



# REPORT

To: Chair and Directors

Report Number: DS-BRD-044

From: Tyra Henderson, Corporate Officer

Date: August 5, 2020

**Subject: OCP and Zoning Amendment Bylaw No. 2400 and 2401, 2020, PRRD File No. 19-236**

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## **RECOMMENDATION #1: [Corporate Unweighted]**

Whereas the Regional Board has considered the requirements of s. 475 of the *Local Government Act* and provided opportunity for early and ongoing consultation with those persons, organizations and authorities the Board considers will be affected as summarized in this report,

That Official Community Plan Amendment Bylaw No. 2400, 2020, to amend the designation of a  $\pm 0.21$  ha portion of the property identified as 012-325-767 from Civic, Assembly and Institutional (CIVIC) to Light Industrial (LI), be read a first and second time.

## **RECOMMENDATION #2: [Corporate Unweighted]**

That Zoning Amendment Bylaw No. 2401, 2020 to amend the rezoning of a  $\pm 0.21$  ha portion of the property identified as 012-325-767 from Civic, Assembly, and Institutional Zone (P-2) to Light Industrial Zone (I-1), and to add a site specific text amendment to the I-1 (Light Industrial Zone) to allow a minimum parcel size of 0.6 ha for the subject property to facilitate its subdivision into two I-1 (Light Industrial) lots sized 0.9 ha and 0.6 ha, be read a first and second time; further, that a public hearing, delegated to the Director of Electoral Area D, be scheduled.

## **BACKGROUND/RATIONALE:**

### **Proposal:**

The property is currently one parcel, and is split zoned – the northern most portion (approx. 2/3) of the property is zoned for industrial use, and the southern 1/3 is zoned for civic use. The applicant wishes to subdivide the subject property into three lots, and has requested that a small portion of the proposed middle lot be rezoned from civic to institutional. The proposed lots will then align with the OCP and zoning designations, with no more split zoning across parcels, and the current and proposed uses will conform to the zoning regulations. Proposed Lots 1 & 2 (the northern lots) would be used for the expansion of warehousing services and Lot 3 would continue to be used as for civic use.

The text amendment is included to exempt the proposed Lot 1 and Lot 2 from the current minimum lot size of 1.8ha specified in the I-1 (Light Industrial) zone. The proposed industrial lots are .9 and .6 hectares. PRRD Zoning Amendment Bylaw 2249, 2016 amended the minimum parcel size in instances when a parcel is connected to a community sewage system in the portion of Area D covered by North Peace OCP Bylaw 820, 1993, which repealed in its entirety in 2011, therefore, the change to the minimum parcel size had no effect. The text amendment for the exemption to the minimum parcel size would still be required for the .6 ha parcel proposed by the applicant even if the 2016 exemption legally existed.

The applicant applied for subdivision with the Ministry of Transportation and Infrastructure (MoTI) in January 2020.

### **File Details**

Owner: Rudy Vanspronsen  
Agent: Tyron Land Surveying  
Area: Electoral Area D  
Location: Kilkerran  
Legal: Lot 1 Block 1 of Section 28 Township 78 Range 15 W6M Peace River District Plan 12614  
Civic Address: 8219, 8249, and 8265 219 Road  
PID: 012-325-767  
Lot Size: 1.92 ha (4.75 ac)

### **Site Context**

The subject property is located north of the City of Dawson Creek and 210 Road. Nearby properties to the north, west, are similar in size and designation to the subject property. To the east are two large agricultural parcels that are within the ALR.

### **Site Features**

#### Land

Looking at the updated aerial imagery, the property is generally cleared of trees. The northern portion of the property is covered by a gravel yard. The middle portion of the property contains a residential dwelling and is surrounded by vegetation.

#### Structures

There are three buildings on the subject property. There is a residential dwelling towards the centre of the property. There is a civic use building on the south portion of the subject property. Finally, there is a building used for storage and office space on the south portion of the property, between the residential dwelling and the civic use building.

#### Access

The subject property currently has multiple access points via 219 Road, Harper Drive, Harper Place, and Harper Subdivision. It is anticipated that the access points will continue to be used for any future development on the subject property.

#### CLI Soil Rating

The soil on the property is rated 2c. Class 2 soils have moderate limitations restricting crop range or required moderate conservation practices. Subclass C denotes adverse climate (excluding precipitation).

### **Comments & Observations**

#### Applicant

The subject property is currently occupied by the owners and some of the current land uses do not conform to current zoning regulations (the storage/office building in the middle that is located on the portion of the parcel that is currently zoned for civic use). The property owners intend to expand their

warehousing services on proposed Lot 1, and a new warehouse and storage facility are proposed. There are no new developments for proposed Lot 2 and Lot 3.

#### Agricultural Land Reserve (ALR)

The subject property is outside the ALR.

#### Official Community Plan (OCP)

Pursuant to *PRRD South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012*, the property is designated Light Industrial (LI) and Civic, Assembly and Institutional (CIVIC). Section 8.2.1(a) states industrial uses including warehousing establishments are principal uses within the LI designation. Section 8.2.1(c) states the minimum parcel size within the LI designation is 0.4 ha when connected to a community sewage system.

Section 9.1.2(a) states community halls are a principal use within the CIVIC designation. Section 9.1.2(c) states the minimum parcel size within the CIVIC designation is 0.2 ha when connected to a community sewage system.

Therefore, the sizes of all three proposed lots are consistent with the OCP, however, an OCP amendment is required to align the OCP boundary with the proposed lot lines to facilitate subdivision.

#### Land Use Zoning

Pursuant to *PRRD Zoning Bylaw No. 1343, 2001*, the subject property is split-zoned as both I-1 (Light Industrial Zone) and P-2 (Civic, Assembly and Institutional Zone). Section 45.1 states that in the I-1 zone warehousing facilities and mini storage are permitted principal uses and dwelling units are an accessory use. Section 45.2 (ii) states the minimum parcel size within the I-1 zone is 1.8 ha.

Section 52.1 states a community hall as a permitted principal use within the P-2 zone. Section 52.2 states the minimum parcel size 0.1 ha (0.25 ac) when a parcel is connected to a community sewer system.

Therefore, the proposed amendment is required to align the zoning boundary with the proposed lot lines and to allow a minimum parcel size of 0.6 ha (1.5 ac) in the L-1 (Light Industrial Zone) for the subject property to facilitate the proposed subdivision.

#### Fire Protection Area

The subject area is within the Dawson Creek Rural Fire Protection Area.

#### Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area.

#### Development Cost Charge Area

The subject property is outside the Development Cost Charge Area.

### **Impact Analysis**

#### Context

Light Industrial and Civic activities currently practiced on the subject property would remain the same if future development occurs.

#### Population and Traffic

No significant changes in traffic are anticipated for proposed Lot 2 and Lot 3 should the proposed rezoning be approved. Proposed Lot 3 may have increased vehicle traffic due to the establishment of warehousing facilities.

#### Sewage & Water

The current buildings on the subject property are connected to the community sewage system. Proposed Lot 1 has access to service at the property line if future development occurs. The applicant uses a cistern for water supply for the current buildings. Proposed Lot 1 would require installation of a cistern if future development occurs.

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

##### Ministry of Transportation and Infrastructure

MoTI has no objections to the text amendment and the bylaw does not require MoTI formal approval.

##### City of Fort St. John

No comments received.

##### City of Dawson Creek

No comments received.

##### Northern Health

No comments received.

#### **ALTERNATIVE OPTIONS:**

1. That the Regional Board respectfully refuse application PRRD 19-236 and decline Official Community Plan Amendment Bylaw No. 2400, 2020, to amend the designation of a ± 0.21 ha portion of the property identified as PID 012-325-767 from Civic, Assembly and Institutional (CIVIC) to Light Industrial (LI), and Zoning Amendment Bylaw No. 2401, 2020 to amend the rezoning of the same property identified from Civic, Assembly, and Institutional Zone (P-2) to Light Industrial Zone (I-1), and add a site-specific text amendment to the I-1 (Light Industrial Zone) to allow a minimum parcel size of 0.6 ha for the subject property to facilitate its subdivision into two I-1 (Light Industrial) lots sized 0.9 ha and 0.6 ha, as submitted.
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 agent.

### **OTHER CONSIDERATION(S):**

The Regional Board does not have the option to waive the public hearing on this application. Current direction from the Province under Division 5 of Ministerial Order [M192](#) and subsequently, Bill 19, allows for local governments to conduct public hearings by electronic or other communication facilities, or to hold public hearings electronically, in person, or a combination of both.

To date, Electoral Area Directors have requested the scheduling of public hearings be deferred until in person public hearings are permitted. In person meetings of up to fifty people are permitted, if proper physical distancing and other safety protocols are in place, however, the public cannot be denied entry to a public hearing and there are few venues available that will accommodate fifty people properly physically distanced. Residents would be encouraged to submit comments in writing, and asked to register in advance to attend a public hearing, to allow for advance planning for the anticipated number of guests. (Attendance at public hearings cannot be staggered in the same way that staff have been managing public attendance at Board meetings as the intent of a public hearing is to allow all attendees a chance to be heard, and to hear submissions from others.) This file would be on hold until either a safety plan allowing an in person or hybrid (ie: livestreamed to allow participation in the entire hearing by any interested member of the public, with provision for either audio or video participation electronically) public hearing could be implemented. There is currently one file in Area C and two files in Area D on hold pending a public hearing.

#### **Attachments:**

1. Maps
2. Application
3. Referral responses from agencies
4. Director comments
5. Section 8.2.1 - 9.1.2(c) of PRRD South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012
6. Section 45.1 – 45.2 (i), and 52.1 – 52.2(b) of PRRD Zoning Bylaw No. 1343, 2001
7. Draft Official Community Plan Amendment Bylaw No. 2400, 2020
8. Draft Zoning Amendment Bylaw No. 2401, 2020