



# REPORT

To: Chair and Directors

Report Number: DS-BRD-003

From: Tyra Henderson, Corporate Officer

Date: March 23, 2020

**Subject: Zoning Amendment Bylaw No. 2404, 2020, PRRD File No. 20-004 ZN**

---

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

That the Regional Board give Zoning Bylaw Amendment No. 2404, 2020, to rezone the property identified as PID 007-684-509 from A-2 (Large Agricultural Holdings) Zone to R-5 (Residential 5) Zone, first and second readings; further,

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

## **BACKGROUND/RATIONALE:**

### **Proposal**

To rezone the property from A-2 (Large Agricultural Holdings) zone to R-5 (Residential 5) zone under PRRD Zoning Bylaw No. 1343, 2001 for the stated final purpose of subdividing the property into two lots, each with a minimum parcel size of 4 ha.

### **File Details**

Owners: Elisabeth & Leonardus Claus  
Area: Electoral Area D  
Location: South Dawson  
Legal: Lot C Section 25 Township 77 Range 16 W6M PRD Plan 32208  
PID: 007-684-509  
Civic Address: 13470 227 Road  
Lot Size: 16 ha (39.7 ac)

### **Site Context**

The subject property is located within the rural neighbourhood of Bear Mountain. The direct surrounding area consists of smaller rural residential lots, crown land, and larger agricultural parcels at lower elevations within the valley of Bear Mountain west of the subject property.

### **Site Features**

#### Land

Based on aerial photos and a site visit, a large portion of the subject property is tree-covered, and along the mountainside of Bear Mountain. The western portion of the subject property is developed for residential use.

### Structures

There are three manufactured homes, one complete carpenter shop, one incomplete shop, and a power shed on the subject property.

### Access

The subject property is accessed via 227 Road.

### Canada Land Inventory (CLI) Soil Rating

Soil on the property is rated 5<sup>7</sup><sub>tp</sub>7<sup>3</sup><sub>tp</sub>. Class 5 soils have very severe limitations that restrict their capability of producing perennial forage crops, and improvement practices are feasible. Class 7 soils have no capability for arable culture or permanent pasture. Subclass t denotes topography. Subclass p denotes stoniness.

## **Comments & Observations**

### Applicant

The subject property is used for residential purposes. The applicant intends to subdivide the property into two lots.

### Agricultural Land Reserve (ALR)

The subject property is outside the ALR and is therefore not subject to the provisions of the *Agriculture Land Commission Act*.

### Official Community Plan

Pursuant to PRRD South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012, the subject property is designated Rural Neighbourhood (RN). Policy 6.3.2 (a). states that the principal uses of land generally be limited to residential and agriculture. Parcels within this designation should have a minimum parcel size of 1.6 ha (4 acres), unless soil conditions are suitable for on-site sewage disposal, in which the parcel should be at least 0.8 ha.

Therefore, the proposed use and size of the subject property 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. The minimum parcel size of the A-2 zone is 63 ha (155 ac). The current parcel size does not comply with the current zoning and therefore the applicant has applied for the rezone to R-5, which has a minimum parcel size of 4ha.

## **Fire Protection Areas**

The subject property is outside all Fire Protection Areas.

## **Mandatory Building Permit Areas**

The subject property is outside the Mandatory Building Permit Area.

## **Impact Analysis**

### Context

The proposed rezoning is requested to facilitate a future subdivision that would result in one additional residential parcel if the subdivision is approved by the Ministry of Transportation and Infrastructure. The

proposed rezoning and desired future parcel sizes are consistent with the parcels surrounding the subject property.

#### Population & Traffic

The proposed rezoning would help facilitate a future subdivision that would result in one additional residential parcel, if the subdivision is approved by the Ministry of Transportation and Infrastructure. The proposed rezoning and parcel sizes are considered consistent with the parcels surrounding the subject property.

No significant change in traffic is anticipated should the zoning amendment be approved.

#### Sewage & Water

The applicant currently has a lagoon for sewage disposal and a cistern for water supply for their property.

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

No responses have been received from municipalities or provincial agencies at this time.

#### **ALTERNATIVE OPTIONS:**

1. That the Regional Board respectfully refuse Zoning Amendment Bylaw No. 2404, 2020, to permit rezoning of the property identified as PID 007-684-509 under PRRD Zoning Bylaw No. 1343, 2001 as submitted.
2. That the Regional Board give Zoning Amendment Bylaw No. 2404, 2020, to rezone the property identified as PID 007-684-509 from A-2 (Large Agricultural Holdings) Zone to R-5 (Residential 5) Zone under PRRD Zoning Bylaw No. 1343, 2001, first and second readings; and further,

That a Public Hearing be held pursuant to the *Local Government Act* Section 464(1), and that public notification be authorized pursuant to the *Local Government Act* Section 466; further, that the public hearing be delegated to the Director of Electoral Area “D”.

3. 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.

Attachments:

1. Maps
2. Application
3. Referral response from Electoral Area Director
4. Section 38 of PRRD Zoning Bylaw No. 1343, 2001
5. Draft Bylaw No 2404, 2020