



# REPORT

To: Chair and Directors

Report Number: DS-BRD-130

From: Kathy Suggitt, General Manager of Development Services

Date: March 25, 2021

**Subject: Zoning Amendment Bylaw No. 2356, 2021 PRRD File No. 21-001-ZN**

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

That the Regional Board give Zoning Amendment Bylaw No. 2356, 2021, to rezone a  $\pm 6.6$  hectare portion of the subject property identified as PID 014-823-365 from A-2 (Large Agricultural Holdings Zone) to R-2 (Residential 2 Zone) and the remaining  $\pm 58$  hectares from A-2 (Large Agricultural Holdings Zone) to A-1 (Small Agricultural Holdings Zone), first and second readings; further

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

## **BACKGROUND/RATIONALE:**

### **Proposal**

To rezone a  $\pm 6.6$  ha portion of the subject property from A-2 (Large Agricultural Holdings Zone) to R-2 (Residential 2 Zone) and the remaining  $\pm 58$  ha lot from A-2 (Large Agricultural Holdings Zone) to A-1 (Small Agricultural Holdings Zone). This would allow the applicant to pursue the subdivision of the property into two  $\pm 3.3$  ha lots and one  $\pm 58$  ha lot. Pursuant to ALC File No. 60653, the subject property has received conditional approval for the subdivision by the Agricultural Land Commission on July 13, 2020.

### **File Details**

Owner: Timothy Neudorf and Lisa Neudorf  
Area: Electoral Area B  
Location: Prespatou  
Legal: The East 1/2 of District Lot 2523 Peace River District  
PID: 014-823-365  
Civic Address: 13733 Cole Ave  
Lot Size: 64.67 ha (159.81 ac)

### **Site Context**

The subject property is located in the northern area of the community of Prespatou, approximately 80 km north of the City of Fort St. John. It is surrounded by agricultural lands to the north, west and south and residential uses to the east.

**Site Features**Land

The eastern portion of the subject property is cleared and has development. Based on aerial imagery, the rest of the property appears undeveloped. The  $\pm 6.6$  ha portion on the north-west end of the subject property has some small naturally occurring water features.

Structures

Currently, there is one residence, one shop, and two barns on the subject property.

Access

The subject property is accessed via Cole Avenue.

**Comments & Observations**Applicant

The applicant intends to subdivide the subject property into two  $\pm 3.3$  ha lots each for their children to live on in the future, and a remainder lot of  $\pm 58$  ha. Prespatou is a growing community and the applicant mentions the need to retain young people in the area and its importance for the local community. The applicant also wishes to continue using the remainder area of the subject property for farming purposes. The subdivision has received conditional approval by the ALC.

Agricultural Land Reserve (ALR)

The subject property is partially within the Agricultural Land Reserve (approximately 22 ha), and therefore, the provisions of the *Agricultural Land Commission Act* apply.

Official Community Plan (OCP)

Pursuant to the Rural Official Community Plan Bylaw No. 1940, 2011, the subject property is designated Rural Community (RC). Section 6 states that the objective of land within this designation is to provide areas for population growth, support civic facilities, and to provide suitable areas where rural businesses can locate. Section 6 Policy 3 states that the principal use of land within this designation, subject to zoning regulations, may be those listed under the following designations: Agriculture-Rural; Residential; Commercial; Light Industrial; Civic, Assembly, Institutional; and Park and Natural Environment. Policy 5 states that the minimum parcel size should be 1.6 ha (4 ac).

The proposed zoning to R-2 complies with the Residential designation and proposed zoning to A-1 complies with the Agriculture-Rural designation of the OCP.

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

Land Use Zoning

Pursuant to Zoning Bylaw No. 1000, 1996, the subject property is zoned A-2 (Large Agricultural Holdings Zone). Section 36 states that the minimum parcel size for properties within this zone is 63 ha.

Therefore, a zoning amendment to R-2 (Residential 2 Zone) is required for the  $\pm 6.6$  ha (16.3 ac) area and to A-1 (Agricultural Holdings Zone) for the remaining  $\pm 58$  ha (143.32 ac) area.

**Fire Protection Area**

The subject property is outside all fire protection areas.

**Mandatory Building Permit Area**

The subject property is outside the Mandatory Building Permit Area, however Building Permits are still available on a voluntary basis.

**Development Permit Area**

The subject property is outside all Development Permit Areas.

**Development Cost Charge Area**

The subject property is outside the Development Cost Charge Area.

**School District 60 School Site Acquisition Charge Area**

The subject property is within the School District 60 School Site Acquisition Charge Area. However, the charge is only applicable at the time that the property is being subdivided for new residential lots and will be collected at that time.

**Impact Analysis****Context**

The proposed zoning is consistent with the surrounding context as the subject property is located in a rural area, comprised of agricultural and residential uses.

**Population & Traffic**

It is anticipated that there would be only minimal increase to population and traffic in the area, as a result of potentially having two new houses on the subject property if they proceed with the subdivision of the property for the residential uses.

**Sewage & Water**

The applicants intend to use a lagoon as a means of sewage disposal for the development and a dugout as a means of water supply.

**Comments Received from Municipalities & Provincial Agencies****Ministry of Transportation and Infrastructure**

No objections.

**Agricultural Land Commission**

No objections.

**BC Hydro**

No objections.

**City of Fort St. John**

No concerns.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board give Zoning Amendment Bylaw No. 2356, 2021, to rezone a +6.6 hectare portion of the subject property identified as PID 014-823-365 from A-2 (Large Agricultural Holdings Zone) to R-2 (Residential 2 Zone) and a remainder of ±58 hectares from A-2 (Large Agricultural Holdings Zone) to A- 1 (Small Agricultural Holdings Zone), first and second readings; further,

That a public hearing be held pursuant to the *Local Government Act* Section 464(1) and public notification be authorized pursuant to the *Local Government Act* Section 467.

2. That the Regional Board refuse to give Zoning Amendment Bylaw No. 2356, 2021, to rezone a ±6.6 hectare portion of the subject property identified as PID 014-823-365 from A-2 (Large Agricultural Holdings Zone) to R-2 (Residential 2 Zone) and a remainder of ±58 hectares from A-2 (Large Agricultural Holdings Zone) to A-1 (Small Agricultural Holdings Zone), first and second readings.
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. Maps
2. Application
3. Comments Received from Municipalities & Provincial Agencies
4. Comments Received from Electoral Area Director
5. Section 35 and Section 39 of PRRD Zoning Bylaw No. 1000, 1996
6. Draft Zoning Bylaw No. 2356, 2021