



REPORT

To: Chair and Directors

Report Number: DS-BRD-093

From: Shawn Dahlen, Chief Administrative Officer

Date: November 30, 2020

Subject: Zoning Amendment (Housekeeping) Bylaw No. 2415, 2020

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board give Zoning Amendment (Housekeeping) Bylaw No. 2415, 2020, which introduces minor amendments to Zoning Bylaw No. 1343, 2001, including removal of references to obsolete Regional District Official Community Plan Bylaws and *Local Government Act* sections, and updating of legal land descriptions that have changed, first and second reading; further,

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

BACKGROUND/RATIONALE:

Proposal

Development Services staff have identified a number of areas where Zoning Bylaw No. 1343, 2001 is out of date and requires updating. Each of the proposed changes is explained below, in the order they appear in the Bylaw. The attachment shows the sections of the Bylaw that are proposed to be amended, with the new language proposed shown in highlighted text, and any deletions shown as stricken text. The amendment Bylaw is also attached.

Minimum Parcel Size, Subdivision for a Relative on non ALR Lands

Section 21 of the Bylaw states that the minimum parcel size for subdivision, for a relative on non-ALR Lands is 1.8 ha (4.5 acres). It is proposed to remove the reference from a section of the *Local Government Act* that no longer exists from the bylaw, and instead, include the name of the section rather than the number. The minimum parcel size will not change.

Setback Area Exemptions

Section 26 of the Bylaw deals with exemptions to the specified setback areas. The proposed change is simply to include a reference to Section 53. This acknowledges the existence of two new sections and zones: Section 52A – P-3 (Utilities – Electoral Area C only) and Section 53 – RM-1 (Residential Multiple-Family Zone 1). Both zones were added after the adoption of the Bylaw. The Bylaw currently notes only Sections 32 – 52 as sections for the various zones.

Minimum Parcel size for Remainders post Subdivision, Large Ag Zone

Section 33, which is specific to the A-2 (Large Agricultural Holdings Zone), contains a requirement that for any subdivision in this zone, the remainder of the parcel must be a minimum of 50 ha (124 acres). It is proposed to delete this requirement to better align with the PRRD's Official Community Plans, and to allow subdivision along rights of way, such as a road/highway, or watercourse, where the remainder

would not be 50 ha. This will avoid the need to rezone the remainder to a different zone with a smaller minimum parcel size.

Land Description Update

Section 35 includes an exception (a spot zone) to the minimum parcel size for a parcel in the R-2 (Residential 2 Zone) that has since been altered and has a new legal description. The Bylaw currently allows a smaller parcel size for a legal description that no longer exists; therefore, it is proposed to simply insert the new legal description in place of the outdated one.

Outdated references to Official Community Plan

In Section 36, which is specific to the R-3 (Residential 3 Zone) there are several references to Official Community Plan Bylaw numbers, including a version of both the North Peace and West Peace Official Community Plans that have been repealed and replaced. The proposed amendment is to refer to Official Community Plans by name only, so that as the Bylaw numbers change in future, the reference is always to the “prevailing” version of the Official Community Plan. There are also a few updates to amend legal land descriptions that have changed, in Section 36.

Boundary Amendment Updates

Section 42, which is specific to the C-2 (General Commercial Zone) includes reference to three properties that are now within City of Fort St. John municipal boundaries. It is proposed to delete these references from the bylaw, as the PRRD no longer has jurisdiction over these parcels, and also, to update an additional two legal land descriptions that have been amended since the zoning exceptions specific to those two parcels were approved.

ALTERNATIVE OPTIONS:

1. 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):

Notification of the proposed changes, inviting comment from the public, will be published as required by the *Local Government Act*. Any comments submitted will be provided to the Board prior to their consideration of third reading and adoption at a future meeting.

OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. List of Housekeeping Amendments to 1343, 2001
2. Zoning Amendment Bylaw No. 2415, 2020

External Links: [Report – EADC - October 15, 2020](#)