

ACCESSORY BUILDINGS IN RESIDENTIAL ZONES

Excerpt from the City of North Vancouver Zoning Bylaw, 1995, No. 6700:

! DISCLAIMER

The intent of this document is to provide clarity on the zoning regulations for Accessory Buildings (garage, carport, shed, shipping container, storage pods, etc.) in residential zones, including the one-unit and two-unit residential zones (RS-1, RS-2, RT-1 and RT-2 zones).

The City of North Vancouver disclaims all responsibility for the accuracy or completeness of this document and the information contained therein. This document is provided for your convenience only, and you are advised to refer to the official document for applicable regulations and the information you require.

Sections found in the **City of North Vancouver Zoning Bylaw, 1995, No. 6700** are underlined. For more information, please visit www.cnv.org/zoning

☆☆☆ NOTE ON SHIPPING CONTAINERS & STORAGE PODS ☆☆☆

A shipping container or storage pod placed temporarily on private property, or a trailer associated with construction, is not typically interpreted as a 'Structure' and therefore not regulated by zoning. Other bylaws, including the *Minimum Maintenance Standards Bylaw, 1978, No. 5124*, may apply. A temporary storage pod or shipping container cannot block any required parking stalls or access to required parking stalls.

A shipping container or storage pod permanently installed as storage or another use is interpreted as an Accessory Building and must comply with all Zoning Bylaw regulations such as height, size, and setbacks. A Building Permit is required for any permanent structure over 108 sq.ft. in size. Structures under 108 sq.ft. do not require a Building Permit but must comply with City bylaws. For more information, please visit www.cnv.org/buildingpermits

514 SIZE, SHAPE AND SITING OF ACCESSORY BUILDINGS

Accessory Buildings in all Residential zones, except in the RC Comprehensive Residential Zones:

- (1) Floor Area [*Bylaw 8464, May 30, 2016*]

The total floor area for all Accessory Buildings on the Lot shall not exceed the lesser of 0.1 times the Lot Area or 55.7 square metres (600 square feet) except:

- (a) when accessory to a Two-Unit Residential Use, shall not exceed the lesser of 0.13 times the Lot Area or 81.8 square metres (880 square feet);
- (b) when accessory to a Rowhouse Residential Use, shall not exceed the 24 square metres (258 square feet);
- (c) on any Lot with an Accessory Coach House Use, shall not exceed 10 square metres (108 square feet); and
- (d) Greenhouses up to a maximum of 10 square metres (108 square feet) shall be exempt from floor area calculation.

(2) Height

shall not exceed a maximum height of 3.658 metres (12 feet) from the Building Grades at the Rear Lot Line, except that where the roof slope exceeds a 4 in 12 pitch, the maximum height permitted shall be 4.57 metres (15 feet). *[Bylaw 7537 November 24, 2003]*

(3) Floor Levels

Floor levels shall be limited to a single floor level except when the Building is accessory to a One-Unit Residential Use, in which case a Cellar (Accessory Building) is permitted subject to Section 514 (6). *[Bylaw 8459, May 2, 2016]*

(4) Siting

shall be sited behind the front face of the Principal Building, and when exceeding 10.0 square metres (107.6 square feet) in area, shall be sited in the rear 25% of the Lot depth, measured from the Rear Lot Line.

(5) Shall be sited not less than:

- (a) 1.22 metres (4 feet) from the Rear Lot Line;
- (b) 3.048 metres (10 feet) from an Exterior Side Lot Line;
- (c) 3.048 metres (10 feet) from a Principal Building on the Lot;
- (d) Notwithstanding subsection (c) above, for Two-Unit Residential Use on a Lot in the RT-1 Zone, Accessory Buildings shall be sited not less than 6.1 m (20 ft) from a Principal Building; *[Bylaw 8351, June 9, 2014]*
- (e) 0.61 metres (2 feet) from the Interior Side Lot Line.
- (f) 4.57 metres (15 feet) from the intersection of the Lot lines along two Streets, or a Street and a Lane or two Lanes;
- (g) In the RT-1 and RT-2 zones, solid walled Accessory Buildings may not obstruct more than 70% of the linear distance constituting the rear lot line. *[Bylaw 8521, December 12, 2016]*

(6) Cellar (Accessory Building) *[Bylaw 8459, May 2, 2016]*

An Accessory Building Cellar is permitted subject to:

- (a) all floor to ceiling heights are equal to or less than 2.6 metres (8.5 feet) clear;
- (b) the Cellar (Accessory Building) is used only for the storage of personal goods or things; or for workshop or gardening uses. Residential Uses, Habitable Rooms, laundry facilities, and mechanical rooms are prohibited;
- (c) having a single exterior access landing no greater than 2.32 square metres (25 square feet).

515 SIZE, SHAPE AND SITING OF ACCESSORY BUILDINGS FOR CEDAR VILLAGE RESIDENTIAL USE

Accessory Buildings in the RC Comprehensive Residential Zones:

(1) Height

shall not exceed a Height of 3.568 metres (12 feet);

(2) Siting

shall be sited not less than:

- (a) 1.22 metres (4 feet) from a rear and Front Lot Line;
- (b) 3.048 metres (10 feet) from an Exterior Side Lot Line;
- (c) 0.62 metres (2 feet) from an Interior Side Lot Line, except for a semi-detached Building or Structure.

410 SITING EXCEPTIONS

(1) Siting Exceptions for One Unit Residential Zones

For development in the RS-1 and RS-2 zones, the following siting exceptions shall apply: *[Bylaw 8521, December 12, 2016]*

- (a) Exterior Wall thickness in excess of 0.165 metres (6.5 inches) provided:
 - (i) a maximum exclusion of 0.25 metres (9.8 inches); and
 - (ii) the excluded wall thickness is utilized for the provision of insulating materials and/or for the protection against wind, water and vapour; *[Bylaw 8464, May 30, 2016]*

- (g) Where eaves **or gutters** *[Bylaw 7481 May5/03]* project beyond the face of an Accessory Building, the minimum distance to an abutting Lot Line as permitted elsewhere in this Bylaw may be reduced by:
 - i) 0.457 metres (1.5 feet) from an abutting Interior Side Lot Line;
 - ii) 1.219 metres (4.0 feet) from an abutting Front, Rear, or Exterior Lot Line;

- (h) An Underground Structure may be sited in any portion of a Lot with the exception of any portion of the Lot within a Special Setback scheduled in Section 411 of this Bylaw. *[Bylaw 8464, May 30, 2016]*

- (i) Where a Green Wall or a Solar Collector projects beyond the face of the Principal Building or Accessory Building, the minimum distance to an abutting Lot Line as permitted elsewhere in this Bylaw may be reduced to that required by the British Columbia Building Code, as amended from time to time; *[Bylaw 8391 October 27/14]*

DEFINITIONS:

"Building" means a Structure wholly or partly Enclosed by a roof or roofs supported by walls or columns and Used For the shelter or accommodation of persons, animals, chattels, or things;

"Building, Accessory" means a secondary Building Used for an Accessory Use;

"Building Grades" means the elevations of the points of intersection of the Front and Rear Lot Lines with the side Lot lines, as determined by a British Columbia Land Surveyor *or the City Engineer. In the event of a conflict between the grades, the Building Grades provided by the City Engineer shall take precedence;* [Bylaw 6935 September 22/97]

"Building, Principal" means a main Building, the major floor level or the majority of the floor space of which is Used For a permitted Principal Use;

"Cellar" means the space directly below the First Storey, the lower floor of which is more than 1.52 metres (5 feet) below Average Grade and the area of which does not exceed the area of the First Storey; [Bylaw 8464, May 30, 2016]

"Cellar (Accessory Building)" means an unheated and unfinished space between two floor levels of an Accessory Building, without windows or plumbing, the lower floor of which is directly below the floor above, where Cooking Facilities are prohibited. [Bylaw 8459, May 2, 2016]

"Crawl Space" means the lowest floor area of a structure, with a floor to ceiling height of less than 1.2m, and a distance of either:

- (1) 1.7m or less, measured from the underside of the supporting joist or structural slab directly above, to the underside of the adjacent exterior load bearing footing, excluding minimum required stepping of footings as required by the British Columbia Building Code;
- (2) 1.2m or less, measured from the underside of the supporting joist or structural slab directly above, to the surface of a permanent 6 inch thick slab, reinforced with a minimum of 6x6x#6 steel mesh, placed on fill compacted to 90% proctor;

and with no exterior or interior glazing, and accessed by not more than one hatchway per crawlspace, which may be a maximum of 1219mm (48 inch) by 1219mm (48 inch). [Bylaw 7422 September 16/02]

"Dwelling Unit" means one or more Habitable Rooms for the residential accommodation of only one Unit and contains or provides for only two Cooking Facilities or combination of cooking facilities for the exclusive use of that Dwelling Unit; [Bylaw 7537 November 24/03]

"Floor Area (Accessory Building)" means the total area of all floors in each Accessory Building on a Lot, measured to the extreme outer limits of each Accessory Building including Accessory Building Cellars; [Bylaw 8459, May 2, 2016]

"Green Building System" means:

- (1) Equipment that converts, stores, transfers (or combination thereof) energy from a renewable energy source. This includes equipment used to support Solar Collectors, Small Wind Energy Systems, heat pump systems, waste heat recovery systems and biomass systems; *[Bylaw 8391 October 27/14]*
- (2) Equipment that stores and treats (if necessary) rainwater, grey water or both, on site;

"Green Wall" means an extension of an above grade exterior wall that allows vegetation to grow in a growing medium; *[Bylaw 8391 October 27/14]*

"Greenhouse" means a permanent or temporary Structure used for growing and cultivating edible and ornamental plants; *[Bylaw 8391 October 27/14]*

"Height" with reference to a Structure other than an Accessory Structure or a Landscape Screen means: *[Bylaw 8346/July 21/14]*

- (1) the vertical distance in metres between the highest point of the Structure and the greater of the Average Grade or the Flood Construction Level, or
- (2) the total number of Storeys in the Structure;

"One-Unit Residential Use" means a Residential Use where the Building on a Lot is Used For one Dwelling Unit;

"Porch" means an open area at grade covered by a roof supported by columns, which forms part of the access/egress to a Principal Building, Accessory Building, or Accessory Coach House Building; *[Bylaw 8227 July 23/2012]*

"Reference Grade" means an interpolated grade that is calculated by multiplying the slope of a site by a factor of 0.4 to estimate the grade at 40 percent of the lot depth, measured from the averaged grade at the Front Lot Line, for the purposes of determining the Height Envelope for a Principal Building in a One-Unit or Two-Unit Residential Use;

"Top of Plate" means the horizontal plane where the exterior walls meet the roof rafters or trusses;

"Trellis" means a vertical structure typically used to support vegetation, not to be located atop an Accessory Structure.

"Underground Structure" means a Structure or portion of a Structure which protrudes not more than 0.914 metres (3 feet) above the Building Grades or the elevation of an adjoining property, at the common property line;