

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: September 17, 2024
Subject: City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1804, 2024 –
Setbacks for Single Family Dwellings in Residential Multi-Family Medium Intensity (R.3)
Zone and Corrugated Metal Fencing for Screening Purposes

RECOMMENDATION

THAT Council gives First and Second Reading to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1804, 2024 and forwards it to a Public Hearing.

BACKGROUND

Staff are advancing City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1780, 2024 for First and Second Reading and then a Public Hearing. The purpose of Bylaw No. 1780 is to address two matters, which are summarized as follows:

1. Setbacks for Single Family Dwellings in Residential Multi-Family Medium Intensity (R.3) Zone

Earlier in 2024, the City adopted Zoning Amendment Bylaw No. 1793, 2024 which amended the Zoning Bylaw in order to bring it into compliance with the Province’s small-scale, multi-unit housing legislation. One of the provisions of Bylaw No. 1793 was to update the Zoning Bylaw to have consistent front and rear yard setbacks for single family dwellings between all residential zones; however, there was an unintended omission and the setback provisions were not updated for the Residential Multi-Family Medium Intensity (R.3) Zone. Staff are now advancing Bylaw No. 1804 to update the R.3 zone such that its front and rear yard setback provisions are consistent with all other residential zones (6 m or 4.5 m on lots exceeding 20% average natural slope). Note that the revised setback provisions only apply to single family dwellings in the R.3 zone and will not impact the setback provisions for other types of uses (i.e. duplexes, multi-family dwellings).

2. Corrugated Metal Fencing for Screening Purposes

The City’s Zoning Bylaw outlines certain uses where visual screening must be provided (i.e. outdoor industrial storage areas, multi-family parking lots). When visual screening is required, the Zoning Bylaw identifies certain building materials which are prohibited for the purposes of screening, including corrugated metal. This restriction was intended to avoid situations where

property owners simply attach corrugated metal panels (i.e. roofing panels) to fence posts for a 'quick and dirty' form of screening, which would not be an appropriate standard. However, in recent years, the use of decorative corrugated metal fence panels has become common and are generally visually appealing. Given this, Staff are advancing Bylaw No. 1804 to update the screening provisions of the Zoning Bylaw to state that the restrictions on screening materials specifically excludes decorative corrugated metal fence panels.

It is recommended that Council gives First and Second Reading to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1804, 2024 and forwards it to a Public Hearing. The Public Hearing provides an opportunity for all persons who believe that their interest in property is affected by the Bylaw to make public representation, with the Public Hearing to be advertised in advance in the local newspaper and on the City of Enderby website.

Respectfully Submitted,



Kurt Inglis
Planner

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1804

A BYLAW TO AMEND THE CITY OF ENDERBY ZONING BYLAW NO. 1550, 2014

WHEREAS pursuant to Section 479 of the *Local Government Act*, Council of the City of Enderby may, by bylaw, divide the whole or part of the City of Enderby into zones, name each zone, establish boundaries for the zones and regulate uses within those zones;

AND WHEREAS Council has created zones, named each zone, established boundaries for those zones and regulated uses within those zones by Bylaw No. 1550, cited as “The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014”;

NOW THEREFORE Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the “City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1804, 2024”.
2. DIVISION THREE – GENERAL REGULATIONS is amended by replacing Section 309.1.f as follows:
 - f. Screening shall not consist of untreated plywood, corrugated metal (except for decorative corrugated metal fence panels) or chain link fencing (except for chain link fencing that contains slat inserts to create a visual barrier).
3. DIVISION SIX – RESIDENTIAL ZONES is amended by replacing Section 604.10.b as follows:
 - b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than:

 - i. 10 m (32.81 feet) for apartment and multi-family use; or
 - ii. 6 m (19.68 feet) for row housing and adult retirement housing; or
 - iii. 6 m (19.68 feet) for single family dwellings except that the front yard may be reduced to 4.5 m (14.76 feet) for single family dwellings on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot; or
 - iv. 6 m (19.68 feet) for all other uses.
4. DIVISION SIX – RESIDENTIAL ZONES is amended by replacing Section 604.10.d as follows:
 - d. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than:

 - i. 10 m (32.81 feet) for apartment and multi-family use; or
 - ii. 6 m (19.68 feet) for row housing and adult retirement housing; or

- iii. 6 m (19.68 feet) for single family dwellings except that the rear yard may be reduced to 4.5 m (14.76 feet) for single family dwellings on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot; or
- iv. 6 m (19.68 feet) for all other uses.

Public notice provided in an edition of the local/regional print newspaper on the day of , 2024 and posted on the City of Enderby website on the day of , 2024, and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the day of , 2024.

READ a FIRST time this day of , 2024.

READ a SECOND time this day of , 2024.

READ a THIRD time this day of , 2024.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 20____

for Minister of Transportation & Infrastructure

ADOPTED this day of , 2024.

MAYOR

CORPORATE OFFICER