



# REPORT

To: Chair and Directors

Report Number: DS-BRD-042

From: Tyra Henderson, Corporate Officer

Date: July 31, 2020

**Subject: Zoning Amendment Bylaw No. 2355, 2020, PRRD File No. 20-008-ZN**

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## **RECOMMENDATION: *[Corporate Unweighted]***

That the Regional Board give Zoning Amendment Bylaw No. 2355, 2020, to allow the property identified as PID 014-590-689 to have a minimum parcel size of 35 ha, first and second readings; further,

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

## **BACKGROUND/RATIONALE:**

### **Proposal**

To amend Section 33.2(b) of *PRRD Zoning Bylaw No. 1343, 2001* by adding the following text:

- iii. *The minimum parcel size for SE 1/4 of Section 35 Township 83 Range 19 W6M Peace River District, Except Plans B4384, M446, PGP46335 and BCP37320 is 35.0 hectares*

Portions of the subject property were rezoned in April 2020 from A-2 to I-1 to facilitate a subdivision (PRRD Zoning Amendment Bylaw No. 2376, 2020, PRRD File No. 19-076) into three lots sized  $\pm 4.35$  ha (10.75 ac),  $\pm 5.45$  ha (13.47 ac), and  $\pm 36.27$  ha (89.62 ac). Afterward, MoTI indicated it would not approve the subdivision unless a zoning amendment legitimized the remainder property's existing sub-minimum A-2 parcel size.

This amendment would facilitate the subdivision of the property, which was already endorsed by the PRRD Board by way of the adoption of the previous zoning amendment bylaw. This property, which is a remainder parcel, is already undersized for its current zoning, and has been for some time. This amendment would bring the parcel into compliance by making it exempt from the minimum parcel size of 63 ha and instead specifying that for this A-2 parcel only, a parcel size of 35 ha is permitted. This will prevent future subdivision of the parcel unless it is rezoned. Both the owner and the PRRD planning staff feel that this approach to the current subdivision application is preferred, as the alternative would be to rezone the remainder parcel to either A-1 or I-1, to be congruent with surrounding parcels and in compliance with the OCP (designated Light/Service Industrial), as both of those zones allow for much smaller minimum parcel sizes (A-1, 15 ha, and I-11.8 ha).

### **File Details**

Owner: Truman Creek Holdings Ltd.  
Agent: Jim Little  
Area: Electoral Area C  
Location: Fort St. John, BC

Legal: SE ¼ of Section 35 Township 83 Range 19 W6M Peace River District, Except Plans B4384, M446, PGP46335 and BCP37320  
PID: 014-590-689  
Lot Size: 42.03 ha (103.85 ac)

**Site Context**

The property is located on the west side of Old Fort Road, southwest of Fort St. John. The surrounding area has a mix of land uses, included commercial development within the City of Fort St. John to the north, industrial and residential uses along Old Fort Road, and agricultural and residential uses to the south and west.

**Site Features**Land

The property slopes down to the south. Approximately 24 ha is cleared for agricultural use, with the rest covered with bush.

Structures

There are no structures on the property, though there is a decommissioned oil well near the northern property line.

Access

The property is accessed by an existing driveway from Old Fort Road to the decommissioned oil well and from the end of MacLean Road. The property appears to have undeveloped rights-of-way on its southern, western, and northern edges.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as 2<sub>C</sub>. Class 2 soils have moderate limitations that restrict the range of crops or require moderate conservation practices. Subclass C denotes adverse climate.

**Comments & Observations**Agricultural Land Reserve (ALR)

The subject property is within the Agricultural Land Reserve, and therefore the provisions of the *Agricultural Land Commission Act* apply.

Official Community Plan (OCP)

Pursuant to *PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009*, the subject property is designated Light/Service Industrial (Serviced) and is within the Industrial Development Permit Area. Section 8.3.2 Policy 7 of the OCP states the purpose of this designation is to encourage future industrial development with a priority for connection to a community sewage system.

According to Section 8.3.2 of the OCP, the minimum parcel size for properties with this designation is 0.4 ha (1 ac) when connected to a community sewage system or 8 ha (20 ac) otherwise. The subject property is not connected to community sewage system, so the minimum parcel size is 8 ha (20 ac).

Therefore, the proposed amendment to allow a minimum parcel size of 35 ha 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). Land within this zone can generally be used for agricultural purposes. The minimum parcel size in the A-2 Zone is 63 ha (155 ac).

Therefore, the current agricultural land use complies with the Zoning Bylaw, but a zoning amendment to allow a minimum parcel size of 35 ha is required.

#### 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 within the Industrial Development Permit Area pursuant to the *North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009*. A Development Permit would be required prior to subdivision and/or development.

#### 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. However, the charge is not applicable at this time because no new residential lots are proposed.

### **Impact Analysis**

#### Context

Historically, the property has been undersized for its A-2 zoning. MoTI has requested that this parcel size be brought into compliance with appropriate zoning. This proposed zoning amendment would legitimize the property's existing sub-minimum A-2 parcel size.

#### Population & Traffic

An increase in industrial traffic is anticipated if this bylaw is passed as it will enable the subdivision of the adjacent parcels which were initiated to expand existing operations.

#### Sewage & Water

No changes to sewage and water servicing are proposed.

### **Comments Received from Municipalities & Provincial Agencies**

#### Charlie Lake Fire Department

The Charlie Lake Fire Department requests a meeting to discuss fire protection plans for the property.

Fort St. John

No comments.

Ministry of Transportation & Infrastructure

Ministry approval is required. MoTI has no objections.

Northern Health

Must not cause a health hazard or contaminate water sources. Must follow public health legislation.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board respectfully refuse Zoning Amendment Bylaw No. 2355, 2020, to allow the property identified as PID 014-590-689 to have a minimum parcel size of 35 ha.
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. Maps
2. Application
3. Comments Received from Municipalities & Provincial Agencies
4. Comments Received from Electoral Area Director
5. Section 33 of PRRD Zoning Bylaw No. 1343, 2001
6. Draft Zoning Bylaw No. 2355, 2020

External Links:

1. [Zoning Amendment Bylaw No. 2376, 2020, PRRD File No. 19-076, DS-BRD-014 – previous rezoning application\) from April 23, 2020 Board meeting](#)