



THE CORPORATION OF THE CITY OF GRAND FORKS

Development and Planning

ZA2208 – 40 Morrissey Creek Road - Technical Review

Applicable Land Use Bylaws Summary

The table below lists the land use bylaws that apply to the proposed zoning amendment, its designation and main intent. The parcel related to the proposed zoning amendment is Zoned as R-4 (Rural Residential) Zone; its Official Community Plan (OCP) designation is Environmental; it overlaps 4 development permit areas; it is exempt from General District DPA.

Item	Designation	Main requirement or Intent
Zoning Bylaw No.2039	s.42 R-4 (Rural Residential) Zone	<p>s.42.2 The following uses and no others are permitted:</p> <ul style="list-style-type: none"> (a) dwelling units; (b) farm operations (crops and/or animals); (c) bed and breakfast accommodations; (d) kennels; (e) home occupations; (f) home industries; (g) animal hospitals <p>s.42.3 Permitted accessory uses and buildings include:</p> <ul style="list-style-type: none"> (a) buildings or structures accessory to any of the uses permitted in this zone. <p>s.42.5 The following types of dwelling units are permitted:</p> <ul style="list-style-type: none"> (a) one single family detached dwelling, (b) one mobile home, or (c) one two-family dwelling; plus (d) within the Agricultural Land Reserve, one additional manufactured (mobile) home subject to regulations of the Agricultural Land Commission. <p>s.43.8 The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure, with exception to farm buildings or structures.</p>
OCP Bylaw No.2089	s.2.3 Environmental	<p>INTENT</p> <p>The intent of “Environmental Land Uses” is to protect sensitive ecosystems and prevent increased exposure to natural hazards by limiting development to the most appropriate site(s) within each property and seeking opportunities to increase protection of natural assets.</p> <p>POLICIES</p> <p>s.2.3.1. Limit land development in lands identified as Environmental on “MAP 1: Land Use Designations” to prevent increased exposure to natural hazards and protect environmentally sensitive areas.</p> <p>s.2.3.2. Where appropriate, permit seasonal recreational uses or sensitive, limited footprint development that is resilient to natural hazards and complementary to the present natural assets.</p> <p>s.2.3.4. Seek opportunities at the subdivision approval stage to preserve, conserve or protect Environmental Areas from future development through use of available legislative tools.</p>



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OCP Bylaw No.2089	s.2.4 General Environmental Development Permit Area (DPA)	<p>POLICIES APPLICABILITY s.2.4.1. The following policies apply to the “Environmental DPA” lands as shown on: b) “MAP 4: Steep Slopes Development Permit Area” c) “MAP 5: Riparian Areas and Sensitive Ecosystem Development Permit Area”</p> <p>GENERAL ENVIRONMENTAL PROTECTION s.2.4.2. Require lands within an Environmental DPA remain free of development and in their natural condition except in accordance with conditions contained within a Development Permit.</p>
OCP Bylaw No.2089	s.2.6 Steep Slopes DPA	<p>POLICIES APPLICABILITY s.2.6.3. Within this DPA there are two (2) policy areas based on slope and proximity to steep slopes: a) Steep Slope Areas over 30%; and b) Setbacks from Steep Slope Areas.</p>
OCP Bylaw No.2089	s.2.7 Riparian Areas and Sensitive Ecosystem DPA	<p>POLICIES APPLICABILITY s.2.7.3. Where, through mapping error or scale, the proponent identifies that the classes or boundaries of Sensitive Ecosystems and Riparian Areas may be incorrect, require the proponent to retain a QP to map and confirm current sensitive ecosystem classes, boundaries and buffers, and submit the results to the City.</p>
OCP Bylaw No.2089	s.4.5 General District DPA	<p>POLICIES APPLICABILITY s.4.5.1. The following policies apply to the following Development Permit Areas on “MAP 10: District Development Permit Areas”: a) “Corridors and Gateway DPA”; and</p> <p>EXEMPTIONS s.4.5.2. Existing or new single-detached dwellings, detached accessory dwelling units, duplexes, and triplexes are exempt requiring a District Development Permit even if the building is being changed from a residential to a commercial use, on condition that the current architectural design of the dwelling is generally maintained.</p>

Zoning Bylaw No.2039 Applicable Definitions Summary

The table below is a summary of Part II – Interpretation Section 2 Definitions of the Zoning Bylaw No.2039 that apply to the proposed zoning amendment.



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Term	Definition
Accessory or Accessory Use	means a use, building or structure that is incidental or subordinate to, and exclusively devoted to and located on the same parcel as a principal use, building or structure.
Attached	means a building or structure connected by way of continuous foundation, walls or roof.
Density	means a measure of the intensity of development to the area of the site, expressed as the number of units per area /site or as floor area. Dwelling units are calculated as follows: <ul style="list-style-type: none"> (a) greater than 90 square meters floor area equals one unit; (b) 29 square meters and up to 90 square meters floor area equals 0.7 units; and (c) Less than 29 square meters floor area equals 0.3 units.
Dwelling Unit	means a building or a part of a building in which a person(s) live(s). This means one or more rooms are to be used as or designed as a residence, which contains sleeping, cooking and sanitary facilities and has an independent entrance, either directly from outside a building or from a common hallway inside a building. Without restricting the generality of the above, this includes but is not limited to the following classifications: <ul style="list-style-type: none"> (d) Single-family dwelling, detached, generally designed for and occupied by one family; (e) Two-family dwellings, attached, semi attached or detached and of equivalent floor area; (f) Three family dwellings meaning any physical arrangement of three attached or detached dwelling units with exterior access to grade; (g) Multi-family dwellings, commonly referred to as either townhouses if attached or a ‘pocket neighbourhood’ if detached; (h) Apartments, for rent to the public or for private uses. The private use of apartments may also be used as on-site security or watchperson’s quarters for industrial uses; (i) Mobile home, a transportable factory built single family dwelling designed to provide year-round living accommodation for one family and able to be connected to utility services, manufactured after June 1, 1989, in conformity with the CAN/CSA-Z240 MH Series. (j) Accessory Dwelling Unit (ADU) is an independently habitable dwelling unit including a locking entrance door, intended to enable the creation of additional housing units while respecting the look and scale of the principle dwelling or dwellings on the property, and includes: <ul style="list-style-type: none"> i. a Secondary Suite, contained within the primary dwelling, and occupying the lesser of 40% of the floor area of the principle dwelling or 90 square metres; ii. a Garden Suite, subordinate to and detached from the primary dwelling and occupying a maximum of 90 square metres. (k) Tiny House on Wheels is a dwelling unit on wheeled chassis, greater than 12 square meters and less than 29 square metres designed to be used as a full-time residence in this climate.
Floor Area	means the aggregate of the area of all floors in a building, measured between the inside surface of the exterior walls of the building, excluding the following: carports, parking garages, and sundecks.