

District of Barriere

PLANNING REPORT

Re: RZ-23-02 DoB – Addition of Residential Private (RP) Zone to Zoning Bylaw No. 111

Background: The District of Barriere Zoning Bylaw No. 111, as amended from time to time, currently consists of fourteen (14) Zones. Most of these zones, either allow for either primary residential use or a residential dwelling component as a secondary use. The most prominent residential zone in the community is “Residential (R)” under Division 6 of the bylaw. The Residential Zone requires that newly subdivided lots have a minimum parcel size of 500 square meters (approx. 0.124 acres) if the lot is serviced by a community wastewater system and a minimum parcel size of 4,000 square meters (approx. 1 acre) if the lot is serviced by a community water system but no community wastewater system.

Staff presented a proposed new zone to the District's Zoning Bylaw at the February 6th Council meeting. The purpose of the new zone is to permit a mix of conventional, low density urban residential development on *private services*.

Council passed 1st reading for the draft Zoning Amendment Bylaw (Bylaw No. 228 - attached) on February 6th, 2023. Public Notice has been posted, advertised and otherwise delivered as legislated.

Discussion: Within various Council discussions over the years, including most recently regarding a couple large, undeveloped parcels on the outer perimeter of the District boundary, questions from Council relating to servicing are most frequent and whether or not the local government has the capacity to accommodate servicing a higher density development in those locations. While the answer to that inquiry has been that, at this point in time, the developer would be responsible to provide services past the municipal lot line into the development, privately. While the District could specify that stipulation within the subdivision stage and through a Development Services Agreement, for the interest of clarity in such instances, staff are recommending the adoption of the proposed Residential Private (RP) Zone.

The proposed RP Zone makes it clear to any developer or lot purchaser, current or future, that while the additional density of 1 acre (or larger) lots is permitted in this zone, that all lots must be privately serviced including water, wastewater, roads and streetlighting.

During the first reading of the Draft Zoning Bylaw Amendment which would create the RP Zone, it was questioned as to whether the municipality would be required to provide servicing should the strata or developer later wish to request municipal servicing. In answer, the property owner(s) would need to apply for a rezoning from Residential Private (RP), to Residential (R), petition the local government for local water service under the Community Charter, and enter into a servicing agreement with the District of Barriere. All of which would be contingent on the local government having the capacity to meet the servicing demands of the request and Council approval through a public process.

There are a number of properties within the District of Barriere that are privately serviced in some way or another. Some properties are not serviced by the District's community water system (for example, Leonie Creek Road – all have private wells or shared well agreements in place). A majority of property owners in Barriere have private septic systems and mobile home parks and an existing strata development have privately owned/maintained roads that individual owners use to access their homes as well as privately owned and maintained community water and wastewater systems within their property boundaries.

It should be noted, that the adoption of this draft Bylaw (Bylaw No. 228), does not result in the assignment of any property within the District of Barriere to this zone.

No public comments regarding this proposed new zone have been submitted as of end of day, February 17, 2023.

THAT, Zoning Bylaw No. 111, Amendment Bylaw No. 228, be given 2nd, 3rd readings and adopted as presented.

Prepared by: T. Buchanan, Corporate Officer
Reviewed by: B. Payette, CAO

Attached: DRAFT Zoning Bylaw No. 111, Amendment Bylaw No. 228

DISTRICT OF BARRIERE

DRAFT - BYLAW NO. 228

A BYLAW TO FURTHER AMEND "DISTRICT OF BARRIERE ZONING BYLAW NO. 111" TO INCLUDE A RESIDENTIAL PRIVATE (RP) ZONE

WHEREAS the general zoning amendment conforms to the District of Barriere Official Community Plan;

NOW THEREFORE, the Council of the District of Barriere, in open meeting assembled, enacts as follows:

1. **CITATION**

- 1.1 This bylaw may be cited as "*District of Barriere Zoning Bylaw No. 111 Amendment Bylaw No. 228*".

2. **PURPOSE**

- 2.1 Zoning Bylaw No. 111, is further amended by adding the following zone as DIVISION EIGHTEEN:

DIVISION EIGHTEEN - RESIDENTIAL PRIVATE (RP) ZONE

PURPOSE

The purpose of this zone is to permit a mix of conventional, low density urban residential development on private services.

18.1 **PERMITTED USES**

<i>Principal Uses</i>	<i>Accessory Uses</i>
<ul style="list-style-type: none">• Single Detached Dwelling• Duplex• Townhome (max. two dwelling units per building)	<ul style="list-style-type: none">• Secondary Dwelling Unit• Accessory buildings• Large animals (kept outside the dwelling unit and limited to 1 per 0.4ha)

18.2 **MINIMUM LOT SIZE**

- (a) The minimum lot size is 4,000 square metres.

18.3 **LOT COVERAGE**

- (a) The maximum lot coverage permitted shall be 25 percent of the lot area unless the lot is serviced by both a community water system and a community wastewater system, where the maximum lot coverage shall be 40 percent.

18.4 MINIMUM REQUIRED LOT LINE SETBACKS

- (a) **Front** - 6 metres
- (b) **Side** - 1.5 metres, unless the side lot abuts a highway where it shall be 4.5 metres.
- (c) **Rear** - 6 metres, except in the case of accessory buildings where it shall be 1.5 metres.

18.5 HEIGHT OF BUILDINGS

The maximum height permitted shall be:

- (a) 12 metres for the principal building
- (b) 5 metres for any accessory building.

18.6 CONDITIONS OF USE

Lots must be privately serviced, including roads, water, wastewater and streetlighting.

READ A FIRST TIME this 6th day of February, 2023

PUBLIC HEARING held this day of , 2023

READ A SECOND TIME this day of , 2023

READ A THIRD TIME this day of , 2023

RECONSIDERED AND ADOPTED this day of , 2023

Mayor

Corporate Officer