



REPORT

To: Chair and Directors

Report Number: DS-BRD-216

From: Kathy Suggitt, RPP, General Manager of Development Services

Date: March 31, 2022

Subject: Zoning Amendment Bylaw No. 2481, 2022, PRRD File No. 22-002 ZN

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board give Zoning Amendment Bylaw No. 2481, 2022 to rezone a ± 30.8 hectare portion of the subject property identified as PID 014-792-192 from Large Agricultural Holdings (A-2) Zone to Residential 5 (R-5) Zone and to rezone the remainder to Small Agricultural Holdings (A-1) Zone to facilitate a subdivision, first and second readings; further

That a public hearing be waived pursuant to Section 464 (2) of the *Local Government Act* and that public notification be authorized pursuant to Section 467 of the *Local Government Act*, as this amendment is consistent with the Official Community Plan.

BACKGROUND/RATIONALE:

Proposal

The applicant is proposing to rezone a ± 30.8 ha portion of the subject property from Large Agricultural Holdings (A-2) Zone to Residential 5 (R-5) Zone and the remainder to Small Agricultural Holdings (A-1) Zone to facilitate a subdivision. The proposed Lot 1 will be ± 6.8 ha, proposed Lots 2, 3, 4, 5, 6 and 7 will be ± 4.0 ha each and the remainder will be ± 31.9 ha.

The proposed rezoning and subsequent subdivision are consistent with the OCP and surrounding land uses. Therefore, staff are in support of this application.

File Details

Owner: Marguerite Gladysz
Area: Electoral Area C
Location: Charlie Lake
Legal: The South East 1/4 of Section 11 Township 84 Range 20 W6M PRD Except Parcel A (F2774)
PID: 014-792-192
Civic Address: 13392 Old Hope Road
Lot Size: ± 62.7 ha (154.9ac)

Site Context

The property is located in the Charlie Lake area, and has direct access from the Old Hope Road in the east. It is surrounded by Agricultural designated land in the west and south and Low Density Rural Residential in the north and east.

Background

The applicant first applied to the Agricultural Land Commission (Application ID 54383) to exclude the subject property from the Agricultural Land Reserve (ALR) to facilitate a future subdivision. The PRRD received the application in August 2015 and the Regional Board approved the proposal in September 2015 [Resolution No. RD/15/09/05 (17)], and authorized it to proceed to the Agricultural Land Commission (ALC). The ALC approved the proposal to exclude the subject property from the ALR in February 2016 (Resolution No. 59/2016). Therefore, the applicant is now seeking a zoning amendment to facilitate the proposed subdivision.

Site FeaturesLand

Based on the aerial imagery, the subject property is partially cleared and actively used for agriculture, with treed lands in the north and west portion of the subject property.

Structures

There is currently a residential dwelling, a single carport and a garage on the subject property.

Access

The proposed new lots will be accessed via Old Hope Rd in the east and the remainder lot in the west can be accessed via the existing road right-of-way in the south.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as 5c.

Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible and subclass C indicates adverse climate.

Comments & ObservationsApplicant

The applicant is seeking to rezone a portion of the subject property to facilitate a seven lot subdivision.

Agricultural Land Reserve (ALR)

The Agricultural Land Commission approved the proposal to exclude the subject property from the ALR in February 2016 (Resolution No. 59/2016).

Official Community Plan (OCP)

Pursuant to the North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009, the subject property is designated Low Density Rural Residential (LDR). Section 4.3.3, Policy 11 states that land within this designation should be generally limited to residential, agriculture, home based business, etc. Section 4.3.3, Policy 12 states that the minimum parcel size should be 4 ha (10 ac).

Therefore, the proposal is consistent with the Official Community Plan.

Land Use Zoning

Pursuant to Zoning Bylaw No. 1343, 2001, the subject property is zoned Large Agricultural Holdings (A-2) Zone. Section 33.1 states that agriculture, dwelling units, etc. are permitted uses within A-2 zone. Section 33.2 states that the minimum parcel size is 63 ha (155 ac).

The proposed lot sizes for the subdivision do not meet the minimum parcel size requirement within the A-2 zone. The proposed zoning amendment seeks to rezone a ±30.8 ha portion of the subject property from Large Agricultural Holdings (A-2) Zone to Residential 5 (R-5) Zone and the remainder to Small Agricultural Holdings (A-1) Zone to facilitate the proposed subdivision. Land within the R-5 zone may be used for dwelling unit(s), agriculture, etc. The minimum parcel size is 4 ha (9.8 ac). Land within A-1 zone may be used for agriculture, dwelling units, etc. The minimum parcel size is 15 ha (37 ac).

Therefore, the proposal is consistent with the regulations of the proposed zones.

Fire Protection Area

The subject property is within the Charlie 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.

Development Cost Charge Area

The subject property is outside the Development Cost Charge Area.

School District 60 School Site Acquisition Charge Area

The subject property is within the School District 60 School Site Acquisition Charge Area and the charge of \$1,000 per new lot must be paid prior to subdivision of the property.

Impact Analysis**Context**

The proposed zoning amendment will allow residential use in the east portion and agricultural use in the west portion of the subject property. The proposed residential subdivision will be compatible with the Low Density Rural Residential designated lands in the north and east. The remainder will be consistent with the agriculture designated lands in the west and south.

Population & Traffic

This proposal will increase the population and traffic within the area, as eventually seven new residential lots will be created.

Sewage & Water

Currently, the existing dwelling unit on the subject property is serviced by a septic tank and a cistern. The proposed parcels, if approved by Ministry of Transportation and Infrastructure eventually, will be individually serviced pursuant to provincial requirements and the PRRD Subdivision and Development Servicing Bylaw No. 2474, 2022 as appropriate.

The Fire Department has noted (see below) that fire suppression on site should be provided. Should this bylaw be given first and second readings, staff will work with the applicant to ensure that this requirement is met.

Comments Received from PRRD Departments, Municipalities & Provincial AgenciesCharlie Lake Fire Department

- Interests unaffected.

PRRD Building Inspection

- Interest unaffected. The lands are within the Mandatory Building Permit Area and permits will be required for new buildings on the newly created lots.

PRRD Protective Services

- The subject property is approximately 6km from the nearest source of firefighting water. With additional residential homes being contemplated, I would recommend that firefighting water for use by the Charlie Lake Fire Department be stored in a cistern on-site (in a manner that meets NFPA standards) with access to this water source from Old Hope Road.

PRRD GIS

- No concerns.

Pacific Northern Gas Ltd.

- No concerns

BC Hydro

- BC Hydro will require a statutory right of way to cover existing works on the property.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse to give Zoning Amendment Bylaw No. 2481, 2022 to rezone a ±30.8 hectare portion of the subject property identified as PID 014-792-192 from Large Agricultural Holdings (A-2) Zone to Residential 5 (R-5) Zone and to rezone the remainder to Small Agricultural Holdings (A-1) Zone to facilitate a future subdivision, first and second readings.
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):

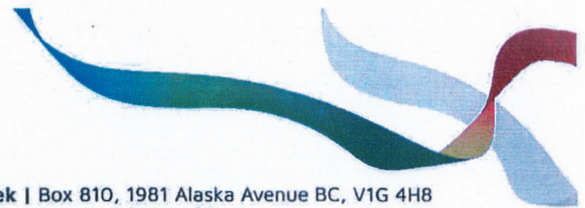
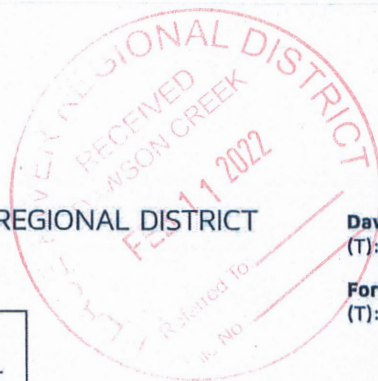
None at this time.

Attachments:

1. Application, PRRD File No. 22-002 ZN
2. Maps, PRRD File No. 22-002 ZN
3. Draft Zoning Amendment Bylaw No. 2481, 2022



PEACE RIVER REGIONAL DISTRICT



Dawson Creek | Box 810, 1981 Alaska Avenue BC, V1G 4H8
(T): (250) 784-3200 prrd.dc@prrd.bc.ca

Fort St. John | 9505 100 Street BC, V1J 4N4
(T): (250) 785-8084 prrd.fs@prrd.bc.ca

For Office Use:

Receipt # _____

Date Received _____

File No. _____

Sign Issued: Yes ☐ No ☐ N/A ☐

Application for Development

1. TYPE OF APPLICATION

- | | FEE |
|---|-------------|
| <input type="checkbox"/> Official Community Plan Bylaw Amendment* | \$ 1,150.00 |
| <input checked="" type="checkbox"/> Zoning Bylaw Amendment* # | \$ 800.00 |
| <input type="checkbox"/> Official Community Plan / Zoning Bylaw Amendment combined* # | \$ 1,200.00 |
| <input type="checkbox"/> Temporary Use Permit* | \$ 500.00 |
| <input type="checkbox"/> Temporary Use Permit Renewal | \$ 350.00 |
| <input type="checkbox"/> Development Permit # | \$ 165.00 |
| <input type="checkbox"/> Development Variance Permit | \$ 165.00 |

* Sign is required for this application type.

Sign provided by the PRRD and posted pursuant to Section 6 of Bylaw No. 2449, 2021, attached.

Contaminated Site Declaration Form required for this application type.

- | | |
|--|-------------|
| <input type="checkbox"/> Exclusion from the Agricultural Land Reserve (Applicant responsible for additional costs associated with the advertisements, signage, and facility rental, if applicable) | \$ 1,500.00 |
|--|-------------|

2. PLEASE PRINT

| | |
|-------------------------------------|---|
| Property Owner's Name [REDACTED] | Authorized Agent of Owner (if applicable) |
| [REDACTED] | Address of Agent |
| City/Town/Village: [REDACTED] | City/Town/Village: |
| Postal Code: [REDACTED] | Postal Code: |
| Telephone Number: [REDACTED] | Telephone Number: |
| E-mail: [REDACTED] | E-mail: |

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*.

3. PROPERTY DESCRIPTION

| Full legal description and PID of each property under application | Area of each lot |
|---|-----------------------------|
| SE 1/4 S11 Township 84 Range 20 W6H | LOT 1 6.76 (ha) acres |
| Peace River Land District Exc. PCLA (F2774) | LOT 2-7 (6 lots) 4.0 ha |
| | ha./acres |
| | TOTAL AREA 30.76 (ha) acres |

4. Civic Address or location of property: 13392 Old Hope Rd. Charlie Lake, B.C.

5. PARTICULARS OF PROPOSED AMENDMENT

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

☐ Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: _____

Proposed OCP designation: _____

Text amendment: _____

☒ Zoning Bylaw amendment:

Existing zone: A2 (Large Agricultural Holdings)

Proposed zone: LDR (Low Density Rural Residential)

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:

The current 160 acre parcel has approx. 103 acres in cultivation, and one single-family residence with a single car port and larger garage. The remainder of the parcel is forested w/ mature deciduous trees.

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

- (a) North Multiple 10+ acre parcels w/ established homes
- (b) East Multiple 10 acre parcels w/ homes along entire length
- (c) South Quarter section of forested land w/ single family dwelling
- (d) West Quarter section of forested + cultivated land, in addition to the remainder of the quarter not being subdivided.

8. Describe your proposal. Attach a separate sheet if necessary:

Develop a portion of 160 acre parcel, including a 6.76 ha home lot, and 6-4.0 ha lots. The home lot has a separate existing driveway in place and all other lots are located along the Old Hope Road.

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

The subject property is excluded from the ALR and designated in the North Peace Fringe Area OCP for LDR (Low Density Rural Residential) 4 ha parcels.

10. Describe the proposed and/or existing means of sewage disposal for the property:

The existing home has a septic tank, and the proposed lots could use a septic tank or sewer lagoon.

11. Describe the proposed and/or existing means of water supply for the property:

The existing home lot has a cistern, and the proposed lots could utilize a cistern or water well.

THE FOLLOWING INFORMATION IS REQUIRED DEPENDING ON THE PROPOSAL/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 the following:
- (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 and size of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location and size 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 survey 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

February 10, 2022
Date signed

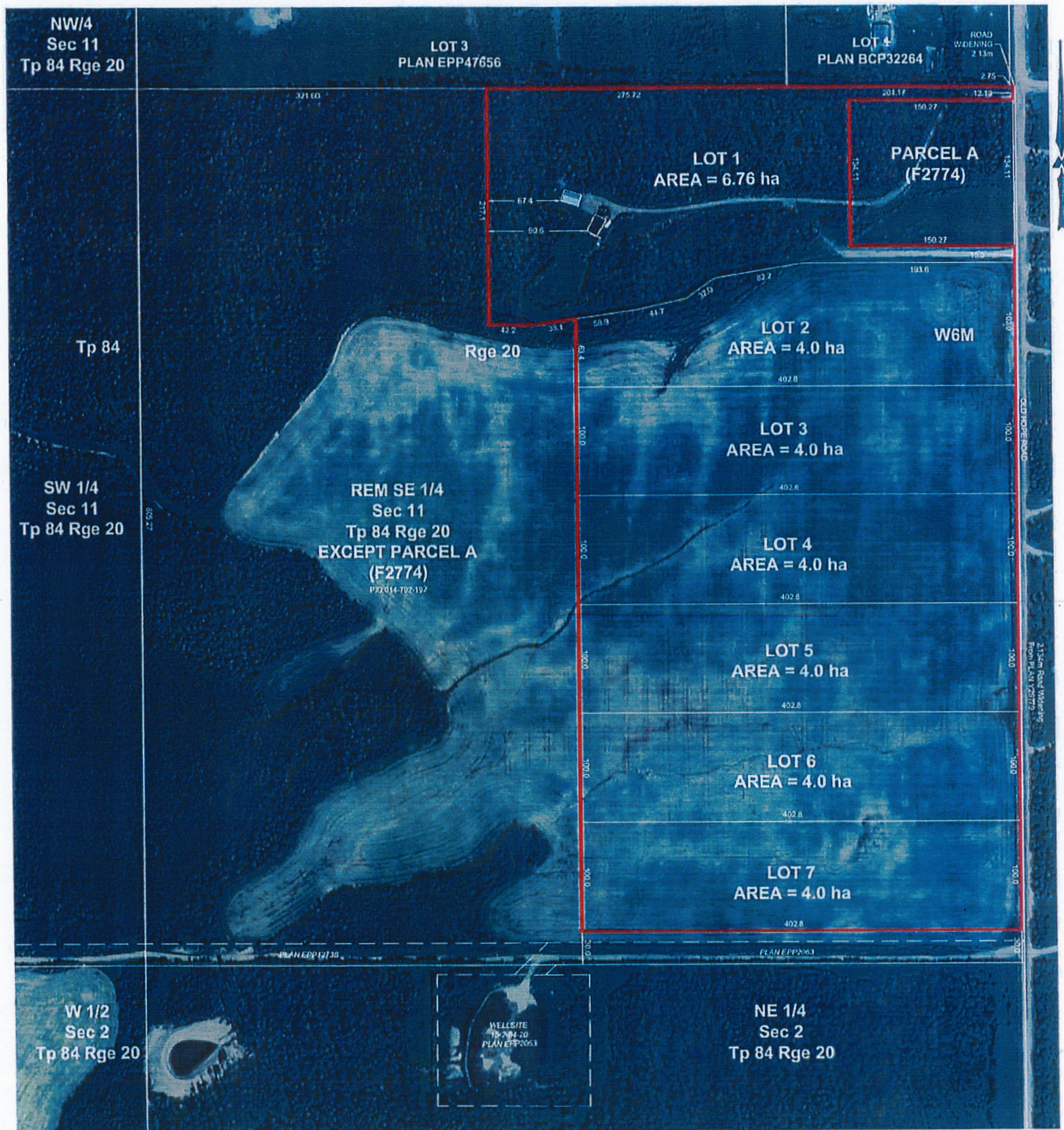
Signature of Owner

Date signed

16. **AGENT'S AUTHORIZATION**

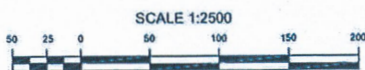
If you have an agent act on your behalf in submission of this application, the following authorization **MUST** be signed by **ALL** property owners.

| | |
|--|-------|
| I / We _____ and _____ hereby authorize (name of landowner) (name of landowner) | |
| _____ to act on my/our behalf regarding this application. (name of agent) | |
| Signature of Owner: | Date: |
| Signature of Owner: | Date: |



NOTES:
All dimensions are in metres and decimals thereof.

| REV. | REVISIONS | DDMM/YY | PC | CAD | CHKD |
|------|------------------------|----------|----|-----|------|
| 0 | Original Plan Prepared | 24/06/21 | Y2 | SDP | |



**SKETCH PLAN SHOWING PROPOSED SUBDIVISION OF
PART OF SE 1/4
SECTION 11 TP 84 RGE 20 W6M
PEACE RIVER DISTRICT**

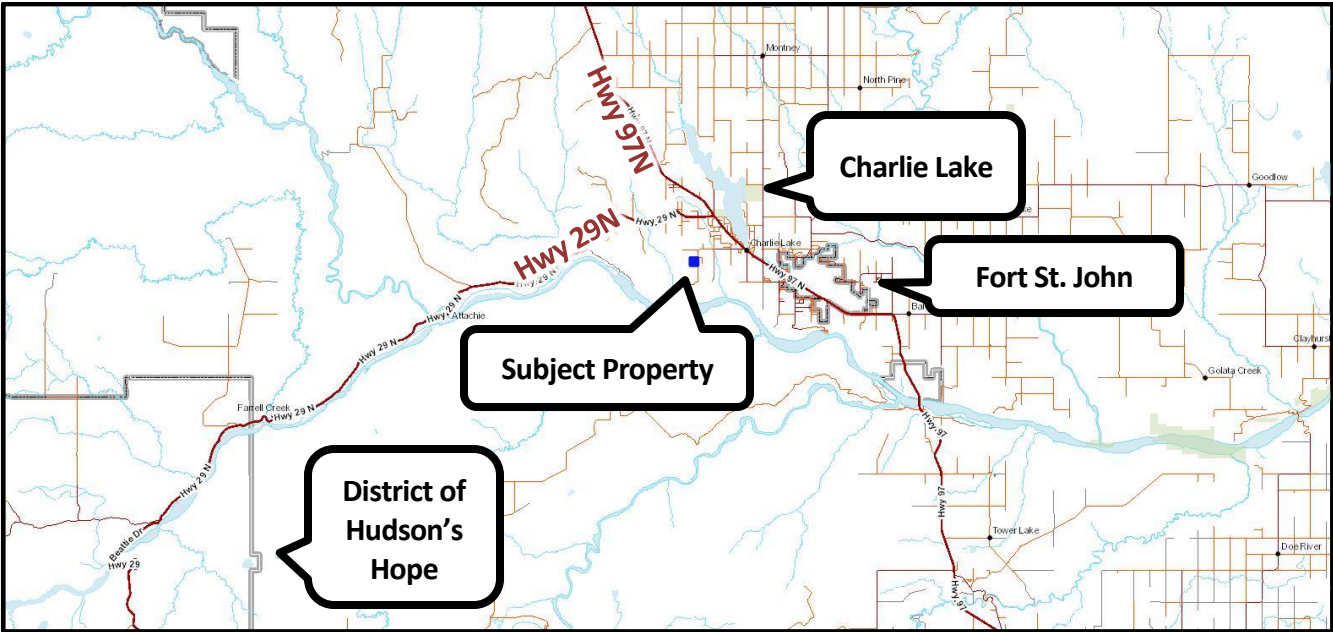
McElhanney

McElhanney Associates
Land Surveying Ltd.
8506 - Northern Lights Drive Fort St. John, BC
Phone: (250)787-0356

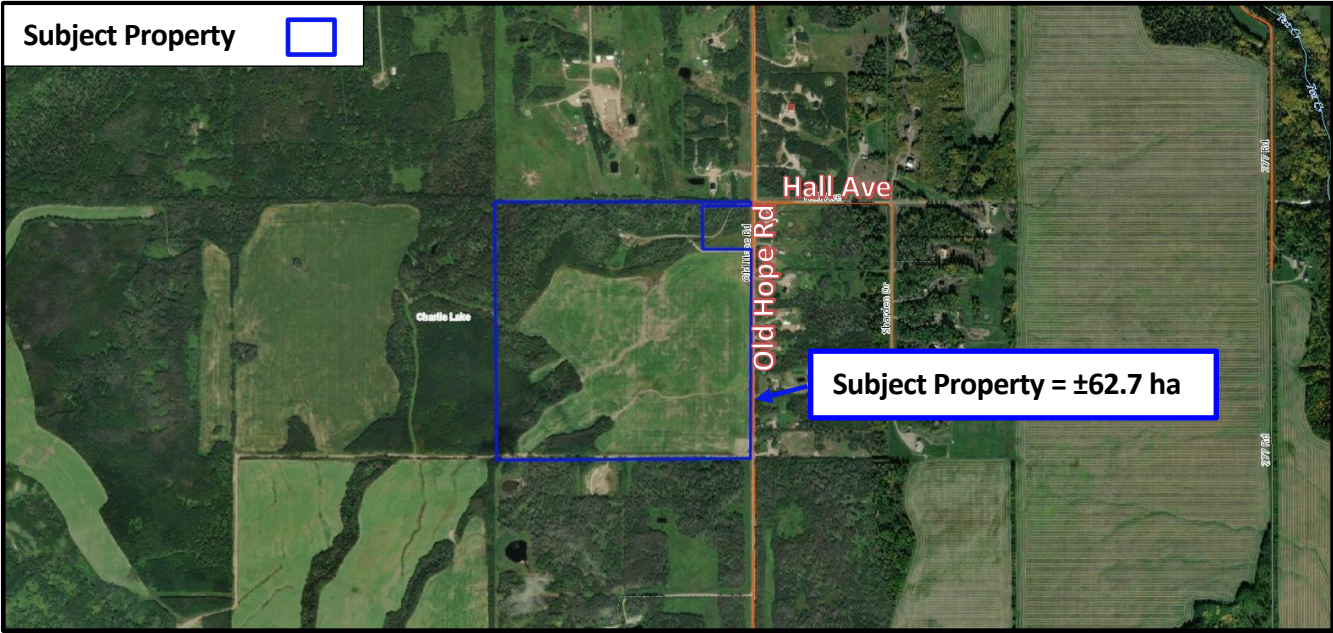
BCGS: 94A . 025
SHEET: 1 OF 1
PLAN ID:
31112691500SKH001

REVISION
0

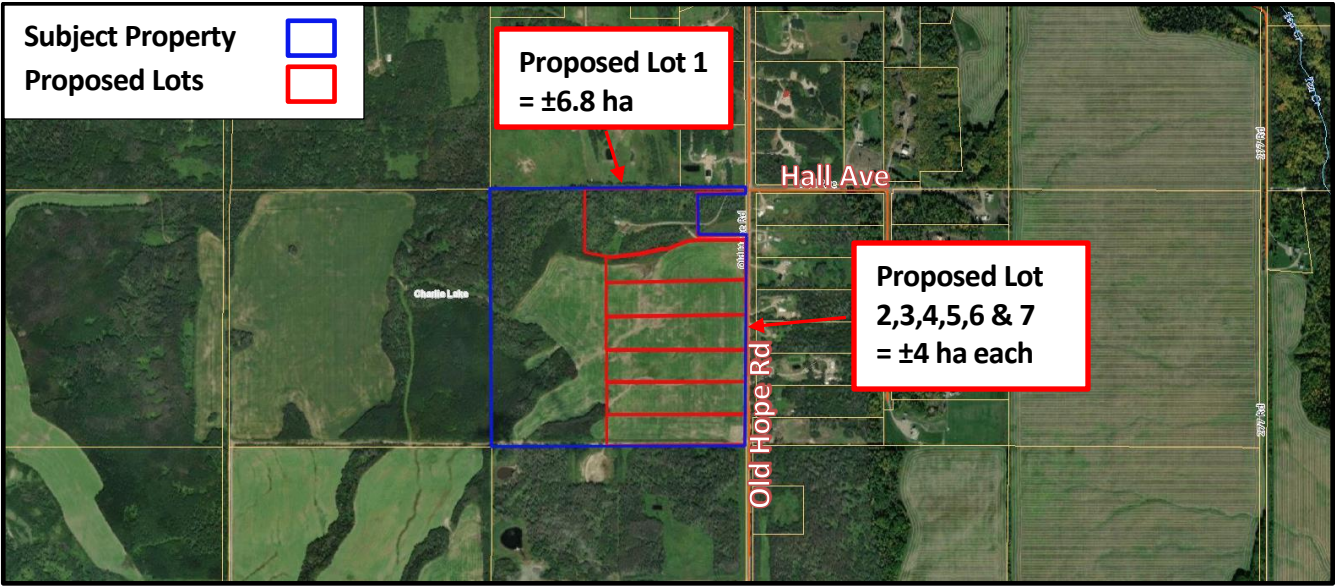
Location: Charlie Lake



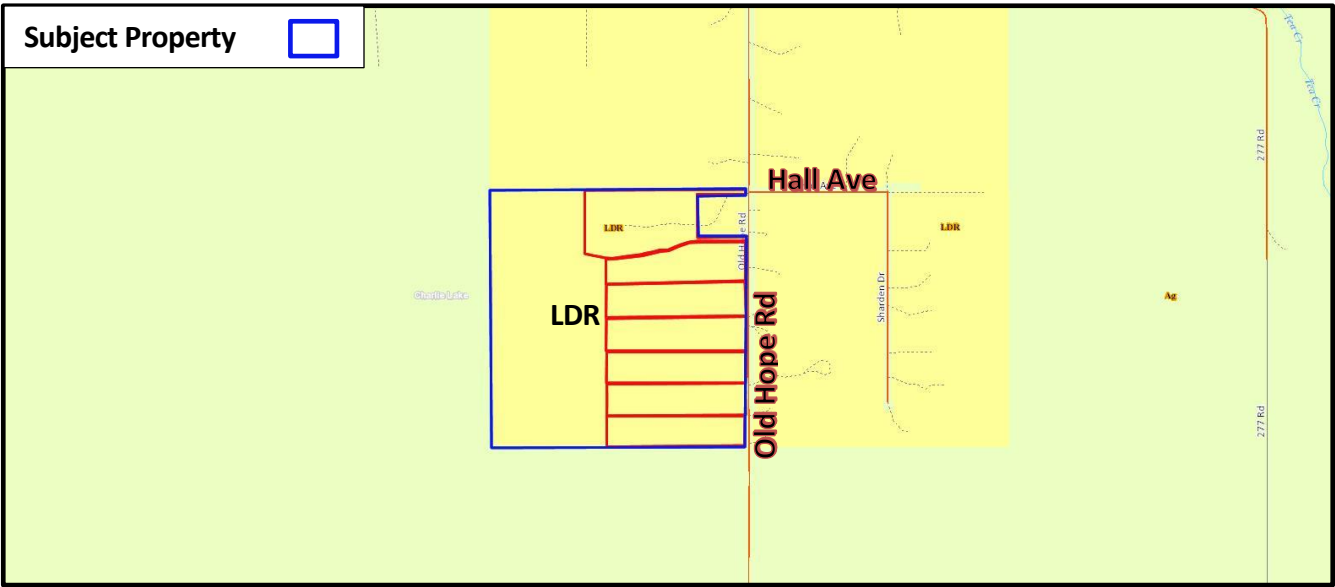
Aerial imagery



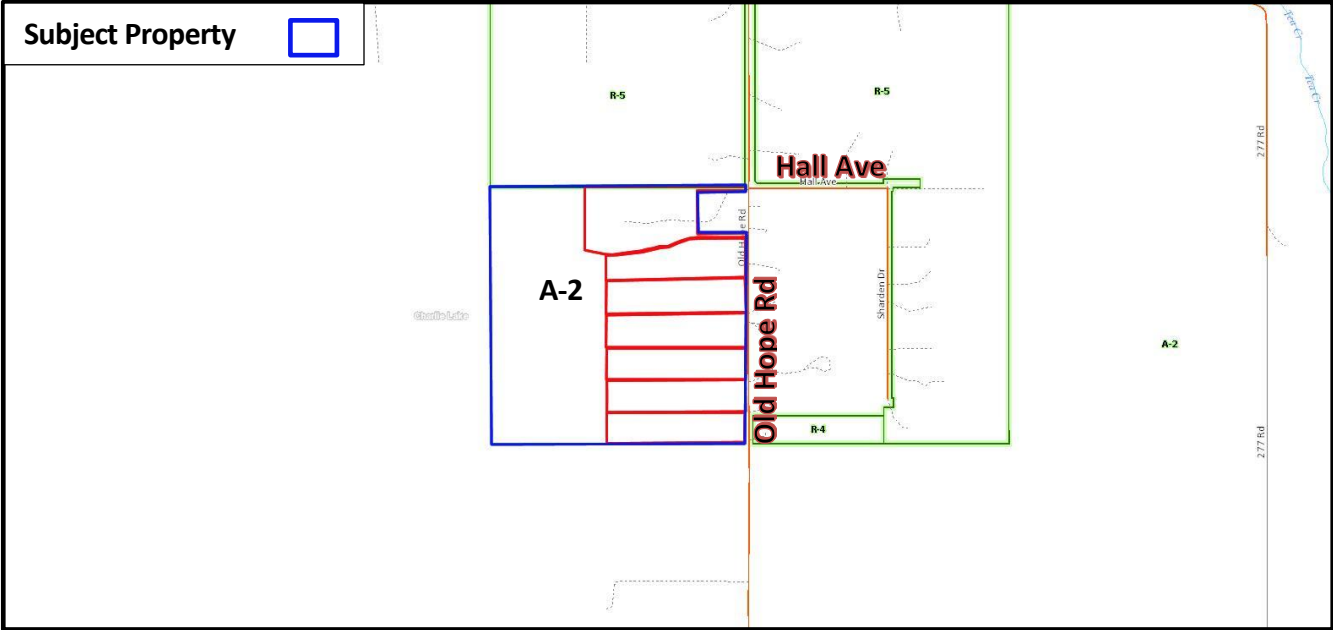
Proposal



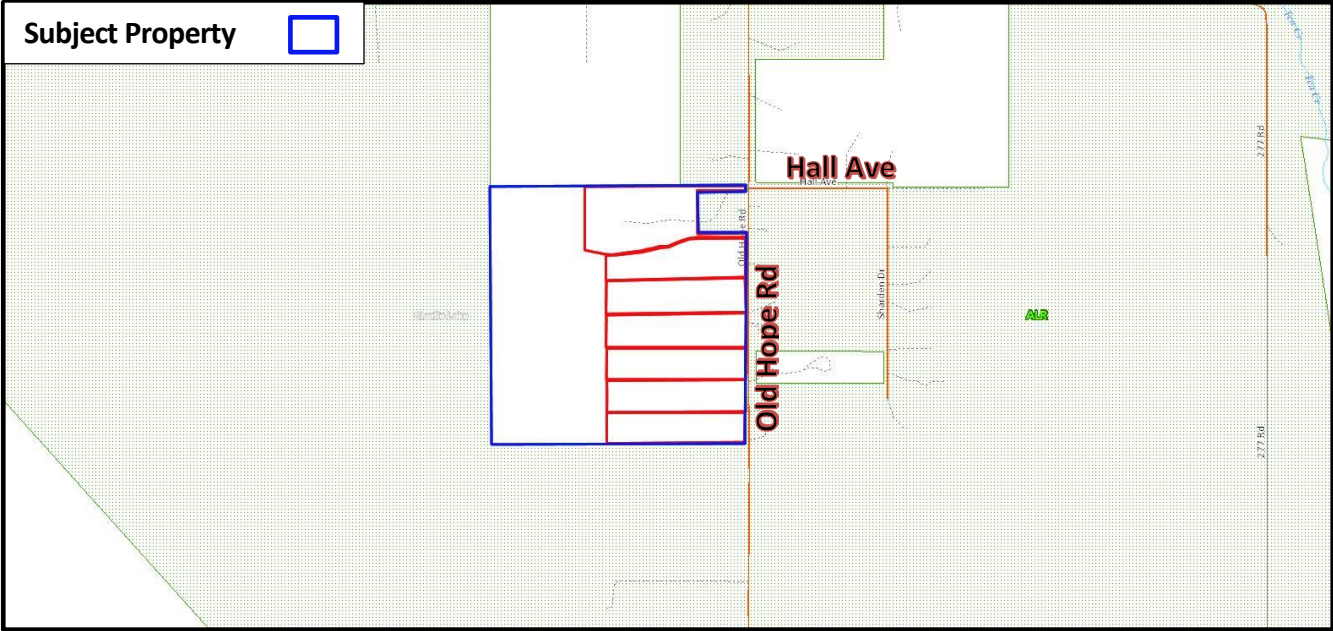
PRRD Rural Official Community Plan Bylaw No. 1870, 2009: Low Density Rural Residential (LDR)



PRRD Zoning Bylaw No. 1343, 2001: Large Agricultural Holdings (A-2) Zone



Agricultural Land Reserve: Outside



Subject Property

5c

Charlie Lake

Hall Ave

Old Hope Rd

3T

6% 7' TR

3 W

6% 7' TR

This aerial map shows a section of land with several features. A large rectangular area is outlined in blue. Within this area, there is a smaller rectangular area also outlined in blue. A red-outlined area is located to the right of the large blue-outlined area, divided into several horizontal sections. The map is labeled with 'Hall Ave' at the top, 'Old Hope Rd' on the left, 'Shawnee Dr' on the right, 'Charlie Lake' at the bottom left, and '277 Rd' at the bottom right.

