



REPORT

To: Chair and Directors

Report Number: DS-BRD-296

From: Ashley Murphey, RPP, MCIP, Planning Services Manager

Date: March 30, 2023

Subject: Zoning Amendment Bylaw No. 2491, 2022, Consideration of 3rd Reading & Adoption

RECOMMENDATION #1: [Corporate Unweighted, excluding Pouce Coupe]

That the Regional Board give Zoning Amendment Bylaw No. 2491, 2022, to rezone a ± 4.12 hectare portion of the subject property identified as PID 012-906-450 from Large Agricultural Holdings (A-2) Zone to Residential 3 (R-3) Zone to facilitate a subdivision, third reading.

RECOMMENDATION #2: [Corporate Unweighted 2/3 Majority, excluding Pouce Coupe]

That the Regional Board adopt Zoning Amendment Bylaw No. 2491, 2022.

BACKGROUND/RATIONALE:

Proposal

The applicant is proposing to rezone a ± 4.12 ha portion of the subject property from A-2 (Large Agricultural Holdings Zone) to R-3 (Residential 3 Zone) to facilitate a 3 lot subdivision.

The proposal is consistent with the OCP, therefore staff are in support of the application.

File Details

Owner: Sean Gallagher/Kevin Gallagher
Agent: Brenna Burns Personal Real Estate Corporation
Area: Electoral Area C
Location: Fort St. John
Legal: Lot 6 Section 24 Township 84 Range 19 west of the 6th Meridian Peace River District Plan 9578, Except: Part lying west of Plan 18582; Part on Plan 18582 and Part on Plan BCP21017
PID: 012-906-450
Lot Size: 6.79 ha (16.77 ac)

Rationale:

The applicant has entered into a restrictive covenant to address the comments provided by CN Rail, as required by the Board's resolution on August 11, 2022:

"That the Regional Board give Zoning Amendment Bylaw No. 2491, 2022, to rezone a ± 4.12 hectare portion of the subject property identified as PID 012-906-450 from Large Agricultural Holdings (A-2) Zone to Residential 3 (R-3) Zone to facilitate a subdivision, first and second readings; further that the Regional Board authorize a public hearing to be held pursuant to Local Government Act Section 464 (1), delegated to the Director of Electoral Area C and that public notification be authorized pursuant to Local Government Act Section 466."

Staff notes that some of the comments provided by CN Rail are outside of the PRRD's jurisdiction, namely those related to building construction and requirements for purchase and sale agreements.

Therefore only those items within the PRRD's jurisdiction have been addressed in the covenant, and the applicant has been provided a copy of CN's comments for their information.

Site Context

The property is split zoned A-2 (Large Agricultural Holdings) and R-3 Residential Zone. Based on the aerial imagery, the subject property is vacant, with a residential area (R-5) to the south and agriculture lands (hayfield) around the rest of the periphery. It is situated over 3 kilometres north of Fort St. John.

Summary of Procedure

Zoning Amendment Bylaw No. 2491, 2022, was read for a first and second time on August 11, 2022. The following activities have occurred since then:

September 2, 2022	Public notification mailed to landowners within notification area.
September 8 & 15, 2022	Notice of public hearing advertised in the Alaska Highway News.
September 21, 2022	Public hearing held in Fort St. John. No members of the public attended and no written comments were received.
March 13, 2023	Restrictive covenant was registered on title.

Comments Received from the Public

A public hearing was held on September 21, 2022 in accordance with the *Local Government Act*. The Minutes are attached to this report, no members of the public were in attendance and no comments were received.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse Zoning Amendment Bylaw No. 2491, 2022, to rezone a ±4.12 hectare portion of the subject property identified as PID 012-906-450 from Large Agricultural Holdings (A-2) Zone to Residential 3 (R-3) Zone to facilitate a subdivision.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S): None at this time.

COMMUNICATIONS CONSIDERATION(S): The Regional Board's decision will be communicated to the applicant.

OTHER CONSIDERATION(S): None at this time.

Attachments:

1. Zoning Amendment Bylaw No. 2491, 2022
2. Minutes – Zoning Amendment Bylaw No. 2491, 2022, PRRD File No. 22-003

External Links:

1. [Zoning Amendment Bylaw No. 2491, 2022, PRRD File No. 22-003 ZN](#) – Item No. 9.4
2. Agenda – [Public Hearing for Zoning Amendment Bylaw No. 2491, 2022, PRRD File No. 22-003 ZN](#)



PEACE RIVER REGIONAL DISTRICT

**PEACE RIVER REGIONAL DISTRICT
PUBLIC HEARING – MINUTES
Proposed Zoning Amendment Bylaw No. 2491, 2022
September 21, 2022, 6:00pm**

ATTENDANCE:

Peace River Regional District:	Brad Sperling, Director Electoral Area C Ashley Murphey, Planning Services Manager Erin Powers, Planner 1
Applicant/Owner:	Not in attendance
Public:	Zero (0) members of the public in attendance

1. CALL TO ORDER

The Chair called the meeting to order at 6:05 pm.

2. TERMINATION OF PUBLIC HEARING

The Chair terminated the Public Hearing at 6:06 pm.

Certified to be a fair and accurate summary of the nature of the representations respecting proposed Zoning Amendment Bylaw No. 2491, 2022, held on September 21, 2022.

Original signed by:

Erin Powers, Recorder

Director Brad Sperling, Chair

Ashley Murphey, RPP, MCIP
Planning Services Manager

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PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2491, 2022

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

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 "Peace River Regional District Zoning Amendment Bylaw No. 2491, 2022."
2. Schedule A – Map 9 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning a $\pm$ 4.12 ha. (10.18 ac) portion of Lot 6, Section 24, Township 84, Range 19, W6M, PRD, Plan 9578, except part lying west of Plan 18582; Part of Plan 18582 and Part on Plan BCP21017, from A-2 "Large Agricultural Holdings Zone" to R-3 "Residential 3 Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS 11th day of August , 2022.

READ A SECOND TIME THIS 11th day of August , 2022.

Public Notice mailed on the 2nd day of September , 2022.

Public Notice published on the 8th and 15th day of September , 2022.

Public Hearing held on the 21st day of September , 2022.

READ A THIRD TIME THIS _____ day of _____ , 2023.

ADOPTED THIS _____ day of _____ , 2023.

Leonard Hiebert, Chair

(Corporate Seal has been affixed to the original bylaw)

Tyra Henderson,
Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD
Zoning Amendment Bylaw No. 2491, 2022", as adopted by the
Peace River Regional District Board on _____, 2023.

Tyra Henderson, Corporate Officer

Schedule A

