



REPORT

To: Chair and Directors

Report Number: DS-BRD-012

From: Tyra Henderson, Corporate Officer

Date: April 2, 2020

Subject: Zoning Amendment Bylaw No. 2406, 2020. PRRD File # 20-006 ZN

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board give Zoning Bylaw Amendment No. 2406, 2020, to rezone the property identified as PID 014-625-950 from RR-4 (Small Holdings) Zone to RR-1 (Rural Residential 1) 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 RR-4 (Small Holdings) Zone to RR-1 (Rural Residential 1) Zone under PRRD Zoning Bylaw No. 479, 1986 for the final purpose of subdividing the property into two lots.

File Details

Owner: Daniel McLean
Area: Electoral Area D
Location: South Taylor
Legal: Parcel A (R2285), of the Southeast ¼ of Section 5, Township 81, Range 17, W6M, PRD
PID: 014-625-950
Civic Address: 5420 224 Rd
Lot Size: 10.7 ha (26.4 ac)

Site Context

The subject property is approximately 500 m from the North intersection of the Old Alaska Highway and the Alaska Highway (Hwy 97), and approximately 18 km south of the District of Taylor. The property is directly adjacent to the Alaska Highway. The Braden Road/Alaska Highway intersection is kitty corner to the subject property. Adjacent land parcels surrounding the property are mostly large agricultural parcels; however, there is a commercial property directly north of the subject property, and a rural subdivision approximately 1.5 km south on the Old Alaska Highway.

Site Features

Land

The subject property is mostly cleared for agricultural production. Residential development is centered on the property. An electrical power right-of-way transects the property from the northwest corner to the southeast.

Structures

There is one residence, one shop, and two sheds on the subject property.

Access

The subject property is accessed via 224 Road (Paul Road) directly off the Alaska Highway (Hwy 97).

Canada Land Inventory (CLI) Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as 4x. Class 4 soils have severe limitations that restrict the range of crops or require special conservation practices. Subclass x comprises of soils having a limitation resulting from the cumulative effect of two or more adverse characteristics

Comments & Observations**Applicant**

The applicant intends to subdivide the property along the hydro right-of-way.

Agricultural Land Reserve (ALR)

The subject property is within the Agricultural Land Reserve, and therefore the provisions of the *Agricultural Land Commission Act* apply. The ALC approved an ALR subdivision application (ALC Resolution #347/2018) on October 24, 2018.

Official Community Plan (OCP)

Pursuant to the PRRD Rural Official Community Plan Bylaw No. 1940, 2011, the subject property is designated Rural Neighbourhood (RN). Land within this designation should be used for agriculture, residential, civic or institutional, public spaces and parks. The minimum parcel size should be 1.6 ha (4 ac) unless connected to a sewer system or soil conditions allow suitable on-site sewage disposal approved by Northern Health.

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

Land Use Zoning

Pursuant to Dawson Creek Rural Zoning Bylaw No. 479, 1986, the subject property is zoned RR-4 (Small Holdings) zone. Land within this zone may be used for residential, agriculture, and home based businesses. The minimum parcel size is 8 ha (20 ac). The proposal to subdivide the parcel through Ministry of Transportation and Infrastructure (MoTI) does not meet the minimal parcel size of the RR-4 zone.

Therefore, a zoning amendment to RR-1 (Rural Residential) zone is required. While the permitted uses within the RR-1 zone and the RR-4 zone are the same, there is a smaller minimum parcel size in the RR-1 zone (1.8 ha). The proposal is consistent with the regulations of the proposed zone.

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; however, Building Permits are still available on a voluntary basis.

Development Permit Areas

The subject property is outside all Development Permit Areas.

Impact AnalysisContext

The proposal will not change the permitted uses on the subject property. The change in zoning will only affect the minimal parcel size from 8 ha (20 ac) to 1.8 ha (4.5 ac). The proposed rezoning could result in up to five lots, subject to ALC and MoTI approval, though only one new lot is proposed at this time. The proposed rezoning and parcel sizes are consistent with the parcels surrounding the subject property.

Population & Traffic

The proposed rezoning and subdivision would result in one new residential lot. A minimal increase to the population and traffic is anticipated.

Sewage & Water

The applicant is currently using a lagoon for sewage and a cistern for water services.

Comments Received from Municipalities & Provincial AgenciesFort St. John

Interests unaffected.

Agricultural Land Commission

No objections.

Ministry of Transportation and Infrastructure

The proposal falls within Section 52 of the *Transportation Act* and will require formal Ministry approval and signature. The Ministry is in support of the proposal and has the following comments:

1. No direct access to the Alaska Highway 97N is permitted. All access is to be via the side road network (Paul Road).

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse Zoning Amendment Bylaw No. 2406, 2020, to permit rezoning of the property identified as PID 014-625-950 from RR-4 (Small Holdings) Zone to RR-1 (Rural Residential 1), as submitted.
2. That the Regional Board give Zoning Amendment Bylaw No. 2406, 2020, to rezone the property identified as PID 014-625-950 from RR-4 (Small Holdings) Zone to RR-1 (Rural Residential 1), first and second readings; further, that a Public Hearing pursuant to the *Local Government Act* Section 464(1) be delegated to the Director of Electoral Area D, and held after issuance of the public notification required under Section 466 of the *Local Government Act*.

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 at this time.

Attachments:

1. Draft Zoning Bylaw No. 2406, 2020
2. Maps
3. Application
4. Comments Received from Municipalities & Provincial Agencies
5. Comments Received from Electoral Area Director
6. Section 6.21 of PRRD Zoning Bylaw No. 479, 1986