



PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
ZONING AMENDMENT REPORT
BY-LAW NO. 2110, 2014
1st and 2nd Reading

B-7a
Part 26 Participants.
Includes all except District
of Tumbler Ridge.

OWNER: Florian & Kimberly Schwarz
AREA: Electoral Area C
LEGAL: Lot 1 Plan 22972, Section 17, Township 84, Range 19, W6M, PRD
LOT SIZE: 11 ha (27 ac)
LOCATION: Highway 97 N, Charlie Lake

DATE: February 3, 2014

PROPOSAL

To rezone the property to from R-4 (Residential 4 Zone) to C-2 (General Commercial Zone) and to subdivide the property into three separate lots.

RECOMMENDATION: OPTION 1

- i. THAT the Regional Board read Peace River Regional District Zoning Amendment By-law No. 2110, 2014 for a **First time**.
- ii. THAT the Regional Board read Peace River Regional Zoning District Amendment By-law No. 2110, 2014 for a **Second time**.

THAT the holding of a public hearing be waived pursuant to s. 890(4) of the *Local Government Act*, and authorize performance of public notification pursuant to s. 893 of the *Local Government Act*.

OPTIONS

- OPTION 1:
- i. THAT the Regional Board read Peace River Regional District Zoning Amendment By-law No. 2110, 2014 for a **First time**.
 - ii. THAT the Regional Board read Peace River Regional Zoning District Amendment By-law No. 2110, 2014 for a **Second time**.

THAT the holding of a public hearing be waived pursuant to s. 890(4) of the *Local Government Act*, and authorize performance of public notification pursuant to s. 893 of the *Local Government Act*.

- OPTION 2:
- i. THAT the Regional Board read Peace River Regional District Zoning Amendment By-law No. 2110, 2014 for a **First time**.
 - ii. THAT the Regional Board read Peace River Regional Zoning District Amendment By-law No. 2110, 2014 for a **Second time**.

THAT a public hearing be held pursuant to the *Local Government Act*; and

THAT the holding of the public hearing be delegated to Director Hadland.

- OPTION 3: THAT the Regional Board refuse the application as submitted.

SITE CONTEXT

The subject property is located within the community of Charlie Lake, along the Highway 97 N about 8 km northwest of the City of Fort St. John. Charlie Lake is visible from parts of the property as the land slopes eastward, down towards the lake.

Department Head

CAO

SITE FEATURES

- LAND:** The subject property is mostly cleared but has a vegetative buffer along the property lines.
- STRUCTURES:** The subject property contains one mobile home with a detached 35 x 40 ft building.
- ACCESS:** The subject property is road accessible from Highway 97 N.
- CLI SOIL RATING:** The subject property has a CLI soil rating of Class 3c and Class 5⁶T 4⁴x. Class 3 soils have moderately severe limitations that restrict the range of crops or require special conservation practices. Subclass c denotes an adverse climate. Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Class 4 soils have severe limitations that restrict the range of crops or require special conservation practices. Subclass T denotes adverse topography and subclass x is comprised of soils having a limitation resulting from the cumulative effect of two or more adverse characteristics.
- FIRE:** The subject property lies within the Charlie Lake Fire Protection Area.

COMMENTS AND OBSERVATIONS

- APPLICANT:** The landowner would like to create three separate commercial lots.
- ALR:** The subject property is located within the Agricultural Land Reserve (ALR) and therefore this proposal requires approval by the Agricultural Land Commission (ALC). The ALC by Resolution #77/2012 has approved the exclusion of the property from the ALR subject to the adoption of commercial zoning.
- OCP:** The subject property is designated as “Highway Commercial” within North Peace Fringe Area OCP By-law No. 1870, 2009, wherein the minimum parcel size is 1.6 ha (4 ac). Permitted uses in this designation are generally those that cater to residents, tourists and the travelling public. The proposal is consistent with the OCP and meets the minimum parcel size requirement.
- ZONING:** The subject property is zoned R-4 (Residential 4 Zone) within Zoning By-law No. 1343, 2001, wherein the minimum parcel size is 1.8 ha (4.5 ac). The proposal does not meet this minimum parcel size requirement. As well, the proposed commercial use requires rezoning. Therefore, the applicant is applying for rezoning.

IMPACT ANALYSIS

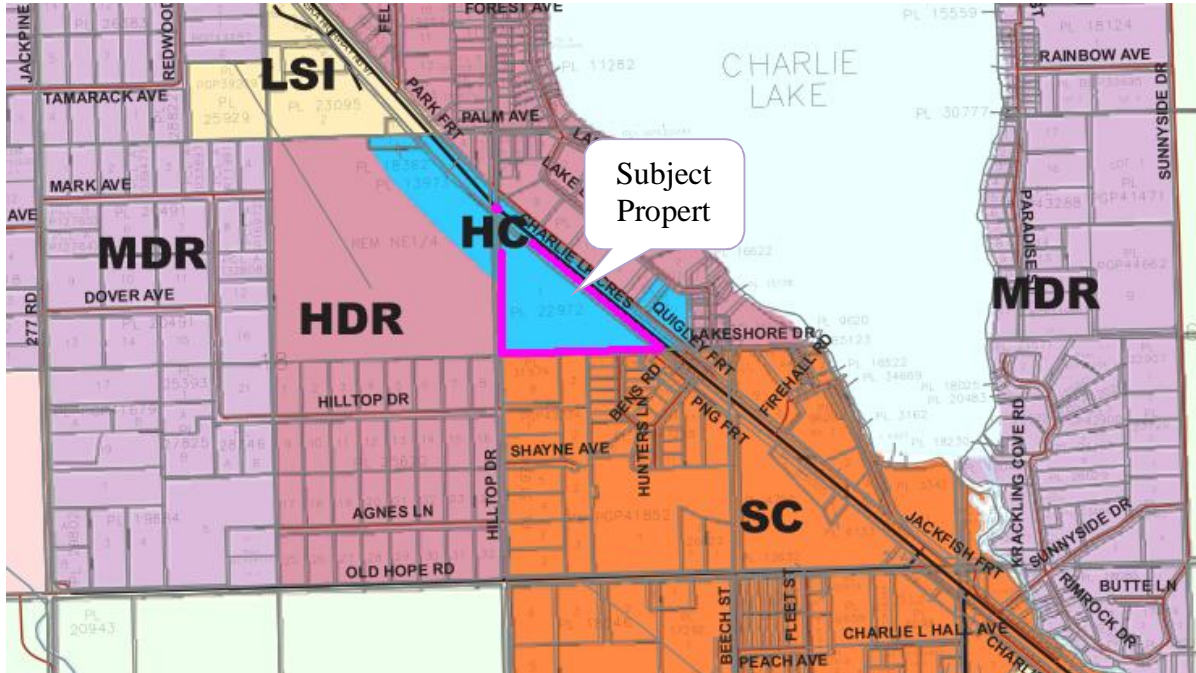
- AGRICULTURE:** This proposal will not affect agriculture as this is a development non agricultural area.
- CONTEXT:** The property is located along Highway 97 N amidst the community of Charlie Lake. There are residential and light industrial uses around that area; therefore, the proposal is consistent with the context of the area.
- POPULATION & TRAFFIC:** The commercial lots are unlikely to increase the population but will result in an increase in traffic along the Alaska Highway and PNG Frontage Road.

February 13, 2014

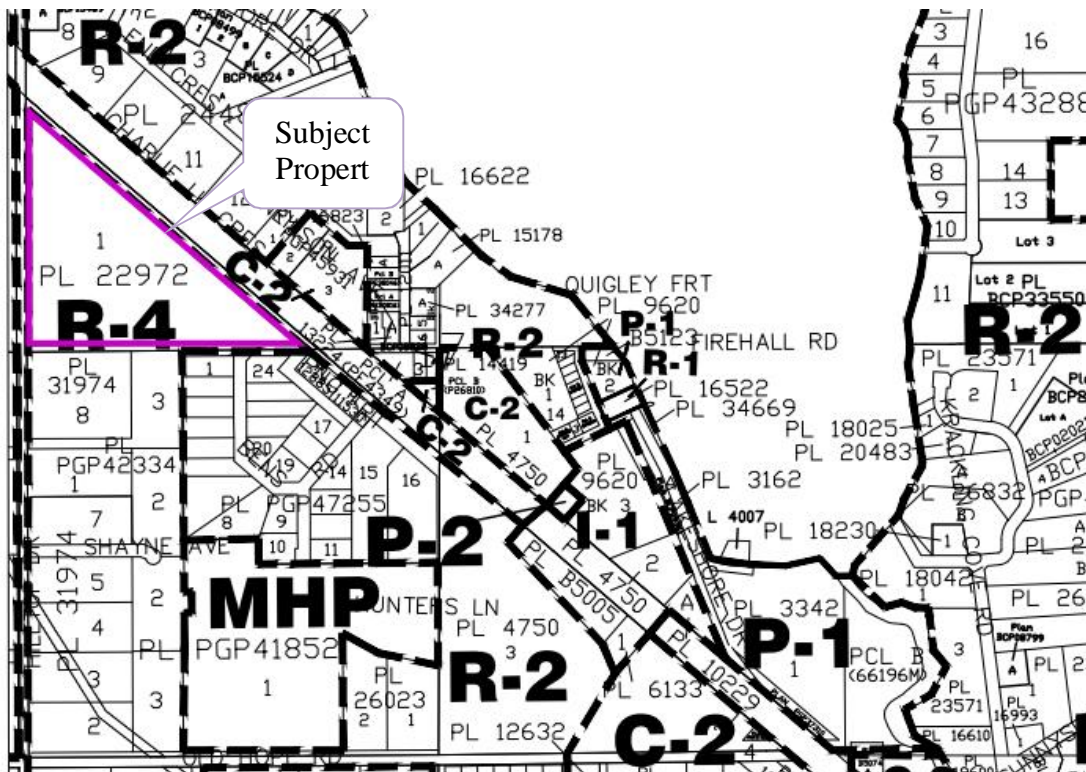


REZONING REPORT
MAPS
FILE NO. 213/2013

North Peace Fringe Area Official Community Plan By-law No. 1870, 2009 (Map 3)



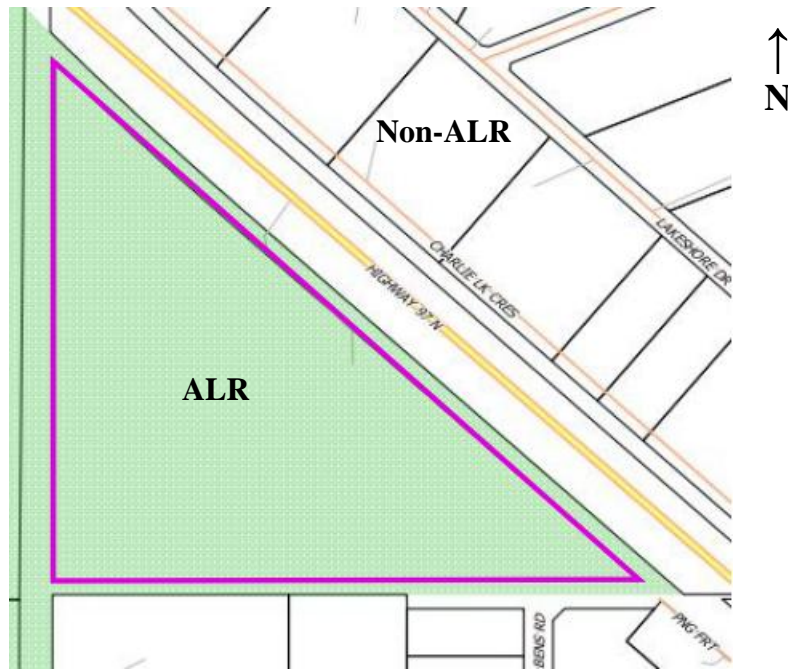
Zoning By-Law 1343, 2001 (Schedule A Map 7)



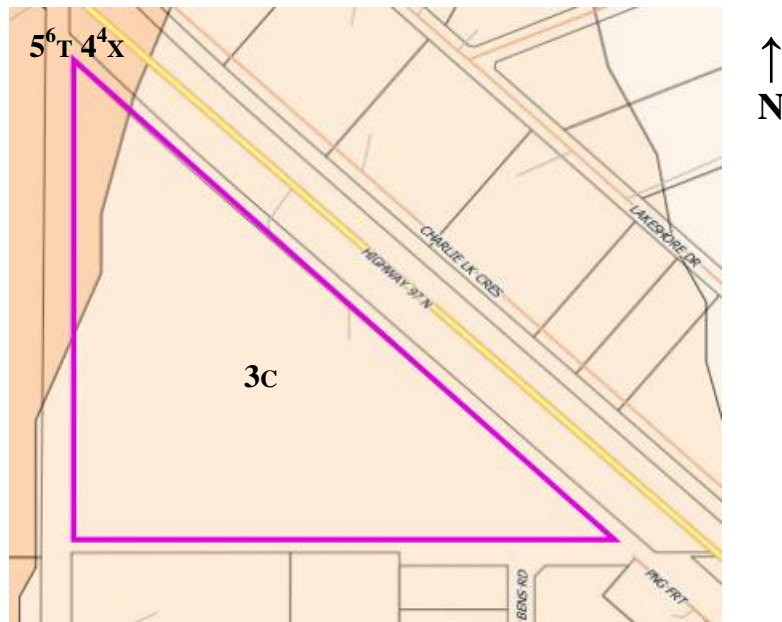


REZONING REPORT
MAPS
FILE NO. 213/2013

Agricultural Land Reserve (Map #94A.026)



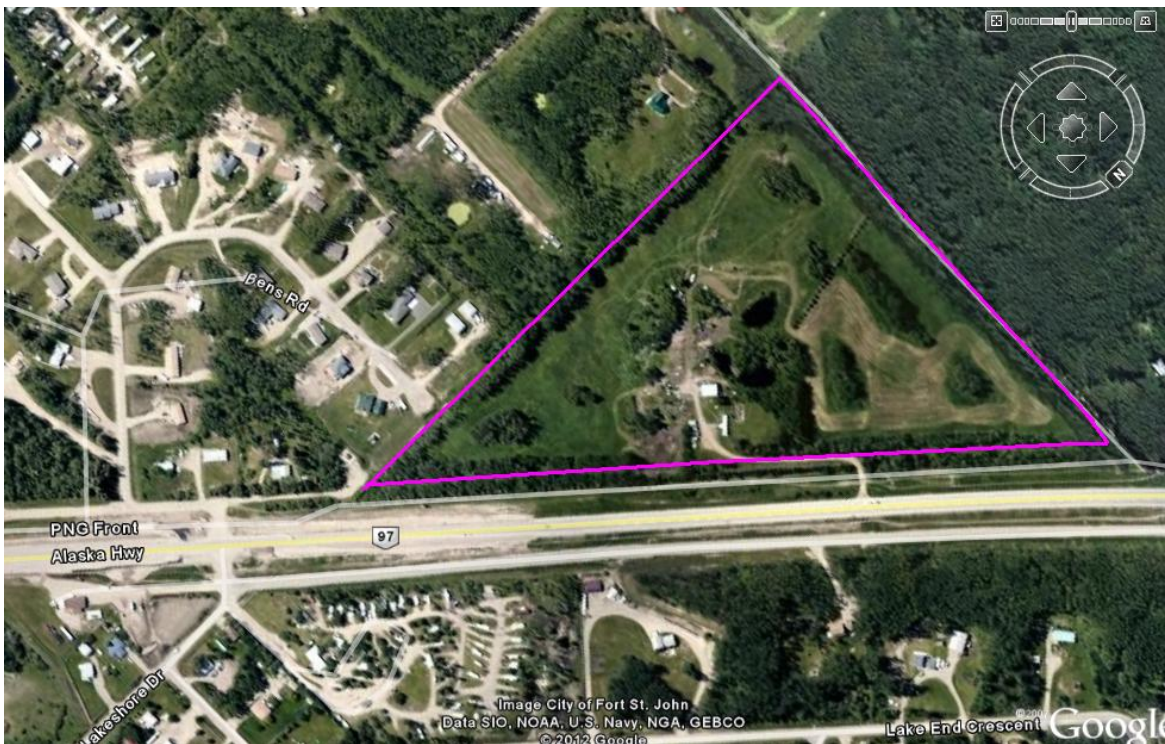
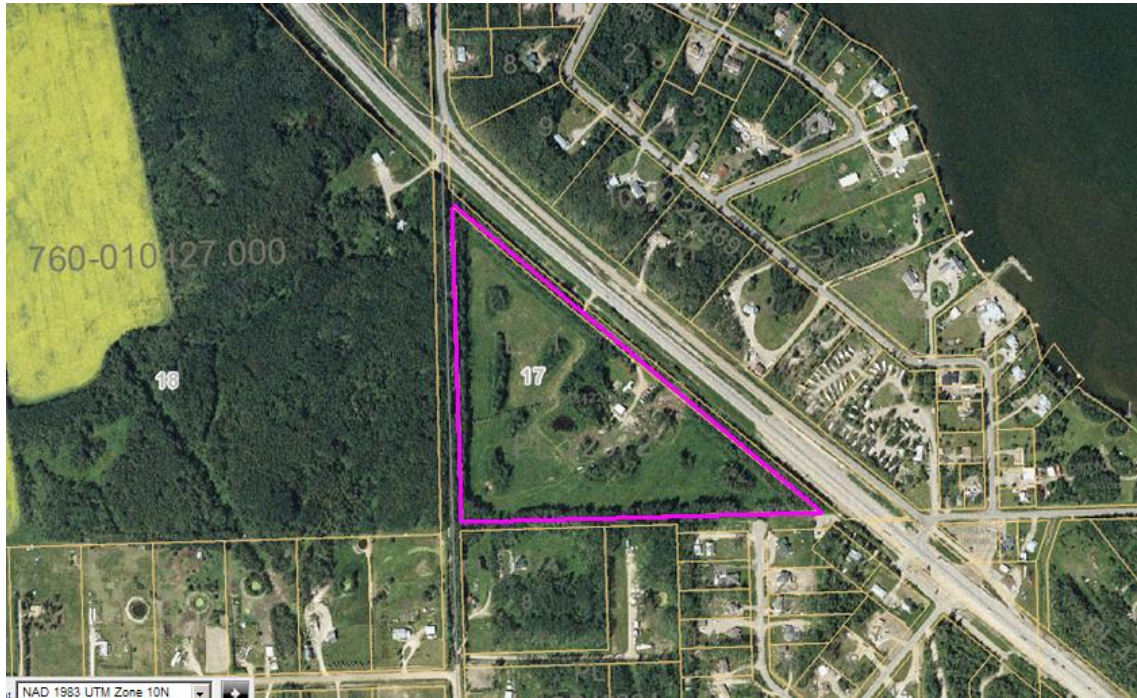
CLI-Soil Classification (Map #94A-07)





REZONING REPORT
MAPS
FILE NO. 213/2013

Air Photo



February 13, 2014



SECTION 42 C-2 (General Commercial Zone - 1.8 ha)

1. Permitted Uses

The following PRINCIPAL USES and no others are permitted in a C-2 zone subject to Part IV of this bylaw and subject to Sub-Section 2 of this Section 42;

- (a) TOURIST ACCOMMODATION;
- (b) RESTAURANT;
- (c) AUTOMOTIVE SERVICE STATION;
- (d) CONVENIENCE STORE;
- (e) GAS BAR;
- (f) Car wash;
- (g) Liquor Store;
- (h) GARDEN CENTRE;
- (i) CAMPGROUND;
- (j) Retail sales establishment;
- (k) Sales, rentals, servicing and repairs of automobiles, recreation vehicles and boats;
- (l) Building material supply facility;
- (m) Meat cutting and packing, excluding ABATTOIRS;
- (n) Business office;
- (o) PERSONAL SERVICE ESTABLISHMENT;
- (p) ANIMAL HOSPITAL;
- (q) Taxi dispatch office;
- (r) RECYCLE CENTRE;
- (s) FUNERAL PARLOUR LIMITED; (BL No. 1713, 2007)
- (t) instrumentation, small equipment sales, rentals and service. (BL No. 1839, 2009)
- (u) Gallery, or studio related to art, music, recording, dance, fitness or recreation (BL#1921, 2011)

The following ACCESSORY uses and no others are permitted in a C-2 zone, subject to Part IV of this bylaw and Sub-Section 2 of this Section 42:

- (v) ACCESSORY building and ACCESSORY structure;
- (w) DWELLING UNIT(S);

2. Regulations

Minimum Parcel Size

- (a) The minimum parcel size is 1.8 hectares (4.5 acres) where there is no COMMUNITY SEWAGE SYSTEM;
- (b) The minimum parcel size is 0.4 hectare (1 acre) when the parcel is connected to a COMMUNITY SEWAGE SYSTEM.

Number and type of Dwelling

- (c) Not more than one SINGLE FAMILY DWELLING on a parcel, either detached or contained within one of the PRINCIPAL USES listed above.

Height

- (d) No building or structure shall exceed 12metres (40 ft) in HEIGHT.



213/2013.

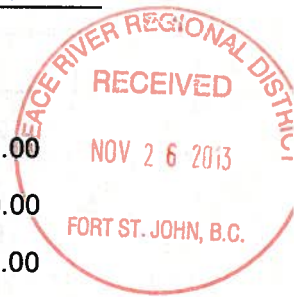
Box 810, 1981 Alaska Avenue, Dawson Creek, BC V1G 4H8 Telephone: (250) 784.3200 Fax: (250) 784.3201	9505 – 100 th Street, Fort St. John, BC V1J 4N4 Telephone: (250) 785.8084 Fax: (250) 785.1125
Toll Free: 1.800.670.7773	

Receipt #: 5151

Application for Development

1.

		FEES
<input type="checkbox"/>	Official Community Plan Amendment	\$1,000.00
<input checked="" type="checkbox"/>	Zoning Amendment	\$ 650.00
<input type="checkbox"/>	Official Community Plan and Zoning Amendment combined	\$1,050.00
<input type="checkbox"/>	Temporary Use Permit	\$ 350.00
<input type="checkbox"/>	Development Permit	\$ 165.00
<input type="checkbox"/>	Development Variance Permit	\$ 165.00
<input checked="" type="checkbox"/>	Sign requirement [Amended by By-law No. 1898, 2010]	\$ 150.00



The applicant, on those parcel(s) subject to an amendment to:

- i) an official community plan and/or zoning by-law;
- ii) temporary commercial or industrial use permit;

shall post a development application sign on the subject property, as provided by the Regional District.

A \$150.00 fee will be charged for utilizing the sign and a \$100.00 refund will be issued upon return of the sign to the Regional District.

2. Please print

Property Owner-s Name Florian Schwarz	Authorized Agent of Owner (if applicable): Focus Corporation
Address of Owner Box 1027, 8712 HWY 97 N	Address of Agent 10716-100 Avenue
City / Town / Village Charlie Lake, BC	City / Town / Village Fort St John, BC
Postal Code V0C 1H0	Postal Code V1J 1Z3
Telephone Number: 250-261-0145 Fax Number: 250-785-1172	Telephone Number: 250-787-0300 Fax Number: 250-787-1211
e-mail address: florian@everflo.ca	e-mail address: siama.toure@focus.ca

3. Full legal description of each property under application	Area of each lot
PID:008-648-280 Lot 1, Plan 22972, Sect 17, Township 84, R19, W6M	10.92/27 ha./ acres
	ha. / acres
	ha./ acres
	Total area ha./ acres

4. Civic address or location of property: 8712 Hwy 97 North, Charlie Lake, BC VOC 1H0

5. **Particulars of proposed amendment**

Please check the box(es) that apply(ies) to your proposal.

Official Community Plan (OCP) amendment:
 Existing OCP designation: _____
 Proposed OCP designation _____
 Text amendment: _____

For a Zoning amendment:
 Existing zone: R4 _____
 Proposed zone C2 _____
 Text amendment: _____

Development Variance Permit: - describe proposed variance request:

Temporary Use Permit (describe proposed use):

For a Development Permit: By-law No. _____ Section: _____

6. Describe the existing use and buildings on the subject property:

Land is mostly vacant, in the center of the property is a mobile home with a detached approximately 35x40ft

7. Describe the existing land use and buildings on all lots adjacent to and surrounding the subject property:

- a) North Hwy 97 North (Alaska Hwy)
- b) East Residential/Hwy 97 North (Alaska Hwy)
- c) South Rural Residential
- d) West Vacant Land 149.73 Acres (60.59 ha)

8. Describe the proposed development of the subject property, attach a separate sheet if necessary:

To subdivide the current 27 acres (10.92 ha) into three separate Highway Commercial C2 parcels, consisting of two 4 acre (1.6 ha) C2 lots at the East End of the parcel and one 19acre (7.72ha) lot.



9. Reasons and comments in support of the application, attach a separate sheet if necessary:
~~This re-zoning will comply with the OCP, ALR approval has been obtained~~
~~Traffic impact study has been completed and approved by MOT~~

The following information is required. Failure to provide any of the following may delay the application.

1. A copy of the proof of ownership. [For example: Certificate of Title or recent Tax Assessment] for the subject property or properties.
2. A Sketch Plan of the subject property, showing:
 - the legal boundaries and dimensions of the subject property;
 - boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - the location of permanent buildings and structures on the subject property, with distances to property lines;
 - the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - the location of any existing sewage disposal systems;
 - the location of any existing or proposed water source; and
3. Additional or more detailed information may be requested by the Regional District following review of your application.

If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a British Columbia Land Surveyor may be required.

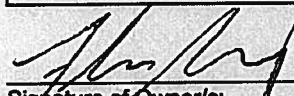
I / We hereby declare that the information provided in this application is, to the best of my / our knowledge, true and correct in all respects, and I / we enclose the required fee with this application.

Signature of Owner/s:	
Signature of Owner/s:	
Date:	Oct 20, 2013

Agents Authorization

Should the property owners elect to have someone act on their behalf in submission of this application, the following must be signed by all property owners.


I / We <u>FLORINO</u> and <u>KIM SCHWARZ</u> hereby authorize		
(name) <u>Focus Corp.</u> to act on my/our behalf in respect of this application.		
Address of agent: <u>FORT ST JOHN B.C.</u>		
Telephone:	Fax:	Email:



 Signature of Owner/s:

Oct 20, 2013

 Date



 Signature of Owner/s:

Oct 20, 2013

 Date

**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2110, 2014**

B-7b

A bylaw to amend the "Peace River Regional District Zoning Bylaw No. 1343, 2001."

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt the "Peace River Regional District Zoning Bylaw No. 1343, 2001";

AND WHEREAS an application has been made to amend the "Peace River Regional District Zoning Bylaw No. 1343, 2001" to facilitate a rezoning;

NOW THEREFORE the Regional Board of the Peace River Regional District, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as the "Peace River Regional District Amendment Zoning Bylaw No. 2110, 2014."
2. The "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended in the following manner:

Schedule A Map 7 is hereby amended by rezoning Lot 1, Section 17, Township 84, Range 19, W6M, PRD, Plan 22972 from R-4 "Residential 4 Zone" to C-2 "General Commercial Zone" as shown shaded on Schedule "A" which is attached to and forms part of this bylaw.

READ a FIRST TIME this ____ day of _____, 2014.

READ a SECOND TIME this ____ day of _____, 2014.

Public Notification held on the ____ day of _____, 2014.

READ a THIRD TIME this ____ day of _____, 2014.

APPROVED by the Ministry of Transportation this ____ day of _____ 2014.

District Highways Manager

ADOPTED this ____ day of _____, 2014.

(seal)

Karen Goodings, Chair

Fred Banham, Chief Administrative Officer

February 13, 2014

Peace River Regional District
By-law No. 2110, 2014
SCHEDULE "A"



Map. No. 7 - Schedule 'A' of "Peace River Regional District Zoning By-law No. 1343, 2001" is hereby amended by rezoning Lot 1, Plan 22972, Section 17, Township 84, Range 19, W6M, PRD, **from** R-4 "Residential 4 Zone" **to** C-2 "General Commercial Zone" as shown shaded on the drawing below:

