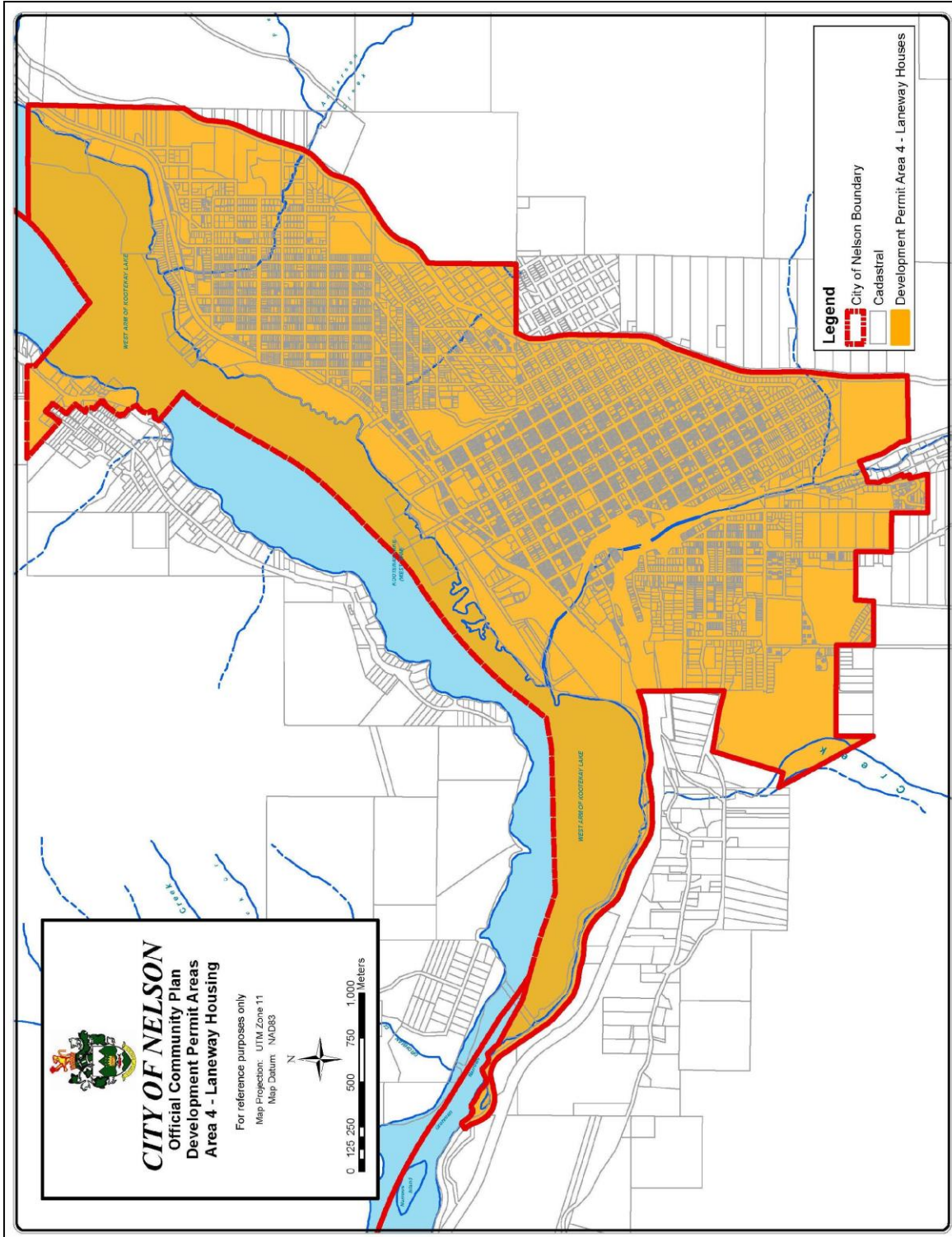


SECTION 5: DEVELOPMENT PERMIT AREA #4

LANEWAY HOUSES



5.1 LANEWAY HOUSES

a. Applicable Area

A development permit is required in all areas of the City of Nelson for a laneway house over five (5) metres in height. Nonetheless, developers of all other laneway houses will be provided with the following design guidelines in order to ensure the success and quality of laneway housing in Nelson.

These guidelines apply to the laneway house and the property containing the laneway house, and not the principal house.

b. Application Requirements

The applicant for a laneway house development permit must justify how the project design complies with the following principles:

- i. Design the laneway house to be a good neighbour by minimizing impact on neighbouring properties' sunlight, views, and privacy by minimizing shade, shadow and overlook onto adjacent properties. Respect the rhythm, scale, and height of the existing streetscape. The proposed setbacks of the laneway house and the lot's slope represent a major consideration in the design review process.
- ii. Design buildings for durability, sustainability, and other objectives of the City's Official Community Plan.
- iii. Incorporate design elements that create visual interest and variety, respect natural topography, respect the architectural rhythm of the neighbourhood, and consider preservation or enhancement of trees and vegetation.

Plans must demonstrate:

- i. the location of all buildings and structures;
- ii. the proposed siting of parking areas;
- iii. the extent and nature of existing and proposed landscaping;
- iv. the proposed exterior finish, materials, and colour of buildings and roofs;
and
- v. the proposed locations of all exterior lighting.

You should discuss the proposal with your neighbours before applying for a Development Permit. Their input and perspective can help you develop a better design. If applicable, illustrate where you have taken neighbours' concerns or input into account.

c. Neighbourhood Fit and Minimal Neighbour Impact

i. Roof and Building Envelope

Buildings shall minimize the amount of shadow cast on to private open space and buildings of adjacent properties.

On steeply sloping sites, the views from adjacent properties should be respected by adapting the scale, massing and location of the laneway house to follow the topography and natural features of the site.

Rooftop outdoor space is generally prohibited to protect privacy of neighbours. Rooftop decks may be considered, particularly for single-level units, if it can be demonstrated how opportunities for overlook can be avoided.

ii. Façades

Windows must be designed to respect privacy and reduce overlook onto neighbouring properties.

- Clear eye-level windows are permitted on the lane side (if applicable) and facing the street and may be permitted on portions of the building that can be demonstrated not to impact privacy or create overlook on existing or future neighbouring site development. Exceptions for windows oriented towards adjacent properties may be considered if design features are provided that mitigate privacy concerns. For example, windows with opaque glass that permit light into the laneway house but prevent overlook into adjacent yards, or other design solutions may be acceptable.
- Upper level windows facing the interior of the property and side yards should be modestly sized.

Upper-level decks and balconies are permitted on exterior side setbacks and on elevations facing the lane. It must be demonstrated how overlook will be avoided. Other upper-level deck and balcony locations may be considered where opportunities for overlook can be demonstrated to be avoided. Second-storey decks should not face adjacent properties.

All lane elevations, especially those without doors facing the lane, should be articulated and include design that create a sense of scale and architectural interest. This could include verandas, porches, planters, window boxes, windows indicating main living spaces, street address, entry gates, lighting, or cladding material. Direct connections between indoor living spaces and usable outdoor landscaped spaces are encouraged.

Create visual interest by providing variations in height and massing as well as articulation of all façades, including the lane façade. Dormers and building faces shall not be windowless.

Architectural style should complement the design of the principal residence, but the intent is not to create a “miniature version” of the primary building. The laneway house must be distinguishable, with a reduced height and scale.

Vinyl siding is not permitted.

iii. Siting

A laneway house shall be sited to minimize shadowing on other properties. Often, this means on the southern portion of the lot, except where topography or retention of existing significant trees or landscape prevents this. In placing the laneway house on the property, efforts shall be made to maximize remaining open space and usable green space. Buildings should be integrated into natural slopes and other significant features.

Where feasible, all properties which abut a lane should access the property from the lane and all parking should be in the rear yard. Laneway houses on a corner lot should front the side street. Its primary windows, balcony, deck, and entrance should be oriented toward the street or the lane, where feasible.

Existing trees must be preserved where possible. Removal of any tree due to the construction of the laneway house must be included as part of the Development Permit plan. Siting should respect mature trees both on site and on adjacent properties. This means locating the laneway house so as to minimize impact on a tree’s root system.

- In the event that a laneway house cannot be sited without adverse impacts to either mature landscape or shading on adjacent properties, the following hierarchy of policies apply:
 1. Protect mature landscape on adjacent properties.
 2. Protect mature landscape on subject property.
 3. Minimize shading on adjacent properties. Care should also be taken to minimize the visual impact on adjacent properties. However, this does not mean that the laneway house will not be completely unseen from adjacent lots.

Any noise-generating HVAC systems, such as heat pumps, must be located where noise will be most minimal for neighbouring properties. Efforts must be made to muffle any noise for the benefit of neighbouring properties.

d. **Parking**

Parking is required to be accessed from a lane where such lane is developed or is already used year-round for parking access by a majority of the properties on the block.



Examples of permeable parking (Credit: City of New Westminster)

In order to optimize open space, reduce shade and shadowing on neighbouring properties, and minimize building bulk, uncovered parking and carports are preferred over garages.

Surface parking spaces shall consist of permeable surfaces such as permeable/porous pavers, gravel, grassed

cellular paving, impermeable wheel paths with ground-cover planting in the centre and sides, or a comparable alternative satisfactory to the City.

Garage doors must be consistent in quality, materials and details with the overall design and be partially glazed or incorporate windows in order to enhance the public realm.



Garage doors with glazing (Credit: City of New Westminster)

The width of driveways should be minimized and shared between units wherever possible. Multiple driveways are strongly discouraged and may not be permitted under the Subdivision and Development Servicing Bylaw.

The presence of garage doors along roadways must be minimized in order to enhance the pedestrian experience. Where front-facing garage doors are unavoidable, impact on the public realm will be mitigated by:

- a) Designing residential units with enough width to include attractive entrances and windows between garages; and
- b) Providing interior spaces that overlook the street.



Carport being used as a flexible space (Credit: Ramsay Worden Architects)

If front or exterior side yard modifications are part of the permit application, parking and driveways shall not occupy more than 50% of the area of the front yard or, where the site has a flanking side street, not more than 50% of the area flanking side yard.

A carport or garage shall be wide enough only for one vehicle. Refer to the Off-Street Parking and

Landscape Bylaw for dimensions.

You are encouraged to provide at least one bicycle parking space for each unit. Bicycle parking should be secure and weather-protected.

e. Landscaping, Energy, and Sustainability



Pathway lighting (Credit: City of New Westminster)

All laneway houses should consider additional current and future opportunities for sustainable design where possible including:

- Passive solar design integrated into the architecture and landscape design.
- Energy efficient design and internal infrastructure including structural supports for future solar panels.
- Opportunities for natural ventilation to optimize air quality and reduce mechanical cooling.

Obscuring evergreen hedges are encouraged on all interior side property lines and on rear property lines. Define and screen outdoor spaces through the use of landscaping such as plantings, architectural elements such as trellises, low fencing or planters, and changes in grade and elevation. All screen and fence material should be attractive, durable, and contribute to the quality of the residential landscape design. Chain link fence is not permitted.

Landscape and building design that incorporates rainwater retention, infiltration and harvesting including rain gardens, permeable surfaces, rain barrels and/or vegetated swales is required. Redirecting water from drain pipes into vegetated areas is recommended. The drainage plan must ensure that rainwater is filtered before entering the municipal system and is not directed onto neighbouring properties.

Green roofs are encouraged as benefits include reducing stormwater runoff, improving water quality, reducing urban heat island effect, conserving energy, creating wildlife habitat, and prolonging the life of the roof membrane. An added benefit is that the green roof may soften the appearance of the laneway house from neighbouring lots.

30% of the lot area shall consist of live plant material. The use of indigenous, drought-resistant plants is highly encouraged. Planting of deciduous trees for summertime shading is encouraged where feasible.

In areas where slopes are in excess of 30%, the City may require that tree preservation areas be established to control erosion and/or protect banks. The City may require that works be constructed to protect vegetation where there is a desire to preserve significant or landmark trees or where concern may be created by the development of the land.

Carefully considered exterior lighting creates safe, welcoming, and clearly identified building entrances, lanes, and access pathways. Lighting is also required for emergency access. Lighting shall be down-cast and is also expected to be energy-efficient LED, non-glare, and neighbour-friendly. “Warm colour temperatures” ranging from 2700K to 3000K are recommended.

A 0.6m landscaped setback between the laneway house and lane should be provided, except where there is parking.