



ACCESSORY DWELLING UNITS (ADU) ZONING BYLAW INFORMATION

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Summary of regulations from the City of Port Alberni Zoning Bylaw #5105 See full Zoning Bylaw #5105 for complete information.

IMPORTANT NOTES:

- **All ADU's must meet current BC Building Code for Accessory Dwelling Units. Please reference BC Building Code for Provincial requirements.**
- **Please ensure that you verify the zoning on your property prior to planning your ADU to ensure that you are using the correct set-backs for your zone.**
- **May require utility upgrades, including: Electrical, gas, water, sewer, and storm.**
- **Please contact City of Port Alberni Engineering for water, sewer, and storm upgrade questions.**
- **Please contact Technical Safety BC for Electrical and/or gas upgrade questions.**
- **Carriage houses and garden suites must have Home Warranty Insurance and meet current Energy Step Code requirements.**
- **Please visit bchousing.org for more information about Home Warranty Insurance.**
- **Please visit energystepcode.ca for more information about the Energy Step Code Program.**

PERMITTED LOCATIONS:

Zoning map located in the complete Zoning Bylaw #5105

ADU permitted zones include the following:

- **R** – Primary Residential under 1 acre and connected to municipal water and sanitary sewer services.
- **RR** - Rural Residential under 1 acre and onnected to municipal water and sanitary sewer services.

Please check full zoning bylaw #5105 to see complete list of zones allowing secondary suites as this is more extensive.



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<u>Zoning Bylaw Information</u>	<u>Notes</u> <i>Not included in zoning bylaw</i>
General Regulations	
<p>6.22.1 Secondary Suites</p> <p>May be located in a single detached, semi-detached or townhouse on the following conditions:</p> <ul style="list-style-type: none">(a) May not exceed 40% of the habitable floor space of the building, whichever is less;(b) Must be fully contained within the principal residence which is a single real estate entity;(c) Must be provided with a parking space additional to the standard parking space requirements for the residence as per section 7 of this bylaw; and(d) The principle dwelling is permanently occupied. <p>6.22.2 Carriage Houses</p> <p>May be located on a lot with a single detached dwelling on the following conditions:</p> <ul style="list-style-type: none">(a) Is not located on a lot that contains another accessory dwelling unit;(b) Is provided direct access to a roadway or laneway or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the carriage suite parking area to the entrance of the carriage suite when direct access to the carriage suite from a roadway or laneway is not provided;(c) Is not located in the required front yard setback area or in front of the principal dwelling;(d) Meets minimum side yard setback requirements of the applicable zone; May be located in the required rear yard setback;(e) May be located in the required rear yard setback;(f) No portion of the building is located within 1 m of a rear lot line;(g) Does not exceed a maximum height of the principal building;(h) All accessory buildings and accessory dwelling units can be a maximum of 90 m² combined.(i) Must have a minimum of 18 m² of useable open space;(j) Provides for parking in accordance with Section 7.	<p>(a) Secondary suites may be a maximum of 90m² as per BC Building Code.</p> <p>(b) You must provide hard surface access from the suite to the front yard roadway and not just the rear laneway as per BC Building Code.</p> <p>(e) If direct access to garage is from rear lane, then 1.5 m setback is required per Zoning Bylaw.</p> <p>(i) Must be open outdoor space dedicated solely for the suite with clear indications of the area as per BC Building Code.</p>



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6.22.3 Garden Suites

May be located on a lot with a single detached dwelling on the following conditions:

- (a) Is not located on a lot that contains another accessory dwelling unit;
- (b) Is provided direct access to a roadway or laneway or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the garden suite parking area to the entrance of the garden suite when direct access to the garden suite from a roadway or laneway is not provided;
- (c) Is located in a rear yard;
- (d) Meets minimum side yard setback requirements of the applicable zone;
- (e) May be located in the required rear yard setback;
- (f) No portion of the building is located within 1 m of a rear lot line;
- (g) Does not exceed a maximum height of 8 m;
- (h) All accessory buildings and accessory dwelling units can be a maximum of 90 m² combined.
- (i) Must have a minimum of 18 m² of useable open space; and
- (j) Provides for parking in accordance with Section 7.

(b) You must provide hard surface access from the suite to the front yard roadway and not just the rear laneway as per BC Building Code.

(f) If direct access to a garage is from rear lane, then 1.5m setback is required per Zoning Bylaw.

(i) Must be open outdoor space dedicated solely for the suite with clear indications of the area

6.19 Minimum Dwelling Unit Width

6.19.1 The minimum *dwelling* unit width for all single or semi-detached dwellings shall be 5 m (16.4 ft) in width or depth, except for *mobile home* units located within the MH1 *Mobile and Modular Homes zone*.

6.19.2 Measurement of *dwelling* unit width shall be from the outside surface of an exterior wall and the centre line of a *party wall*.

Parking Requirements

7.9 Required Amount of Parking

<u>Resident Use</u>	<u>Required Parking Spaces</u>
Single detached dwelling	2 parking spaces plus 1 extra parking space where the home is operating as a provincially licensed Group Home.
Semi-detached dwelling	4
Suites or carriage houses	1 space per unit

All ADU's included in suites.



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Definitions

ACCESSORY BUILDING

A detached building, the use or intended use of which is ancillary to that of a principal building situated on the same lot and excludes use for residential.

ACCESSORY DWELLING UNIT

means a subordinate dwelling unit attached to, within, or detached from a principal dwelling unit, where both dwelling units are located on the same parcel. This includes a secondary suite, carriage house, and garden suite.

BUILDING

Means a structure, which is designed, erected or intended for the support, enclosure, or protection of persons or property. When a structure is divided by party walls located upon lot lines, then each portion of such structure shall be deemed to be a separate building.

CARRIAGE HOUSE

means a detached, subordinate dwelling unit that contains a garage or similar storage space on a ground floor, with a dwelling unit on an upper floor, located on a permanent, continuous foundation.

DWELLING, SINGLE DETACHED

means any building consisting of one dwelling unit which is occupied or intended to be occupied as the permanent home or residence of one household. May include a fully enclosed secondary suite.

DWELLING UNIT

means one or more integrally connected habitable rooms, constituting a self-contained unit with a separate entrance, containing cooking facilities, eating, living, and sleeping areas and bathroom facilities, and occupied or constructed to be occupied by a person or persons living together as a single household.

FLOOR AREA, GROSS

means the total of all floors when measured from the outer wall of the building, including all suites or dwelling units and all areas giving access such as corridors, hallways, landings, foyers, staircases, and stairwells. Enclosed balconies, mezzanines, porches, verandas, and elevator shafts shall be included.



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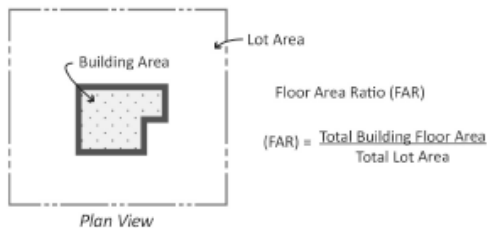
Definitions cont'd

FLOOR AREA RATIO

means the value reached when dividing the *gross floor area* of all *buildings* on a *lot* by the area of the *lot*. Except that the following shall not be included as gross floor area for the purpose of computing floor area ratio:

- (1) any portion of a storey used for parking purposes unless parking is a principal use.
- (2) any portion of a storey used for laundry purposes, unless laundry is the principal use.
- (3) any portion of a basement containing heating, laundry, recreational or storage facilities, but excludes areas used for habitable accommodation, and necessary access to habitable accommodation.
- (4) architectural features which are permitted as projections into setbacks areas as per section 6.12 of this Bylaw.
- (5) swimming pools and sundecks.

Floor Area



GARDEN SUITE

means a detached, subordinate dwelling unit, typically on a ground floor, located on a permanent, continuous foundation.

HABITABLE FLOOR SPACE

means a floor area within a dwelling designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom, and kitchen.

LANE

means a highway which affords only a secondary means of access to a lot, at the side lot line or rear lot line.

LOT COVERAGE

means the total area of a lot covered by buildings or structures divided by the area of the lot itself expressed as a percentage.

LOT LINE, REAR

means the boundary line of a lot furthest from and opposite to the front lot line, except that there shall not be more than one rear lot line.



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Definitions cont'd

PARKING SPACE

means a space on a driveway for single, semi-detached and townhouses, or within a building, or a parking lot for multi-residential uses, for the parking of one vehicle, excluding ramps, and access aisles.

PRINCIPAL BUILDING

means a building in which the principal use of the lot on which the building is located is conducted.

PRINCIPAL USE

means the main or primary use of a premise that is provided for in the list of permitted uses in the zones in this Bylaw.

SECONDARY SUITE

means a *dwelling* unit that is contained within and accessory to a single real estate entity and is comprised of one or more habitable rooms, intended for *use* as a separate and independent residence. A secondary suite contains sleeping facilities, a bathroom, and cooking facilities that are for the exclusive use of the occupant(s) of the suite.

USEABLE OPEN SPACE

means a level, unobstructed area or areas, available for safe and convenient *use* by all the *building's* users and occupants providing for greenery, recreational space and other leisure activities normally carried on outdoors. Usable open space shall exclude areas *used* for off-street parking, off-street loading, service driveways, public walkways, and required *front yards*.

YARD, REAR

means that portion of the lot, extending from one side lot line to the other, between the rear line of the lot and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the rear line of the lot and the parallel line.

Yard Setbacks

