



REPORT

To: Chair and Directors

Report Number: DS-BRD-132

From: Kathy Suggitt, General Manager of Development Services

Date: March 25, 2021

Subject: Zoning Amendment Bylaw No. 2433, 2021, PRRD File No. 21-003 ZN

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board give Zoning Amendment Bylaw No. 2433, 2021 to rezone the subject property identified as PID 005-979-552 from R-4 (Residential-4 Zone) to C-2 (General Commercial Zone), and to add a site-specific text amendment to the C-2 Zone to permit a campground, unlimited term, for a maximum of two recreational vehicles on the subject property, first and second readings; further

That a public hearing, delegated to the Electoral Area E Director be held pursuant to the *Local Government Act* Section 464(1) and public notification be authorized pursuant to the *Local Government Act* Section 467.

BACKGROUND/RATIONALE:

Proposal

To rezone the subject property from R-4 (Residential-4 Zone) to C-2 (General Commercial Zone), and to add a site-specific text amendment to the C-2 Zone to permit a campground, unlimited term on the subject property, to permit a maximum of two recreational vehicles for long term camping purposes.

The Ministry of Transportation and Infrastructure (MoTI), in their response to the referral sent out by the PRRD, has requested a suitably worded covenant to restrict development on the lot to two recreational vehicles for long term camping purposes only and to restrict direct access to Highway 29N.

File Details

Owner: Denise Caron
Area: Electoral Area E
Location: Moberly Lake
Legal: Lot 1 District Lot 486 Peace River District Plan 28431
PID: 005-979-552
Civic Address: 2012 Medicine Woman Lane
Lot Size: 1.86 ha (4.59 ac)

Site Context

The subject property is currently vacant and is located ±300m north of Moberly Lake. The subject property has flankage along Highway 27N and is accessed via Medicine Woman Lane S.

Site Features

Land

The subject property is populated with evergreen trees with clear space on the western portion. The subject property does not feature any developed areas, however, it has one notable topographic feature in the form of the Medicine Woman Creek, which passes through the subject property.

Structures

There is one small structure on the site that has the capability to provide a power hook-up.

Access

The subject property is accessed via Medicine Woman Lane S that connects the subject property to Highway 29N.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as class 5_{TP}. Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Subclass TP denotes Topography Stoniness.

Comments & Observations

Applicant

The applicant intends to use the property for putting two recreational vehicles for the purpose of renting for long term camping.

Agricultural Land Reserve

The subject property is outside the Agricultural Land Reserve.

Official Community Plan (OCP)

Pursuant to the West Peace Fringe Area Official Community Plan Bylaw No. 2312, 2018, the subject property is designated Moberly Lake Settlement (MLS). Section 3.3.1 states that the objective of this designation is to be used for residential, commercial, institutional, and parks and recreation. Section 3.3.4 states that a proposal for a commercial development shall be along a major road in order to minimize traffic disruption to established residential areas, measures to ensure that the development does not visually detract from the natural setting of the lake, and adequate buffers to adjacent properties.

Therefore, the proposal is consistent with the OCP.

Lakeshore Development Guidelines

Pursuant to the Peace River Regional District Lakeshore Development Guidelines, Moberly Lake is classified as a Development Lake and the subject property is located within the 300m shore zone. Section 11 states Development Lakes are capable of accommodating a variety of different uses and development activities, including but not limited to residential development, agricultural activities, outdoor recreation and commercial-tourism use.

Please note the Peace River Regional District Lakeshore Development Guidelines should be considered for each development within 300m of a lake. The proposed rezoning will comply with the Lakeshore Development Guidelines.

Land Use Zoning

Pursuant to Zoning Bylaw No. 1343, 2001, the subject property is zoned R-4 (Residential-4-Zone). Section 37 states that the minimum parcel size in the R-4 Zone is 1.8 ha (4.5 ac). Within the R-4 Zone, land may be used for the following principal uses: dwelling unit(s), market garden and agriculture. Recreational vehicles are not considered a dwelling unit for residential uses, thus the proposed land use of a campground, unlimited term, does not comply with the zoning bylaw since a campground is considered a commercial land use.

Therefore, a zoning amendment to C-2 (General Commercial Zone) is required to permit the campground, unlimited use for two recreational vehicles for long term commercial camping on the subject property.

Fire Protection Area

The subject property is within the Moberly Lake Fire Protection Area.

Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area.

Development Permit Area

The subject property is outside all Development Permit Areas.

Impact Analysis

Context

The proposal will change the permitted uses on the subject property in keeping with uses permitted by the OCP designation. The rezoning to permit the campground, unlimited term will include a site-specific text amendment in the C-2 Zone to permit a maximum of two recreational vehicles. This limit on the number of recreational vehicles on the property will help to minimize any impacts on the residential properties in the immediate vicinity.

Population & Traffic

There will be minimal anticipated increase to population and traffic in the area as a result of having two recreational vehicles on the subject property.

Sewage & Water

The subject property has a sewage holding tank that can be pumped out. Also, the subject property has a well as a source of water and the applicant intends to install a water treatment plant for the cleaning process.

Comments Received from Municipalities & Provincial Agencies

Northern Health

On February 19, 2021, Northern Health responded to the referral with the following requests:

- Please provide details on the proposed water treatment system and well
- Please provide details on the holding tank for sewage (must be appropriate size for number of rental spaces)
- Plan approval subject to water and sewage system approval

Ministry of Transportation and Infrastructure (MoTI)

The proposal falls within Section 52 of the *Transportation Act* and will require formal MoTI approval and signature. MoTI responded to the referral with the following requests:

- Provision of a suitably worded covenant is required to restrict development on the lot to two recreational vehicles for long term camping purposes only and to restrict direct access to Highway 29N.
- Applicant to apply online for a commercial access permit to the Ministry of Transportation and Infrastructure for the access to Medicine Woman Lane.

ALTERNATIVE OPTIONS:

1. That the Regional Board give Zoning Amendment Bylaw No. 2433, 2021, to rezone the subject property identified as PID 005-979-552 from R-4 (Residential-4 Zone) to C-2 (General Commercial Zone), and to add a site-specific text amendment to the C-2 Zone to permit a campground, unlimited term, for a maximum of two recreational vehicles on the subject property, first and second readings; further

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

2. That the Regional Board refuse to give Zoning Amendment Bylaw No. 2433, 2021, to rezone the subject property identified as PID 005-979-552 from R-4 (Residential-4 Zone) to C-2 (General Commercial Zone), and to add a site-specific text amendment to the C-2 Zone to permit a campground, unlimited term, for a maximum of two recreational vehicles on the subject property, first and second readings.
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):

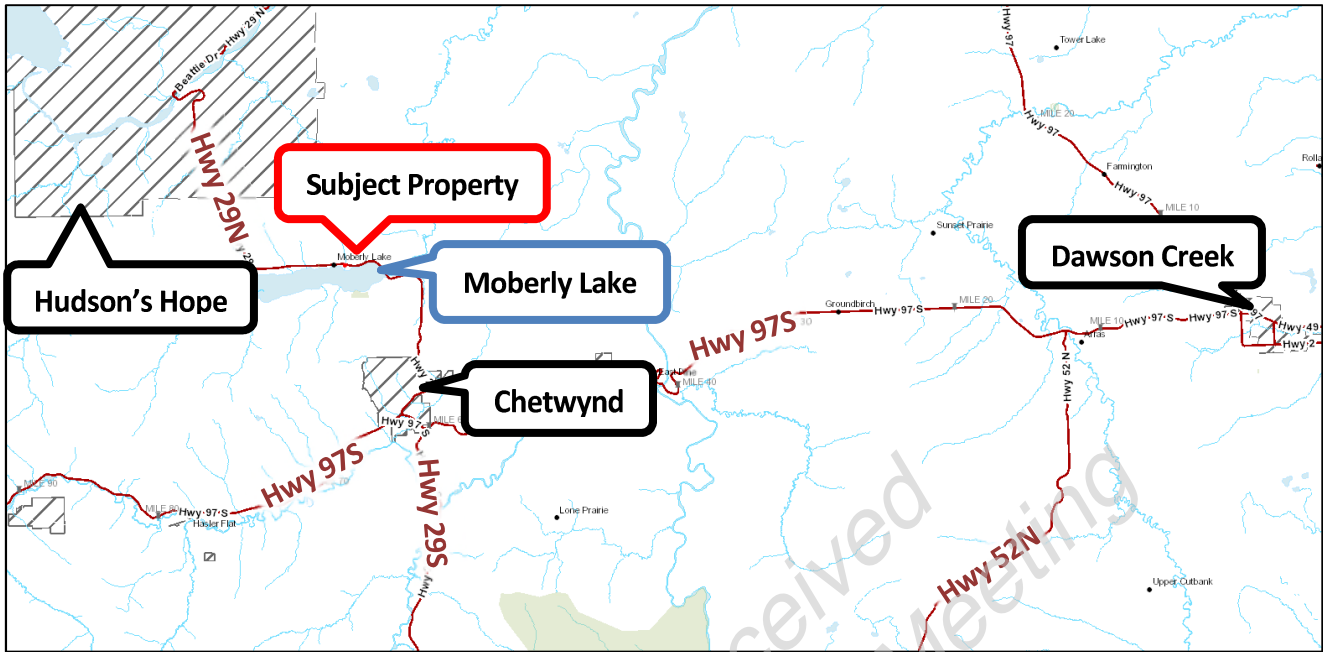
None at this time.

Attachments:

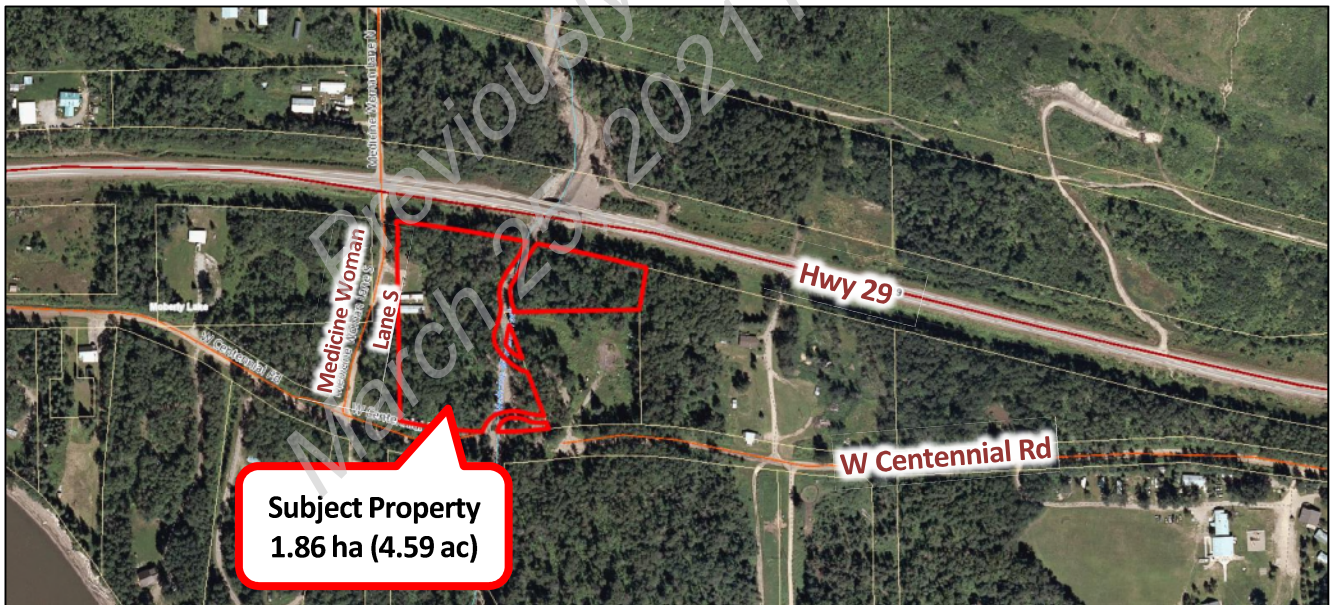
1. Maps
2. Application
3. Comments Received from Electoral Area Director
4. Section 42 of PRRD Zoning Bylaw No. 1343, 2001

Previously Received
March 25, 2021 RB Meeting

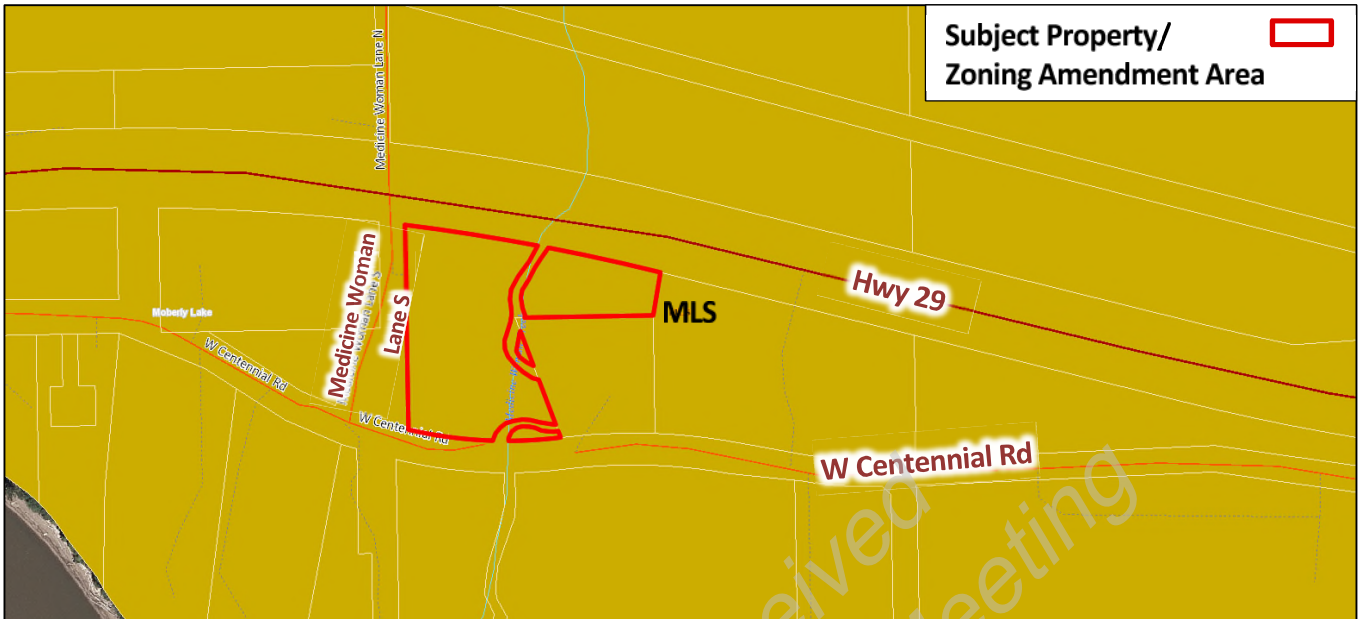
Location: Moberly Lake



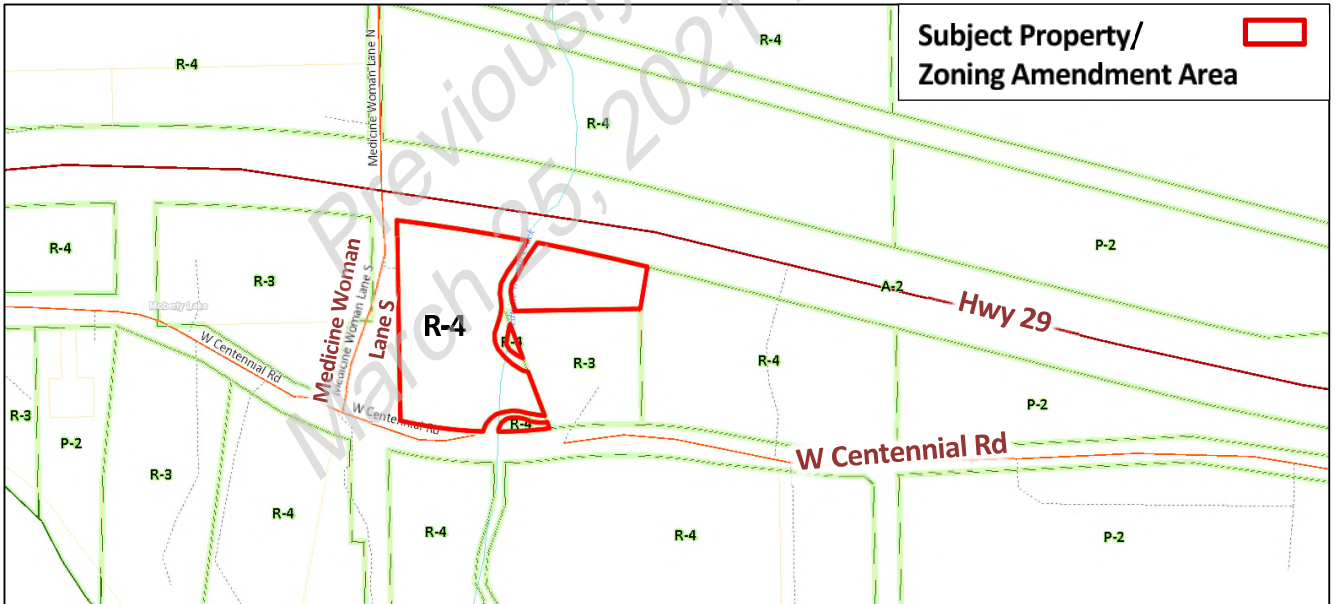
Aerial imagery



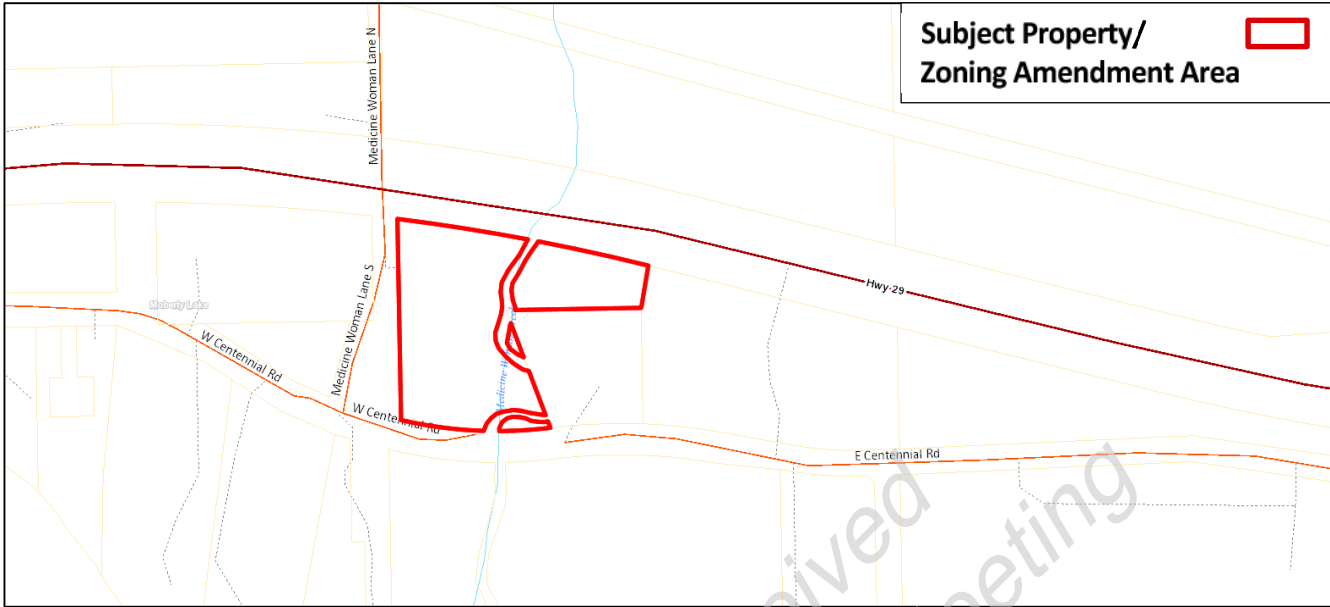
PRRD West Peace Official Community Plan Bylaw No. 2312, 2018: Moberly Lake Settlement (MLS)



PRRD Zoning Bylaw No. 1343, 2001: Residential 4 Zone (R-4)



Agricultural Land Reserve (ALR): Outside



Previously Received
March 25, 2021 RB Meeting



PEACE RIVER REGIONAL DISTRICT

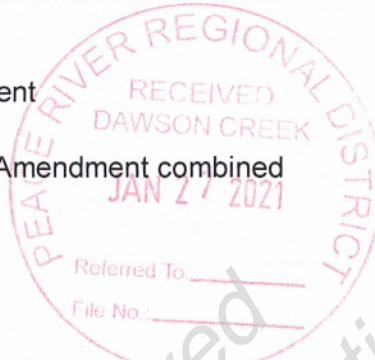
DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC (T) 250-784-3200..(F) 250-784-3201
FORT ST. JOHN 9505 100TH Street, Fort St. John, BC V1J 4N4 (T) 250-785-8084 (F) 250-785-1125
 [Toll Free: 1-800-670-7773]

Receipt # _____

Application for Development

1. TYPE OF APPLICATION

- | | |
|--|---------------------------|
| <input type="checkbox"/> Official Community Plan Bylaw Amendment | FEE
\$ 1,000.00 |
| <input checked="" type="checkbox"/> Zoning Bylaw Amendment | <u>650.00</u> |
| <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 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 <i>Denise Caron</i>	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 <i>Cell</i> [Redacted]	Telephone Number:
Fax Number: [Redacted]	Fax Number:
E-mail: [Redacted]	E-mail:

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot
<i>Lot 1 Plan PGP28431, District Lot 486</i>	<i>5</i> ha./acres
<i>PID: 005-979-552</i>	ha./acres
	ha./acres
	TOTAL AREA 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: 2012 Medicine Women Lane
Moberly Lake

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: R-4

Proposed zone: C-2

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:

Nothing on Property Just a small shed that
has power hook-up

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

(a) North Look at Map →
(b) East _____
(c) South _____
(d) West _____

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

Had a Mobile trailer on property but has been
moved off. All set up for two holiday
trailers.

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

Because of Shortage of Places to rent
plus everything is already there ready to
go.

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

There is Sewage that has holding tank
that can be pumped out

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

There is a well already on Property
Will be putting in a Water treatment System

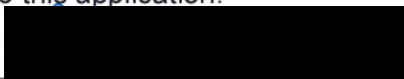
THE FOLLOWING INFORMATION IS REQUIRED. FAILURE TO PROVIDE MAY DELAY YOUR APPLICATION.

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.



 Signature of Owner

Jan 25/2021

 Date signed

 Signature of Owner

 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:	

Previously Received
 March 25, 2021 RB Meeting

West

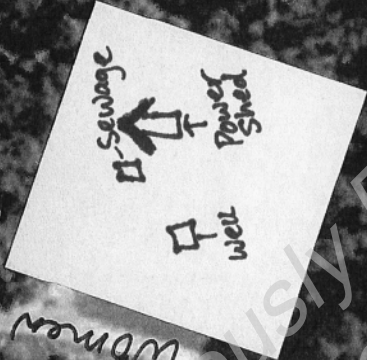


300 ft

Legend

Hwy 29

North



Women Lane

Medicine

Previously Received
March 25, 2021 RB Meeting

South
Power Shed

Untitled Map

Google Earth

Image © 2020 CNES / Airbus

East



PEACE RIVER REGIONAL DISTRICT

Memorandum

TO: Dan Rose, Director of Electoral Area E
 FROM: Jack Peckham, South Peace Land Use Planner
 DATE: February 17, 2021
 RE: **Zoning Amendment Bylaw No. 2433, 2021**
PRRD File No. 21-003 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 report 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.

If you have any comments, please submit any comments by March 3, 2021.

I believe that camping was added to the residential designation around Moberly Lake in the new OCP.

It was supposed to be as many of the lots are used for that purpose. I do not think any change is required unless the proponent is talking about an RV park.

Director

Dan Rose

Date

Feb 19,2021

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 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; [Bylaw 1713, 2007]
- (t) Instrumentation, small equipment sales, rentals and service. [Bylaw 1839, 2009]
- (u) Gallery, or studio related to art, music, recording, dance, fitness or recreation [Bylaw 1921, 2011]
- (uu) CANNABIS RETAIL STORE [Bylaw 2377, 2020]

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);



PEACE RIVER REGIONAL DISTRICT
Zoning Bylaw No. 1343, 2001

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

2. Regulations

Minimum Parcel Size

- (a) The minimum parcel size is 1.8 hectares (4.5 acres) where there is no COMMUNITY SEWAGE SYSTEM (Electoral Areas B, D and E only); [Bylaw No. 2249, 2016]
- (aa) The minimum parcel size is 1.8 hectares (4.5 acres) where there is no COMMUNITY SEWER (Electoral Area C only); [Bylaw No. 2249, 2016]
- (b) The minimum parcel size is 0.4 hectare (1 acre) when the parcel is connected to a COMMUNITY SEWAGE SYSTEM (Electoral Areas B, D and E only); [Bylaw No. 2249, 2016]
- (bb) The minimum parcel size is 0.4 hectare (1 acre) when the parcel is connected to a COMMUNITY SEWER (Electoral Area C only); [Bylaw No. 2249, 2016]

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 12 metres (40 ft.) in HEIGHT.

Setbacks

- (e) 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.

ACCESSORY Buildings, except DWELLING UNIT(S)

- (f) The aggregate FLOOR AREA of all ACCESSORY buildings shall not exceed 200 square metres (2153 sq. ft.).



PEACE RIVER REGIONAL DISTRICT
Zoning Bylaw No. 1343, 2001

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

Additional Uses

(g) The following additional uses are permitted on lands legally described as:

Parcel A(PM36569) SW¼ Sec. 5, Twp. 84, Rge. 18, W6M.

Parcel A, Plan 33374, SW¼ Sec. 5, Twp. 84, Rge. 18, W6M.

- i) sales, rental, servicing and repairs of automobile, recreational vehicles, manufactured homes, automotive parts, machinery, farm machinery and boats; and
- ii) contractors, shop and storage yard for trade, trucking, construction and oil field service.

Parcel A, Plan 33374, SW¼ Sec. 5, Twp. 84, Rge. 18, W6M.

- iii) warehousing, cartage, express and freight facilities.

Lot 1, Section 2, Township 84, Range 19, W6M, PRD Plan EPP70627 [Bylaw No. 1502, 2004]

Parcel A(Plan B5074) of the Northwest ¼, Section 9, Township 84, Range 19, W6M

- iv) NEIGHBOURHOOD PUB

Lot 1, Section 2, Township 84, Range 19, W6M, PRD Plan EPP70627 [Bylaw No. 2178, 2015]

- v) CAMPGROUND, UNLIMITED TERM

Previously Received
March 25, 2021 RB Meeting