

DISTRICT OF MAPLE RIDGE BYLAW NO.6591-2008

A Bylaw to amend Maple Ridge Zoning Bylaw No. 3510 - 1985 as amended.

WHEREAS, it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 3510 - 1985 as amended;

AND WHEREAS Council can establish different density regulations for a zone for the provision of affordable housing;

NOW THEREFORE, the Municipal Council of the Corporation of the District of Maple Ridge, in open meeting assembled, **ENACTS AS FOLLOWS**:

Title: This Bylaw may be cited as "Maple Ridge Zone Amending Bylaw No. 6591-2008"

Scope:

2. This By-law establishes regulations to permit a Detached Garden Suite use in certain zones, subject to compliance with the provisions in the Zoning Bylaw.

3. Maple Ridge Zoning Bylaw No. 3510 - 1985 as amended is hereby amended accordingly:

(a) **PART 2 – INTERPRETATION** is amended by the addition of the following definitions in the correct alphabetical order:

(i) **DETACHED GARDEN SUITE RESIDENTIAL USE** means a self-contained dwelling unit, accessory to, subordinate and detached from a one family residential use, limited to one dwelling unit on the same lot, located within the rear yard”.

(ii) **REAR YARD** means the area between the rear lot line and the nearest wall of the single family residential use.

(iii) **GROUND LEVEL** means a horizontal plane that is at or within 0.3 metres of a natural grade on site.

(b) **PART 4, GENERAL REGULATIONS, SECTION 402: REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES** is amended by the addition of the following subsection after subsection (10):

“(11) Dwelling units for a Detached Garden Suite use:

Where permitted a Detached Garden Suite Use is subject to the following provisions:

(a) Must be limited to one unit per residential or agriculture zoned lot, where there is one family residential use;

(b) Must be permitted at ground level as a one storey structure subject to compliance with the other criteria prescribed in the Bylaw. Properties 0.4 hectares (1 acre) or greater in area or properties with lane access may have a Detached Garden Suite at ground level as a one

storey structure or a Detached Garden Suite above an accessory residential structure or Off-Street parking structure subject to compliance with the criteria prescribed in the Bylaw. A Basement must not be permitted;

- (c) Must not be permitted on a lot with an area less than 557m²;
- (d) Must be located within the rear yard of a one family residential use;
- (e) Must be permitted on the condition that the registered owner of the lot enters into a Housing Agreement (Section 905 of the Local Government Act) with the District of Maple Ridge which must be executed and delivered to the Municipality upon issuance of a building permit for a Detached Garden Suite. The Housing Agreement includes a term among others that either the One Family Residential use or the Detached Garden Suite use be occupied by the registered owner; the Detached Garden Suite use is intended to provide affordable rental housing; and the property owner must enter into a Housing Agreement with the District of Maple Ridge for a prescribed fee;
- (f) Must be permitted on the condition that the registered owner of the lot registers a "Parking Covenant" which must be executed and delivered to the Municipality upon issuance of a building permit for a Detached Garden Suite;
- (g) Must not be permitted where there is a Secondary Suite use, Temporary Residential use, Temporary Tourist use, Boarding use or Accessory Employee Residential use on the same lot;
- (h) Must provide verification from an Engineer or a Certified Professional confirming adequacy of septic capacity to service the proposed Detached Garden Suite and notification to the Simon Fraser Health unit or the appropriate authority if located on a lot that is not serviced by Municipal sewer;
- (i) Must provide verification from an Engineer or a Certified Professional confirming adequate water quantity and potability, if located on a lot that is not serviced by Municipal water;
- (j) Must not be strata-titled or subdivided;
- (k) Must not be permitted on a property situated within a floodplain area unless the finished floor elevation of the Detached Garden Suite unit is above the established minimum flood construction level;
- (l) Required fees must be paid to the District for any necessary service upgrades;
- (m) Must provide at least one unobstructed pathway, a minimum of 1.5 metres wide between the front street and the Detached Garden Suite. This 1.5 metres unobstructed pathway must be levelled, graded and finished with a suitable permeable surface and be clear of any cornices, sills, pilasters, hatches, eaves, nooks, bay windows and/or architectural features cantilevering beyond the building face;

- (n) Must have a Gross Floor Area of not less than 37m² and not more than 90m² or 10 % of the lot area, whichever is less, not to exceed the total lot coverage permitted in the zone;
- (o) Must provide a minimum area equivalent to 25% of the Gross Floor Area of the Detached Garden Suite as private outdoor space, adjacent to and accessible from a habitable room of the Detached Garden Suite (may include any covered or uncovered sundeck/patio or veranda);
- (p) Where a Detached Garden Suite use is proposed on lands subject to the regulations of the Agricultural Land Commission Act, approval from the Agricultural Land Commission must be obtained prior to the issuance of a Building Permit;
- (q) Height of a Detached Garden Suite, must comply with the following:
 - (i) Not exceed a height of 4.5 metres from ground level, nor one storey, whichever is less, for lot sizes less than 0.4 hectares (1 acre), except;
 - A. Properties zoned RS-2 (One Family Suburban Residential) and RS-3 (One Family Rural Residential) may build a Detached Garden Suite to a maximum height of 6.0 metres from ground level;
 - B. Properties with a lane access may build a Detached Garden Suite above the detached accessory residential structure or an Off-Street parking structure to a maximum height of 6.0 metres from ground level or a ground level unit of not more than 4.5 metres in height;
 - (ii) Not exceed a height of 6.0 metres from ground level, nor two storeys, whichever is less, for lot sizes 0.4 hectares (1 acre) or more, except;
 - A. Properties zoned A-1(Small Holding Agricultural), A-2 (Upland Agricultural), A-3 (Extensive Agricultural), and A-4 (Intensive Greenhouse District) may build a Detached Garden Suite above the detached accessory residential structure or an Off-Street parking structure to a maximum height of 7.5 metres;
- (r) Siting of a Detached Garden Suite, must comply with the following:
 - i. The distance between a Detached Garden Suite and one family residential use must comply with the prevalent BC Building Code but be not be less than 2.4 metres from the nearest projection on the rear face of the one family residential structure;
 - ii. Must not be less than 2.4 metres from the rear lot line, except;

- A. On Properties zoned A-1(Small Holding Agricultural), A-2 (Upland Agricultural), A-3 (Extensive Agricultural), and A-4 (Intensive Greenhouse District) where the minimum distance from rear lot line must not be less than 7.5 metres;
- B. On Properties with a lane access, for a Detached Garden Suite built above a detached accessory residential structure or an Off-Street parking structure, the minimum distance from rear lot line must not be less than 1.5 metres;
 - iii. Must not be less than 1.5 metres from an interior side lot line;
 - iv. Must not be less than 3.0 metres from an exterior side lot line;

(s) Must comply with the requirements of Section 601 (A) of the Zoning Bylaw.

c) **PART 5: AGRICULTURAL ZONES; SECTION 501** is amended by the addition of the following to the list of the Permitted Uses:

(15) Detached Garden Suite Use (subject to Section 402)

d) **SECTION 504: INTENSIVE GREENHOUSE DISTRICT (A-4); Sub-Section A. PERMITTED USES,** is amended by the addition of the following to the list of permitted Uses:

10. Detached Garden Suite Use (subject to Section 402)

e) **PART 6: RESIDENTIAL ZONES; Section 601 Sub-Section A. PERMITTED USES OF LAND, BUILDINGS AND STRUCTURES,** is amended by the insertion of the following in the list of permitted Uses:

Detached Garden Suite Use RS-1 RS-1a RS-1b RS-1c RS-1d RS-2 RS-3 SRS
(subject to Section 402)

4. Maple Ridge Zoning By-law No. 3510-1985 as amended is hereby amended accordingly.

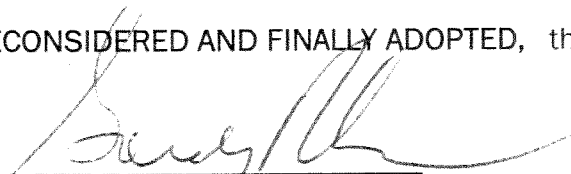
READ a first time the 30th day of September, A.D. 2008.

PUBLIC HEARING held the 21st day of October, A.D. 2008.

READ a second time the 28th day of October, A.D. 2008.

READ a third time the 28th day of October, A.D. 2008.

RECONSIDERED AND FINALLY ADOPTED, the 4th day of November, A.D. 2008.



 MAYOR



 CORPORATE OFFICER