



REPORT

To: Chair and Directors

Report Number: DS-BRD-483

From: Development Services

Date: May 1, 2025

Subject: Zoning Amendment Bylaw No. 2576, 2025, PRRD File No. 25-001 ZN, 1st, 2nd, 3rd Reading and Adoption

RECOMMENDATION #1: [Corporate Unweighted]

That the Regional Board give Peace River Regional District Zoning Amendment Bylaw No. 2576, 2025, to rezone a 3.6 ha portion of the subject property identified as PID 014-683-571 from RR-1 to R-3, first three readings.

RECOMMENDATION #2: [Corporate Unweighted – 2/3 Majority]

That the Regional Board adopt Peace River Regional District Zoning Amendment Bylaw No. 2576, 2025.

BACKGROUND/RATIONALE:

Proposal

The applicant is seeking to rezone a 3.6 ha portion of the subject property from RR-1 (Rural Residential 1 Zone) to R-3 (Mobile Home Park Residential Zone) to facilitate a housing development project intended to serve Indigenous Elders in the Kelly Lake community.

The applicant is proposing to subdivide the subject property into two 1.8 ha lots (proposed Lot 1 and Lot 2) and a 3.72 ha remainder lot (proposed Rem Block B). The proposed development on Lot 1 will be 12-18 single detached modular homes which are $\pm 79 \text{ m}^2$ (850 ft^2) each and will include landscaping and a communal garden for the residents. The applicant intends to further develop proposed Lot 2 in the future.

Rationale

Support is recommended as the proposal is consistent with the Rural Official Community Plan Bylaw No. 1940, 2011 and the proposed development complies with the PRRD Manufactured Home Parks Bylaw No. 816, 1992.

The Provincial Government updated the *Local Government Act* in 2024 which now prohibits public hearings for zoning amendments which are consistent with the OCP and are for residential developments. Therefore, public notification was completed prior to this meeting, in accordance with Section 467 of the *Local Government Act*.

File Details

Owner: Kelly Lake Community Center Society
Agent: David Nairne + Associates Ltd.
Area: Electoral Area D

Location: Kelly Lake
Legal: Block B of District Lot 314 Peace River District Except Plans 26278, 27888, 29445 and 30960
PID: 014-683-571
Lot Size: 7.32 ha (18.1 ac)

Site Context

The subject property is located in the Kelly Lake rural community and lies along the Kelly Lake shoreline to the north. The property lies ± 9 km east of Hwy 52 E and ± 2.5 km west of the BC Alberta border. Most of the surrounding lands are designated and zoned for rural residential uses. The Kelly Lake Community Center is adjacent to the east of the subject property.

Site Features

Land

Most of the property is forested with portions of cleared areas. The rear parcel line runs along the Kelly Lake shoreline.

Structures

No structures are present on the subject property.

Access

The property can be accessed by Kelly Lake Road.

Comments & Observations

Applicant

The applicant wishes to build affordable rental housing units with funding from BC Hydro. The proposal is based on a housing needs assessment and community engagement which emphasized the need for affordable rental housing in Kelly Lake. See attached.

Agricultural Land Reserve (ALR)

The subject property is outside the Agricultural Land Reserve.

Official Community Plan (OCP)

Pursuant to the *Rural Official Community Plan Bylaw No. 1940, 2011*, the subject property is designated Rural Community (RC). Section 6.3 states land within this designation may be used for agriculture-rural, residential, commercial, light industrial, civic, assembly, institutional, or park and natural environment. Section 6.5 states the minimum parcel size is 1.6 ha (4 ac). Where community sewage systems are installed, the minimum parcel size may be 0.1 ha (0.2 ac).

Section 6.6 states Manufactured Homes Parks will be considered for development within a Rural Community designation.

Pursuant to the Manufactured Home Parks Bylaw No. 816, 1992, section 3.02 states the minimum site area for a manufactured home park shall be 1.8 ha. Section 3.03 (1) states the minimum area of a

manufactured home space shall be 400 m². The 18-unit site plan confirmed that this requirement can be met with each space having 406.8 m².

Section 3.04 (1) states a manufactured home shall not cover more than 40% of the manufactured home space upon which it is situated. The proposed ±79 m² detached modular homes would cover 19.75% of a 400 m² manufactured home space.

Section 3.03 (2) states the minimum frontage of each manufactured home space abutting a roadway shall be 12 m. Section 3.07 states no manufactured home shall be located within 4.5 m of another manufactured home or within 1.5 m of the side edges of a manufactured home space. The 12-unit site plan confirms these requirements can be met.

Section 3.07 (2) states no manufactured home shall be within 3 m of a roadway. Although this is not confirmed on the site plans provided, this requirement can be met as there is a 9.65 m setback between the modular dwelling and the rear edge of the manufactured home space, and parking spaces are situated between the modular dwelling and the roadway.

Section 3.09 (1) states that all parcels upon which a manufactured home park is located shall have a minimum 7.5 m buffer width from the boundaries of the parcel and any roadway within the parcel. The 12-unit site plan shows that a 16 m setback would be maintained between the manufactured home park and Kelly Lake Road.

Section 3.10 states two parking spaces shall be provided on each manufactured home space. In addition, for every four manufactured home spaces, one common parking space shall be provided. The 18-unit site plan confirms that two parking spaces for each manufactured home space can be provided. The applicant has also confirmed that for the 18-unit design, five common parking spaces can be provided.

Section 4.01 states not less than 5% of the gross site area of the manufactured home park shall be for recreational uses. An area of the manufactured home park has been dedicated for open space to accommodate a communal garden, including a medicine garden for the residents.

Section 5.02 states that roadways for access to and from the manufactured home park may not be less than 15 m wide, with a minimum surfaced width of 7 m. Roadways with parking on one side shall have a minimum surfaced width of 8.5 m and a roadway of 12 m.

Overall, the proposal is consistent with the Manufactured Home Parks Bylaw. Compliance with the regulations will be confirmed once the design of the housing project is complete.

Section 6.11 of the *Rural Official Community Plan Bylaw No. 1940, 2011* states that infill resulting in more efficient use of infrastructure, such as sewer service, is encouraged and preferred over further extending infrastructure.

Section 3.2.2 states the Regional District recognizes the importance of creating liveable, age-friendly, universally designed, inclusive communities. The PRRD recognizes manufactured and mobile homes as

a permitted type of dwelling throughout the plan area considering this to be an affordable housing option.

Section 3.2.7 states the Regional District encourages developers to follow the PRRD Lakeshore Development Guidelines when developing within 300 m of the high-water mark of a lake. Pursuant to Section 8.1.5 of the Lakeshore Development Guidelines, a 15 m vegetation leave strip from the high-water mark of the lake will be retained.

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

Land Use Zoning

Pursuant to *Zoning Bylaw No. 479, 1986*, the subject property is zoned RR-1 (Rural Residential 1 Zone). Section 6.21 (A) states land within this zone may be used for a dwelling unit or agriculture excluding intensive agriculture. The minimum parcel size is 1.8 ha (4.5 ac). Section 6.21 (B) states no more than one dwelling unit is permitted on a parcel with less than 3.6 ha, and no more than two dwelling units are permitted on a parcel with more than 3.6 ha. As the housing development project is proposing 12-18 dwelling units on Lot 1, the proposal does not comply with the zoning bylaw.

Therefore, a zoning amendment to R-3 (Mobile Home Park Residential Zone) is required. Section 6.32 (A) states land within the R-3 zone may be used for a mobile home park. The minimum parcel size is 1.8 ha (4.5 ac). Therefore, the proposal is consistent with the regulations of the proposed zone.

Fire Protection Area

The subject property is outside all fire protection areas.

Mandatory Building Permit Area

The subject property is outside the Mandatory Building Permit Area, however Building Permits are still available on a voluntary basis.

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.

Impact Analysis

Context

The subject property is surrounded by rural residential land uses as well as public uses adjacent to the east where the Kelly Lake Community Center is located. Although the proposal will have higher residential density than the surrounding parcels, conflicts are not anticipated.

Population & Traffic

An increase in population and traffic is anticipated. However, the project is intended to house members of the community.

Sewage & Water

The property is within the Kelly Lake Sewer Service Area and the proposed project will be connected to the system. Water will be supplied by an onsite well and smaller water storage tanks will likely be used for each property.

Comments Received from Municipalities & Provincial Agencies

Archaeology Branch

The Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The applicant applied for an Archaeology Permit to conduct an Archaeological Impact Assessment.

BC Hydro

A statutory right-of-way agreement over the land may be required prior to development.

Northern Health Authority

No objections. The proposal must comply with the Public Health Act and the Drinking Water Protection Act.

ALTERNATIVE OPTIONS:

1. That the Regional Board provide further direction.

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. 2576, 2025
2. Application, PRRD File No. 25-001 ZN
3. Maps, PRRD File No. 25-001 ZN
4. Letter of Intent, PRRD File No. 25-001 ZN
5. Project Description, PRRD File No. 25-001 ZN
6. Community Housing Plan and Engagement Report, PRRD File No. 25-001 ZN