



REPORT TO COUNCIL

DATE: June 14, 2023
TO: Mayor & Council
FROM: Director of Development
SUBJECT: Clarification of Zoning Bylaw Housing Regulations

Request for: ☐ Direction ☒ Decision ☐ Information

Recommendation:

THAT Council considers giving Zoning Amendment Bylaw No. 734, 2023 first and second reading; and
THAT a Public Hearing be scheduled.

Summary:

Zoning Bylaw 484, 1998 defines a dwelling unit as: “a self-contained set of habitable rooms containing not more than one (1) kitchen facility, and not less than one (1) bathroom with a water closet, wash basin and bath or (1) shower”. Dwelling units may stand alone as single units or be combined in various configurations. Individual zones define how many dwellings are permitted on a lot. The bylaw currently allows manufactured homes to serve as single family dwellings if specific use regulations are satisfied. The purpose of this report is to review the definitions of dwelling types in the Zoning Bylaw, to clarify the current regulations, verify the bylaw meets current community needs and confirm that the right tool is being used for the right job.

Background:

Within the “Planner’s Toolbox” zoning regulations are the principal tool used to implement local government land use plans. A zoning bylaw guides land use by regulating the permitted use and density of land and siting, size and dimensions of structures. A zoning amendment or “rezoning” is the process of changing the zoning to allow use of the land not permitted under the current zoning designation, whether by text or map amendment.

Since adoption of the zoning bylaw language and best practices have evolved guided by Planning Case Law. The terms “single detached”, “two-family” and “multi-unit residential” are now common, eliminating the need to refer to what defines a “family”. Zoning focuses on the number [or density] of units permitted and how they are situated rather than on “who” occupies the building and “how” they are constructed. Zoning Bylaws that take a less prescriptive

approach to housing form allow innovation in building design and types of housing options to be constructed.

The BC *Building Code* and the Village of Lytton Building Bylaw are the correct tools to manage building construction itself. However, the distinction between types of manufactured homes is important in the Lytton context. Clarification of the definitions and use regulations contained in the Zoning Bylaw will refine and confirm bylaw intent.

Villagers are contemplating housing options to rebuild their homes. To support them in this process a review of manufactured homes within the Zoning Bylaw has been completed. Findings show the definitions and regulations need to be amended to ensure there is a shared understanding of what is possible, practical and appropriate when rebuilding the community.

All new construction must meet both the current Zoning and Building Bylaw regulations. Once Development Approval Procedures Bylaw No. 731, 2023 has been adopted there will be an opportunity for Council to consider variances of Zoning Bylaw provisions not related to use or density. However, it is important to be clear what the intent of the bylaw is prior to considering variances.

Discussion:

As the Zoning bylaw stands, regardless of previous intent, a manufactured home may be used as a single-family dwelling. The regulations in section 3.14 require that it be placed on a foundation complying with the provisions of the current BC *Building Code*. Because the definition of a *temporary building* specifically excludes manufactured homes, placement on anything other than a “permanent” continuous concrete or masonry foundation would be acceptable if it satisfies the *Building Code*. This may not have been the bylaw’s intent.

It is not uncommon for a local government to restrict the use of certain types of manufactured homes, especially on smaller lots. The distinction between modular (Canadian Standards Association A277) manufactured homes and traditional mobile homes (Canadian Standards Association Z240) can be significant. It is also not uncommon to require all manufactured homes to be placed on permanent foundations that render them undistinguishable from homes constructed on-site using traditional methods.

Given the ongoing conversation about interface fire safety, appropriate building material standards and fire separations, it may be appropriate at this time to clarify Zoning Bylaw definitions and regulations.

Building Bylaw requirements for fire mitigation already limit the practicality of using a mobile home (CAN/CSA Z-240) as a single detached dwelling. Homes built to CAN/CSA A277 standards will require customized construction to meet fire resistance ratings. As such, the definitions and regulations contained in the Zoning Bylaw may be of secondary importance. However, establishing clarity of intent and undertaking context sensitive bylaw updates are best practices.

Leaving the regulation of building standards to the Building Bylaw and BC *Building Code*, Council is requested to consider the following updates to Zoning Bylaw No. 484, 1998 as fully

described in Attachment 1 and Attachment 2 [Zoning Amendment Bylaw No. 734, 2023]:

1. Update definitions of dwelling types;
2. Update secondary suite regulations to reflect BC *Building Code* changes;
3. Amend definitions to distinguish between types of manufactured homes;
4. Exclude specific types of manufactured homes from the definition of single family [detached] dwelling and/or Amend General Regulations to allow manufactured homes only in specific circumstance or zones; and
5. Amend reference to “mobile homes” in Schedule B – Floodplain Provisions to manufactured homes (mobile and modular) for clarity.

Financial Impact:

Establishing a shared understanding of bylaw intent supports process efficiency, resulting in cost savings for both the Village and applicants. The Zoning and Building Bylaws are tools intended for different purposes. Using the right tool for the job is essential to getting it done.

There is no direct financial impact of these changes with the exception of staff time required to update materials and implement the Amendment.

Communication to the Public:

The decision of Council in this matter and the materials presented here would be best communicated to the public on the Village of Lytton Web Site.

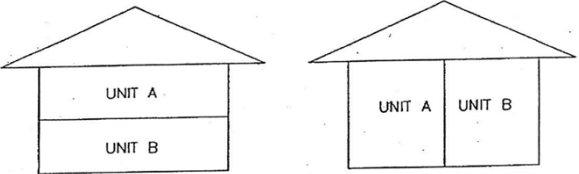
Respectfully submitted,

Ron Dickinson
Director of Development

CAO Comment – I concur with this recommendation

Attachments:

1. Comparison of Existing and Proposed Zoning Bylaw Definitions & General Regulations
2. Zoning Amendment Bylaw No. 734, 2023

Existing Section 1 – Definitions	Proposed Section 1 – Definitions
a. BUILDING means any <i>structure</i> used or intended for supporting or sheltering any use or occupancy.	No change
b. DWELLING or DWELLING UNIT means a self-contained set of habitable rooms containing not more than one (1) kitchen facility, and not less than one (1) bathroom with a water closet, wash basin and bath or (1) shower.	Dwelling Unit means a self-contained set of <i>habitable</i> rooms containing not more than one (1) kitchen facility, and not less than one (1) bathroom with a water closet, wash basin and bath or shower for the exclusive use of a <i>household</i> .
c. DWELLING, SINGLE FAMILY means one (1) <i>dwelling unit</i> occupied by one (1) family.	Dwelling, Single Detached means any detached <i>building</i> containing one <i>dwelling unit</i> occupied or intended to be occupied as a permanent or long-term residence and, where permitted by this Bylaw, one <i>secondary suite</i> .
d. DWELLING, MULTI FAMILY means a <i>building</i> consisting of three (3) or more <i>dwelling units</i> .	Dwelling, Multi-Unit means a <i>building</i> consisting of three (3) or more <i>dwelling units</i> .
e. DWELLING, TWO FAMILY means a duplex or semi-detached <i>building</i> consisting of two (2) <i>dwelling units</i> , each of which is occupied or intended to be occupied by one (1) <i>family</i> .	Dwelling, Duplex means a residential <i>building</i> containing two <i>dwelling units</i> neither of which contains a <i>secondary suite</i> .
<p data-bbox="354 995 620 1029">Figure 2.1 Illustration of Two Family Dwelling</p>  <p data-bbox="305 1247 376 1264">DUPLEX</p> <p data-bbox="574 1247 717 1264">SEMI-DETACHED</p>	No longer required as form is not prescribed.
<p data-bbox="168 1289 360 1314">FAMILY means:</p> <ul style="list-style-type: none"> <li data-bbox="224 1356 808 1482">.1 An individual, or two or more persons related by blood, marriage, common law marriage, adoption, or foster parenthood sharing one (1) <i>dwelling unit</i>; or <li data-bbox="224 1491 808 1558">.2 Not more than five (5) unrelated persons sharing one (1) <i>dwelling unit</i>. 	<p data-bbox="841 1289 1068 1314">Household means:</p> <ul style="list-style-type: none"> <li data-bbox="896 1356 1481 1482">.1 An individual, or two or more persons related by blood, marriage, common law marriage, adoption, or foster parenthood sharing one (1) <i>dwelling unit</i>; or <li data-bbox="896 1491 1481 1558">.2 Not more than five (5) unrelated persons sharing one (1) <i>dwelling unit</i>.
h. HABITABLE ROOM means a room designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom or kitchen.	No change
i. MANUFACTURED HOME OF MANUFACTURED HOUSING means a single family dwelling built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than where it is manufactured, and is not self-propelled.	Manufactured Home means a <i>dwelling unit</i> , built in a factory environment in one or more sections, intended to be occupied in a place other than its manufacture. <i>Manufactured homes</i> may be constructed to either the CAN/CSA A277 (<i>Modular Home</i>) or CAN/CSA Z240 MH (<i>Mobile Home</i>) standard.

Existing Section 1 – Definitions	Proposed Section 1 – Definitions
<p>j. Schedule B – Floodplain Provisions <i>Mobile Home</i> means a structure manufactured as a unit, intended to be occupied in a place other than at its manufacturer, and designed as a dwelling unit, and specifically excludes recreation vehicles.</p>	<p>Mobile Home means a <i>dwelling unit</i> built to the CAN/CSA Z240 MH standard whether ordinarily equipped with wheels or not that is designed, constructed or manufactured to be moved from one place to another by being towed or carried.</p>
<p>k. <i>Pad</i> means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a mobile home or unit.</p>	<p>Modular Home means a <i>manufactured home</i> constructed to the CAN/CSA A277 Modular Home standard, built in 2 or more sections to be assembled on a permanent foundation.</p>
<p>l. PRINCIPAL BUILDING means the <i>building</i> or the <i>structure</i> which contains the <i>principal use</i> of the parcel and shall include attached garages or carports.</p>	<p>Principal Building means the <i>building or structure</i> that contains the <i>principal use</i>.</p>
<p>m. PRINCIPAL USE means the main purpose for which land, <i>buildings</i> or <i>structures</i> are ordinarily used.</p>	<p>No change</p>
<p>n. SECONDARY SUITE means a <i>dwelling unit</i></p> <ul style="list-style-type: none"> .1 Having a total floor area of not more than 90m²; .2 Having a floor space less than forty (40) percent of the habitable floor space of the <i>principal building</i>; .3 Located within a single detached <i>dwelling</i>; and .4 Located in and part of a <i>building</i> which is a single real estate entity. 	<p>SECONDARY SUITE means an additional <i>dwelling unit</i> located within a <i>single-detached dwelling</i>:</p> <ul style="list-style-type: none"> .1 Having a total <i>floor area</i> of not more than 90m²; .2 Located in and part of a <i>building</i> which is a single real estate entity (a <i>secondary suite</i> cannot be separately strata titled).
<p>o. STRUCTURE means any constructions fixed to, supported by or sunk into land or water, but does not include a <i>building</i>, sign, fence or areas surfaced by concrete, brick or tile or other materials.</p>	<p>No change</p>
<p>p. TEMPORARY means less than 180 days in total within one calendar year.</p>	<p>Remove; duration is contained in regulations.</p>
<p>q. TEMPORARY BUILDING means a <i>building</i> that does not have its exterior walls supported on continuous concrete or masonry foundations or walls but not include <i>manufactured housing</i>.</p>	<p>Temporary Building means a <i>building</i> that does not have its exterior walls supported on continuous concrete or masonry foundations.</p>
<p>r. USE means the purpose for which any parcel, lot, tract of land, <i>building or structure</i> is designed, arranged or intended or for which it is occupied or maintained.</p>	<p>Use means the purpose for which land or a <i>building</i> is intended, or for which land, a <i>building</i> or a <i>structure</i> is, or may be, occupied and maintained.</p>
Existing Section 3 – General Regulations	Proposed Section 3 – General Regulations

	Existing Section 3 – General Regulations	Proposed Section 3 – General Regulations
s.	<p>Secondary Suites</p> <p>3.5 No dwelling unit shall be permitted as a secondary suite unless it conforms to the following requirements:</p> <ol style="list-style-type: none"> 1. there is only (one) 1 <i>secondary suite</i> per <i>dwelling unit</i>; 2. the secondary suite is constructed in accordance with the applicable <i>Building Code</i> regulations and has been approved by a <i>building</i> inspector; 3. a separate outside entrance to the <i>secondary suite</i> is provided; and 4. one (1) additional <i>off-street parking space</i> is provided on the parcel. 	<p>Secondary Suites</p> <p>3.5 No <i>dwelling unit</i> shall be permitted as a <i>secondary suite</i> unless it conforms to the following requirements:</p> <ol style="list-style-type: none"> .1 there is only one (1) <i>secondary suite</i> per <i>single-detached dwelling</i>; .2 the total <i>floor area</i> is not more than 90m²; .3 the <i>secondary suite</i> is constructed in accordance with the applicable <i>Building Code</i> regulations and has been approved by a <i>building</i> inspector; .4 a separate outside entrance to the <i>secondary suite</i> is provided; and .5 one (1) additional <i>off-street parking space</i> is provided on the same parcel.
t.	<p>Manufactured Homes and Additions</p> <p>3.14 Manufactured homes shall comply with the following conditions:</p> <ol style="list-style-type: none"> 1. The <i>manufactured home</i> shall comply with provisions of the Canadian Standards Association A277 and Z240 Standards. 2. The manufactured home shall be placed on a foundation complying with the provisions of the current Provincial <i>Building Code</i>. 3. The base of the <i>manufactured home</i> shall be protected by a skirting which is finished in such a manner as to be compatible with the manufactured home. <p>3.15 Additions of a <i>manufactured home</i> shall comply with the following conditions:</p> <ol style="list-style-type: none"> 1. The additions shall be of a design and finish so as to compatible with the manufactured home. 2. the additions shall comply with the provisions of the current Provincial <i>Building Code</i>. 	<p>Manufactured Homes and Additions</p> <p>3.14 <i>Manufactured homes</i> shall comply with the following conditions:</p> <ol style="list-style-type: none"> .1 Use of a CAN/CSA A277 <i>Modular Home</i> as a <i>single-detached dwelling</i> is subject to placement of the home on a permanent foundation constructed of concrete or unit masonry complying with the provisions of the current Provincial <i>Building Code</i>.

	Existing Section 3 – General Regulations	Proposed Section 3 – General Regulations
u.	<p>Temporary Buildings</p> <p>3.34 A <i>temporary building</i> or <i>structure</i> may be erected for interim operations on a lot being developed for a period not to exceed the duration of construction.</p> <p>3.35 In all the cases, <i>temporary buildings</i> or <i>structures</i> shall be subject to the following requirements:</p> <ol style="list-style-type: none"> 1. Application in accordance with the Village of Lytton Building Bylaw shall be made in writing to the <i>Municipality</i> for a permit to erect a <i>temporary building</i> or <i>structure</i>. 2. The permit shall be valid for the amount of time specified on the permit or for a period of 180 days whichever is less. 3. The applicant may apply the <i>Municipality</i> in writing for an extension of the permit. 4. The applicant may be required to post security, at the <i>Municipality's</i> request. 5. At the expiration of a permit, such <i>temporary building</i> or <i>structure</i> shall be removed and the site thereof restored as nearly as possible to its former condition. 	<p>Temporary Buildings</p> <p>3.34 A <i>temporary building</i> or <i>structure</i> may be erected for interim operations on a lot being developed for a period not to exceed the duration of construction.</p> <p>3.35 In all the cases, <i>temporary buildings</i> or <i>structures</i> shall be subject to the following requirements:</p> <ol style="list-style-type: none"> .1 A Building Permit is required, issued by the municipality, prior to placement of a <i>temporary building</i> or <i>structure</i>; and .2 The building shall be sited for a maximum period of 180 days within one calendar year; and .3 When the <i>temporary building</i> or <i>structure</i> is removed the site shall be restored or landscaped.
v.	<p>Schedule B – Floodplain Provisions section 1. Definitions</p> <p><i>Flood Construction Level</i> means the designated flood level plus the allowance for freeboard and is used to establish the elevation of the underside of a floor system or top of a concrete slab for habitable buildings. <u>In the case of a mobile home, the ground level or top of concrete or asphalt pad, on which it is located shall be no lower than the above described elevation.</u> It also establishes the minimum crest level of a Standard Dike. Where the designated flood level cannot be determined or where there are overriding factors, an assessed Height above the natural boundary of the water body or above the natural ground elevation may be used.</p>	<p>Schedule B – Floodplain Provisions section 1. Definitions</p> <p><i>Flood Construction Level</i> means the designated flood level plus the allowance for freeboard and is used to establish the elevation of the underside of a floor system or top of a concrete slab for <i>habitable</i> buildings. It also establishes the minimum crest level of a Standard Dike. Where the <i>designated flood level</i> cannot be determined or where there are overriding factors, an assessed elevation above the <i>natural boundary</i> of the water body or above the natural ground elevation may be used.</p>

	Existing Section 3 – General Regulations	Proposed Section 3 – General Regulations
w.	<p>Schedule B – Floodplain Provisions section 2. Setback Requirements and 3. Elevation Requirements makes reference to the following:</p> <p>Notwithstanding any other provisions of this Bylaw, no building, <u>mobile home or unit</u>, modular home or structure or any part thereof shall be constructed, reconstructed, moved, extended or located...”</p>	<p>Delete section 2 in its entirety and replace it with:</p> <p>.2 Setback Requirements</p> <p>.1 Notwithstanding any other provisions of this Bylaw, no <i>building or structure</i> or any part thereof shall be constructed, reconstructed, moved, extended or located:</p> <p>.1 Within 30m from the top of bank of the Fraser River and the Thompson River;</p> <p>.2 Within 15m of the <i>natural boundary</i> of Lytton Creek or any other <i>watercourse</i>;</p> <p>.3 Within 7.5m of the <i>natural boundary</i> of any lake, marsh, swamp, pond or any structure for flood protection or seepage control or of any dike right-of-way.</p>
x.	<p>Schedule B – Floodplain Provisions section 3. Elevation Requirements also makes reference to mobile homes as follows:</p> <p>“Notwithstanding any other provisions of this Bylaw, no building, <u>mobile home or unit</u>, modular or structure or any part thereof shall be constructed, reconstructed, moved, extended or located with the underside of a wooden floor system or top of a concrete slab of any area used for habitation, business, or storage of goods damageable by floodwaters <u>or in the case of a mobile home or unit the ground level or top of the concrete or asphalt pad on which it is located...</u>”</p> <p>“a) The required elevation may be achieved by structural elevation of the said habitable, business, or storage area or by adequately compacted landfill on which any building is to be constructed <u>or mobile home or unit located</u>, or by a combination of both structural elevation and landfill.”</p>	<p>Delete section 3 in its entirety and replace it with:</p> <p>3. Elevation Requirements</p> <p>.1 Notwithstanding any other provisions of this Bylaw, no <i>building or structure</i> or any part thereof shall be constructed, reconstructed, moved, extended or located with the underside of a wooden floor system or top of a concrete slab of any area used for habitation, business, or storage of goods damageable by floodwaters is located:</p> <p>.1 lower than 8 m above the natural boundary of the Fraser River and the Thompson River.</p> <p>.2 lower than 1.5 m above the natural boundary of Lytton Creek or any other watercourse, marsh, pond or lake.</p> <p>.2 Where soils are used to achieve the required elevation stated 3.1.1, no portion of the fill slope shall be closer than the distance stated in 3.1.2 from the <i>natural boundary</i>, or the inboard toe of any structure for flood protection or seepage control, or the inboard side any dike right-of-way, and the face of the landfill slope shall be adequately protected against erosion from flood flows, wave action, ice or other debris.</p> <p>.3 Foundations constructed in <i>alluvial fan</i> areas shall be designated by a Professional Engineer to ensure that they are anchored to minimize the impact of flood, sediment and</p>

Existing Section 3 – General Regulations	Proposed Section 3 – General Regulations
	erosion damage; footings are extended below scour depth, or fill materials are armoured where elevation is achieved by fill, to protect against scour, erosion and flood flows.

VILLAGE OF LYTTON
ZONING AMENDMENT BYLAW NO. 734, 2023
A BYLAW TO AMEND ZONING BYLAW NO. 484, 1998

WHEREAS the Council is authorized pursuant to the *Community Charter* to amend its bylaws from time to time;

NOW THEREFORE, the Council of the Village of Lytton, in open meeting assembled hereby, **ENACTS AS FOLLOWS**:

1. This bylaw may be cited for all purposes as the “Zoning Amendment Bylaw No. 734, 2023”.

2. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “DWELLING” in its entirety and replacing it with the following:

Dwelling Unit means a self-contained set of *habitable* rooms containing not more than one (1) kitchen facility, and not less than one (1) bathroom with a water closet, wash basin and bath or shower for the exclusive use of a *household*.

3. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “DWELLING, SINGLE FAMILY” in its entirety and replacing it with the following:

Dwelling, Single Detached means any detached *building* containing one *dwelling unit* occupied or intended to be occupied as a permanent or long-term residence and, where permitted by this Bylaw, one *secondary suite*.

4. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “DWELLING, MULTI FAMILY” in its entirety and replacing it with the following:

Dwelling, Multi-Unit means a *building* consisting of three (3) or more *dwelling units*.

5. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “DWELLING, TWO FAMILY” in its entirety and replacing it with the following:

Dwelling, Duplex means a residential *building* containing two *dwelling units* neither of which contains a *secondary suite*.

6. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting Figure 2.1 in its entirety.

7. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “FAMILY” in its entirety and replacing it with the following:

Household means:

1. An individual, or two or more persons related by blood, marriage, common law marriage, adoption, or foster parenthood sharing one (1) *dwelling unit*; or
 2. Not more than five (5) unrelated persons sharing one (1) *dwelling unit*.
8. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “MANUFACTURED HOME OF MANUFACTURED HOUSING” in its entirety and replacing it with the following:

Manufactured Home means a *dwelling unit*, built in a factory environment in one or more sections, intended to be occupied in a place other than its manufacture. *Manufactured homes* may be constructed to either the CAN/CSA A277 (*Modular Home*) or CAN/CSA Z240 MH (*Mobile Home*) standard.

9. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule B – Floodplain Provisions section 1 Definitions, is hereby amended by deleting the definition of “*Mobile Home*” in its entirety and replacing it with the following in Schedule A section 1 Definitions after “Manufactured Home”:

Mobile Home means a *dwelling unit* built to the CAN/CSA Z240 MH standard whether ordinarily equipped with wheels or not that is designed, constructed or manufactured to be moved from one place to another by being towed or carried.

10. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by adding the definition of “Modular Home” after “Mobile Home” as follows:

Modular Home means a *manufactured home* constructed to the CAN/CSA A277 *Modular Home* standard, built in 2 or more sections to be assembled on a permanent foundation.

11. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “PRINCIPAL BUILDING” in its entirety and replacing it with the following:

Principal Building means the *building or structure* that contains the principal use.

12. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “SECONDARY SUITE” in its entirety and replacing it with the following:

SECONDARY SUITE means an additional *dwelling unit* located within a *single-detached dwelling*:

1. Having a total *floor area* of not more than 90m²;
 2. Located in and part of a *building* which is a single real estate entity (a *secondary suite* cannot be separately strata titled).
13. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “TEMPORARY” in its entirety.
14. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “TEMPORARY BUILDING” in its entirety and replacing it with the following:

Temporary Building means a *building* that does not have its exterior walls supported on continuous concrete or masonry foundations.

15. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 1 Definitions, is hereby amended by deleting the definition of “USE” in its entirety and replacing it with the following:

Use means the purpose for which land or a *building* is intended, or for which land, a *building* or a *structure* is, or may be, occupied and maintained.

16. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 3 General Regulations, is hereby amended by deleting section “3.5 Secondary Suites” in its entirety and replacing it with the following:

Secondary Suites

- 3.5 No *dwelling unit* shall be permitted as a *secondary suite* unless it conforms to the following requirements:

1. there is only one (1) *secondary suite* per *single-detached dwelling*;
2. the total *floor area* is not more than 90m²;
3. the *secondary suite* is constructed in accordance with the applicable *Building Code* regulations and has been approved by a building inspector;
4. a separate outside entrance to the *secondary suite* is provided; and
5. one (1) additional off-street *parking space* is provided on the lot.

17. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 3 – General Regulations is hereby amended by deleting section “3.14 Manufactured Homes and Additions” in its entirety and replacing it with the following:

Manufactured Homes and Additions

- 3.14 *Manufactured homes* shall comply with the following conditions:

1. Use of a CAN/CSA A277 *Modular Home* as a *single-detached dwelling* is subject to placement of the home on a permanent foundation constructed of concrete or unit masonry complying with the provisions of the current Provincial *Building Code*.

18. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule A section 3 General Regulations, is hereby amended by deleting sections 3.34 and 3.35 Temporary Buildings “in their entirety and replacing it with the following:

Temporary Buildings

- 3.34 A *temporary building or structure* may be erected for interim operations on a lot being developed for a period not to exceed the duration of construction.

- 3.35 In all the cases, *temporary buildings or structures* shall be subject to the following requirements:

1. A Building Permit is required, issued by the municipality, prior to placement of a *temporary building or structure*; and
2. The *building* shall be sited for a maximum period of 180 days within one calendar year; and
3. When the *temporary building or structure* is removed the site shall be restored or landscaped.

19. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule B – Floodplain Provisions section 1 Definitions, is hereby amended by deleting the definition of “*Flood Construction Level*” in its entirety and replacing it with the following in Schedule A section 1 Definitions after “Fence”:

Flood Construction Level means the designated flood level plus the allowance for freeboard and is used to establish the elevation of the underside of a floor system or top of a concrete slab for habitable buildings. It also establishes the minimum crest level of a Standard Dike. Where the designated flood level cannot be determined or where there are overriding factors, an assessed elevation above the *natural boundary* of the *watercourse* or standing body of water or above the natural ground elevation may be used.

20. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule B Floodplain Provisions section 1 Definitions, is hereby amended by deleting the definition of “*Pad*” in its entirety.

21. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule B Floodplain Provisions, is hereby amended by deleting section 2 “Setback Requirements” in its entirety and replacing it with the following:

2. Setback Requirements

1. Notwithstanding any other provisions of this Bylaw, no *building or structure* or any part thereof shall be constructed, reconstructed, moved, extended or located:
 1. Within 30m from the top of bank of the Fraser River and the Thompson River;
 2. Within 15m of the *natural boundary* of Lytton Creek or any other *watercourse*;
 3. Within 7.5m of the *natural boundary* of any standing body of water or structure for flood protection or seepage control or of any dike right-of-way.
22. Village of Lytton Zoning Bylaw No. 484, 1998 Schedule B Floodplain Provisions, is hereby amended by deleting section 3 “Elevation Requirements” in its entirety and replacing it with the following:

3. Elevation Requirements

1. Notwithstanding any other provisions of this Bylaw, no *building or structure* or any part thereof shall be constructed, reconstructed, moved, extended or located with the underside of a wooden floor system or top of a concrete slab of any area used for habitation, business, or storage of goods damageable by floodwaters is located:
 1. lower than 8 m above the *natural boundary* of the Fraser River and the Thompson River.
 2. lower than 1.5 m above the *natural boundary* of Lytton Creek or any other *watercourse* or standing body of water.
2. Where soils are used to achieve the required elevation stated 3.1.1, no portion of the fill slope shall be closer than the distance stated in 3.1.2 from the *natural boundary*, or the inboard toe of any *structure* for flood protection or seepage control, or the inboard side any dike right-of-way, and the face of the landfill slope shall be adequately protected against erosion from flood flows, wave action, ice or other debris.
3. Foundations constructed in *alluvial fan* areas shall be designated by a Professional Engineer to ensure that they are anchored to minimize the impact of flood, sediment and

erosion damage; footings are extended below scour depth, or fill materials are armoured where elevation is achieved by fill, to protect against scour, erosion and flood flows.

23. Village of Lytton Zoning Bylaw No. 484, 1998 Schedules A (Zoning Bylaw Text) Sections 2 through 14; Schedule B (Floodplain Provisions); and Schedule C (Parking and Loading Regulations) shall be amended to delete and replace each instance of the terms addressed in items 2 through 22 above as applicable.

READ A FIRST TIME this ____ day of _____, 2023

READ A SECOND TIME this ____ day of _____, 2023

PUBLIC HEARING HELD this ____ day of _____, 2023

READ A THIRD TIME this ____ day of _____, 2023

Approved under Sec. 52 of the *Transportation Act*

this ____ day of _____

District Transportation Manager
Ministry of Transportation

ADOPTED this ____ day of _____, 2023

Denise O'Connor
Mayor

Alba Banman
Corporate Officer