

PART 8J

PL – PIPELINE CORRIDOR SETBACK OVERLAY ZONE

8J.1 INTENT

The Pipeline Corridor Setback Overlay zone is intended to establish a minimum setback requirement for permanent buildings and structures located on properties adjacent to existing or future pipeline corridors to ensure that new developments in proximity to pipeline facilities do not affect the safety and integrity of those facilities or endanger the safety of the public.

8J.2 APPLICATION

- (1) The provisions of this subpart shall apply to all new development on properties located adjacent to a pipeline corridor.
- (2) The overlay zone shall be in addition to and shall overlay all other zones where it is applied so that any parcel of land lying in the overlay zone shall also lie in one or more of the other zones provided for by this Bylaw. The effect is to create a new zone, which has the characteristics and limitations of the underlying zones, together with the characteristics and limitations of the overlay zone.
- (3) Unless specifically exempted, the regulations, standards and criteria of the overlay zone shall also supplement and be applied in addition but not in lieu of any regulations, standards and criteria applicable to the underlying zone.
- (4) In the event of conflict between the requirements of the overlay zone and those of the underlying zone, the overlay zone requirements shall apply, unless specifically exempted.
- (5) In the event of conflict between the requirements of this overlay zones and another overlay zone, the overlay zone with the most stringent requirements shall apply, unless specifically exempted.

8J.3 LAND USE REQUIREMENTS

3.1 PERMITTED AND DISCRETIONARY LAND USES

- (1) All permitted uses in the underlying zone are also permitted in this zone.
- (2) All discretionary uses in the underlying zone are also discretionary in this zone.

3.2 PROHIBITED LAND USES

All prohibited uses in the underlying zone are also prohibited in this zone.

8J.4 DEVELOPMENT STANDARDS

- (1) The development standards of the underlying zone shall apply, except for the application of minimum yard setbacks.
- (2) Pursuant to subsection 8J.4(1), for lots directly adjacent to a registered pipeline corridor, the minimum yard setback shall be as follows:
 - (a) The minimum setback of a permanent building or structure shall be 7.0 metres from any property/lot line adjacent to the pipeline corridor.
 - (b) The minimum setback for an accessory or non-permanent structure shall be 3.0 metres from any property/lot line adjacent to the pipeline corridor.
 - (c) Where there are multiple pipelines, the Development Officer may conduct a quantitative risk assessment in order to determine an appropriate setback.
- (3) Where the applicable minimum setback standards for the underlying zone are greater than the standards established in subsection 8J.4(2), the standards of the underlying zone shall apply.

8J.5 FENCE REQUIREMENT

- (1) A fence shall be erected along the lot line adjacent to the pipeline corridor. Such a fence shall have a minimum height of 1.83 metres.
- (2) The subject property owner is required to maintain the fence in perpetuity.