

## Zoning Bylaw No. 7600-2019 Housekeeping Amendments

**Recommendation:**

**THAT Zone Amending Bylaw No. 8006-2024 be given first and second readings and THAT a Public Hearing for Zone Amending Bylaw No. 8006-2024 be waived in accordance with the *Local Government Act* Section 464(2).**

<b>Report purpose and Summary Statement:</b>	To provide housekeeping amendments to Council for consideration regarding Zoning Bylaw No. 7600-2019
<b>Previous Council Action:</b>	Council adopted Zoning Bylaw No. 7600-2019 on December 9, 2020, and has since had five housekeeping amendments presented to and endorsed by Council.
<b>Strategic Alignment:</b>	Governance & Corporate Excellence
<b>Applicable Legislation/ Bylaw/Policy:</b>	Zoning Bylaw No. 7600-2019

To: Mayor and Council

File Number: [2024-194-RZ]

## Zoning Bylaw No. 7600-2019 Housekeeping Amendments

### BACKGROUND:

Zoning Bylaw No. 7600-2019 was adopted by Council on December 8, 2020, and has been well received for its ease of use, clarity, and detail by the public and by staff. The Zoning Bylaw is a large, very complex and detailed document that regulates development in the City, and it is important to provide clear, concise language that can be easily and consistently interpreted by all users. As can be expected for a Bylaw of this size and complexity, some additional minor corrections and clarifications have been identified. Thus, these housekeeping amendments to Zoning Bylaw No. 7600-2019 are provided for Council consideration in Zone Amending Bylaw No. 8006-2024, attached as Appendix A. Refer to Appendix B for a markup of the amendments to the Zoning Bylaw.

In summary, the text amendments are minor in nature and include the following:

(Note: The numbering below corresponds to the clause numbers in the attached Zone Amending Bylaw. For ease of use, refer to Appendix B for a markup of the amendments in the Zoning Bylaw.)

2. Revisions to the definitions for *Crematorium* and *Funeral Services* and the zones where permitted. A site specific exemption is included for an existing crematorium located at 11696 216 Street which is zoned C-2.
3. Minor revisions in Part 4 to clarify that *Infill Development* refers to development on an existing lot, and to include cross references to other section requirements.
4. Revisions to clarify the permitted uses for a *Shipping Container* located on a lot during construction.
5. Revisions to clarify *Siting Exceptions* for architectural and other features that project beyond the *building face* are permitted to encroach into the setback area when a Development Variance Permit is approved.
6. Revisions to reformat Section 405.4 (Fence Requirements), and to clarify the requirements for a *Fence* on top a *Retaining Wall*.
7. Revisions to clarify the *Albion Density Bonus* requirements in the RS-1d Zone.
8. Revision to the M-3 Business Park Industrial Zone to include a cross reference to Section 402.27 (Caretaker Residential).
9. Revision to the C-3 Town Centre Commercial Zone to delete the requirement that *Apartment* as a principal use is limited to the Town Centre Area, as identified on Schedule "C" of the Zoning Bylaw.

As per the *Local Government Act*, Section 464(2), when a Zoning Bylaw is consistent with the Official Community Plan, the City may waive the requirement to hold a Public Hearing. When a Public Hearing is waived under Section 464(2), the City must then give notice in accordance with Section 467 of the *Local Government Act* which requires that the notice states the purpose of the Zoning Bylaw; the lands that are subject of the Bylaw; the place, times and dates where the Bylaw may be inspected; and is published in a newspaper the same as for a Public Hearing. Through this process, the Public Hearing was waived for the previous Housekeeping Zoning Bylaw Amendments.

It can be expected that additional changes to the Zoning Bylaw will continue to occur from time to time as it is used, and as new situations and needs arise in the course of normal business.

## **ANALYSIS:**

### **Discussion:**

On December 8, 2020, the new *Zoning Bylaw No. 7600-2019* was adopted by Council. Since then, five housekeeping amendments have been adopted by Council. On February 22, 2022, *Zone Amending Bylaw No. 7749-2021* was adopted, on July 26, 2022, *Zone Amending Bylaw No. 7827-2022* was adopted, on February 14, 2023, *Zone Amending Bylaw No. 7894-2022* was adopted, on January 30, 2024, *Zone Amending Bylaw No. 7928-2023* was adopted, and on June 25, 2024, *Zone Amending Bylaw No. 7996-2024* was adopted.

### **Planning Analysis:**

The clause numbers in the following discussion of the amendments are in the same numerical order as the *Zone Amending Bylaw No. 8006-2024* (Appendix A). For ease of use, refer to Appendix B for a markup of the amendments in the Zoning Bylaw.

#### Clause 2:

Revisions to the definitions for *Crematorium* and *Funeral Services* to identify them as two separate uses and to restrict the location of Crematoriums to the M-3 and M-5 Industrial Zones where emissions from the facilities would not be in proximity to residential areas. For clarity *Funeral Services* is included in the definition of *Assembly* which is a use that allows for the assembly of persons for a range of activities in Commercial and Institutional zones. A site specific exemption is included for an existing *Crematorium* located at 11969 216 Street which is zoned C-2 (Maple Ridge Funeral Chapel & Crematorium).

#### Clause 3:

Minor revisions in Part 4 (General Regulations) to clarify that *Infill Development* refers to development on an existing lot, and to include cross references within Part 4 of the Bylaw for *Building Envelope*, *Highest Building Face* and *Prohibited Uses* requirements.

#### Clause 4:

Revisions to clarify the permitted uses for a *Shipping Container* located on a lot during construction as a *Temporary Building* for use as an Office, Sales Centre or for equipment storage.

#### Clause 5:

Revisions to clarify that *Siting Exceptions* for architectural and other features that project beyond the *Building Face* are permitted to encroach into the setback area (with the same limitations that apply to the unvaried setback) when a *Development Variance Permit* is granted by Council for a reduced *Building Setback*.

Clause 6:

Revisions to Section 405.4 (Fence Requirements) to:

- a. reformat the *Fence Height* requirement section for clarity;
- b. replace *Setback* with *Yard* (e.g. front setback to front yard);
- c. increase the maximum fence height for *Rear Yards* to 2.0 metres where the side lot line is adjacent to a road in Residential and Commercial Zones; and
- d. clarify the requirements for a *Fence* on top a *Retaining Wall*.

Clause 7:

Revisions in the RS-1d Zone to clarify the Albion Density Bonus requirements exclude three requirements in the RS-1b Zone which don't apply to the Density Bonus.

Clause 8:

Revision to the M-3 Business Park Industrial Zone to include a cross reference to Section 402.27 (Caretaker Residential).

Clause 9:

Revision to the C-3 Town Centre Commercial Zone to amend the principal use *Apartment Residential* by deleting the requirement that apartment use is limited to lots within the Town Centre Area (TCA), as identified on Schedule "C" (Town Centre Area Plan) of the Bylaw.

## CONCLUSION:

The text amendments are minor in nature and include revisions to: Crematorium and Funeral Service uses; Infill Development; Shipping Container uses; Siting exceptions for projecting architectural features; Fence requirement clarifications; Albion Density Bonus clarification; Addition of cross references within the Bylaw; Apartment use as a principal use in the C-3 zone.

It is recommended that first and second reading be given to *Zone Amending Bylaw No. 8006-2024*, and that a Public Hearing be waived in accordance with the Local Government Act Section 464(2).

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**Attachments:**

- (A) Zone Amending Bylaw No. 8006-2024
- (B) Markup of amendments in Zoning Bylaw No. 7600-2019

## Report Approval Details

Document Title:	2024-194-RZ.docx
Attachments:	- Appendix A - Zone Amending Bylaw No. 8006-2024.pdf - Appendix B - Markup of amendments in Zoning Bylaw No. 7600-2019.pdf
Final Approval Date:	Aug 28, 2024

This report and all of its attachments were approved and signed as outlined below:

Mark McMullen, Manager of Development Services

Marlene Best, Interim Director of Planning

Scott Hartman, Chief Administrative Officer