

RESIDENTIAL FLOOR AREA REVIEW

Land Use Bylaw Review (OCP Implementation) Project
September 19, 2020

PROJECT OUTLINE

- **Objective:** To amend various regulations in the LUB to implement policies in the OCP, to address legislative changes, and to make technical and other minor amendments to the LUB.
- **The project is categorized into 7 topic areas:**
 - Residential floor area review
 - Conservation subdivision review
 - Tourist Commercial regulation review
 - Marine shoreline regulations review
 - Agricultural regulations amendments
 - Industrial regulation review
 - Minor and technical amendments

PROJECT TIMELINE

Workplan Overview	
Deliverable/Milestone	Date
<i>Project charter endorsed</i>	<i>January 2020</i>
<i>Staff research and analysis of options, preparation of background documents, reports and discussion papers</i>	<i>Feb – June 2020</i>
<i>LTC review of background material and consideration of public consultation options</i>	<i>June 2020</i>
<i>First Nations engagement</i>	<i>June – Nov 2020</i>
<i>Public consultation (scope, extent and timing to differ for topic areas), early referrals</i>	<i>July – Nov 2020</i>
<i>LTC review of consultation results and consideration of amendment options</i>	<i>Jan – Feb 2021</i>
<i>Preparation of draft bylaw (blackline and new format)</i>	<i>Mar – May 2021</i>
<i>LTC Consideration of draft bylaw</i>	<i>May 2021</i>
<i>Community Information meetings / agency and First Nations referrals</i>	<i>June – Aug 2021</i>
<i>Legislative Process (longer if OCP amendments required)</i>	<i>Sept – Dec 2021</i>

OCP RESIDENTIAL POLICY



- 2.1.A - Maximum site coverage and setback and height limitations shall be regulated, and maximum floor area regulations may be established, to preserve rural character and to minimize resource and energy demands on the island.

WHAT IS FLOOR AREA?

- Floor Area is defined in the North Pender LUB as *"the total area of all storeys of a building measured to the outer surface of the exterior walls, exclusive of any floor area occupied by any cistern used for the collection of rainwater for domestic use or fire protection, and for this purpose, all areas of a building having a floor and a ceiling of at least 1.5 metres apart constitute a storey."*
- The North Pender LUB currently regulates the floor area of cottages to 56m².
- Dwelling units are currently regulated by:
 - Setbacks;
 - Height; and
 - Lot coverage (the total area of those portions of a lot that are covered by buildings and structures, divided by the area of the lot, and for this purpose the area of a lot that is covered by a building or structure is measured to the drip line of the roof.). The calculation of lot coverage includes all buildings and structures on a property.

BENEFITS



- Preserves rural character
- Limits use of resources and energy demands
- Protection of green space for visual, environmental, & storm management purposes
- Minimizes visual impacts of larger homes.

ISSUES



- Considering and addressing the diversity of lot sizes, configurations, split-zoned lots, natural features, and land uses within the residential zones, which may limit the application of a single maximum floor area regulation.
- Existing dwellings may be rendered legally non-conforming.
- Unnecessary costs associated with development for owners and administrative burdens for regulatory agencies.
 - Requiring more detailed plans.
 - Development Variance Permits

OPTIONS



1. Establish a maximum floor area for dwellings.

- Could establish a maximum floor area for dwelling units on North Pender or could establish a maximum floor area depending on zoning or lot size.
- South Pender limits floor area from 353 m² (3800 ft²) to 560 m² (6030 ft²), depending of lot size.
- North Pender Associated Islands limits floor area to 465m² (5,000 ft²) on James and Sidney Islands.

2. Establish a Floor Area Ratio (FAR)

- FAR is a measure of the maximum permitted building floor area of a dwelling expressed as a ratio of the area of the lot.

3. Retain current LUB regulations

OTHER OPTIONS FOR CONSIDERATION:

- Decrease maximum permitted lot coverage.
- Retain current lot coverage regulation, but include impervious surfaces.
- Two lot coverage approach – one for all accessory buildings/structures, and one for dwellings.
- Establish a maximum floor area for all buildings/structures.
- Establish a total FAR for all buildings/structures.

UPCOMING CIMS

- Saturday, October 3rd 10am Industrial Regulations Review
- Saturday, October 24th 10am Agriculture Regulations Amendments Review
- Saturday, November 7th 10am Other Project Specific Topics (Conservation Subdivision Review, Tourist Commercial Regulation Review, Shoreline Regulations Review, and Minor Technical Amendments)