



REPORT

To: Chair and Directors

Report Number: DS-BRD-132

From: Kathy Suggitt, General Manager of Development Services

Date: March 25, 2021

Subject: Zoning Amendment Bylaw No. 2433, 2021, PRRD File No. 21-003 ZN

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board give Zoning Amendment Bylaw No. 2433, 2021 to rezone the subject property identified as PID 005-979-552 from R-4 (Residential-4 Zone) to C-2 (General Commercial Zone), and to add a site-specific text amendment to the C-2 Zone to permit a campground, unlimited term, for a maximum of two recreational vehicles on the subject property, first and second readings; further

That a public hearing, delegated to the Electoral Area E Director be held pursuant to the *Local Government Act* Section 464(1) and public notification be authorized pursuant to the *Local Government Act* Section 467.

BACKGROUND/RATIONALE:

Proposal

To rezone the subject property from R-4 (Residential-4 Zone) to C-2 (General Commercial Zone), and to add a site-specific text amendment to the C-2 Zone to permit a campground, unlimited term on the subject property, to permit a maximum of two recreational vehicles for long term camping purposes.

The Ministry of Transportation and Infrastructure (MoTI), in their response to the referral sent out by the PRRD, has requested a suitably worded covenant to restrict development on the lot to two recreational vehicles for long term camping purposes only and to restrict direct access to Highway 29N.

File Details

Owner: Denise Caron
Area: Electoral Area E
Location: Moberly Lake
Legal: Lot 1 District Lot 486 Peace River District Plan 28431
PID: 005-979-552
Civic Address: 2012 Medicine Woman Lane
Lot Size: 1.86 ha (4.59 ac)

Site Context

The subject property is currently vacant and is located ± 300 m north of Moberly Lake. The subject property has flankage along Highway 27N and is accessed via Medicine Woman Lane S.

Site FeaturesLand

The subject property is populated with evergreen trees with clear space on the western portion. The subject property does not feature any developed areas, however, it has one notable topographic feature in the form of the Medicine Woman Creek, which passes through the subject property.

Structures

There is one small structure on the site that has the capability to provide a power hook-up.

Access

The subject property is accessed via Medicine Woman Lane S that connects the subject property to Highway 29N.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as class 5_{TP}. Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Subclass TP denotes Topography Stoniness.

Comments & ObservationsApplicant

The applicant intends to use the property for putting two recreational vehicles for the purpose of renting for long term camping.

Agricultural Land Reserve

The subject property is outside the Agricultural Land Reserve.

Official Community Plan (OCP)

Pursuant to the West Peace Fringe Area Official Community Plan Bylaw No. 2312, 2018, the subject property is designated Moberly Lake Settlement (MLS). Section 3.3.1 states that the objective of this designation is to be used for residential, commercial, institutional, and parks and recreation. Section 3.3.4 states that a proposal for a commercial development shall be along a major road in order to minimize traffic disruption to established residential areas, measures to ensure that the development does not visually detract from the natural setting of the lake, and adequate buffers to adjacent properties.

Therefore, the proposal is consistent with the OCP.

Lakeshore Development Guidelines

Pursuant to the Peace River Regional District Lakeshore Development Guidelines, Moberly Lake is classified as a Development Lake and the subject property is located within the 300m shore zone. Section 11 states Development Lakes are capable of accommodating a variety of different uses and development activities, including but not limited to residential development, agricultural activities, outdoor recreation and commercial-tourism use.

Please note the Peace River Regional District Lakeshore Development Guidelines should be considered for each development within 300m of a lake. The proposed rezoning will comply with the Lakeshore Development Guidelines.

Land Use Zoning

Pursuant to Zoning Bylaw No. 1343, 2001, the subject property is zoned R-4 (Residential-4-Zone). Section 37 states that the minimum parcel size in the R-4 Zone is 1.8 ha (4.5 ac). Within the R-4 Zone, land may be used for the following principal uses: dwelling unit(s), market garden and agriculture. Recreational vehicles are not considered a dwelling unit for residential uses, thus the proposed land use of a campground, unlimited term, does not comply with the zoning bylaw since a campground is considered a commercial land use.

Therefore, a zoning amendment to C-2 (General Commercial Zone) is required to permit the campground, unlimited use for two recreational vehicles for long term commercial camping on the subject property.

Fire Protection Area

The subject property is within the Moberly Lake Fire Protection Area.

Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area.

Development Permit Area

The subject property is outside all Development Permit Areas.

Impact Analysis

Context

The proposal will change the permitted uses on the subject property in keeping with uses permitted by the OCP designation. The rezoning to permit the campground, unlimited term will include a site-specific text amendment in the C-2 Zone to permit a maximum of two recreational vehicles. This limit on the number of recreational vehicles on the property will help to minimize any impacts on the residential properties in the immediate vicinity.

Population & Traffic

There will be minimal anticipated increase to population and traffic in the area as a result of having two recreational vehicles on the subject property.

Sewage & Water

The subject property has a sewage holding tank that can be pumped out. Also, the subject property has a well as a source of water and the applicant intends to install a water treatment plant for the cleaning process.

Comments Received from Municipalities & Provincial Agencies

Northern Health

On February 19, 2021, Northern Health responded to the referral with the following requests:

- Please provide details on the proposed water treatment system and well
- Please provide details on the holding tank for sewage (must be appropriate size for number of rental spaces)
- Plan approval subject to water and sewage system approval

Ministry of Transportation and Infrastructure (MoTI)

The proposal falls within Section 52 of the *Transportation Act* and will require formal MoTI approval and signature. MoTI responded to the referral with the following requests:

- Provision of a suitably worded covenant is required to restrict development on the lot to two recreational vehicles for long term camping purposes only and to restrict direct access to Highway 29N.
- Applicant to apply online for a commercial access permit to the Ministry of Transportation and Infrastructure for the access to Medicine Woman Lane.

ALTERNATIVE OPTIONS:

1. That the Regional Board give Zoning Amendment Bylaw No. 2433, 2021, to rezone the subject property identified as PID 005-979-552 from R-4 (Residential-4 Zone) to C-2 (General Commercial Zone), and to add a site-specific text amendment to the C-2 Zone to permit a campground, unlimited term, for a maximum of two recreational vehicles on the subject property, first and second readings; further

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

2. That the Regional Board refuse to give Zoning Amendment Bylaw No. 2433, 2021, to rezone the subject property identified as PID 005-979-552 from R-4 (Residential-4 Zone) to C-2 (General Commercial Zone), and to add a site-specific text amendment to the C-2 Zone to permit a campground, unlimited term, for a maximum of two recreational vehicles on the subject property, 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 42 of PRRD Zoning Bylaw No. 1343, 2001
6. Draft Zoning Bylaw No. 2433, 2021