

# Zoning Primer



Village of Montrose

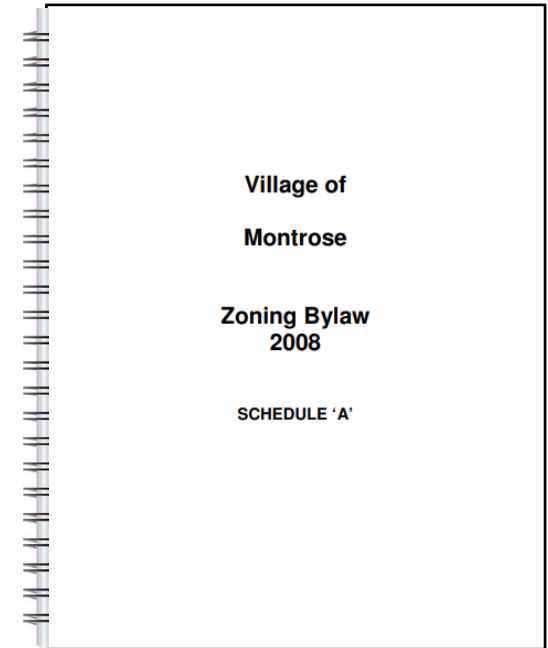


# The Authority

- Local Government Act, Part 14, Division 5 — Zoning Bylaws
  - Zoning bylaws
  - Adoption of municipal zoning bylaw
  - Restrictions on zoning authority in relation to farming
  - Residential rental tenure
  - Strata rental bylaws and housing cooperative rules
  - Density benefits for amenities, affordable housing and special needs housing
  - Housing agreements for affordable housing and special needs housing

# Background

- Zoning is permissive
- Implements municipal and regional land use planning visions
- Last reviewed 14 years ago, in 2008
- Regulates how land, buildings and other structures may be used
- Divides the whole or part of an area into zones, names each zone and establishes the boundaries of those zones.



# Background

- Zones can be defined to reflect different types of residential uses in a community such as single-family, duplex and multi-family
- Can limit the height of buildings and other structures and permitted uses in a zone
- The following may be regulated within a zone:
  - Use and density of land, buildings and other structures
  - Siting, size and dimensions of buildings and other structures and permitted uses
  - Location of uses on the land and within buildings and other structures
  - Shape, dimensions and area of all parcels of land created by subdivision (this can include establishing minimum and maximum parcel sizes)



# Background

- The zoning bylaw may make different provisions for one or more of the following:
  - Different zones
  - Uses within a zone
  - Locations within a zone
  - Provisions may be different for different areas
  - Siting circumstances
  - Protected heritage properties

# Background

- To support farming, the minister responsible for agriculture may establish standards and guidelines for use in local bylaws.
- Amendments can be requested by an owner or initiated by the local government
- A local government must usually hold a public hearing on a proposed zoning bylaw, including amendments to the bylaw
- The hearing can be waived where an official community plan has been adopted and a proposed zoning bylaw is consistent with the official community plan.

# Background

- There are two methods to seek a variance to a zoning bylaw, depending on the circumstances.
  - Development Variance Permit
  - Board of Variance
- Local governments use density bonus zoning (density bonusing) to acquire amenities that have been identified in the zoning bylaw in return for higher density for a development.
- At the time a new land use regulation bylaw is adopted, if an existing use of land or a building is lawfully used and it does not conform to the bylaw, then it may be continued as a legal non-conforming (some exceptions)

# Current Montrose Zones

- Residential 1 Zone (Single Family)
- Residential 2 Zone (Multiple Family)
- Residential 2(d) Zone (Duplex Only) \*
- Commercial 1 Zone (General Commercial)
- Commercial 2 Zone (Warehouse Commercial)
- Commercial 3 Zone (Light General Contracting Storage) \*
- Parks and Recreational Zone
- Institutional and Community Facilities Zone
- Rural Zone

\* Not on map





# BOV Decisions

- Can be used to guide Zoning Bylaw updates:

Type of Request	Current Allowance	Variance Requested	Result	Granted (YES/NO)	
Lot Coverage	35%	4.70%	39.70%	YES	Deadmarsh
Exterior Side Lot Setback	6m	0.3m	6.3m	YES	Marrandino
Rear Lot Setback	7.5	4m	3.5m	YES	Marrandino
Rebuild Non Conforming Accessory Building / interior lot line setback	1.5	1.36	0.14M	NO	Buckland
Exterior Side Lot Setback	6	2.4	3.6	YES	Marrandino
Height of Accessory Structure	4.5m	0.99m	5.49	NO	Marrandino
Interior Lot Setback	1.5	1.5	0	NO	Trembley

- But, not too many requests and no clear trends

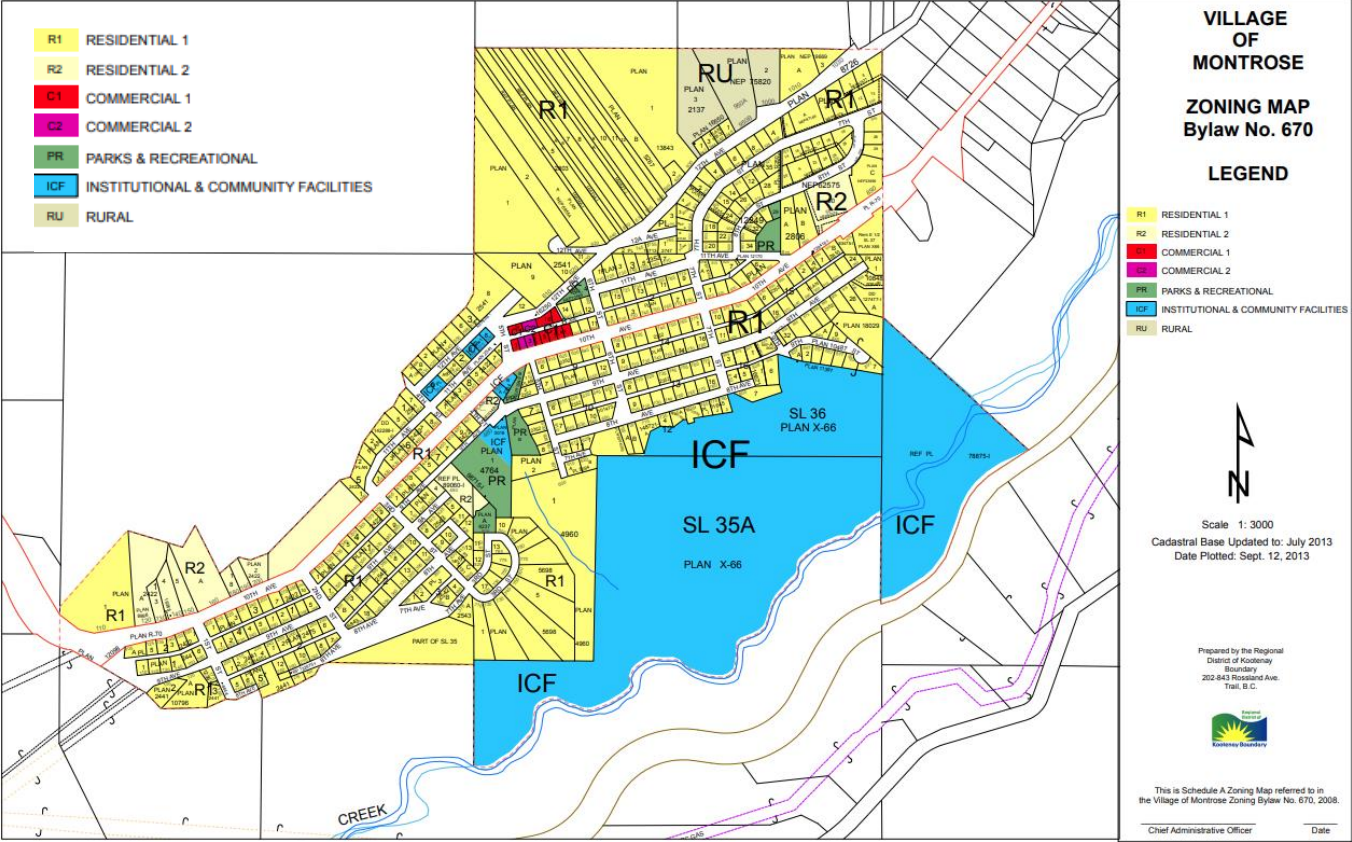


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# Zoning Map



# Connection to OCP

- Hillside development
- Housing for seniors
- Infill and parcel sizes
- Discourage Industrial
- Encourage small scale Commercial

# Emerging Trends in Zoning

- Need to be community specific:
  - Rental only zones
  - Lot area reductions
  - Less Public Hearings
  - Density bonusing
  - No more single family only zones
  - Delegated Variances (Delegation Bylaw)
  - Parking reductions
  - Inclusionary zoning
  - Short term rentals
  - Secondary suites
    - In-law suites & Garden flats (R1/RU)
  - Live-work zones
  - Cannabis
  - Electric vehicles



# Areas Needing Attention

- Residential 2(d) Zone (Duplex Only) not on map
- Commercial 3 Zone (Light General Contracting Storage) not on map
- “Blood, marriage, adoption or foster parenthood”
- Definitions

# Public Engagement

- Extensive engagement with the new OCP project
- Zoning engagement typically more targeted

EVENT	DATE	TIME	LOCATION
Family Fun Day	February 17	12:00 pm – 2:00 pm	Community Hall
JL Crowe Highschool Students Gr. 11/12 Leadership Class	February 24	2:40 pm – 4:00 pm	JL Crowe Highschool
BOV & Professionals Focus Group	February 25	2:00 pm – 4:00 pm	Village Office
Recreation Focus Group	February 25	6:00 pm – 8:00 pm	Village Office
Fruitvale Elementary School Gr. 6/7 Class	February 26	8:20 am – 9:50 am	Fruitvale Elementary School
Open House	February 26	5:00 pm – 8:00 pm	Community Hall
Senior's Dinner	April 29	CANCELLED DUE TO COVID-19	



# Next Steps

1. Background Review
- 2. Zoning Bylaw Primer**
3. Stakeholder Survey
4. Survey Summary
5. Technical Analysis
6. Zoning Map Review
7. Provide Draft Zoning Bylaw
8. Council Presentation
9. Final Edits and Project Wrap





# Questions

- Do you see the need to create any new zones?
- Do you want to change the Zoning map?
- Do you want to change lot sizes?
- Are there uses missing from any of the zones?
- Are there any uses that need to be removed?
- What else do you want to achieve with this update?

# Next Steps

- Village to provide stakeholder list
- Council to encourage survey participation
- Anticipated timeline about three months
- Requires four readings and a public hearing
- Focus on ease of use and clear language
- Modernize the Bylaw

Thank You!



| Context Group

Approvals • Economic Development • Local Government • Planning • Sustainability