

POWELL RIVER REGIONAL DISTRICT

TRAFFE ROAD ZONING BYLAW NO. 464, 2012

**BEING A BYLAW TO ESTABLISH LAND USE REGULATIONS FOR LANDS
WITHIN THE TRAFFE ROAD AREA**

WHEREAS the Regional Board has given due regard to:

1. the need to preserve the suburban residential character and lifestyle of the Traffe Road area;
2. the need to ensure the level of development in the area is consistent with available services, including water, sewer and fire protection; and
3. the importance of protecting the area's aquifer by restricting the density of residential development and those land uses which generate waste, increase the speed of runoff, and consume large volumes of groundwater.

NOW THEREFORE the Board of the Powell River Regional District in open meeting assembled HEREBY ENACTS PURSUANT TO SECTIONS 903 AND 910 OF THE *LOCAL GOVERNMENT ACT* AS FOLLOWS:

SECTION 1 - TITLE

- 1.1 This Bylaw may be cited for all purposes as "Traffe Road Zoning Bylaw No. 464, 2012".

SECTION 2 - APPLICATION

- 2.1 This Bylaw applies to the area described in Schedule A.

SECTION 3 - DEFINITIONS

- 3.1 All words defined in this section appear throughout this document in capitals.

- "ACCESSORY BUILDINGS AND STRUCTURES" means BUILDINGS and STRUCTURES which are customarily incidental or subordinate to the principal use of the PARCEL, provided that such BUILDINGS and STRUCTURES are permitted under the provisions of this Bylaw.
- "ACCESSORY HOME OCCUPATION" means the use of a DWELLING UNIT or ACCESSORY BUILDINGS AND STRUCTURES for the administrative, clerical or professional operation of a business or personal service use, or for the studio of an artist, music teacher, musician or craftsperson, as long as no outdoor storage is associated with the use.
- "ACCESSORY OFF STREET PARKING" means the use of a PARCEL for parking spaces required by other uses on that PARCEL.
- "ANIMAL UNIT" for the purposes of this bylaw, one animal unit means:
 one (1) horse, mule or cattle; or
 two (2) sheep, goats, swine, llama, or alpaca; or
 twenty five (25) rabbits or free range poultry; or
 ninety nine (99) layers or one hundred ninety nine (199) meat birds (if kept in a confined structure) for each 0.4 hectares of land.
- "APARTMENT" means a BUILDING which contains three or more DWELLING UNITS.
- "BUILDING" means any STRUCTURE that encloses and shelters a use.
- "COMMERCIAL KENNEL" means a commercial operation for the boarding, training and breeding of more than 5 dogs or cats that are housed in an external shelter.
- "DWELLING UNIT" means a self-contained unit used as a residence for a single household and containing a single set of facilities for food preparation and eating, sleeping and living areas.
- "FAMILY" means one or more persons related by blood, marriage, adoption, foster parenthood, or a common-law couple sharing one DWELLING UNIT; or not more than seven unrelated persons sharing one DWELLING UNIT.

- "ONE-FAMILY RESIDENTIAL" means the use of a PARCEL of land for a RESIDENTIAL DWELLING.
- "PARCEL" means the smallest unit into which an area of land is held or divided, whether that unit be a lot, block or other division of land, but does not include a highway.
- "PUBLIC PARK" means land designated as park on a plan of subdivision filed in the Land Title Office or land designated under the *Park Act* and includes land designated under other provincial statutes for purposes of preservation and habitat protection.
- "PUBLIC UTILITY" means the provision of electrical, gas, sewage disposal, water, storm drainage, transportation or any other similar service for the benefit of the community as a whole and includes all works and construction incidental thereto.
- "RESIDENTIAL DWELLING" means a BUILDING containing not more than one DWELLING UNIT.
- "SECONDARY SUITE" means a separate, fully habitable accessory dwelling unit located entirely within a single family dwelling or other structure, with its own entrance.
- "SMALL SCALE AGRICULTURE" means a use providing for the growing, rearing, producing and harvesting of agricultural products on parcels greater than 1.0 hectare in area and includes the processing and sale of the products harvested, reared or produced on that farm, provided the number of livestock and poultry reared or kept shall not exceed one ANIMAL UNIT per 0.4 hectares and specifically excludes the keeping of exotic game, fowl, quail and squab.
- "STRUCTURE" means anything constructed or erected, whether fixed to, supported by or sunk into land or water, but does not include concrete or asphalt paving or similar surfacing of a PARCEL.
- "TOTAL FLOOR AREA" means the total area of all floors of all stories contained within the exterior walls of a BUILDING.

SECTION 4 - BASIC PROVISIONS

GENERAL PROHIBITION

- 4.1 No person shall subdivide, develop, use or occupy any land, BUILDING or STRUCTURE in contravention of the provisions of this Bylaw.

NON-CONFORMING BUILDINGS AND USES

- 4.2 If a building or land use is not permitted in this bylaw, but was legally in existence at the date of adoption of this bylaw, it may continue legally as a non-conforming use and be maintained pursuant to section 911 of the *Local Government Act*.

ENFORCEMENT AND INSPECTION

- 4.3 The Regional Planner or a person designated by the Regional Board is authorized to enter at all reasonable times on any property subject to this Bylaw to ascertain whether the regulations, prohibitions and requirements of this Bylaw are being observed.

- 4.4 Every person who:

- a) violates any of the provisions of this Bylaw;
- b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- c) neglects or omits to do anything required under this Bylaw;
- d) carries out, causes or permits to be carried out any subdivision or construction on or use of land or use of a BUILDING or STRUCTURE in a manner prohibited by or contrary to any of the provisions of this Bylaw; or
- e) fails to comply with an order, direction or notice given under this Bylaw

is guilty of an offence under this Bylaw.

- 4.5 Each day that an offence exists or is permitted to exist shall constitute a separate offence.
- 4.6 A person who commits an offence under this Bylaw is liable on summary conviction to a fine not exceeding two thousand dollars.

SEVERANCE

- 4.7 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

SECTION 5 - GENERAL LAND USE REGULATIONS APPLICABLE TO ALL ZONES

ACCESSORY BUILDINGS AND STRUCTURES

- 5.1 ACCESSORY BUILDINGS AND STRUCTURES are permitted in all zones, provided that:
- a) the principal use of the PARCEL is residential; or
 - b) a BUILDING for the purpose of the principal use has been or is being constructed on the same PARCEL.
- 5.2 The maximum combined TOTAL FLOOR AREA of all ACCESSORY BUILDINGS AND STRUCTURES on a PARCEL shall not exceed fifteen percent of the PARCEL area.

PARCEL SIZE AND AREA

- 5.3 No PARCEL shall be created which is less than the minimum PARCEL area specified for the zone in which the land is located.
- 5.4 Where a PARCEL on record in the Land Title Office prior to the enactment of this Bylaw is less than the minimum PARCEL area permitted in the applicable zone, the PARCEL may be used for the uses permitted in the zone, provided that residential density does not exceed one DWELLING UNIT per PARCEL.

PARCEL AREA EXCEPTIONS

- 5.5 The PARCEL area provisions for each zone do not apply:
- a) where a PARCEL is created solely for locating unattended equipment necessary for the operation of a PUBLIC UTILITY and where no sewage would be generated;
 - b) to a PARCEL being created for PUBLIC PARK purposes where such PARCEL is shown as "Park" on the plan of subdivision; or
 - c) where two or more PARCELS are being combined into a single PARCEL.

PERMITTED AND PROHIBITED USES

5.6 The following uses shall be permitted in all zones:

- a) PUBLIC PARK; and
- b) PUBLIC UTILITY.

5.7 The following use is prohibited in all zones:

- a) COMMERCIAL KENNEL.

SECTION 6 - CREATION AND DEFINITION OF ZONES

6.1 The lands to which this Bylaw is applicable are divided into zones designated and described as follows:

| <u>Abbreviations</u> | <u>Zone</u> |
|----------------------|------------------------------|
| SR | Suburban Residential |
| MFR1 | Multi-Family Residential One |

the boundaries of which, together with explanatory legends, notations and references, are shown, described and delineated on Schedule A of this Bylaw.

SECTION 7 - SR ZONE (SUBURBAN RESIDENTIAL)

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| INTENT |
| 7.1 The intent of the SR Zone is to provide for medium density residential use in a semi-rural setting. |
| PERMITTED USES |
| 7.2 Principal Uses a) ONE-FAMILY RESIDENTIAL. |
| 7.3 Secondary Uses a) ACCESSORY HOME OCCUPATION. b) ACCESSORY OFF STREET PARKING. c) SECONDARY SUITE on parcels where provincial standards for water and sewer servicing are met by property owners. d) SMALL SCALE AGRICULTURE on parcels greater than 1.0 hectare in area. |
| PARCEL SIZE |
| 7.4 For PARCELS “not” serviced by a water supply system, the minimum PARCEL area of PARCELS created by subdivision must be at least 1.0 hectare. |
| 7.5 For PARCELS serviced by a water supply system, the average PARCEL area of PARCELS created by subdivision must be at least 0.4 hectares provided no lot is less than 0.25 hectares. |
| DENSITY |
| 7.6 For PARCELS “not” serviced by a water supply system, the residential density in the SR Zone shall not exceed one DWELLING UNIT per PARCEL up to 1.0 hectare in area plus one DWELLING UNIT for each additional 1.0 hectare of land. |
| 7.7 For PARCELS serviced by a water supply system, the residential density in the SR Zone shall not exceed one DWELLING UNIT per PARCEL up to 0.4 hectares in area plus one DWELLING UNIT for each additional 0.4 hectares of land. |

SECTION 8 – MFR1 ZONE (MULTI-FAMILY RESIDENTIAL ONE)

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| INTENT |
| 8.1 The intent of the MFR1 Zone is to accommodate an existing APARTMENT and provide for higher density residential use in a semi-rural setting. |
| PERMITTED USES |
| 8.2 Principal Uses a) ONE-FAMILY RESIDENTIAL. b) APARTMENT. |
| 8.3 Secondary Uses a) ACCESSORY HOME OCCUPATION. b) ACCESSORY OFF STREET PARKING. |
| PARCEL SIZE |
| 8.4 For PARCELS “not” serviced by a water supply system, the minimum PARCEL area of PARCELS created by subdivision must be at least 1.0 hectare. |
| 8.5 For PARCELS serviced by a water supply system, the average PARCEL area of PARCELS created by subdivision must be at least 0.4 hectares provided no lot is less than 0.25 hectares. |
| DENSITY |
| 8.6 One APARTMENT with 11 DWELLING UNITS and one RESIDENTIAL DWELLING shall be permitted in the MFR1 Zone (Lots A & B combined). |

READ A FIRST TIME this 26th day of April, 2012.

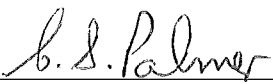
READ A SECOND TIME this 27th day of June 2013.

PUBLIC HEARING held this 22nd day of July, 2013.

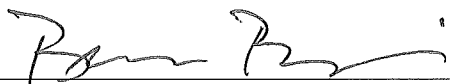
READ A THIRD TIME this 25th day of July, 2013.

RECEIVED THE APPROVAL OF THE MINISTER OF TRANSPORTATION AND
INFRASTRUCTURE this 31st day of July, 2013.

RECONSIDERED AND FINALLY ADOPTED this 22nd day of August, 2013.




Chair



Corporate Officer

I hereby certify that this is a true and correct copy of the "Trafte Road Zoning Bylaw No. 464, 2012" as
RECONSIDERED AND FINALLY ADOPTED by the Board of Directors of the Powell River Regional District the
22nd day of August, 2013.



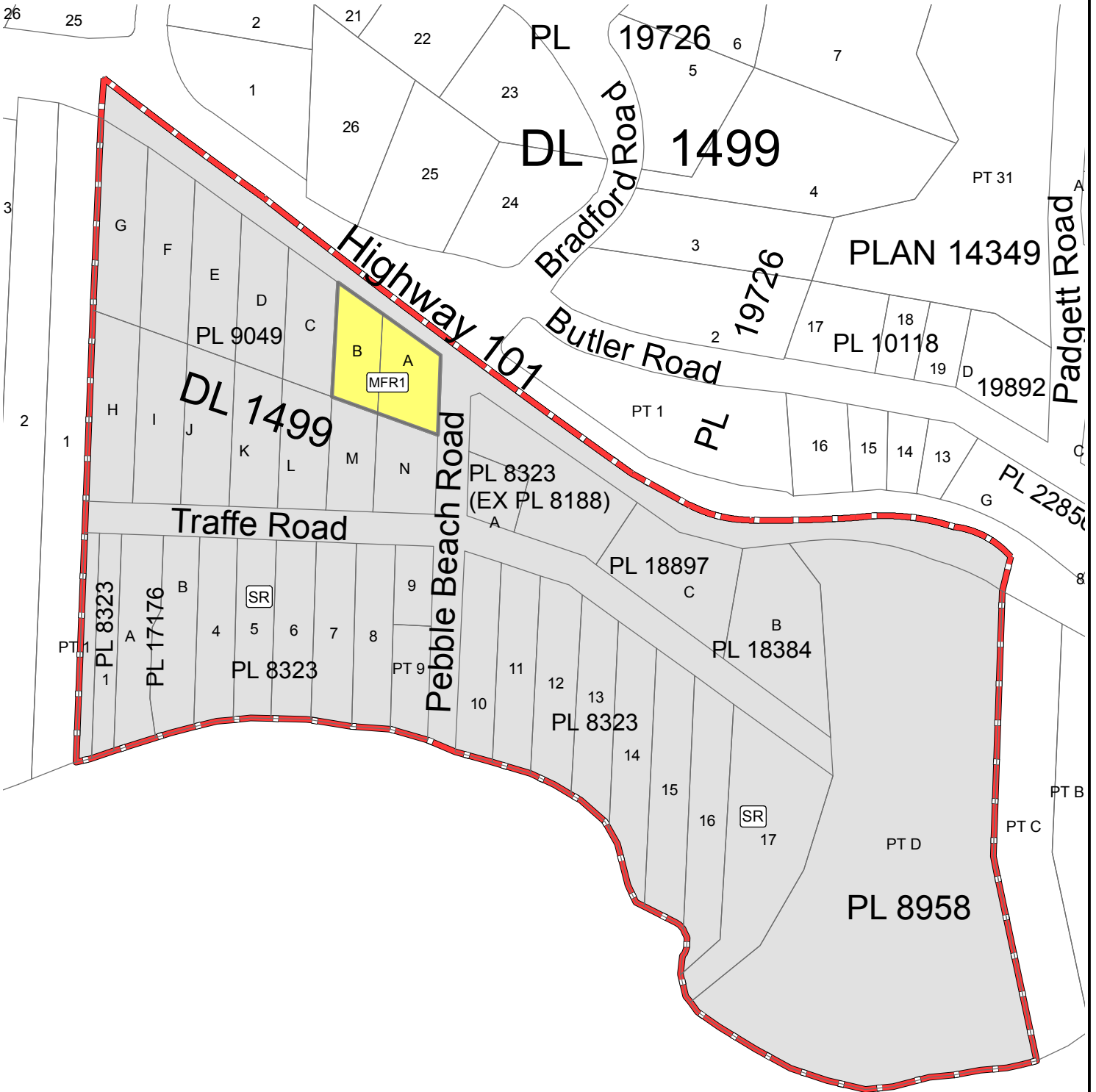
Corporate Officer

Dated at Powell River, B.C. this 23rd day of August, 2013.



POWELL RIVER REGIONAL DISTRICT

Traffe Road Zoning Bylaw No. 464, 2012 Schedule A



Legend

- Suburban Residential "SR"
- Multi-Family Residential One "MFR1"
- Traffe Road Zoning Boundary

