



VILLAGE OF ANMORE

REPORT TO COUNCIL

Date: February 14, 2025 File No. 3900-30
Submitted by: Josh. Joseph, Village Planner
Subject: Zoning Bylaw Amendment – Basement Exemption and Breezeway
Definition

Purpose / Introduction

The purpose of this report is to provide Council with an update on the proposed basement exemption, breezeway and accessory building zoning regulations for the Anmore Zoning Bylaw.

Recommended Option

THAT Staff be directed to draft a bylaw to amend Anmore Zoning Bylaw 568-2017 to include the recommendations outlined in the report dated February 14th, 2025, from the Village Planner entitled “Zoning Bylaw Amendment – Basement Exemption and Breezeway Definition”.

Background

At the November 5th, 2024, Regular Council Meeting, Council provided the following direction:

“THAT the sliding scale from 6.3.6 Secondary Suites, proposed changes to section 5.2.5, and proposed change to definition of Breezeway be removed from the draft bylaw.”

Updates to the secondary suite floor area size allowances were incorporated in the Anmore Zoning Bylaw Amendment Bylaw No. 687-2024 (**Attachment 1**). The amendment bylaw has been adopted, and updates to secondary suite floor area allowance included the removal of the sliding scale for allowable floor area and the inclusion of a floor area allowance of up to 50% of the principal dwelling unit.

The remaining updates outlined in this report includes changes to the definition of breezeways to provide clarity on how it should be implemented and changes to the allowable basement floor area exemption formula to provide a proportionate based approach to calculate floor area

Report/Recommendation to Council

Zoning Bylaw Amendment – Basement Exemption and Breezeway Definition

February 14, 2025

exemptions. Lastly, updates provide changes to the language for accessory buildings floor area allowances within the RS-1 zone.

Discussion

Part 2 – Definitions

Breezeway Definition

Staff have conducted a review of the definition for breezeway and how it functions to limit the possibility of constructing a structural connection between a principal building and an accessory building or structure. The following is the current definition of breezeway in the zoning bylaw:

Breezeway means a structural connection between an **accessory building** or **structure** and a **principal building**. For the purposes of this Bylaw, a **breezeway** does not create a single **building** or **structure** out of the two **buildings** or **structures** it connects.

To avoid assumptions based on the connotations of the word “breezeway” which may imply a covered, open air passage, staff have proposed to change the definition to “connector” which is more neutral and captures a broad range of structural connections whether conditioned or unconditioned.

The following definition is being proposed:

Connector means a structural connection between an **accessory building** or **structure** and a **principal building** such as a corridor connecting significant sections of a building. For the purposes of this Bylaw, a **connector** does not create a single **building** or **structure** out of the two buildings or structures it connects.

The updated definition provides clearer guidelines to avoid misinterpretation regarding the intended architectural relationship between the two structures.

Report/Recommendation to Council

Zoning Bylaw Amendment – Basement Exemption and Breezeway Definition

February 14, 2025

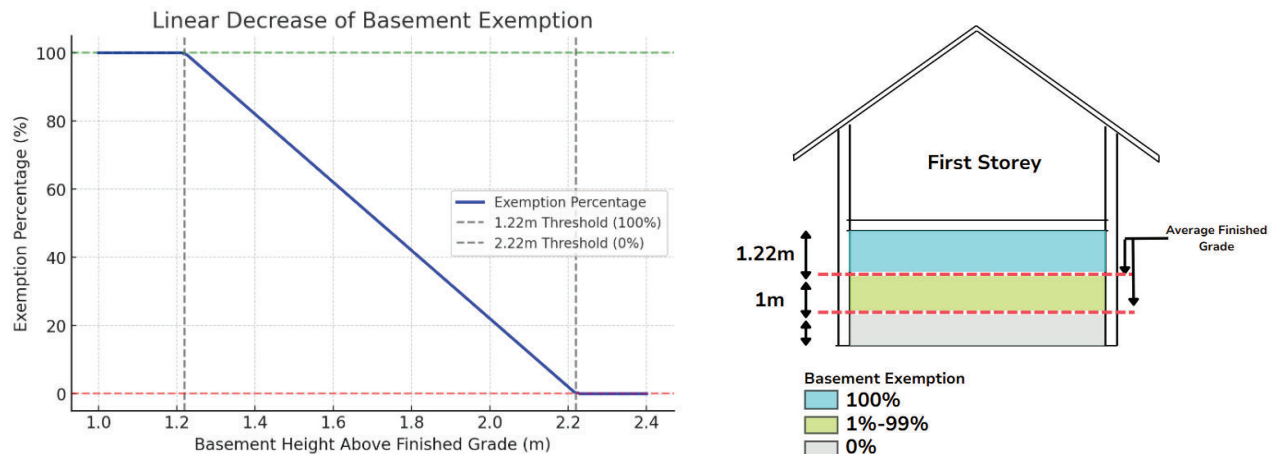
Part 5 – General Regulations

5.25 Basement Exemption

The inclusion of Section 5.25 proposes basement exemptions for the calculation of floor area. These include 100% exemption for basements that are less than 1.22m (4ft) above the average finished grade and eliminates any exemption for storeys that are more than 2.22 m (7ft) above average finished grade. The inclusion of average finished grade within the definition and calculation of basement exemption provides clear regulatory adherence for slope side construction where the finished grades of the building perimeter are not consistent.

Storeys between 1.22m and 2.22m above average finished grade will be partially exempt based on a proportionate based approach that decreases linearly from 100% at 1.22m to 0% at 2.22m as seen in **Figure 1**. below. The following formula can be used to calculate basement floor exemption between the two ranges where x is the measured height of the basement storey above the average finished grade:

$$\text{Exemption Percentage} = 100 \times (2.22 - x)$$



Report/Recommendation to Council

Zoning Bylaw Amendment – Basement Exemption and Breezeway Definition

February 14, 2025

Part 9 – Zoning Districts

9.1.3 Accessory Building Maximum Floor Area

The proposed updates will provide clarity surrounding allowance of accessory buildings and coach house floor area as well as how they relate to the total permitted buildings on lot.

The following updates are proposed for section 9.1.3(b) of the zoning bylaw:

9.1.3 Maximum Building Number, Floor Area and Height

Permitted Use	Maximum Number	Maximum Floor Area	Maximum Building Height
Principal Buildings	1	0.25 FAR	11 m
Accessory Buildings and structure	2 ^(a)	180m ²	7 m
Coach House	1	Refer to 6.7.3	7 m

- (a) Only 1 **Accessory Building** is permitted on a Parcel containing a **Coach House**.
- (b) **The total combined floor area of all Accessory Buildings and a Coach House on a parcel shall not exceed 180m².**
- (c) The maximum **gross floor area** of all **buildings** on a **parcel** shall not exceed a **Floor Area Ratio (FAR)** of 0.25%.

Legislative Options

In accordance with Local Government Act (LGA) [section 464 \(2\)](#), local governments can choose to waive a public hearing requirement for a proposed zoning bylaw if the bylaw is consistent with an existing OCP and a notice of the decision to waive the public hearing is provided to the public prior to the first reading of the bylaw.

Options

1. THAT Staff be directed to draft a bylaw to amend Anmore Zoning Bylaw 568-2017 to include the recommendations outlined in the report dated February 14th, 2025, from the Village Planner entitled “Zoning Bylaw Amendment – Basement Exemption and Breezeway Definition”.
(recommended)

Report/Recommendation to Council

Zoning Bylaw Amendment – Basement Exemption and Breezeway Definition

February 14, 2025

OR

- 2. THAT Staff be directed to issue notice of waiver of public hearing in accordance with LGA s467; and

THAT Staff be directed to draft a bylaw to amend Anmore Zoning Bylaw 568-2017 to include the recommendations outlined in the report dated February 14th, 2025 from the Village Planner entitled “Zoning Bylaw Amendment – Basement Exemption and Breezeway Definition” and the following additional amendments proposed by Council:


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OR

- 3. That Council not proceed with the Zoning Amendment Bylaw.

Attachments

- 1. Anmore Zoning Bylaw Amendment Bylaw 687-2024

Prepared by:
 _____ Josh Joseph Village Planner
Reviewed for Form and Content / Approved for Submission to Council:
<i>Chief Administrative Officer's Comment/Concurrence</i>  _____ Chief Administrative Officer

VILLAGE OF ANMORE

BYLAW NO. 687-2024

A bylaw to amend the Anmore Zoning Bylaw No. 568-2017

WHEREAS the *Local Government Act* authorizes a municipality to amend its zoning bylaw from time to time;

NOW THEREFORE the Municipal Council of the Village of Anmore, in open meeting assembled, enacts as follows:

1. That this bylaw may be cited for all purposes as “Anmore Zoning Bylaw Amendment Bylaw No. 687-2024”.
2. That Anmore Zoning Bylaw No. 568-2017 be amended under Part 2 – Definitions as follows:
 - a. Delete the definition for Basement and replace with the following: means a **storey** having more than one-half it’s height below the average **finished grade**;
 - b. Delete the definition for Building and replace with the following: means a **structure** wholly or partly covered by a roof or roofs supported by walls, columns, or posts, used or intended for supporting or sheltering any use or occupancy. For the purpose of this bylaw, a building does not include tents or temporary shelters.
 - c. Delete the definition for Coach House and replace with the following: means a **building** containing only one **dwelling unit** and which is located on the same lot as the **principal building**. For clarification, the lot containing the **coach house** and **principal building** cannot be subdivided under the Strata Property Act;
 - d. Delete the definition for Dwelling Unit and replace it with the following: means a self-contained suite of rooms used or intended to be used as a residence by one family and containing both cooking and sanitary facilities;
 - e. Delete the definition for Floor Area or Gross Floor Area and add the following definition for Floor Area: means the greatest horizontal area of all **storeys** of a **building** within the outside surface of exterior wall sheathing, columns, or posts, and the centre line of firewalls.
 - f. Delete the definition for Floor Area, Below Grade, where specified by this bylaw.
 - g. Delete the definition for Floor Area Ratio and replace with the following: means the figure obtained when the **floor area** of all **buildings** on a lot is divided by the legal area of the lot.
 - h. Delete the definition for Residential and replace it with the following: means the use of a **dwelling unit** for the accommodation and home life of a person or family and excludes emergency shelters and transitional housing;
 - i. add the following definition for Storey in alphabetical sequence: means that portion of a **building** that is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it;

3. That Anmore Zoning Bylaw No. 568- 2017 be amended under Part 5 – General Regulations as follows:
 - a. Add section 5.24 with the following:

5.24 GARAGE

In residential use zones, not more than the following table shall be exempt from the computation of gross floor area, in **garage** areas:

Lot Size	Exemption
$\geq 3966 \text{ m}^2$	90 m ²
$\geq 2022\text{m}^2$ to 3965m^2	70 m ²
$\geq 1349\text{m}^2$ to 2021m^2	50 m ²
$\leq 1348 \text{ m}^2$	30 m ²

4. That Anmore Zoning Bylaw No. 568- 2017 be amended under Part 6 – Specific Use Regulations as follows:
 - a. Delete Section 6.3 in its entirety and replace it with the following:

6.3 SECONDARY SUITE

A **Secondary Suite** use, where permitted, must conform to the regulations of this section:

- 6.3.1 Shall be wholly contained within an integral part of the **One Family Dwelling**.
- 6.3.2 Shall not be connected to the primary **dwelling unit** by a **breezeway** or enclosed hallway.
- 6.3.3 The registered owner(s) of the property shall occupy either the primary dwelling unit or the **Secondary Suite dwelling unit** as their **principal residence**.
- 6.3.4 Shall meet all BC Building Code requirements for **Secondary Suite** within newly constructed **buildings** or the alternate compliance methods for alterations to existing buildings to add a secondary suite.
- 6.3.5 One **Secondary Suite** is permitted per principal residence.

6.3.6 A **Secondary Suite** shall not have a **floor area** that exceeds 50% of the floor area of the **principal building**.

b. Add section 6.7 with the following:

6.7 COACH HOUSE

A **Coach House**, where permitted, must conform to the regulations of this section:

6.7.1 The registered owner(s) of the property shall occupy either the primary dwelling unit or the **Coach House** as their **principal residence**.

6.7.2 One **Coach house** is permitted per lot.

6.7.3 A **Coach house** shall not have a **floor area** that exceeds the following:

Lot Size	Maximum Floor Area
≥ 3966 m ²	170 m ²
2022 m ² to 3965 m ²	130 m ²
1349 m ² to 2021 m ²	100 m ²

6.7.4 A **Coach house** shall have a minimum separation of 5m from the primary residence and shall adhere to the minimum setbacks for **accessory building** as stated in the applicable zone.

6.7.5 A **Coach House** shall provide at a minimum a 25m² garage for the **dwelling unit**.

6.7.6 The area of one garage shall not be included in the calculation of **floor area** of the **coach house**. However, it will contribute to the FAR of the lot.

6.7.7 A **basement** is not permitted within a **Coach House**.

6.7.8 A **Coach House** shall adhere to the minimum accessory building setbacks for each respective zone.

5. That Anmore Zoning Bylaw No. 568- 2017 be amended under to Part 8 - Zoning District Schedules as follows:

a. Add the following Zoning District Names in accordance with the order they appear in the Table of Contents:

Comprehensive Development 7	CD-7	n/a
Infill Development	INF	1,349 m ²
Residential 2	RS-2	750 m ²

6. That Anmore Zoning Bylaw No. 568- 2017 be amended under to Part 9 - Zoning Districts as follows:

a. Delete section 9.1 in its entirety and replace it with the following:

9.1 RESIDENTIAL 1 – RS-1

9.1.1 Purpose

This **zone** is intended to provide **land** solely for the purpose of one-family **residential** housing as the **principal use**.

9.1.2 Permitted Uses and Minimum Parcel Size

Permitted Primary Uses	Permitted Secondary Uses	Minimum Parcel Size
One-Family Dwelling	Accessory Building	4,047 m ²
	Secondary Suite	
	Coach House	
	Home Occupation	
	Bed and Breakfast	

(a) Notwithstanding section 9.1.2 and 9.1.3 or any other sections in this bylaw, **parcels** no larger than 4050m² zoned RS-1 that are wholly or partly within an **Urban Containment Boundary** shall be permitted a maximum of four (4) **Dwelling Units**;

9.1.3 Maximum Building Number, Floor Area and Height

Permitted Use	Maximum Number	Maximum Floor Area	Maximum Building Height
Principal Buildings	1	0.25 FAR	11 m
Accessory Buildings and structure	2 ^(a)	180m ²	7 m
Coach House	1	Refer to 6.7.3	7 m

- (a) Only 1 **Accessory Building** is permitted on a Parcel containing a **Coach House**.
- (b) The maximum **gross floor area** of all **buildings** on a **parcel** shall not exceed a **Floor Area Ratio (FAR)** of 0.25%.

9.1.4 Minimum Building Setbacks

Permitted Use	Front Parcel Line Setback	Rear Parcel Line Setback	Exterior Side Parcel Line Setback	Interior Side Parcel Line Setback
Principal Building	7.6 m	7.6 m	7.6 m	5 m
Accessory Buildings and Structures ^(a)	7.6 m	7.6 m	7.6 m	5 m

(a) For **accessory buildings and structures** less than 10 m² and in-ground **swimming pools**, the rear and interior side **setbacks** may be reduced to 3.0 m.

9.1.5 Maximum Parcel Coverage

The maximum **parcel coverage** shall be 25% of the **parcel**.

9.1.6 Off-Street Parking

Off-street parking spaces shall be provided on the same **parcel** as the **use** being served in accordance with the following requirements:

- (a) 2 spaces per **dwelling unit**;
- (b) 1 space per employee for **home occupation**;

9.1.7 Other Regulations

- (a) For **subdivision** regulations, see Part 7.
- (b) **Home occupation** shall be subject to the requirements of section 6.5.
- (c) **Bed and breakfast** shall be subject to the requirements of section 6.6.
- (d) **Secondary Suite** shall be subject to the requirements of section 6.3.
- (e) **Coach House** shall be subject to the requirements of section 6.7

b. Delete section 9.2.4 and replace with the following:

9.2.4 Maximum Building Size and Height

Permitted Use	Maximum Number	Maximum Floor Area	Maximum Building Height
Principal Buildings ^(a)	1 ^(c)	0.25 FAR	11 m

Accessory Buildings ^(b)	2 ^(b)	25% of principal building – up to 120 m ²	7 m
Coach House	1	Refer to 6.7.3	7 m

- (a) The maximum **floor area** for the **principal building** and all **accessory buildings** on the **parcel** shall not exceed a **floor area ratio (FAR)** of 0.25.
- (b) The maximum number of principal buildings may be increased to 2 one-family residential dwellings, provided that the **parcel** size is greater than 0.8 ha.
- (c) Only 1 **Accessory Building** is permitted on a parcel containing a **Coach House**.
 - c. Delete section 9.13.2 and 9.13.3 and replace with the following:

9.13.2 Permitted Uses and Minimum Parcel Size

Permitted Primary Uses	Permitted Secondary Uses	Minimum Parcel Size	Minimum Parcel Width
One-Family Dwelling	Home Occupation	2,023 m ²	20 m
	Bed and Breakfast		
	Secondary Suite/Coach House		
	Accessory Equestrian		
	Accessory Uses		

9.13.3 Maximum Number of Buildings, Size and Height

Permitted Use	Maximum Number	Maximum Size	Maximum Building Height
Principal Building	1	0.30 FAR	10 m
Accessory Buildings and Structures ^(d)	2	70 m ²	7 m
Coach House	1	Refer to 6.7.3	7 m

- (a) Notwithstanding the definition of floor area in Part 2, for the purpose of this **zone, floor area** or **gross floor area** shall exclude **basement**.
- (b) The maximum **parcel coverage** of all **accessory buildings** on a **parcel** shall not exceed 70 m².

(c) The maximum **height** of a **fence**, other than for an accessory **equestrian use**, shall be subject to section 5.11.

(d) Only 1 **Accessory Building** is permitted on a **parcel** containing a **Coach House**.

d. Delete section 9.14.2 and section 9.14.3 and replace with the following:

9.14.2 Permitted Uses and Minimum Parcel Dimensions

Permitted Primary Uses	Permitted Secondary Uses	Minimum Parcel Size	Minimum Parcel Width
One-Family Dwelling	Home Occupation	1,349 m ²	25 m
	Bed and Breakfast		
	Secondary Suite		
	Accessory Uses		
	Coach House		

9.14.3 Maximum Number of Buildings, Size and Height

Permitted Use	Maximum Number	Maximum Size	Maximum Building Height
Principal Building (Bylaw No. 697-2024)	1	0.20 FAR	11 m
Accessory Buildings and Structures ^(d)	2	70 m ²	7 m
Coach House	1	Refer to 6.7.3	7 m

(a) Notwithstanding the 0.2 FAR requirement, the FAR for all principal and **accessory buildings** on a **parcel** may exceed 0.2, but only in such cases where the **gross floor area** for all principal and **accessory buildings** shall not exceed a maximum of 278.8 m² (3,000 ft²).

(b) Notwithstanding the definition of **floor area** in Part 2, for the purpose of this **zone, floor area** or **gross floor area** shall exclude **basement**.

(c) The maximum **parcel coverage** of all **accessory buildings** on a **parcel** shall not exceed 70 m².

(d) Only 1 **Accessory Building** is permitted on a **parcel** containing a **Coach House**.

e. Delete section 9.15.2 and section 9.15.3 and replace with the following:

9.15.2 Permitted Uses and Minimum Parcel Dimensions

Permitted Primary Uses	Permitted Secondary Uses	Minimum Parcel Size	Minimum Parcel Width
One-Family Dwelling	Home Occupation	1,500 m ²	25 m
	Bed and Breakfast		
	Secondary Suite		
	Accessory Uses		
	Coach House		

9.15.3 Maximum Number of Buildings, Size and Height

Permitted Use	Maximum Number	Maximum Size	Maximum Building Height
Principal Building (Bylaw No. 697-2024)	1	0.20 FAR	11 m
Accessory Buildings and Structures	1	70 m ²	7 m
Coach House	1	Refer to 6.7.3	7 m

(a) Notwithstanding the definition of **floor area** in Part 2, for the purpose of this **zone**, **floor area** or **gross floor area** shall exclude **basement**.

(b) The maximum **parcel coverage** of all **accessory buildings** on a **parcel** shall not exceed 70 m².

f. Delete section 9.16.2 and section 9.16.3 and replace with the following:

9.16.2 Permitted Uses and Minimum Parcel Dimensions

Permitted Primary Uses	Permitted Secondary Uses	Minimum Parcel Size	Minimum Parcel Width
One-Family Dwelling	Home Occupation	1,860 m ²	25 m
	Bed and Breakfast		
	Secondary Suite		
	Accessory Uses		
	Coach House		

9.16.3 Maximum Number of Buildings, Size and Height

Permitted Use	Maximum Number	Maximum Size	Maximum Building Height
Principal Building (Bylaw No. 697-2024)	1	0.20 FAR	11 m
Accessory Buildings and Structures ^(c)	2	70 m ²	7 m
Coach House	1	Refer to 6.7.3	7 m

(a) Notwithstanding the definition of **floor area** in Part 2, for the purpose of this **zone**, **floor area** or **gross floor area** shall exclude **basement**.

(b) The maximum **parcel coverage** of all **accessory buildings** on a **parcel** shall not exceed 70 m².

(c) Only 1 **accessory building** is permitted on a **parcel** containing a **coach house**.

g. Delete section 9.17.2 and section 9.17.3 and replace with the following:

9.17.2 Permitted Uses and Minimum Parcel Size and Dimensions

Permitted Primary Uses	Permitted Secondary Uses	Minimum Parcel Size	Minimum Parcel Width
One-Family Dwelling	Home Occupation	2,023 m ²	25 m
	Bed and Breakfast		
	Secondary Suite		
	Accessory Uses		
	Coach House		

9.17.3 Maximum Number of Buildings, Size and Height

Permitted Use	Maximum Number	Maximum Size	Maximum Building Height
Principal Building (Bylaw No. 697-2024)	1	0.20 FAR	11 m
Accessory Buildings and Structures	1	70 m ²	7 m
Coach House	1	Refer to 6.7.3	7 m

(a) The maximum **parcel coverage** of all **accessory buildings** on a **parcel** shall not exceed 70 m².

h. Delete section 9.19.2 and section 9.19.3 and replace with the following:

9.19.2 Permitted Uses, Minimum Parcel Dimensions and Maximum Parcel Number

Permitted Primary Uses	Permitted Secondary Uses	Parcel Size	Maximum Parcel Size	Maximum No. of Parcels
One-Family Dwelling	Secondary Suite	1,349 m ²	2,023 m ²	19
	Coach House			

9.19.3 Maximum Number of Buildings, Size and Height

Permitted Use by Parcel	Maximum Number	Maximum Size	Maximum Building Height
Principal Building (Bylaw No. 697-2024)	1	0.30 FAR	11 m
Coach House	1	Refer to 6.7.3	7 m

- i. Delete section 9.20.2 and section 9.20.3 and replace with the following:

9.20.2 Permitted Uses and Minimum Parcel Size

Permitted Primary Uses	Permitted Secondary Uses	Minimum Parcel Size
One-Family Dwelling	Secondary Suite	1,349 m ²
	Coach House	

- (a) Refer to Village of Anmore Policy No. 61, as amended from time to time, for guidance on Property line requirements during subdivision.
- (b) Notwithstanding section 9.20.2 or any other sections in this bylaw, parcels zoned Infill Development that are wholly or partly within an **urban containment boundary** shall be permitted a maximum of four (4) dwelling units.

9.20.3 Maximum Number of Buildings and Height

Permitted Use by Parcel	Maximum Number	Maximum Building Height
Principal Building (Bylaw No. 697-2024)	1	11 m
Accessory Buildings and Structures	1	7 m
Coach House	1	7 m

j. Delete section 9.20.4.2.

1. If any Part, Section, Subsection, Sentence, Clause or Phrase of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.

READ a first time the 5th day of November, 2024

READ a second time the 5th day of November, 2024

PUBLIC HEARING HELD the 19th day of November, 2024

READ a third time the 19th day of November, 2024

ADOPTED the 19th day of November, 2024

MAYOR

CORPORATE OFFICER