

## **Excerpt of Zoning Bylaw 1343, Showing Proposed Changes**

(Additions have been shown highlighted in yellow, and deletions are stricken.)

### **1. Section 7 Inspection**

*Staff recommend that this section be amended as follows:*

#### **Section 7      Inspection:**

~~An INSPECTOR may enter upon any land to which this Bylaw applies at any time between the hours of 7:00 am and 7:00 pm, on any day, in order to ascertain whether the regulations contained in this bylaw are being met.~~

- ~~a) Prior to inspection a notice shall be mailed or otherwise delivered at least 10 days before the inspection is to be conducted to the owners or any tenants in occupation, as at the date of the registered mailing or delivery of the notice.~~
- ~~b) The obligation to give notice as noted in Section 7 a) must be considered satisfied if the local government made a reasonable effort to mail or otherwise deliver the notice.~~

Inspection will occur as per Peace River Regional District Bylaw Enforcement Officer Bylaw No. 1901, 2010.

### **2. Section 13 Accessory Building Floor Area**

*Section 13 of PRRD Zoning Bylaw No. 1343, 2001 regulates the size of accessory buildings for residential and agricultural zones. Currently, there are no limits for accessory building floor area for properties larger than 8 ha in the A-1 and A-2 Zones.*

*The lack of regulation for properties larger than 8 ha in the A-1 and A-2 Zones results in two scenarios:*

- For land in the ALR, the ALC imposes a limit of 100 m<sup>2</sup> for home based businesses. Note that this limit would not apply to buildings used for agricultural or personal purposes. This limit would not apply if the PRRD regulated accessory building size.*
- For land outside the ALR, there is no limit to the number or size of accessory buildings.*

*Staff recommend removing the ‘when parcels are 8 ha or less’ from section 13.1 (a) and 13.1 (b) of Zoning Bylaw No. 1343, 2001. This would provide clear and consistent regulation for the A-1 and A-2 Zones, regardless of ALR status. The maximum accessory building floor area would be 300 m<sup>2</sup> (3200 ft<sup>2</sup>) for parcels larger than 8 ha.*

#### **Section 13      Accessory Building Floor Area**

1. This section shall apply only to the following zones of this bylaw:

- (a) Section 32      A-1 “Small Holding zone”, ~~when parcels are 8 ha or less~~

- (b) Section 33 A-2 “Large Holding zone”, ~~when parcels are 8 ha or less~~
- (c) Section 34 R-1 “Residential 1 zone”
- (d) Section 35 R-2 “Residential 2 zone”
- (e) Section 36 R-3 “Residential 3 zone”
- (f) Section 37 R-4 “Residential 4 zone”
- (g) Section 38 R-5 “Residential 5 zone”
- (h) Section 39 R-6 “Residential 6 zone”

### **3. Section 21 Minimum parcel size for subdivision, for a relative on non-ALR Lands**

*Section 21 includes a reference to a now-outdated Local Government Act section number. Best practice is to avoid citing specific section numbers when referencing other provincial and federal enactments. Staff recommend amending this section as follows:*

Section 21 Minimum parcel size for subdivision, for a relative on non-ALR Lands

~~For purposes of Section 946(4) of the Local Government Act, the minimum parcel size for a parcel that may be subdivided to provide a residence for a relative on non-ALR lands is 1.8 hectares (4.5 acres).~~

For purposes of the Local Government Act ‘Subdivision to provide residence for a relative’, the minimum parcel size for a parcel that may be subdivided to provide a residence for a relative on non-ALR lands is 1.8 hectares (4.5 acres).

### **4. Section 26 Setback Area Exemptions**

*Staff recommend the wording in Section 26 of Zoning Bylaw No. 1343, 2001 be amended to include the zones Section 52A P-3 Utilities and Section 53 RM-1 Residential-Multi Family Zone 1 that were added after the adoption of this bylaw.*

Section 26 Setback Area Exemptions

Despite ~~sections 32 to Section 52~~ **Sections 32 to 53** inclusive of this bylaw, no building or structure shall be located in a SETBACK area except:

### **5. Section 33 A-2 (Large Agricultural Holdings Zone)**

*Staff recommend removing the 50 ha remainder clause from Sections 33.2 (b) i) and ii). Sections 33.2 (b) i) and ii) allow exceptions to the minimum parcel size of 63 ha in the A-2 Zone i) when subdivided along a right-of-way or ii) along a traditional quarter section boundary. However, these sections also stipulate that the remainder must be 50 ha in order to qualify.*

*The North Peace Fringe Area OCP and South Peace Fringe Area OCP include a similar provision for agricultural land without the 50 ha clause. The West Peace Fringe Area OCP does not comment on parcel size. Removing the 50 clause would make the zoning bylaw consistent with the Official Community Plans and allow subdivision along rights-of-way without needing to rezone.*

Section 33.2 Regulations

#### Minimum Parcel Size

- (a) The minimum parcel size is 63 hectares (155 acres) except as noted below.
- (b) Exceptions to the required minimum parcel size area as follows:
  - i) subject to the Local Services Act, the minimum parcel size shall not apply where a parcel is divided by a railway, highway right-of-way or watercourse, provide the parcel is subdivided along any such railway, highway right-of-way or watercourse, ~~and the remainder of the parcel for which a subdivision is proposed is not less than 50 hectares (124 acres);~~
  - ii) for subdivision along a quarter section boundary for an incomplete quarter ~~the minimum parcel size shall be not less than 50 hectares (124 acres);~~
  - iii) SE ¼ of Section 35 Township 83 Range 19 W6M PRD Except Plans B4384, M446, PGP46335 and BCP37320, for which the minimum parcel size is 35.0 hectares [Bylaw 2355, 2020]

#### **6. Section 35 R-2 (Residential 2 Zone)**

*Staff recommend updating the legal land description in Section 35.2 i) with the property's current legal land description.*

#### Section 35.2 Regulations

- i) ~~a 0.278 ha. portion of Parcel A, Section 17, Township 84, Range 19, W6M, PRD, Plan 34277~~  
**Lot 3 Section 17 Township 84 Range 19 W6M Peace River District Plan EPP47785**, for which the minimum parcel size shall not be less than 0.22 ha. (0.563 acres); [Bylaw No. 2088, 2013]

#### **7. Section 36 R-3 (Residential 3 Zone)**

*Staff recommend deleting all the references to Official Community Plan bylaw numbers because they have changed and will likely change again in the future. The area covered by these Official Community Plans remains the same.*

*Staff recommend updating the legal land descriptions in Section 36.2 i) and ii) to be replaced with the properties' current legal land description.*

#### Section 36.2 Regulations

#### Minimum Parcel Size

- (a) The minimum parcel size is 0.9 hectares (2.2 acres) in the area covered by West Peace Official Community Plan Bylaw ~~No. 1086, 1997~~;
- (b) The minimum parcel size is 0.9 hectares (2.2 acres) when the parcel is connected to a COMMUNITY SEWAGE SYSTEM in the area covered by North Peace Official Community Plan Bylaw ~~No. 820, 1993~~ (Electoral Areas B, D and E only; [Bylaw No. 2249, 2016]

- (bb) The minimum parcel size is 0.9 hectares (2.2 acres) when the parcel is connected to a COMMUNITY SEWER in the area covered by North Peace Official Community Plan Bylaw ~~No. 820, 1993~~ (Electoral Area C only); [Bylaw No. 2249, 2016]
- (c) The minimum parcel size is 1.8 hectares (4.5 acres) where there is no COMMUNITY SEWAGE SYSTEM in the area covered by North Peace Official Community Plan Bylaw ~~No. 820, 1993~~ (Electoral Areas B, D and E only);
- (cc) The minimum parcel size is 1.8 hectares (4.5 acres) where there is no COMMUNITY SEWER in the area covered by North Peace Official Community Plan Bylaw ~~No. 820, 1993~~ (Electoral Area C only); [Bylaw No. 2249, 2016]

Except for:

- i) a 1.46 ha. (3.61 acre) portion lying on the west side of Section 25 within ~~Lot 1, Plan 24633, Sections 24 and 25, Township 84, Range 20, W6M, PRD, except Plan 28096~~ **Lot 3 Section 25 Township 84 Range 20 W6M Peace River Plan BCP39102**, for which the minimum parcel size may be 0.9 ha (2.2 acres) when the parcel has a sewage system approved by the agency having jurisdiction regarding sewage disposal. [Bylaw No.1805, 2008]
- ii) a 1.4 ha. (3.46 acre) portion lying on the northeast side of ~~Lot 2, Plan PGP41173, Section 12, Township 84, Range 19, W6M, PRD, except part in Plan BCP19612~~ **Lot 1 Section 12 Township 84 Range 19 W6M Peace River District Plan EPP5285**, for which the minimum parcel size may be 0.9 ha (2.2 acres) when the parcel has a sewage system approved by the agency having jurisdiction regarding sewage disposal. [Bylaw No. 1869, 2009]

## **8. Section 42 C-2 (General Commercial Zone)**

*Staff recommend deleting 42.2 (g) i), 42.2 (g) ii) and 42.2 (g) iii), as all of these properties are now within the City of Fort St. John.*

*Staff recommend renumbering section 42.2 (g) iv) to 42.2 (g) i) and updating the legal description to be the current legal land description.*

*Staff recommend renumbering section 42.2 (g) v) to 42.2 (g) ii) and updating the legal description to be the current legal land description.*

### **Section 42.2 Regulations**

#### **Additional Uses**

- (g) The following additional uses are permitted on lands legally described as:

~~Parcel A (PM36569) SW¼ Sec. 5, Twp. 84, Rge. 18, W6M.~~

~~Parcel A, Plan 33374, SW¼ Sec. 5, Twp. 84, Rge. 18, W6M.~~

- ~~i) sales, rental, servicing and repairs of automobile, recreational vehicles, manufactured homes, automotive parts, machinery, farm machinery and boats; and~~

- ~~ii) contractors, shop and storage yard for trade, trucking, construction and oil field service.~~

~~Parcel A, Plan 33374, SW¼ Sec. 5, Twp. 84, Rge. 18, W6M.~~

- ~~iii) warehousing, cartage, express and freight facilities~~

~~Lot 8, Block 2, Plan 9723, Section 2, Township 84, Range 19, W6M~~ **Lot 1 Section 2 Township 84 Range 19 W6M Peace River District Plan EPP70627** [Bylaw No. 1502, 2004]

Parcel A (Plan B5074) of the Northwest ¼, Section 9, Township 84, Range 19, W6M

- ~~iv) i)~~ **NEIGHBOURHOOD PUB**

~~Lot 8, Block 2, Section 2, Township 84, Range 19, W6M, PRD, Plan 9723~~ Lot 1 Section 2 Township  
84 Range 19 W6M Peace River District Plan EPP70627 [Bylaw No. 2178, 2015]

iv) CAMPGROUND, UNLIMITED TERM