



MEMORANDUM

TO: MAYOR AND COUNCILLORS
FROM: MARK BROWN, CHIEF ADMINISTRATIVE OFFICER
SUBJECT: R3 SETBACKS
DATE: MAY 13, 2025

Purpose

The purpose of this report is to provide Council with information regarding the implications of recent zoning amendments to the Zoning Bylaw R-3 zone district, specifically Section 5.1.6 f. i) minimum front lot line setbacks for principal and accessory buildings or structures.

Background

On November 24, 2024 Council approved Zoning Amendment Bylaw 1110 to increase density on single family zone districts by permitting duplexes in the Urban R-2 zone district and permitting triplex and quadplex type dwellings in the Traditional Urban R-3 zone district. The zoning amendment also included changes to regulations for minimum lot size, maximum height, maximum lot coverage, front, rear and side yard setbacks.

Discussion

The building and development community has recently expressed concern about the November 24, 2024 zoning bylaw amendments, in particular Section 5.1.6 f. i) minimum front lot line setbacks for principal and accessory buildings or structures that reads as follows:

a) For single detached, duplex, triplex, and quadplex dwellings:

- 6.1 to garage face;
- 4.5 to front face of dwelling;
- ***the garage face shall in all cases be set back a minimum of 1.5 metres further than the dwelling front face.***

b) For townhouses: 4.5 to dwelling face and garage face; front porches may extend into the setback

The feedback from the community is primarily from instream building permit applications whereby the builder/homeowner has informed Town staff, Council members and the APC that the garage face setback requirement of a minimum of 1.5 metres further than the dwelling front face requires a significant change to building plans already prepared, as well as the resulting increased construction costs.

Staff wish to advise Council that the implications of amending the zoning bylaw to address the R-3 setback concerns require some discussion prior to adopting amendments to ensure there are no unintended consequences of the bylaw changes.

Advisory Planning Commission

At its regular meeting on April 24, 2025, (see APC minutes and the contract planner's memo to the APC) the APC received delegations from Don Raymond and Ryan Whittaker and they conveyed to the commission their concerns with the implications of the R3 zone setback changes. The concerns were primarily that they must redo their building plans and that it would be more expensive to build their homes. The APC considered the following: goals of Bill 44; amending the bylaw so soon after it was adopted; the various options that include not recommending any changes to the bylaw; amending the bylaw; and people can apply for a Development Variance Permit (DVP). The APC's recommendation to Council is "that the Commission recommend to Council that individuals be required to make application for a Development Variance Permit for their specific circumstances".

Options

- 1) Accept the report for information only and maintain the existing regulations in the Zoning Bylaw.
- 2) Accept the Advisory Planning Commission recommendation that individuals be required to make application for a Development Variance Permit for their specific circumstances.
- 3) Consider amending the Zoning Bylaw to allow for the standards for single detached and duplex dwellings in the Traditional Urban R-3 zone to be similar to the regulations that existed prior to the November 24, 2024 Zoning Bylaw Amendments.

Recommendation

THAT Council direct staff to provide alternative amendments to the Zoning Bylaw for consideration by Council to allow for the standards for single detached and duplex dwellings in the Traditional Urban R-3 zone to be similar to the regulations that existed prior to the November 24, 2024 Zoning Bylaw Amendments.