



Town of Hay River Updated
Zoning and Building Bylaw

Public Hearing
Presentation
October 5, 2022



Agenda

1. Public Engagement
2. General Updates
3. Specific Updates
4. Map Edits



Public Engagement Summary

- Public engagement period Aug 6 to 20, 2021
- Activities included lunch with developers, public in-person and online meetings, online survey and pop-ups
- Online survey completed by 75 people
- Meetings with Hay River Senior's Society, Housing NWT, Housing Strategy team
- Reached out to West Point First Nation, K'atl'odeeche First Nation and Hay River Metis Government



What We Heard

- Support for:
 - smaller houses
 - living suites and garden suites
 - more multi-family downtown
 - more affordable housing and more housing options
 - increased landscaping requirements
 - gradual changes to Vale Island
 - ensuring that bylaws are applied/enforced
- No or low support for:
 - smaller lots
 - reduced parking requirements

General Updates



General Updates to the Zoning and Building Bylaw

- Additional and improved diagrams
- Updated colour maps
- Updated references to new legislation
- Incorporating all past zoning amendments
- Removing gender specific language
- Clarified roles of Development Officer, Town Council and the Development Appeal Board
- Added updated definitions and better alignment of permitted uses with definitions
- Organizational changes to improve the document
- Fees removed and referenced in the Fees and Charges
- Remove duplication with NWT *Planning and Development Act*

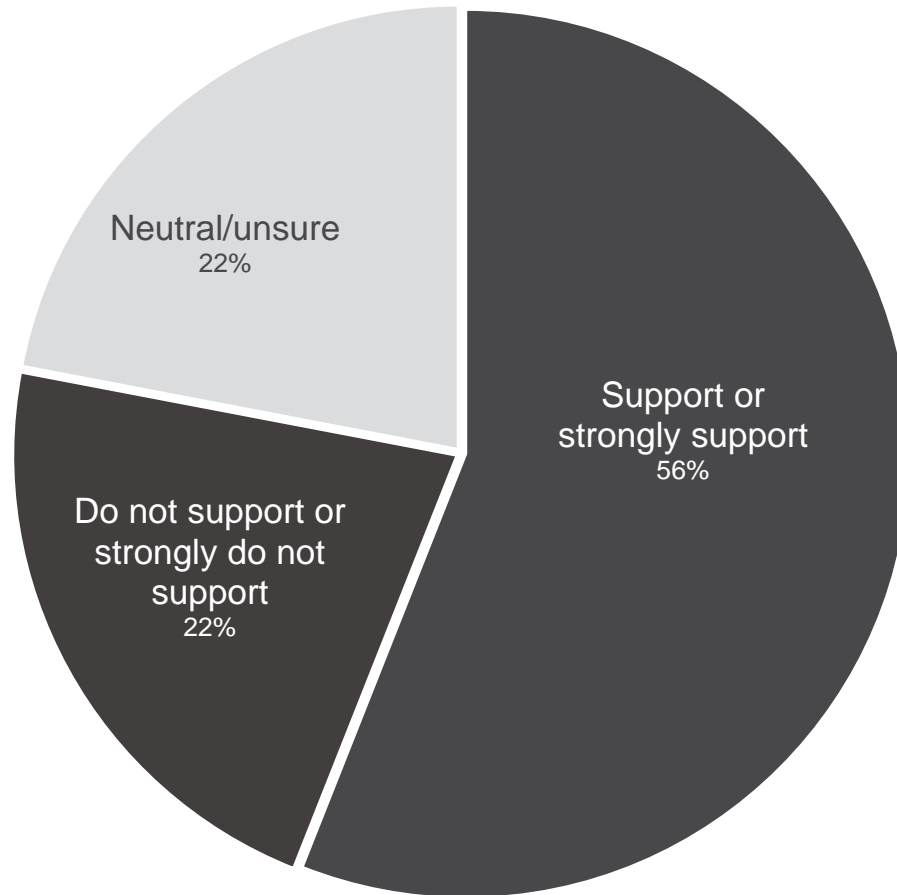
Minimum Dwelling Size



Minimum Dwelling Size

- The current regulations include different minimums for single story, two story, and split-level units.
- The updated Bylaw includes simplifying this regulation by removing different minimum sizes for various unit types.

Reducing Minimum Dwelling Size



- Developers and Senior's Society expressed support for reducing minimum dwelling size
- Many municipalities no longer have minimum dwelling sizes
- The National Building Code does not set minimum sizes for residential

Zone	Housing type	Old Minimum	New Minimum
R1A	Single Family	120 m ² (1291 sq. ft)	75 m ² (807 sq. ft)
R1B	Single Family	93 m ² (1001 sq. ft)	70 m ² (753 sq. ft)
	Duplex (per unit)	90 m ² (968 sq. ft)	60 m ² (645 sq. ft)
R1C	Single Family	79 m ² (850 sq. ft)	49 m ² (527 sq. ft)
	Duplex	79 m ² (850 sq. ft)	60 m ² (645 sq. ft)
R2 – Five Mile	Single Family	75 m ² (807 sq. ft)	65 m ² (700 sq. ft)
R3 – West Channel	Single Family	75 m ² (807 sq. ft)	60 m ² (645 sq. ft)
R4 – Multiple Family	Duplex or Row House	79 m ² (850 sq. ft)	60 m ² (645 sq. ft)
	Unit		35 m ² (377 sq. ft) for a bachelor unit, with an additional 11 m ² (118 sq. ft) for each bedroom
RC – Country Residential	Single Family	75 m ² (807 sq. ft)	65 m ² (700 sq. ft)

Discretionary Use



Discretionary Uses

- Many uses were listed as discretionary in the old Zoning Bylaw.
- Survey respondents want Zoning Bylaw applied fairly and consistently.
- Discretionary use approval adds uncertainty and may lead to perception of unfairness.
- Lack of clarity about which discretionary uses go to Council and which are approved by Development Officer.



Discretionary Uses

The updated Zoning Bylaw makes:

- living suites
- garden suites
- home occupations
- day care facilities
- duplexes

permitted rather than **discretionary** uses in most zones.

It also clarifies that Council will approve all discretionary uses.

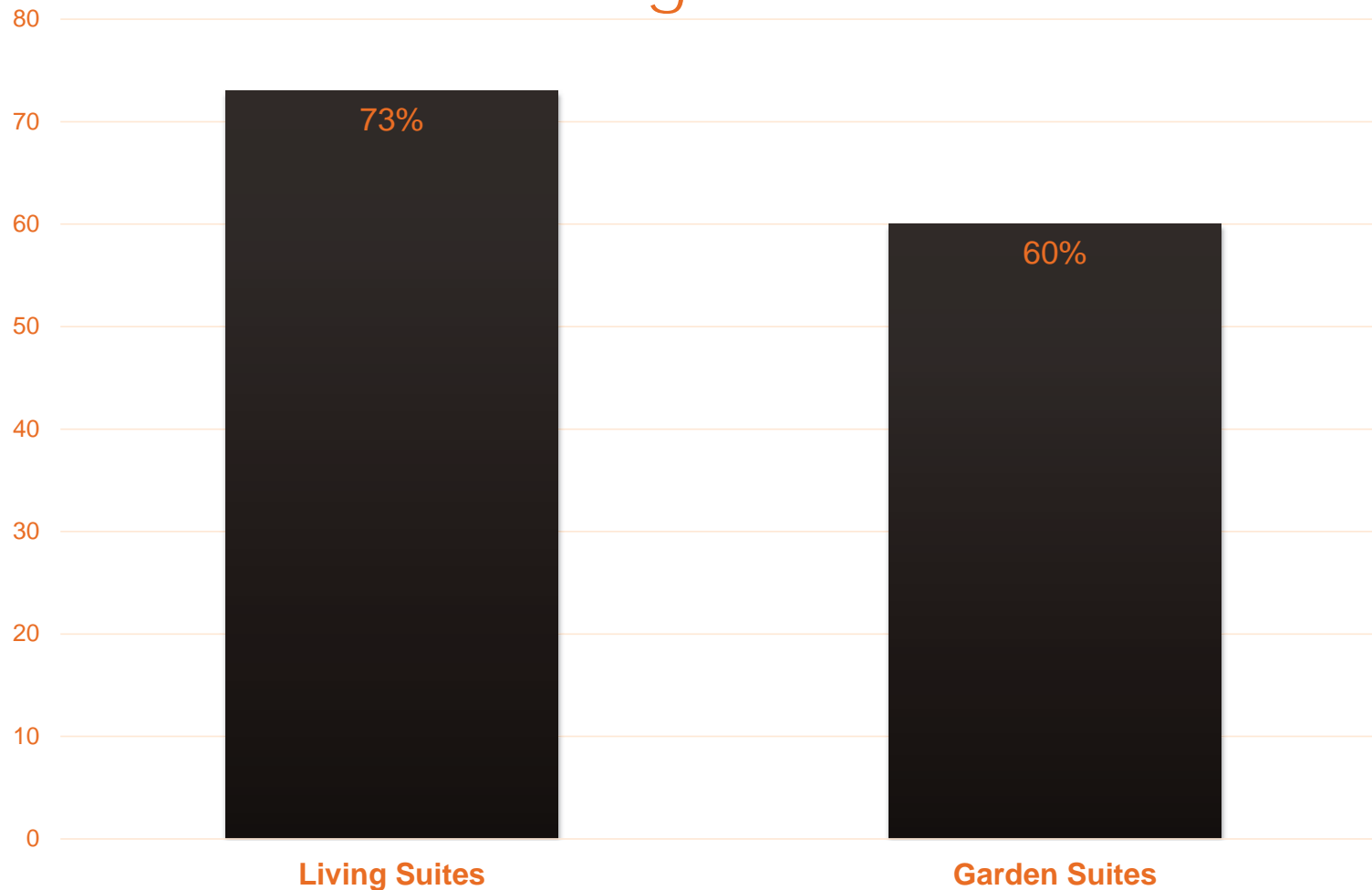


Changes to Updated Bylaw

1. Clarification that it is Council who makes the decision on approval of discretionary uses; whereas permitted uses are approval by the Development Officer.
2. Living suites, garden suites, home occupations, day care facilities and duplexes are permitted uses rather than discretionary uses.
3. A list of what issues will be reviewed when a discretionary use permit is being considered by Council is provided.

Living Suites and Garden Suites

Support or strong support for living suites and garden suites



Allowing living suites as a permitted use provides more housing options, creates affordable housing, and is an **efficient and effective way to add density.**



Living and Garden Suites

- Many municipalities are making it easier for property owners to add living suites and/or garden suites to their homes.
- This usually means removing size or configuration restrictions, making living suites a permitted use, and/or allowing them in more Zones.



Public safety is important; living suites should require a development permit and meet National Building Code standards.



Changes to the Updated Bylaw

- In R1B, R1C, R2, and R3 living suites and/or garden suites are allowed as a permitted use, rather than a discretionary use. (Note no changes to R1A).
- A section has been added with regulations for garden suites, including specific setbacks, design requirements, and height regulations.

Setbacks



Setback in RC - Country Residential

The updated Zoning Bylaw reduces the setback requirements in the RC Zone to give property owners more flexibility.

- The current setbacks in the RC zone are very large.
- Relaxing the front and side yard setback to 7.5 meters (24.6 ft) still provides privacy and distance but will allow more flexibility.
- The proposed reduction still allows for ample clearance for emergency vehicles.



Changes to the Updated Bylaw

	Old Bylaw	Recommended New Bylaw
Front yard	15 m (49.5 ft)	7.5 m (25 ft)
Rear yard	15 m (49.5 ft)	7.5 m (25 ft)
Side yard	10 m (33 ft)	7.5 m (25 ft)



Setbacks - Waterfront Lots

- RC, R1A and R2 zones have some waterfront lots.
- The front yard setback in these zones is 7.5 m (25ft).
- Currently, garages must be set back further than the house.
- People want the flexibility to orient the front of the house to the river.
- Town has permitted several garages that are set back 7.5 m (25 ft) from front property line, with the house set back further, closer to the water.

Changes to the Updated Bylaw

Garages and accessory buildings shall be located:

- a minimum of 1.0 m (3.3 ft.) from the dwelling;
- no closer than the front line of the principal building; **except for lots that back onto a river or lake, where garages shall be a minimum of 7.5 m (25 ft) from the front lot line;**
- a minimum of 1.0 m (3.3 ft.) from the side lot line;
- a minimum of 1.0 m (3.3 ft.) from the rear lot line; and,
- provide a minimum of 5.0 m (16.5 ft.) from the garage doors to any side lot line.

Paradise Gardens Undersized Lots



Paradise Gardens Undersized Lots

- In the RC zone, lots must be between 1.2 ha and 2 ha.
- Paradise Gardens has 13 undersized lots, between 0.25 ha and 0.93 ha.
- In the RC Zone, setbacks are large, making development difficult.
- Some of the existing homes on these lots are non-conforming, which can be a problem.
- Reduced setbacks will leave clearance for emergency access.

Lot 549-1 Group 814 LTO 1225 = 0.4 ha
Lot 549-2 Group 814 LTO 1225 = 0.4 ha
Lot 549-3 Group 814 LTO 1225 = 0.25 ha
Lot 549-4 Group 814 LTO 1225 = 0.96 ha
Lot 549-5 Group 814 LTO 1225 = 0.60 ha
Lot 549-6 Group 814 LTO 1225 = 0.87 ha
Lot 549-7 Group 814 LTO 1225 = 0.38 ha
Lot 552-1 Group 814 LTO 1225 = 0.43 ha
Lot 552-2 Group 814 LTO 1225 = 0.40 ha
Lot 552-3 Group 814 LTO 1225 = 0.76 ha
Lot 552-4 Group 814 LTO 1224 = 0.93 ha
Lot 552-5 Group 814 LTO 1225 = 0.37 ha

Changes to the Updated Bylaw

1. Undersized lots are zoned as RCx, with a note that they are allowed to be undersized.
2. For these lots the reduced setbacks are as follows:
 - Front yard setback = 7.5 m
 - Rear yard setback = 5 m
 - Side yard setback = 2 m
 - Garages and accessory buildings can be a minimum of 1 m from the rear or side lot line

Landscaping Requirements



Lanscaping

- Requiring landscaping for all new developments within the Downtown will improve the look of the area.
- Of survey respondents, 66% support implementing landscaping requirements in the Downtown.

Changes to the Update Bylaw

1. A section on landscaping requirements has been added; landscaping is required in the commercial zones.
2. The required landscape planting area in square metres is calculated based on 2.5 m x total public road frontage of the property in metres.
3. A requirement for watering has been included.
4. For lots along the Highway, landscaping will be required on both the front and back of the lot. No fencing required.



A landscaping area that is 2.0 m wide is required with one tree planted per 25 m² landscape planting area or one shrub planted per 15 m² landscape planting area, or any combination of trees and shrubs to meet the standard. For example, on a 16 m wide lot, this would mean 1.6 trees or 3 shrubs.

Driveway Storage

Changes to the Update Bylaw

- **Issue:** Storage of recreation vehicles in the front yard.

Added Policies

- Storage for goods or materials normally associated residential property is permitted only in the rear and interior side yards.
- Between the period of October 31st and May 1st, recreational vehicles, utility trailers, and boats shall be stored in the rear or side yard or may be stored in a front yard driveway, provided they do not project further than 2 m into a front yard. In summer, recreational vehicles, utility trailers, and boats may be stored in a front yard driveway.
- Corner lots treated differently.

Map Edits

1. Changed from RR Rural Resource to P Parks and Open Space to reflect the Official Community Plan
2. Changed from RR Rural Resource and H Hinterland to UR Urban Reserve to reflect the Official Community Plan
3. Changed from M1 Restricted Industrial and UR Urban Reserve to I Institutional to reflect the new hospital
4. Changed from C4 to R3 to reflect current use.



5. Changed from M1 Restricted Industrial to RC Country Residential to reflect the transition of lots to residential use

