

CITY OF DUNCAN

BYLAW NO. 3166.01

A BYLAW TO AMEND THE CITY OF DUNCAN ZONING BYLAW NO. 3166, 2017

The Council of the City of Duncan enacts as follows:

1. Title

This Bylaw may be cited as the “Zoning Bylaw Amendment Bylaw No. 3166.01, 2020.”

2. Amendments

The “City of Duncan Zoning Bylaw No. 3166, 2017” is hereby amended as follows:

2.1 By deleting “(c) *Residential Shelter*,” and adding “(c) *Transition House* for no more than 10 persons;” to Section 3.1.1 [Uses Permitted in All Zones].

2.2 By deleting “(b) *Emergency Shelter*,” from Section 3.2.1 [Uses Prohibited in All Zones] and adding “(b) *Temporary Accommodation*, except where expressly permitted as a *Transition House, Bed and Breakfast* or *Tourist Accommodation*;”.

2.3 By deleting the “Residential” section of the table in Section 3.31.1 [Minimum Off-Street Parking] and replacing it with the following:

Permitted Use	Minimum Number of Off-Street Parking Spaces
Residential	
<i>Assisted Living Residential Facility</i>	0.35 per <i>dwelling unit</i> or <i>sleeping unit</i> , plus an additional 0.15 per <i>dwelling unit</i> or <i>sleeping unit</i> for staff and visitors-
<i>Bed and Breakfast</i>	1 per guest room
<i>Community Care</i>	0.35 per <i>sleeping unit</i> or person in care, plus an additional 0.15 per <i>dwelling unit</i> for staff and visitors.
<i>Dwelling, Multi-Unit (including Multi-Unit Rowhouse)</i>	<p><u>Within the Downtown Parking Area described in Section 3.36:</u> 0.5 per unit with 1 or fewer bedrooms 1 per unit with more than 1 bedroom <u>In all other areas:</u> 1 per unit with one or fewer bedrooms 1.2 per unit with two or more bedrooms <u>For a development for women who have experienced or are at risk of violence:</u> 0.35 per <i>dwelling unit</i>, plus an additional 0.15 per <i>dwelling unit</i> for staff and visitors.</p>
<i>Dwelling, Single-Unit</i>	2 per unit
<i>Dwelling, Two-Unit (including Rowhouses)</i>	2 per unit
<i>Home-based business for Single-Unit Dwelling</i>	1 per business

<i>Secondary Suite, Attached or Detached</i>	1 per unit
<i>Transition House</i>	4

- 2.4 By deleting Section 3.36 [Cash-in-Lieu of Parking Requirements] in its entirety.
- 2.5 By renumbering the balance of the existing sections, 3.37 and 3.38, and Figure 3.37.1, accordingly.
- 2.6 By adding “*Assisted Living Residential Facility**” as a Principal Use in the following sections:
- (a) Section 4.6.1 [Medium Density Residential Zone (MDR) - Permitted Uses];
 - (b) Section 4.10.1 [High Density Residential Zone (HDR) - Permitted Uses];
 - (c) Section 5.2.1 [Downtown Comprehensive Zone (DTC) - Permitted Uses]; and
 - (d) Section 5.7.1 [Neighbourhood Commercial Zone (NC)- Permitted Uses].
- 2.7 By deleting “**Community Care Facilities are permitted above the first storey only*” and replacing it with “**Dwelling units or sleeping units in an Assisted Living Residential Facility or Community Care Facility are permitted above the first storey only*” under Conditions of Use in Section 5.2.1 [Downtown Comprehensive Zone (DTC) - Permitted Uses].
- 2.8 By deleting “**Community Care Facilities are permitted above the first storey*” and replacing it with “**Dwelling units or sleeping units in an Assisted Living Residential Facility or Community Care Facility are permitted above the first storey only*” under Conditions of Use in Section 5.7.1 [Neighbourhood Commercial Zone (NC) - Permitted Uses].
- 2.9 By adding “**Uses on the first storey of a building with an Assisted Living Residential Facility, Community Care Facility or Multi-Unit Dwelling must provide service to persons off-site, not only to owners or occupiers of the building*” under Conditions of Use in the following sections:
- (a) Section 5.2.1 [Downtown Comprehensive Zone (DTC) - Permitted Uses]; and
 - (b) Section 5.7.1 [Neighbourhood Commercial Zone (NC) - Permitted Uses].
- 2.10 By adding “*Offices for the provision of support services for residents in a Multi-Unit Dwelling development for women who have experienced or are at risk of violence*” as an Accessory Use to Section 4.10.1 [High Density Residential Zone (HDR) - Permitted Uses] .
- 2.11 By deleting “for a period of at least five (5) years” from the Regulations for Amenities Required for Bonus Density I in the following sections:
- (a) Section 4.7.1. [Medium Density Residential Zone (MDR) - Development Regulations];
 - (b) Section 4.11.1 [High Density Residential Zone (HDR) - Development Regulations];
 - (c) Section 5.3.1 [Downtown Comprehensive Zone (DTC) - Development Regulations]; and
 - (d) Section 5.8.1 [Neighbourhood Commercial Zone (NC) - Development Regulations].
- 2.12 By deleting “for a period of at least ten (10) years” from the Regulations for Amenities Required for Bonus Density II in the following sections:
- (a) Section 4.7.1. [Medium Density Residential Zone (MDR) - Development Regulations]
 - (b) Section 4.11.1 [High Density Residential Zone (HDR) - Development Regulations];
 - (c) Section 5.3.1 [Downtown Comprehensive Zone (DTC) - Development Regulations]; and
 - (d) Section 5.8.1 [Neighbourhood Commercial Zone (NC) - Development Regulations].

2.13 By making the following changes to Part 7 – Definitions:

- (a) adding a definition for *Assisted Living Residential Facility*:

<i>Assisted Living Residential Facility</i>	means a <i>residential use</i> which provides <i>sleeping units</i> or <i>dwelling units</i> for persons aged 55 or older, or for persons of any age with physical or mental health challenges; within which may be provided meal preparation and common dining areas, housekeeping and other support services, and may contain accessory <i>retail and personal service</i> uses.
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- (b) deleting “including assisted living, personal care, supportive housing and residential daycare” from the definition of *Community Care*;
- (c) adding the wording “for *residential use*” after “living unit” in the definition of *Dwelling Unit*;
- (d) deleting the definition of *Residential Use* in its entirety and replacing it with:

<i>Residential Use</i>	<i>Residential Use</i> means a <i>use</i> providing for the accommodation of one or more persons, where the minimum rental or occupancy period is 30 consecutive days.
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- (e) deleting the definition of *Shelter, Emergency*;
- (f) deleting the definition for *Shelter, Residential*;
- (g) adding a definition for *Transition House*:

<i>Transition House</i>	means a temporary accommodation <i>use</i> providing <i>sleeping units</i> or <i>dwelling units</i> for the provision of emergency and support services for women and children who have experienced or are at risk of violence but does not include the use of land for halfway house use in conjunction with the administration of justice for the purpose of shelter and support of persons serving or on any part of a sentence imposed by a court.
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- (h) deleting “transient lodgers” and replacing it with “traveling lodgers” in the definition of *Tourist Accommodation*.

2.14 By updating the page numbers in the Table of Contents accordingly.

PASSED FIRST READING _____.

PASSED SECOND READING _____.

PUBLIC NOTICE IN ACCORDANCE WITH SECTION 467 OF THE LOCAL GOVERNMENT ACT [NOTICE OF PUBLIC HEARING WAIVED] _____.

PASSED THIRD READING _____.

APPROVED BY MINISTRY OF _____.

ADOPTED _____.

Michelle Staples,
Mayor

Paige MacWilliam,
Director of Corporate Services