



REPORT

To: Chair and Directors

Report Number: DS-BRD-005

From: Tyra Henderson, Corporate Officer

Date: March 31, 2020

Subject: Zoning Amendment Bylaw No. 2387, 2020 – PRRD File 19-189

RECOMMENDATION #1: *[Corporate Unweighted]*

That the Regional Board rescind the requirement for receipt of subdivision approval from the Ministry of Transportation and Infrastructure (MoTI) prior to consideration of adoption of Bylaw 2387, 2020, as imposed by PRRD Board Resolution RD/20/01/32 (as amended) on January 9, 2020, as MoTI is obligated under Section 87 of the *Land Title Act* to reject a subdivision that does not comply with applicable bylaws.

RECOMMENDATION #2: *[Corporate Unweighted]*

That the Regional Board give Zoning Amendment Bylaw No. 2387, 2020, to rezone a 2.4 ha portion of the property identified as PID 011-576-855 from A-2 (Large Agricultural Holdings Zone) to R-3 (Residential 3 Zone), and the remaining 21.7 ha from A-2 (Large Agricultural Holdings Zone) to A-1 (Small Agricultural Holdings Zone), third reading.

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

That the Regional Board adopt Zoning Amendment Bylaw No. 2387, 2020.

BACKGROUND/RATIONALE:

At the January 9, 2020 Board meeting, the Board gave first two readings to Bylaw 2387, 2020 and included as a condition of consideration of third reading, receipt of subdivision approval from the Ministry of Transportation and Infrastructure (MoTI). Upon referral of the Bylaw to MoTI, seeking approval of the proposed subdivision of the property, MoTI advised that they could not approve the subdivision prior to the rezoning being completed, as under the current zoning A-2 the subdivision would be non-compliant with zoning. MoTI requires the Board to complete the rezoning, legalizing the smaller parcel sizes proposed by the subdivision, prior to subdivision approval.

Details of the proposal are provided below for the Board's information.

Proposal

To rezone the subject property to facilitate the subdivision of the existing home site.

File Details

Owner: Brandi Shaman
Area: Electoral Area C
Location: Fort St. John Area
Legal: Lot B Section 35 Township 83 Range 19 W6M Peace River Plan 17032
Civic Address: 8507 269 Road
PID: 011-576-855
Lot Size: 24.1 ha (59.5 ac)

Rationale

The subject property is currently smaller than the minimum parcel size in the A-2 Zone; therefore, a rezoning of both the proposed new lot and the residual property is required prior to subdivision. The landowner's previous application to rezone the property was deferred by the Regional Board, pending completion of the new North Peace Fringe Area Official Community Plan.

Summary of Application Procedure

Zoning Amendment Bylaw No. 2387, 2020 was read for a first and second time on January 9, 2020. The following activities have occurred since then:

February 6, 2020 Notification of the public hearing mailed to landowners in the notification area
February 13 & 20, 2020 Notice of public hearing advertised in the Alaska Highway News
February 25, 2020 Public hearing held in Fort St. John, BC (see attached minutes)

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse Zoning Amendment Bylaw No. 2387, 2020, to rezone a 2.4 ha portion of the property identified as PID 011-576-855 from A-2 (Large Agricultural Holdings Zone) to R-3 (Residential 3 Zone), and the remaining 21.7 ha from A-2 (Large Agricultural Holdings Zone) to A-1 (Small Agricultural Holdings Zone), as submitted.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S): None.

COMMUNICATIONS CONSIDERATION(S):

The Regional Board's decision will be communicated to the applicant.

OTHER CONSIDERATION(S): None.

Attachments:

1. February 25, 2020 Public Hearing Minutes
2. Bylaw 2387, 2020
3. MoTI referral response