

## Comprehensive Zoning Bylaw Review – Neighbourhood Level Infill Development Amendment Package

### APPLICATION SUMMARY

A Comprehensive Review of the Zoning Bylaw (Project) is being undertaken to align Bylaw No. 8770, Zoning Bylaw, 2009 (Zoning Bylaw) with identified strategic priorities, current trends, changes to provincial legislation and to make minor amendments. This report specifically addresses amendments related to neighbourhood level infill development. The proposed amendments address standards for the development of one-unit, two-unit, and semi-detached dwellings in Established Neighbourhoods.

### RECOMMENDATION

That a copy of this report be submitted to City Council recommending that at the time of the public hearing, City Council consider Administration's recommendation that the proposed amendments to Bylaw No. 8770, Zoning Bylaw, 2009 to amend the development standards for one-unit, two-unit, and semi-detached dwellings in Established Neighbourhoods, as outlined in this report, be approved.

### BACKGROUND

Infill regulations for primary dwellings in Established Neighbourhoods, set out in the Zoning Bylaw, were adopted by City Council on March 23, 2015. Regulations are based on recommendations contained in the Neighbourhood Infill Development Strategy, which outlined best practices, design guidelines, design flexibility and ways to minimize the impact of new dwellings on neighbouring residents. Regulations, in particular those that regulate height and massing, ensure new infill development does not detract from the character of the neighbourhood and balances demand for contemporary housing with the existing built form. Administration prepared the [Regulations and Design Guidelines for Primary Dwellings](#) to provide a comprehensive guide for infill development.

A review of these infill regulations was completed in 2017, which included consultation with the development industry. No changes were proposed at that time; however, designers did indicate that infill dwellings are more challenging to design under the regulations introduced in 2015.

As part of the Project, a review of regulations specific to neighbourhood-level infill was undertaken. At its January 12, 2021 meeting, the Standing Policy Committee on Planning, Development and Community Services received an [information report](#) on the review and engagement plan for this work including detailed information about the current regulations.

## DISCUSSION

The purpose of the review was to evaluate, in consideration of the neighbourhood infill objectives in Bylaw 9700, Official Community Plan Bylaw, 2020 (Official Community Plan), 2020, the effect that regulations have had on the built form of infill dwellings and to do a technical analysis of regulations. This review led to several proposed amendments.

### Proposed Amendments

Proposed amendments affecting one-unit, two-unit, and semi-detached dwellings in Established Neighbourhoods are as follows:

1. Increase the permitted height of the bottom or sill of an entrance of primary dwellings in Category 1 neighbourhoods from 1.0 metre to 1.3 metres above finished grade.
2. Expand the style of permitted structures of primary dwellings in Category 1 neighbourhoods that can encroach into a required front yard beyond porches, to include open-air verandas and covered entries.
3. Allow for a reduced front yard setback for primary dwellings where the existing front yard setbacks on adjacent properties are less than the current regulation.
4. For the maximum sidewall area calculation:
  - a. Omit from the calculation:
    - Areas set back further from adjacent properties;
    - Areas adjacent to a flanking street on corner sites;
  - b. Clarify how the regulation is calculated regarding grade, dormers, and gable end walls;
  - c. Include illustrative figures to explain the sidewall area calculation, what is counted and what is not; and
5. Amend the Established Neighbourhood map to include all of the Montgomery Place neighbourhood.

Details of the proposed amendments and rationale are outlined in Appendix 1

### Topics Reviewed Where No Changes Are Recommended

A number of topics were considered but were determined to not require revisions at this time:

1. Established Neighbourhood Map:

There were no changes to the category of any neighbourhood on the map, with the exception of the proposed amendment listed above. Changes to the Established Neighbourhood map would require extensive engagement with the affected neighbourhoods, with increased difficulty due to Covid-19. Based on evaluation of the potential benefit, balanced with the staff and community effort required to consider a change, it was determined that the current Established Neighbourhood map sufficiently addresses the neighbourhood infill objectives in the Official Community Plan.

2. The 60% rule for determining minimum site width for new one-unit dwellings in category 2 neighbourhoods:  
Limit how wide a site can be so that it does not vary too much from other lots on the same block. Based on the review, it was deemed that the current regulations are effective and no change is required at this time.
3. The protection of trees on private property:  
This item will be considered as part of the Urban Forestry Management Plan.
4. Regulations to restrict or prohibit front driveways and street crossings:  
Street crossings are regulated through Bylaw No. 4785 (The Private Crossing Bylaw) and are managed by the Transportation Department. Changes to this Bylaw would be managed by the Transportation Department.

### Policy Review

Bylaw No. 9700, Official Community Plan Bylaw, 2020 sets out objectives and policies for infill growth. Section G1.3 (7) states:

“Objectives – Neighbourhood Infill

- (a) Support the City’s goal of accommodating 10% of total growth within Neighbourhood Infill areas.
- (b) Facilitate neighbourhood infill that:
  - i) helps meet the housing needs of a diverse population;
  - ii) makes efficient use of civic and community infrastructure;
  - iii) gradually increases residential densities, where appropriate; and
  - iv) recognizes the interests of local residents and the impact of development on neighbourhood character and infrastructure.”

### Comments from Other Departments

Proposed amendments were circulated to affected departments through an internal review process and no concerns were raised.

## **COMMUNICATIONS AND ENGAGEMENT**

The Public Engagement Summary for the proposed amendments are found in Appendix 2. Communications will be developed to communicate changes to all affected stakeholders.

## **PUBLIC NOTICE**

Public notice is required for consideration of this matter, pursuant to Section 11(a) of Policy No. C01-021, Public Notice Policy.

Once this application has been considered by the Municipal Planning Commission, it will be advertised in accordance with Policy No. C01-021, Public Notice Policy, and a

date for a public hearing will be set. A notice will be placed in The StarPhoenix two weeks prior to the public hearing.

**APPENDICES**

1. Proposed Zoning Bylaw Amendments for Neighbourhood Level Infill Developments
2. Engagement Summary

**REPORT APPROVAL**

Written by: Daniel McLaren, Senior Planner  
Reviewed by: Darryl Dawson, Manager, Development Review  
Chris Schulz, Acting Director of Planning and Development  
Approved by: Lynne Lacroix, General Manager of Community Services

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