



REPORT

To: Chair and Directors

Report Number: DS-BRD-003

From: Tyra Henderson, Corporate Officer

Date: March 23, 2020

Subject: Zoning Amendment Bylaw No. 2404, 2020, PRRD File No. 20-004 ZN

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board give Zoning Bylaw Amendment No. 2404, 2020, to rezone the property identified as PID 007-684-509 from A-2 (Large Agricultural Holdings) Zone to R-5 (Residential 5) Zone, first and second readings; further,

That a Public Hearing be waived pursuant to the *Local Government Act* Section 464(2) and that public notification be authorized pursuant to the *Local Government Act* Section 467.

BACKGROUND/RATIONALE:

Proposal

To rezone the property from A-2 (Large Agricultural Holdings) zone to R-5 (Residential 5) zone under PRRD Zoning Bylaw No. 1343, 2001 for the stated final purpose of subdividing the property into two lots, each with a minimum parcel size of 4 ha.

File Details

Owners: Elisabeth & Leonardus Claus
Area: Electoral Area D
Location: South Dawson
Legal: Lot C Section 25 Township 77 Range 16 W6M PRD Plan 32208
PID: 007-684-509
Civic Address: 13470 227 Road
Lot Size: 16 ha (39.7 ac)

Site Context

The subject property is located within the rural neighbourhood of Bear Mountain. The direct surrounding area consists of smaller rural residential lots, crown land, and larger agricultural parcels at lower elevations within the valley of Bear Mountain west of the subject property.

Site Features

Land

Based on aerial photos and a site visit, a large portion of the subject property is tree-covered, and along the mountainside of Bear Mountain. The western portion of the subject property is developed for residential use.

Structures

There are three manufactured homes, one complete carpenter shop, one incomplete shop, and a power shed on the subject property.

Access

The subject property is accessed via 227 Road.

Canada Land Inventory (CLI) Soil Rating

Soil on the property is rated 5⁷_{tp}7³_{tp}. Class 5 soils have very severe limitations that restrict their capability of producing perennial forage crops, and improvement practices are feasible. Class 7 soils have no capability for arable culture or permanent pasture. Subclass t denotes topography. Subclass p denotes stoniness.

Comments & Observations

Applicant

The subject property is used for residential purposes. The applicant intends to subdivide the property into two lots.

Agricultural Land Reserve (ALR)

The subject property is outside the ALR and is therefore not subject to the provisions of the *Agriculture Land Commission Act*.

Official Community Plan

Pursuant to PRRD South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012, the subject property is designated Rural Neighbourhood (RN). Policy 6.3.2 (a). states that the principal uses of land generally be limited to residential and agriculture. Parcels within this designation should have a minimum parcel size of 1.6 ha (4 acres), unless soil conditions are suitable for on-site sewage disposal, in which the parcel should be at least 0.8 ha.

Therefore, the proposed use and size of the subject property is consistent with the OCP.

Land Use Zoning

Pursuant to PRRD Zoning Bylaw No. 1343, 2001, the subject property is zoned A-2 (Large Agricultural Holdings) zone. The minimum parcel size of the A-2 zone is 63 ha (155 ac). The current parcel size does not comply with the current zoning and therefore the applicant has applied for the rezone to R-5, which has a minimum parcel size of 4ha.

Fire Protection Areas

The subject property is outside all Fire Protection Areas.

Mandatory Building Permit Areas

The subject property is outside the Mandatory Building Permit Area.

Impact Analysis

Context

The proposed rezoning is requested to facilitate a future subdivision that would result in one additional residential parcel if the subdivision is approved by the Ministry of Transportation and Infrastructure. The

proposed rezoning and desired future parcel sizes are consistent with the parcels surrounding the subject property.

Population & Traffic

The proposed rezoning would help facilitate a future subdivision that would result in one additional residential parcel, if the subdivision is approved by the Ministry of Transportation and Infrastructure. The proposed rezoning and parcel sizes are considered consistent with the parcels surrounding the subject property.

No significant change in traffic is anticipated should the zoning amendment be approved.

Sewage & Water

The applicant currently has a lagoon for sewage disposal and a cistern for water supply for their property.

Comments Received from Municipalities & Provincial Agencies

No responses have been received from municipalities or provincial agencies at this time.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse Zoning Amendment Bylaw No. 2404, 2020, to permit rezoning of the property identified as PID 007-684-509 under PRRD Zoning Bylaw No. 1343, 2001 as submitted.
2. That the Regional Board give Zoning Amendment Bylaw No. 2404, 2020, to rezone the property identified as PID 007-684-509 from A-2 (Large Agricultural Holdings) Zone to R-5 (Residential 5) Zone under PRRD Zoning Bylaw No. 1343, 2001, first and second readings; and further,

That a Public Hearing be held pursuant to the *Local Government Act* Section 464(1), and that public notification be authorized pursuant to the *Local Government Act* Section 466; further, that the public hearing be delegated to the Director of Electoral Area “D”.

3. 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.

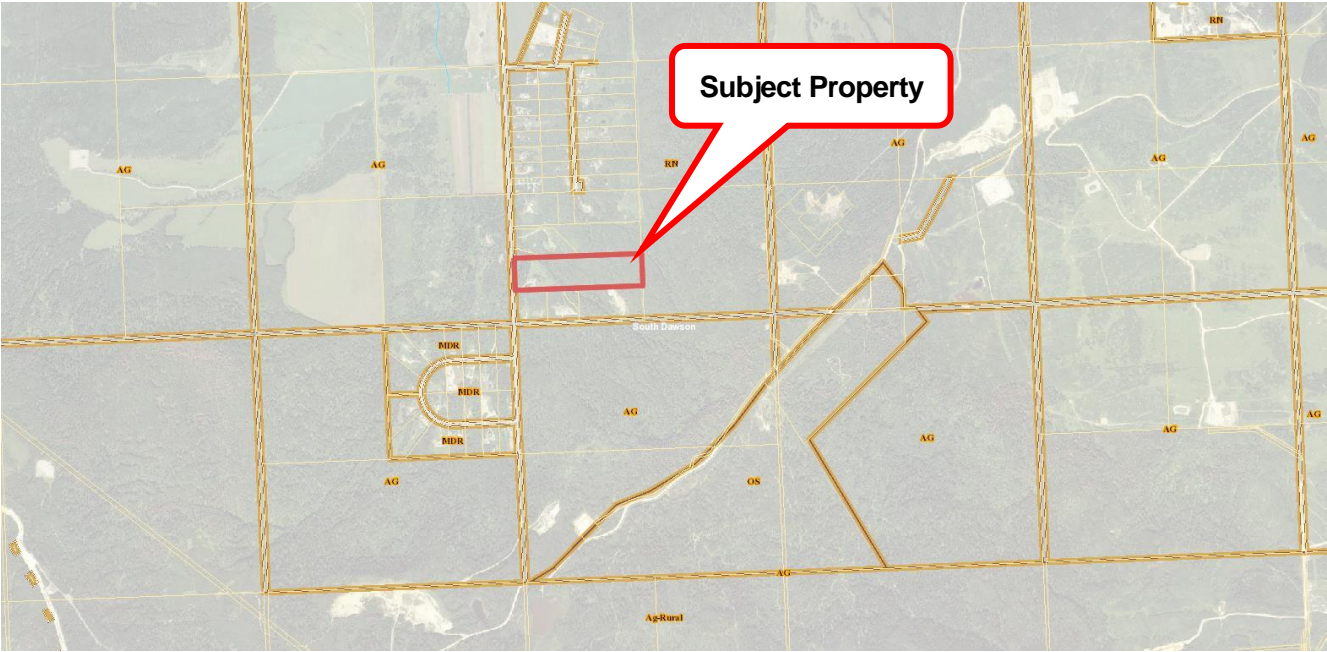
OTHER CONSIDERATION(S):

None.

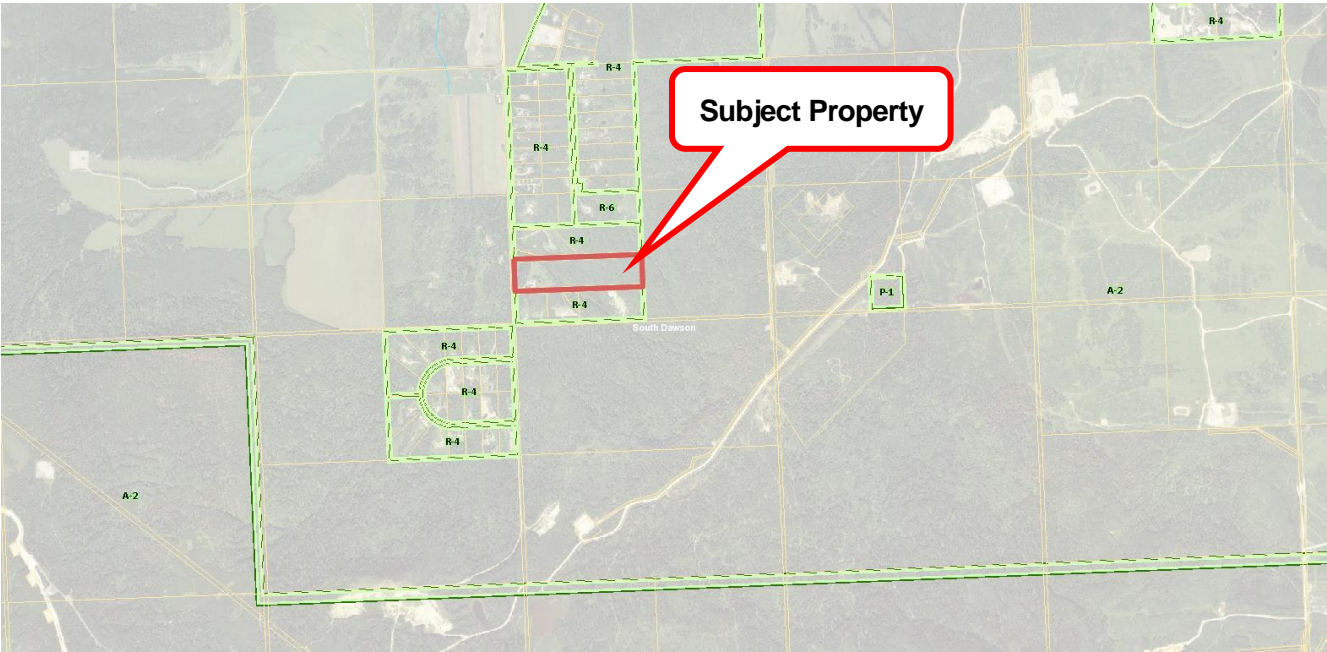
Attachments:

1. Maps
2. Application
3. Referral response from Electoral Area Director
4. Section 38 of PRRD Zoning Bylaw No. 1343, 2001
5. Draft Bylaw No 2404, 2020

South Peace Fringe Area OCP Bylaw No. 2048, 2012: 'Rural Neighbourhood'



PRRD Zoning Bylaw No. 1343, 2001: R-4 'Large Agricultural Holdings Zone'



Agricultural Land Reserve: Outside



CLI-Soil Classification: 5⁷tp7³tp



Photos:



Fig#1 & 2 Residential structures on proposed lot 2



Fig# 3 & 4 Parcel runs up Bear Mountain as shown in in background photo.



Fig# 5 Residential structures on proposed lot 1

Fig# 6 Dugout on proposed lot 1



Fig# 7 & 8 Photos showing contour on parcel



PEACE RIVER REGIONAL DISTRICT

File #
 20-004 ZH

DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC (T) 250-784-3200..(F) 250-784-3201
 FORT ST. JOHN 9505 100TH Street, Fort St. John, BC V1J 4N4 (T) 250-785-8084 (F) 250-785-1125
 [Toll Free: 1-800-670-7773]

Receipt # _____

Application for Development

1. TYPE OF APPLICATION	FEE
<input type="checkbox"/> Official Community Plan Bylaw Amendment	\$ 1,000.00
<input checked="" type="checkbox"/> Zoning Bylaw Amendment	650.00
<input type="checkbox"/> Official Community Plan / Zoning Bylaw 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	150.00

In regard to applications for:

- i) an official community plan and/or zoning bylaw amendment;
- ii) temporary use permit;

Sign provided by the PRRD and sign posted pursuant to Section 8 of Bylaw No. 2165, 2016, **attached**.

2. PLEASE PRINT

Property Owner's Name Elisabeth J. Claus Leonardus L. Claus	Authorized Agent of Owner (if applicable)
Address of Owner [REDACTED]	Address of Agent
City/Town/Village [REDACTED]	City/Town/Village
Postal Code [REDACTED]	Postal Code
Telephone Number: [REDACTED]	Telephone Number:
Fax Number: -	Fax Number:
E-mail: [REDACTED]	E-mail:

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot
77 lot C, Plan PGP 32208, Part SW 1/4,	19.95 ha./acres
Section 25, Township 77, Range 16, Meridian	19.95 ha./acres
W6, Peace River Land District	ha./acres
	TOTAL AREA 39.9 ha./acres

Notice of collection of personal information:

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.

4. Civic Address or location of property: 13470 - 227 Road, Peace River Regional District, BC V1G 0C2

5. PARTICULARS OF PROPOSED AMENDMENT

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

Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: _____

Proposed OCP designation: _____

Text amendment: _____

Zoning Bylaw amendment:

Existing zone: A2

Proposed zone: ~~A2~~ R5

Text amendment: _____

Development Variance Permit – describe proposed variance request:

Temporary Use Permit – describe proposed use:

Development Permit: Bylaw No. _____ Section No. _____

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

Residential
manufactured home; power shed

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

(a) North Residential

(b) East Crown

(c) South Residential

(d) West Residential

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

Sub-Division for son

9. Reasons and comments in support of the application. Attach a separate sheet if necessary:

Keep family close
Non farmable land
Help Retired senior citizen take care of property

10. Describe the means of sewage disposal for the development:

certified lagoon

11. Describe the means of water supply for the development:

Cistern

THE FOLLOWING INFORMATION IS REQUIRED. FAILURE TO PROVIDE MAY DELAY YOUR APPLICATION.

12. Proof of ownership of the subject property or properties. (For example: Certificate of State of Title, BC Land Title Office Property Title Search or recent Property Tax Notice.)
13. A Sketch Plan of the subject property or properties, showing:
 - (a) the legal boundaries and dimensions of the subject property;
 - (b) boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - (c) the location of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - (e) the location of any existing sewage disposal systems;
 - (f) the location of any existing or proposed water source.


ADDITIONAL OR MORE DETAILED INFORMATION MAY BE REQUESTED BY THE PEACE RIVER REGIONAL DISTRICT FOLLOWING REVIEW OF YOUR APPLICATION.

If it is 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.

15. I / We the undersigned hereby declare that the information provided in this application is complete and is, to the best of my / our knowledge, a true statement of the facts related to this application.

Elisabeth Claws
 Signature

February 3, 2020
 Date signed


 Signature of Owner

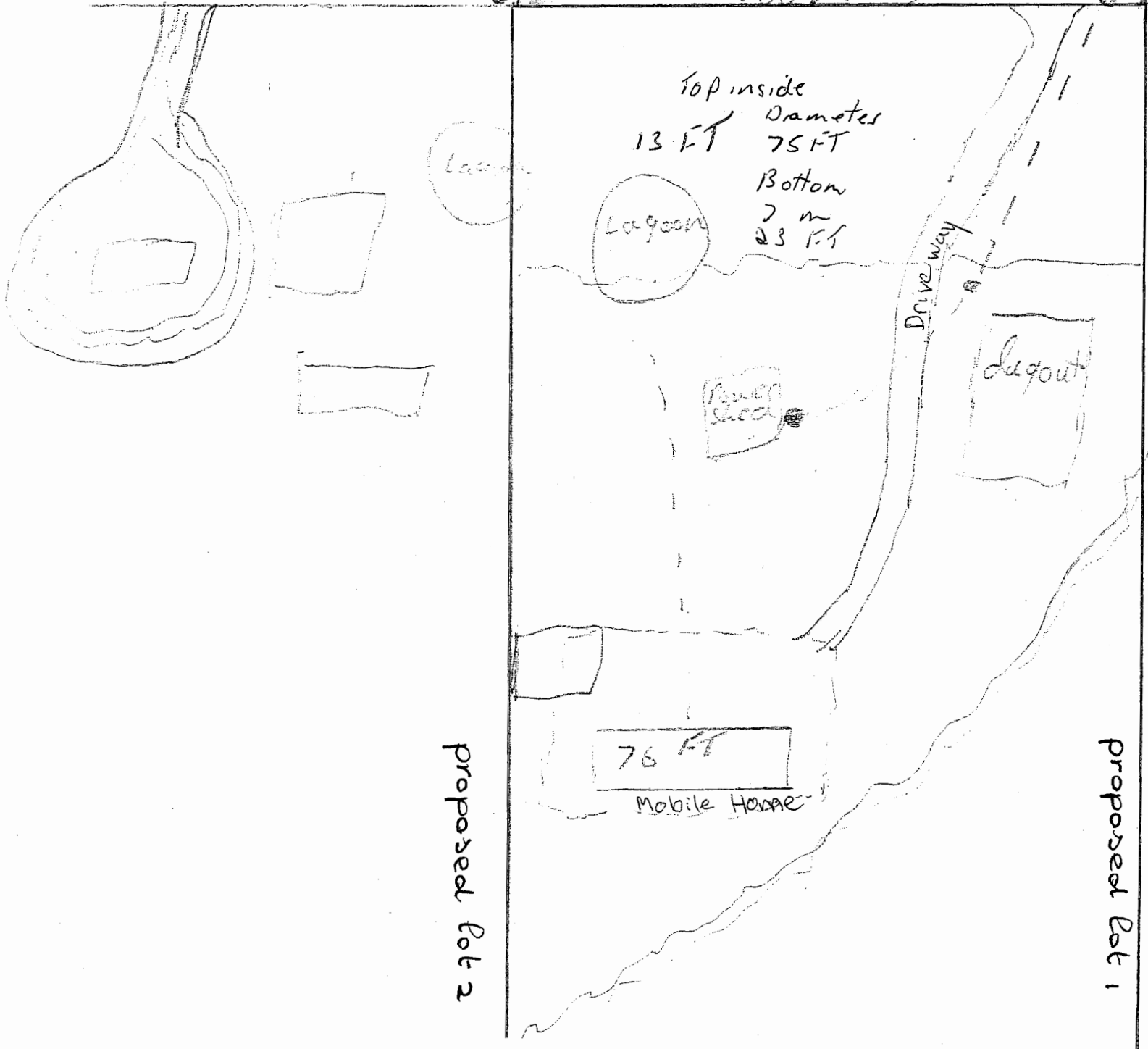
FEB 03 - 2020
 Date signed

16. **AGENT'S AUTHORIZATION**
 If you have an agent act on your behalf in submission of this application, the following authorization **MUST** be signed by **ALL** property owners.

I / We authorize	and	hereby
(name) application.	to act on my/our behalf regarding this	
Agent address:		
Telephone:	Fax:	Email:
Signature of Owner:	Date:	
Signature of Owner:	Date:	

227 Road

← 100m →





PEACE RIVER REGIONAL DISTRICT

Memorandum

TO: Leonard Hiebert, Director of Electoral Area D
 FROM: Development Services Department
 DATE: February 13, 2020
 RE: **Application for Zoning Amendment Bylaw No. 2404, 2020, (PRRD File 20-004 ZN)**

Pursuant to the following resolution:

RD/15/04/26 (23)

That a two-week period be added to the development application review process to allow time for the appropriate Electoral Area Director to review applications prior to them going to the Regional Board for consideration.

The application and bylaw are provided for your review. As instructed at the November 21, 2019 EADC meeting, referrals to Directors will be done earlier in the application review process, at the same time as external agency referrals. As a result, this referral does not include external agency comments or a staff report.

COMMENTS

Response requested by February 27, 2020

No comment

Hello,
 The proposal is close to MDR and RN and I will support it.

Leonard Hiebert

Feb. 27/2020

Director/Municipality

Date

diverse. vast. abundant.

PLEASE REPLY TO:

Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H8 Tel: (250) 784-3200 or (800) 670-7773 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca
 9505 100 St, Fort St. John, BC V1J 4N4 Tel: (250) 785-8084 Fax: (250) 785-1125 Email: prrd.fsj@prrd.bc.ca



PEACE RIVER REGIONAL DISTRICT
Zoning Bylaw No. 1343, 2001

SECTION 38 R-5 (Residential 5 Zone - 4 ha)

1. Permitted Uses

The following PRINCIPAL USES and no others are permitted in a R-5 zone subject to Part IV of this bylaw and subject to Sub-Section 2 of this Section 38;

- (a) DWELLING UNIT(S);
- (b) Market garden;
- (c) AGRICULTURE;
- (d) KENNEL;
- (e) EQUESTRIAN FACILITY;

The following ACCESSORY uses and no others are permitted in a R-5 zone, subject to Part IV of this bylaw and Sub-Section 2 of this Section 38:

- (f) ACCESSORY buildings and ACCESSORY structure; (See Section 13)
- (g) AGRICULTURE-DOMESTIC;
- (h) BED AND BREAKFAST accommodation; (See Section 16)
- (i) HOME BASED BUSINESS; (See Section 19)
- (j) SECONDARY SUITE; (See Section 25)
- (k) TEMPORARY ADDITIONAL DWELLING. (See Section 29)

2. Regulations

Minimum Parcel Size

- (a) The minimum parcel size is 4.0 hectares (10 acres).

Number and type of DWELLING UNIT(S)

- (b) One SINGLE FAMILY DWELLING is permitted on a parcel less than 3.6 hectares (9 acres) in size;
- (c) Two SINGLE FAMILY DWELLINGS or a TWO FAMILY DWELLING is permitted on a parcel 3.6 hectares (9 acres) or larger, but not both;
- (d) One TEMPORARY ADDITIONAL DWELLING, is permitted on a parcel 0.9 hectares (2.2 acres) and larger.

Height

- (e) No building or structure shall exceed 10 metres (32.8 ft.) in HEIGHT.

Setbacks

- (f) Except as otherwise permitted in this bylaw, no building or structure shall be located within:
 - (i) 7 metres (23 ft.) of a FRONT PARCEL LINE;
 - (ii) 3 metres (10 ft.) of an INTERIOR SIDE PARCEL LINE;
 - (iii) 5 metres (17 ft.) of an EXTERIOR SIDE PARCEL LINE;
 - (iv) 5 metres (17 ft.) of a REAR PARCEL LINE.



**PEACE RIVER REGIONAL DISTRICT
Zoning Bylaw No. 1343, 2001**

SECTION 38 R-5 (Residential 5 Zone - 4 ha) continued

Agriculture

- (g) AGRICULTURE, use is permitted on parcels 4 hectares (10 acres) and larger;
- (h) AGRICULTURE DOMESTIC, is permitted on parcels 0.4 hectares (1 acre) and larger;

Where AGRICULTURE or AGRICULTURE-DOMESTIC are permitted the following regulations shall apply;

- (i) Maximum LOT COVERAGE for each commodity group is limited to the following:

COMMODITY GROUPS			
Apiculture (bees)	Greenhouse, Nursery, Speciality wood & Turf Crops	Livestock,* Poultry, Game and Fur	Mushroom growing facility
20%	Greenhouse: 75% Nurseries, Speciality Wood Crops & Turf Farms: 35%	35%	35%

* CONFINED LIVESTOCK AREAS are included in the LOT COVERAGE restriction.

The following structures do not fall under the LOT COVERAGE restrictions:

- detention ponds
- support structures used for shading, frost and wind protection of plants and animals.

**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2404, 2020**

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. 2404, 2020."
2. Schedule B – Map 12 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning Lot C, Section 25, Township 77, Range 16, W6M, PRD, Plan 32208, from A-2 "Large Agricultural Zone" to R-5 "Residential 5 Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	_____	day of _____	, 2020.
READ A SECOND TIME THIS	_____	day of _____	, 2020.
Public Notification mailed on the	_____	day of _____	, 2020.
Public Notification advertised on the	_____	day of _____	, 2020.
READ A THIRD TIME THIS	_____	day of _____	, 2020.
ADOPTED THIS	_____	day of _____	, 2020.

(Corporate Seal has been
affixed to the original bylaw)

Chair

Corporate Officer

I hereby certify this to be a true and correct copy of
"PRRD Zoning Amendment Bylaw No. 2404, 2020,
as adopted by the Peace River Regional District
Board on _____, 20__.

Corporate Officer



Peace River Regional District
 Bylaw No. 2404, 2020
SCHEDULE "A"



Schedule B - Map 12 of "Peace River Regional District Zoning Bylaw 1343, 2001" is hereby amended by rezoning Lot C, Section 25, Township 77, Range 16, W6M, PRD, Plan 32208 **from** A-2 "Large Agricultural Zone" **to** R-5 "Residential 5 Zone" as shown on the drawing below:

