT Council provide 1<sup>st</sup> and 2<sup>nd</sup> Readings to Bylaw # 2567 and set a Public Hearing for May 12, 2014.
2. THAT Council refer the item back to staff so additional information can be provided.
3. THAT Council not provide 1<sup>st</sup> and 2<sup>nd</sup> Readings to Bylaw # 2567.

**BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:**

**Option 1:** Providing 1<sup>st</sup> and 2<sup>nd</sup> Readings to Bylaw 2567 and setting a Public Hearing advances the staff recommendation and aligns the zoning bylaw with the building code with respect to the permitted size of a secondary suite.

**Option 2:** Referring the item back to staff allows for more time for staff to answer any questions that Council may have.

**Option 3:** Not advancing the bylaw means the City of Rossland's Zoning Bylaw regulations differ from the Building Code regulations for the permitted size of a secondary suite. In this case, the zoning regulations apply.

**COSTS AND BUDGET IMPACTS – REVENUE GENERATION:** N/A

**LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:**

OCP POLICY 18.2.5: Encourage secondary suites provided the suite is registered with the City of Rossland; the property can conform to the parking and setback regulations set out in the City of Rossland Zoning Bylaw; the suite conforms to all building and fire codes; and the presence of a suite does not detract from the quality of life of nearby residents.

---

Stacey Lightbourne

---

Deputy CAO

**HAVE  
YOUR  
SAY**

**We're  
Listening**

**PUBLIC  
HEARING**

Monday

May 12, 2014

7:00pm

Council Chambers  
1899 Columbia Ave



Phone  
(250)362 7396



PO Box 1179  
Rossland, BC  
V0G 1Y0



Email:  
stacey@  
rossland.ca



Website:  
www.rossland.ca

# PUBLIC HEARING

City of Rossland Zoning  
Amendment Bylaw No.  
2567



## What is Zoning Amendment Bylaw No. 2567 about?

The zoning amendment increases the maximum allowable size of a secondary suite from 70 sq metres(753 sq ft) to 90 sq metres(968 sq ft).

## How will this affect me?

The purpose of the bylaw is to increase the maximum allowable size of a secondary suite from 70 sq metres(753 sq ft) to 90 sq metres(968 sq ft) to be consistent with building code regulations and with those regulations in other communities.

## How do I get more information?

A copy of the proposed bylaw and relevant background documents may be inspected at the City of Rossland Office, 1899 Columbia Ave on regular working days from 9 am to 4pm, and also online at [www.rossland.ca](http://www.rossland.ca).

Tracey Butler - Deputy CAO/Corporate Officer

**THE CORPORATION OF THE CITY OF ROSSLAND**  
**BYLAW No. 2567**

**A BYLAW TO AMEND THE ZONING BYLAW No. 2518**

WHEREAS Part 26 of the *Local Government Act* R.S.B.C. 1996, c.323 authorizes the Council of the City of Rossland to establish and amend a zoning bylaw;

AND WHEREAS the Council of the City of Rossland deems it necessary and expedient to amend the City of Rossland's Zoning Amendment Bylaw No. 2518, 2011.

NOW THEREFORE, the Council of the City of Rossland, in open meeting assembled, ENACTS AS FOLLOWS:

**SHORT TITLE**

1. This Bylaw may be cited as the **Zoning Amendment Bylaw, No. 2567, 2014(3)**

**AMENDMENT**

2. (i) Schedule "A" of Bylaw No. 2518 is hereby amended by deleting regulation "Section 4.12 (b)(5)" and replacing it with the following:

4.12(b)(5) The secondary suite dwelling shall not occupy more than 40% of the gross floor area of the principle dwelling unit. The maximum allowable net floor area of a Secondary Suite Dwelling shall not exceed 90 square meters.

- (ii) Schedule "A" of Bylaw No. 2518 is hereby amended by deleting regulation "Section 4.12 (c)(2)" and replacing it with the following:

4.12(c)(2) The detached secondary suite dwelling shall not occupy more than 40% of the gross floor area of the principle dwelling unit. The maximum allowable net floor area of a Detached Secondary Suite Dwelling shall not exceed 90 square meters.

**ENACTMENT**

6. (1) If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.
- (2) This Bylaw shall come into full force and effect on the final adoption thereof.

READ A FIRST TIME  
READ A SECOND TIME  
PUBLIC HEARING  
READ A THIRD TIME  
FINALLY ADOPTED

this 14<sup>th</sup> day of April, 2014  
this 14<sup>th</sup> day of April, 2014  
this 12<sup>th</sup> day of May, 2014  
this day of March, 2014  
this day of March, 2014

---

Mayor

---

Corporate Officer