



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
ZONING AMENDMENT REPORT
1st and 2nd Reading
FILE NO. 56/2009**

Part 26 Participants.
Includes all except
Districts of Tumbler
Ridge and Taylor.

OWNER: Corney & Barbara Braun **B-3a** **DATE:** May 4, 2009
AGENT: n/a
AREA: Electoral Area B
LEGAL: District Lot 2518, PRD, except plans 18700, 22630, 31494, PGP41938, and PGP44763
LOT SIZE: 176.7 ha (436.6 ac)
LOCATION: Prespatou

PROPOSAL

To rezone a ~9.6 ha (~23.7 ac) portion of the subject property from A-2 to R-2 in order to subdivide the property for residential use.

RECOMMENDATION: OPTION 1

THAT the Regional Board approve Peace River Regional District Zoning Amendment Bylaw No. 1854, 2009 for First and Second Reading; and

THAT the holding of a public hearing be waived pursuant to s. 890(4) of the Local Government Act, and authorize performance of public notification pursuant to s. 893 of the Local Government Act.

OPTIONS

OPTION 1: **THAT** the Regional Board approve Peace River Regional District Zoning Amendment Bylaw No. 1854, 2009 for First and Second Reading; and

THAT the holding of a public hearing be waived pursuant to s. 890(4) of the Local Government Act, and authorize performance of public notification pursuant to s. 893 of the Local Government Act.

OPTION 2: Refuse the application.

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP): Rural Community, Bylaw No. 820, 1993
ZONING: A-2 (Large Agricultural Holdings Zone), Bylaw No. 1000, 1996
AGRICULTURAL LAND RESERVE (ALR): Partially Within
BUILDING INSPECTION AREA: Outside
COMPREHENSIVE DEVELOPMENT PLAN: Outside

SITE CONTEXT

The subject property is located in the rural community of Prespatou, along the paved Prespatou Road and the graveled Store Road. The proposed subdivision borders a hayfield to the north, a church to the south, and faces two residential properties to east across Prespatou Road. The area is generally flat.

Bruce Simard

Department Head

John Boulton

CAO

SITE FEATURES

- LAND:** The area of the proposed subdivision is mostly cleared and flat. The area is occasionally used to grow hay.
- STRUCTURES:** There are no buildings or structures on the subject property.
- ACCESS:** The subject property is accessed from the graveled Store Road along the south end of the property. Access to the proposed lots would be from the paved Prespatou Road.
- CLI SOIL RATING:** 80% Class 4X and 20% Class 5W (proposed subdivision): Class 4 soils have severe limitations that restrict the range of crops, with subclass x denoting minor cumulative limitations. Class 5 soils have very severe limitations that restrict their capability to produce perennial forage crops, with subclass w denoting excess water.
- FIRE:** The subject property is not within a Fire Protection Area.
- OTHER:** Telephone and hydro are available to the subject property.

COMMENTS AND OBSERVATIONS

- APPLICANT:** The applicants have requested to rezone a portion of the subject property in order to subdivide three ~3.2 ha (7.9 ac) lots from the property.
- ALR:** The Agricultural Land Commission approved this proposal March 11, 2009 by Resolution #59/2009.
- OCP:** Pursuant to the North Peace Official Community Plan By-law No. 820, 1993, the subject property is designated "*Rural Community*" wherein "residential" is a permitted use and the minimum parcel size is 1.8 ha (4.5 ac) where there is no community sewage system. Therefore, this proposal will NOT require an OCP amendment.
- ZONING:** Pursuant to the PRRD Zoning By-law No. 1000, 1996, the subject property is currently zoned A-2 (Large Agricultural Holdings Zone), wherein the minimum parcel size is 63 ha (155 ac). Therefore, this proposal will require a zoning amendment.

IMPACT ANALYSIS

- AGRICULTURE:** This proposal "would not have a negative impact on agriculture" (ALC).
- CONTEXT:** The proposed lots would be consistent in size and use with the neighbouring church, seniors home, and residential lots.
- POPULATION:** This subdivision could potentially increase the local population by 9 persons (BC Statistics, 2006).
- TRAFFIC:** This subdivision could potentially increase the number of vehicles in the area by 6 (BC Statistics, 1996).

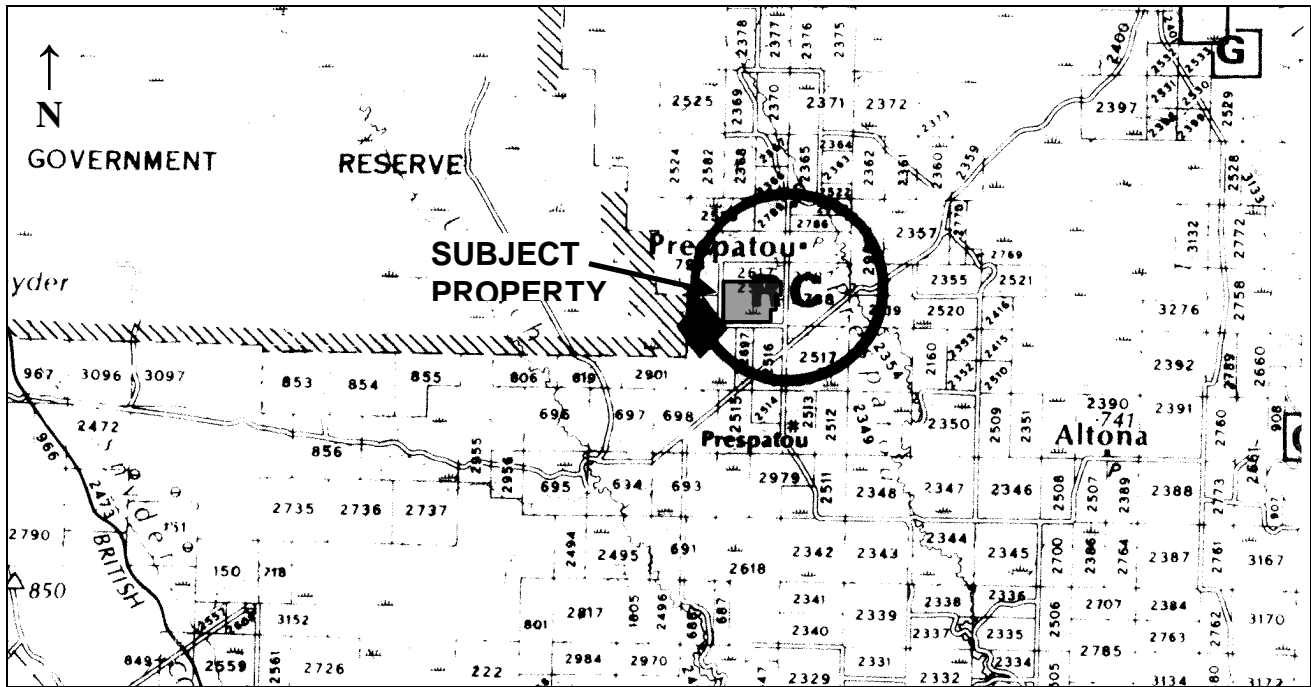
May 14 2009



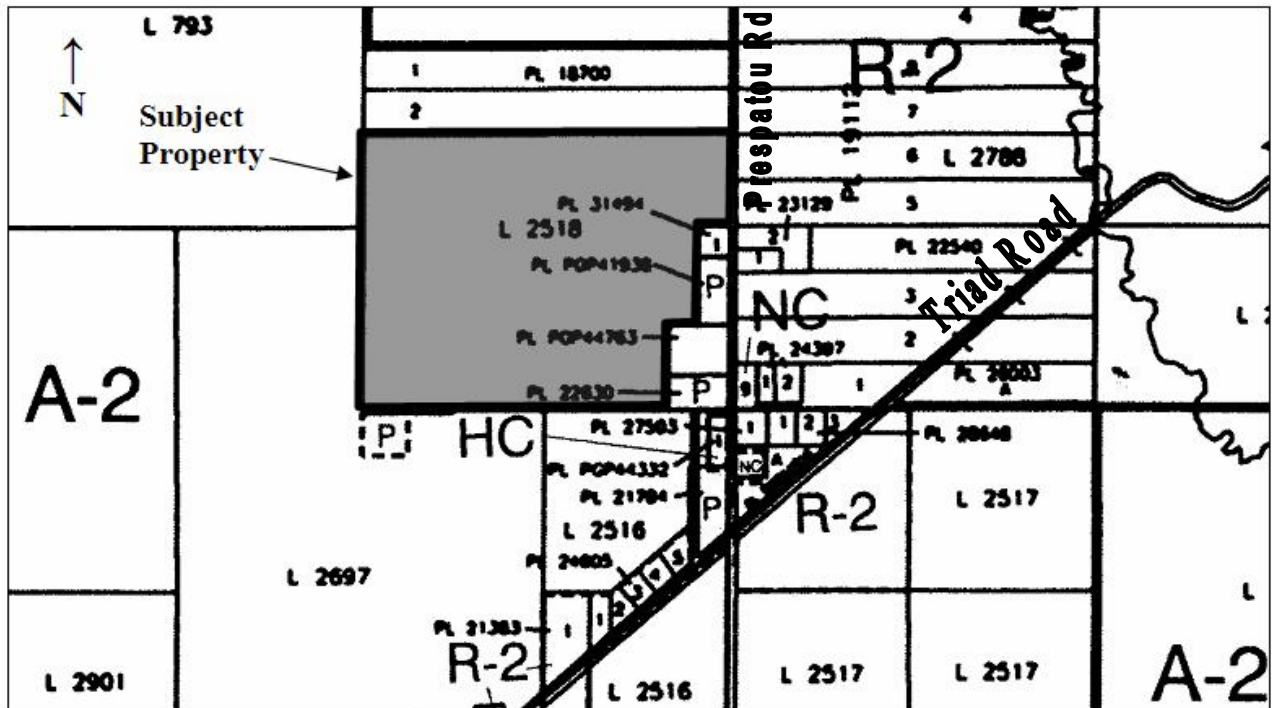
MAPS

FILE NO. 56/2009

North Peace Official Community Plan (Index Map)



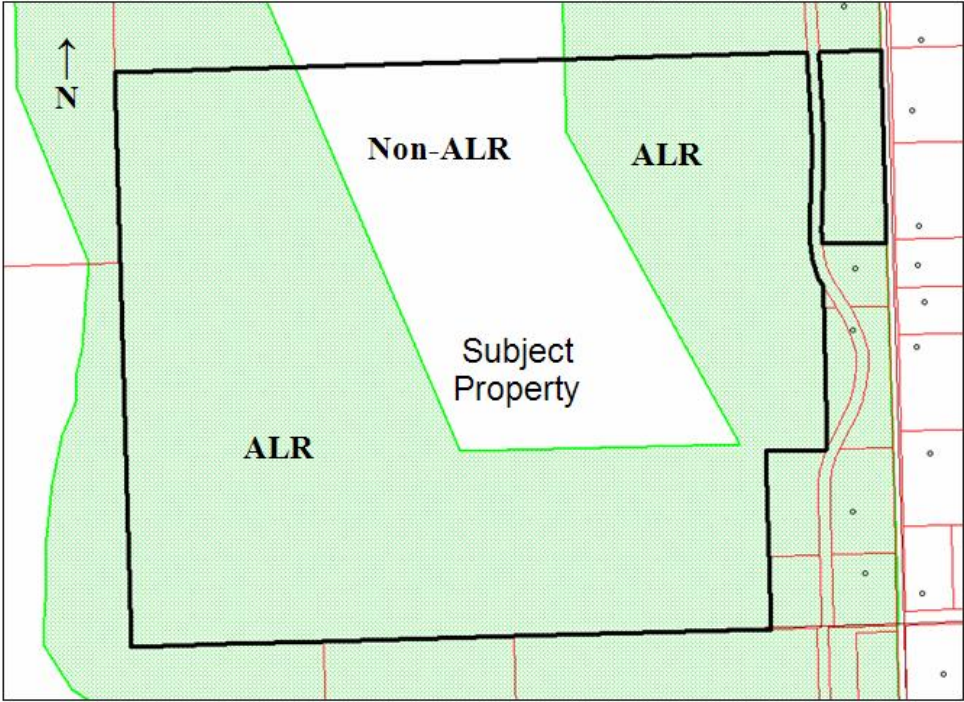
Zoning By-Law 1000, 1996 (Map 9)



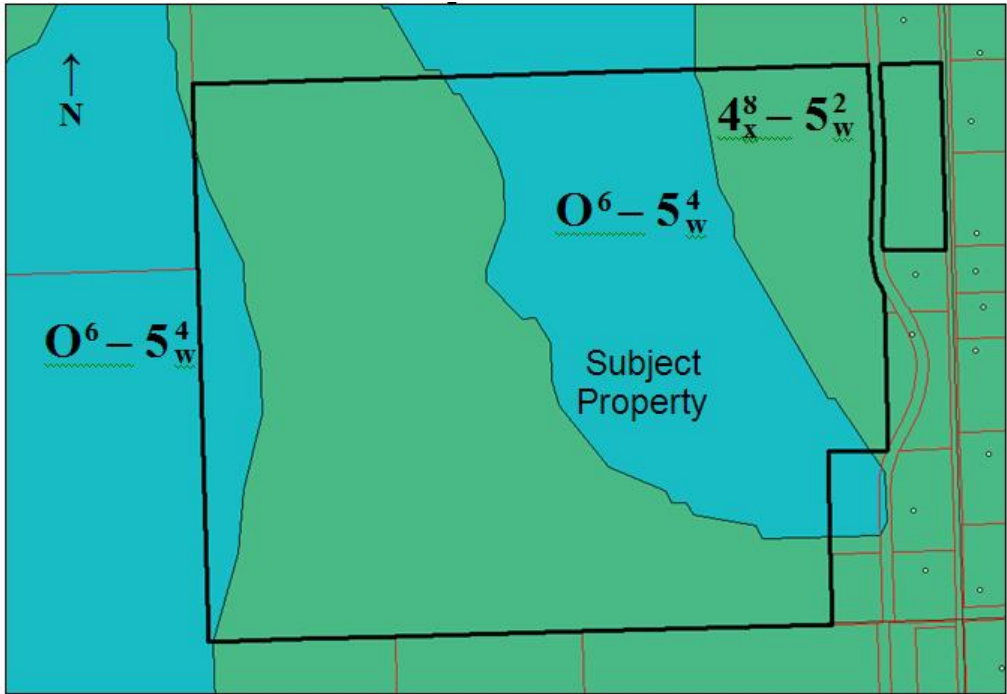
May 14 2009



Agricultural Land Reserve (Map #94A.095)



CLI-Soil Classification (Map #94-A-14)



April 15/09



PEACE RIVER REGIONAL DISTRICT

#56/2009

B-3a

Box 810, 1981 Alaska Avenue,
Dawson Creek, BC V1G 4H8
Telephone: (250) 784.3200
Fax: (250) 784.3201

Toll Free: 1.800.670.7773

9912 - 106th Avenue,
Fort St. John, BC V1J 2N9
Telephone: (250) 785.8084
Fax: (250) 785.1125

Receipt #: 14447

Application for Development

| | | |
|----|--|-------------|
| 1. | | FEES |
| | • • Official Community Plan Amendment | \$1,000.00 |
| | • • Zoning Amendment | \$ 650.00 |
| | • • Official Community Plan and Zoning Amendment combined | \$1,050.00 |
| | • • Temporary Commercial Use / Temporary Industrial Use Permit | \$ 350.00 |
| | • • Development Permit | \$ 165.00 |
| | • • Development Variance Permit | \$ 165.00 |

2. Please print

| | |
|--|--|
| Property Owner's Name <i>Corney and Barbara Braun</i> | Authorized Agent of Owner (if applicable): |
| Address of Owner <i>Box 267</i> | Address of Agent |
| City / Town / Village <i>Prespatou, B.C.</i> | City / Town / Village |
| Postal Code <i>V0C 2S0</i> | Postal Code |
| Telephone Number: <i>250-630-2312</i> | Telephone Number: |
| Fax Number: <i>same</i> | Fax Number: |
| e-mail address: <i>cbraun@xplor.net.com</i> | e-mail address: |

3.

| Full legal description of each property under application | Area of each lot |
|---|-----------------------------------|
| <i>D.L. 2514</i> | <i>176</i> ha. / acres |
| | ha. / acres |
| | ha. / acres |
| | Total area ha. / acres |

B-3a

4. Civic address or location of property: _____

5. **Particulars of proposed amendment**

Please "check" the box(es) that apply(ies) to your proposal.

- • Official Community Plan (OCP) amendment:
 - Existing OCP designation: _____
 - Proposed OCP designation _____
 - Text amendment: _____



- • For a Zoning amendment:
 - Existing zone: A-2
 - Proposed zone R-2
 - Text amendment: _____

- • Development Variance Permit: - describe proposed variance request:

- • Temporary Commercial Use Permit (describe proposed use):

- • Temporary Industrial Use Permit: (describe proposed use):

- • For a Development Permit: By-law No. _____ Section: _____

6. Describe the existing use and buildings on the subject property:

Hayfield + trees

7. Describe the existing land use and buildings on all lots adjacent to and surrounding the subject property:

| | |
|----------|---|
| a) North | <u>Residential and hay field</u> |
| b) East | <u>2 farm yards, 1 church and a seniors complex</u> |
| c) South | <u>Farm land</u> |
| d) West | <u>Crown land</u> |

8. Describe the proposed development of the subject property, attach a separate sheet if necessary:

3 lot subdivision

9. Reasons and comments in support of the application, attach a separate sheet if necessary:

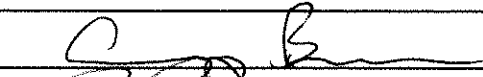
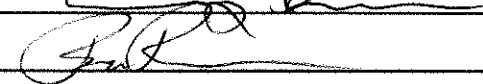
Farmly lots needed for growing community

The following information is required. Failure to provide any of the following may delay the application.

1. A copy of the **proof of ownership**. [For example: Certificate of Title or recent Tax Assessment] for the subject property or properties.
2. A **Sketch Plan** of the subject property, showing:
 - • the legal boundaries and dimensions of the subject property;
 - • boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - • the location of permanent buildings and structures on the subject property, with distances to property lines;
 - • the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - • the location of any existing sewage disposal systems;
 - • the location of any existing or proposed water source; and
3. Additional or more detailed information may be requested by the Regional District following review of your application.

If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a British Columbia Land Surveyor may be required.


I / We hereby declare that the information provided in this application is, to the best of my / our knowledge, true and correct in all respects, and I / we enclose the required fee with this application.

| | |
|-----------------------|--|
| Signature of Owner/s: |  |
| Signature of Owner/s: |  |
| Date: | Apr. 15/09 |


Agent's Authorization

Should the property owners elect to have someone act on their behalf in submission of this application, the following must be signed by **all property owners**.

| | | |
|-------------------|---|------------------|
| I / We | and | hereby authorize |
| (name) | to act on my/our behalf in respect of this application. | |
| Address of agent: | | |
| Telephone: | Fax: | Email: |


Signature of Owner/s

Apr. 15/09
Date


Signature of Owner/s

April 15/09
Date

N
↑
Map 17

Hay Field

Abe Peters Yard →
Hay Field

Muskey
Trees
Pine + Poplar

District Lot 2518
Cultivated

Trees
Pine + Poplar

John Wall
Hay field

Old Garbage Dump

Gordon W
Hay field

3 Proposed lots
125m x 260m (3.2 ha)

Farm
Paul Bergen

Farm
Stan Wiebe

Old Colony Church

Senior Complex

Abe Klussen
Residential

Provincial Agricultural Land Commission

Application W-37974
Resolution # 59/2009

Subject Property

Approved subdivision into three (3) 3.2 ha lots.

B-3a

Crown Land

Crown Land

May 14 2009

PEACE RIVER REGIONAL DISTRICT By-Law No. 1854, 2009

A by-law to amend the "Peace River Regional
District Zoning By-Law No. 1000, 1996."

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt the "Peace River Regional District Zoning By-Law No. 1000, 1996";

NOW THEREFORE the Regional Board of the Peace River Regional District, in open meeting assembled, enacts as follows:

1. This by-law may be cited for all purposes as "Peace River Regional District Zoning Amendment By-Law No. 1854, 2009."
2. The "Peace River Regional District Zoning By-Law No. 1000, 1996" is hereby amended in the following manner:
 - i) Schedule 'A' – Map 9 is hereby amended by rezoning a ~ 9.6 ha. (~ 23.7 acre) portion of District Lot 2518, PRD except Plans 18700, 22630, 31494, PGP41938 and PGP44763, from A-2 "Large Agricultural Zone" to R-2 "Residential 2 Zone", as shown shaded grey on Schedule "A" which is attached to and forms part of this by-law.

READ a FIRST TIME this _____ day of _____, 2009.

READ a SECOND TIME this _____ day of _____, 2009.

Public Notification held on _____ day of _____, 2009.

READ a THIRD TIME this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

CERTIFIED a true and correct copy
of "Peace River Regional District Zoning
Amendment By-law No. 1854, 2009."

THE CORPORATE SEAL of the Peace
River Regional District was hereto affixed in
the presence of:

Fred Banham
Chief Administrative Officer

Karen Goodings, Chair

Fred Banham
Chief Administrative Officer

May 14 2009

