



REPORT

To: Chair and Directors

Report Number: DS-BRD-307

From: Kathy Suggitt, RPP, MCIP, General Manager of Development Services

Date: May 4, 2023

Subject: Zoning Amendment Bylaw No. 2522, 2023, PRRD File No. 23-005 ZN

RECOMMENDATION: [Corporate Unweighted – excluding Pouce Coupe]

That the Regional Board give Zoning Amendment Bylaw No. 2522, 2023 to add “Daycare” to the list of permitted principle uses in the General Commercial (C-2) Zone, first and second readings; and further

That a public hearing be held pursuant to Section 464 of the *Local Government Act*, delegated to the Director of Electoral Area C, and that public notification be authorized pursuant to Section 466 of the *Local Government Act*.

BACKGROUND/RATIONALE:

Proposal

To amend the PRRD Zoning Bylaw 1343, 2001 to include “Daycare”, as a permitted use within the General Commercial (C-2) zone.

File Details

Owner: Northern Legendary Construction Ltd.

Agent: Raz Petrick

Area: Electoral Area C

Location: Charlie Lake

Legal: Parcel B (P26810) of the South West 1/4 of Section 17 Township 84 Range 19 West of the 6th Meridian Peace River District Except: Plan BCP38331

PID: 014-783-738

Civic Address: 1-13091 Nielson Ave, 2-13091 Nielson Ave, 3-13091 Nielson Ave, 4-13091 Nielson Ave, and 5-13091 Nielson Ave.

Lot Size: 0.42 ha (1.04 ac)

Rationale

Staff supports the addition of “Daycare” to the permitted uses within the C-2 Zone both for this site and generally, as described below, as it fits within the intent of the zone for small-scale and retail businesses that supply neighbourhood level services to the rural areas.

Background

The applicant applied to include Gym, Coffee Shop, Dentist, Physiotherapist, Doctor, and Daycare in the permitted principle uses in the C-2 Zone on the subject property. The PRRD Zoning Bylaw 1343, 2001 C-2 Zone currently permits “Gallery, or studio related to art, music, recording, dance, fitness or recreation”, “Restaurant”, “Personal Service Establishment” etc. Personal Service Establishment includes Medical Practice so a dentist, doctor or physiotherapist would all be permitted already.

A “Gym” is permitted under the use “studio related to fitness or recreation” and therefore is already permitted and does not need to be included in the amendment.

A “Coffee Shop” is permitted under the use “Restaurant” and therefore does not need to be included in the amendment.

Therefore only “Daycare” is proposed to be added to the list of permitted uses in the C-2 Zone.

Context

The applicant’s property is located along the Alaska Highway in Charlie Lake and is accessed via Nielson Ave. The building is comprised of 5 retail spaces including the Charlie Lake post office location. PRRD staff agree with the applicant that the Daycare use aligns with the intent of the property and further, with the intent of the General Commercial (C-2) Zone throughout the PRRD Zoning Bylaw 1343, 2001 area. As such staff are recommending adding “Daycare” to the list of permitted uses in the C-2 Zone, not just as a site-specific amendment.

Comments & Observations

Applicant

We propose that the zoning uses be amended so that there are more opportunities for the community to grow by having the zoning uses expanded for more long-term businesses in the community. The centralized location of this mixed use commercial space, can provide more opportunities for the Charlie Lake community. The long term view of the commercial development is to have it be a gathering place for the residents of Charlie Lake, a place where they can pick up their mail, grab a coffee or use one of the other businesses in the complex and continue to their destination.

Official Community Plan (OCP)

Pursuant to North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021, the land use designations that support the C-2 Zone are Settlement Centre (SC) and General Commercial (GC).

Land within the SC designation should be used for Community Residential (CR), General Commercial (GC), Civic, Assembly, and Institutional (CIVIC), Parks, Open Space, and Natural Environment (OS). Lands designated as Settlement Centre are intended to recognize and promote the growth of an established community centre to provide local residents with a range of services such as schools, community gathering areas, recreation, residential, and commercial uses.

Land within the General Commercial (GC) designation should be used for, commercial uses that cater to local area residents’ goods and services needs small-scale and retail businesses that supply neighbourhood level services in the rural areas.

Therefore, staff are recommending that “Daycare” be added as a permitted use within the C-2 Zone as it aligns with the land use and intent of both the GC and the SC designations.

Land Use Zoning

Currently “Daycare” is not a permitted use in the C-2 zone. Daycare is defined as “means a licensed establishment where care is provided to children, including opportunities for their social, emotional, physical and intellectual growth, pursuant to the *Community Care Facility Act*”. Other uses in the C-2 zone include Personal Services Establishment, Restaurant, Retail Sales, etc. Personal Service Establishment includes Beauty Shop, Medical Practice etc. Therefore the proposed use of Daycare is complimentary and compatible with the other permitted uses in this zone.

Within the C-2 Zone, Cannabis Retail Stores are a permitted use; however, in accordance with Section 27 of the Bylaw, a cannabis retail store may not be located on properties within 200 metres of a parcel containing a school or daycare. As such adding a daycare to a C-2 zoned property could preclude any future consideration of a cannabis retail store on the same parcel. However, the Regional District would have no mechanism to preclude a daycare from considering going into a development on a C-2 property if a cannabis retail store was already there, or any legal means to require the retail store to vacate.

Site Specific Comments Received from Municipalities & Provincial Agencies

PRRD Bylaw Enforcement

The PRRD does not have an active bylaw enforcement file on this property.

PRRD Building Inspection

The services of an architect will be required for the change of use on the building.

Charlie Lake Fire Department

Charlie Lake Fire Department requests the applicant to make contact with the fire department to arrange a site visit so that they can create a Fire Pre-Plan for this location. Fire Pre-Plan will be for fire department use only.

All other interests are unaffected at this time.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse to give Zoning Amendment Bylaw No. 2522, 2023 to add "Daycare" to the list of permitted uses in the General Commercial (C-2) Zone, first and second readings.
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 applicant.

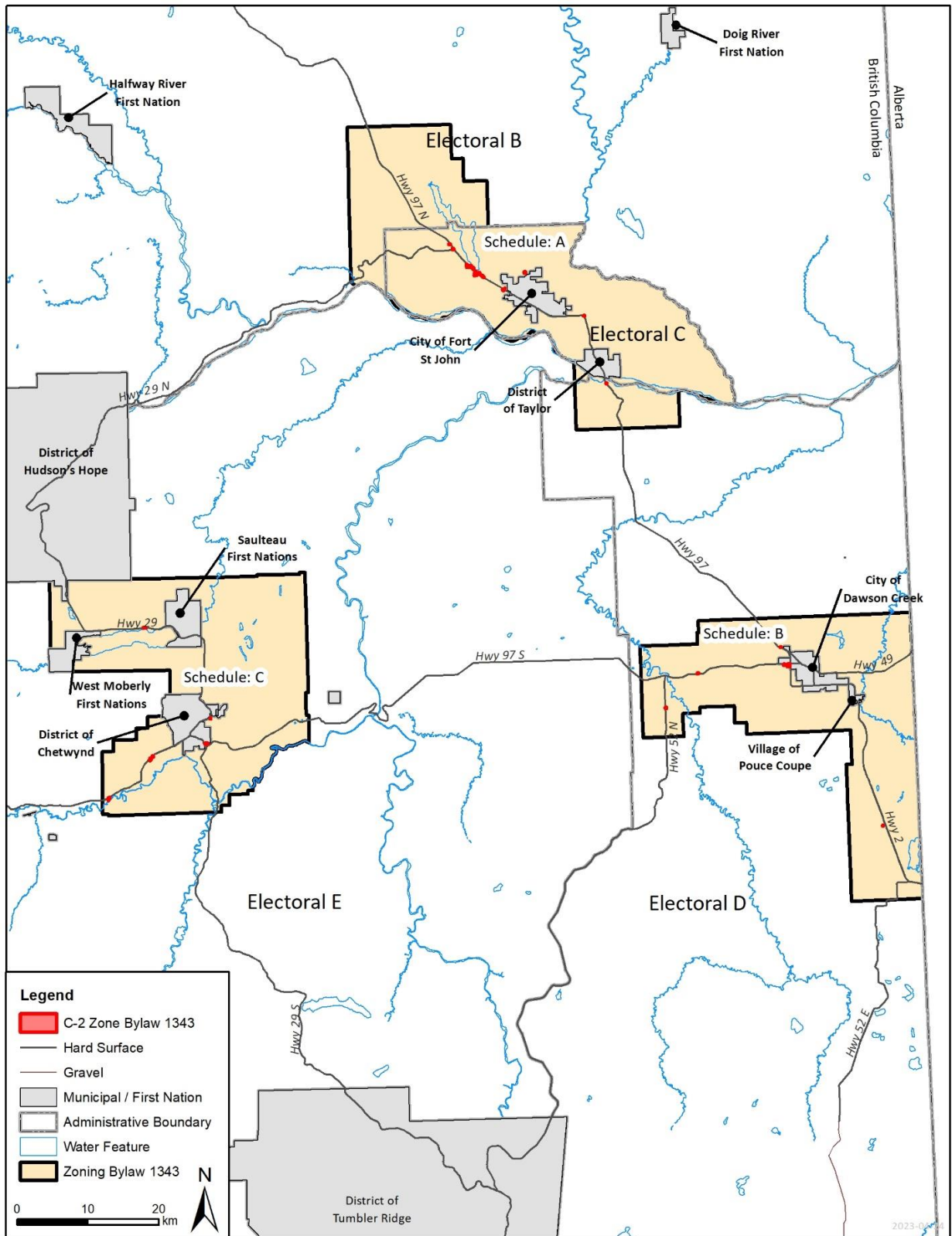
OTHER CONSIDERATION(S):

None at this time.

Attachments:

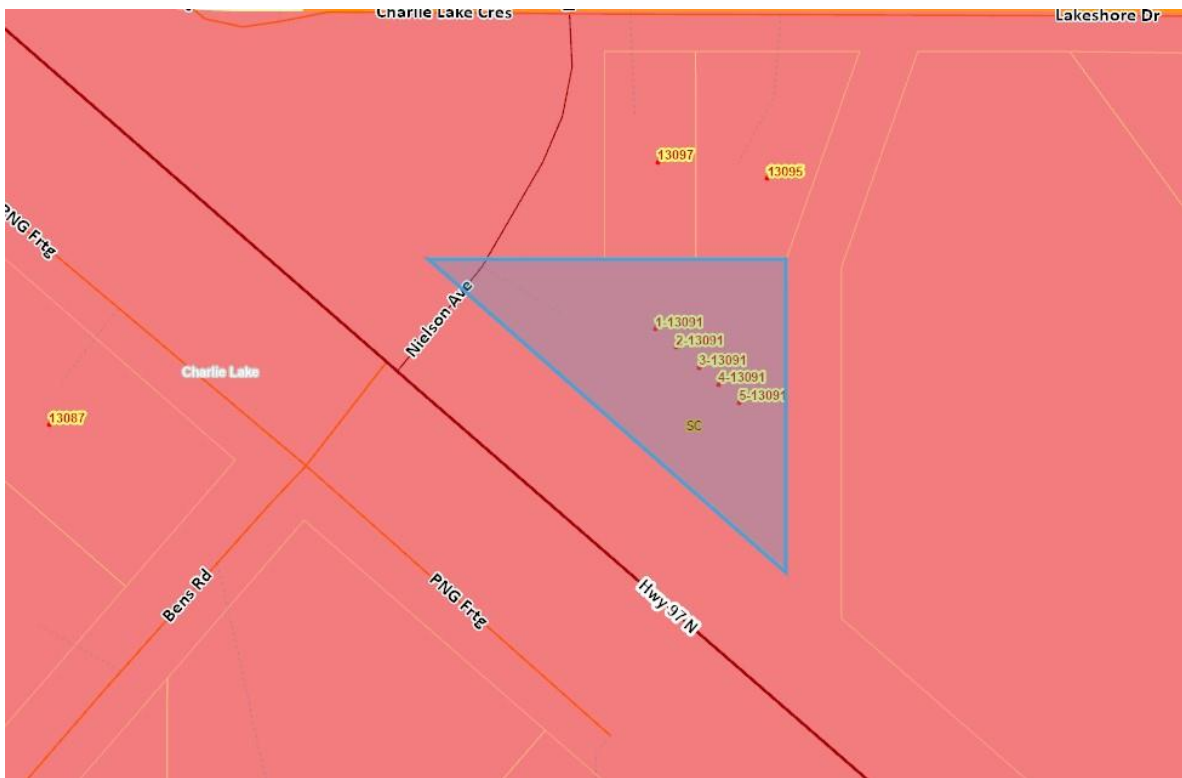
1. Draft Zoning Bylaw No. 2522, 2023
2. Maps, PRRD File No. 23-005 ZN
3. Application, PRRD File No. 23-005 ZN

Zoning Amendment - Areas covered by PRRD Zoning Bylaw 1343, 2001

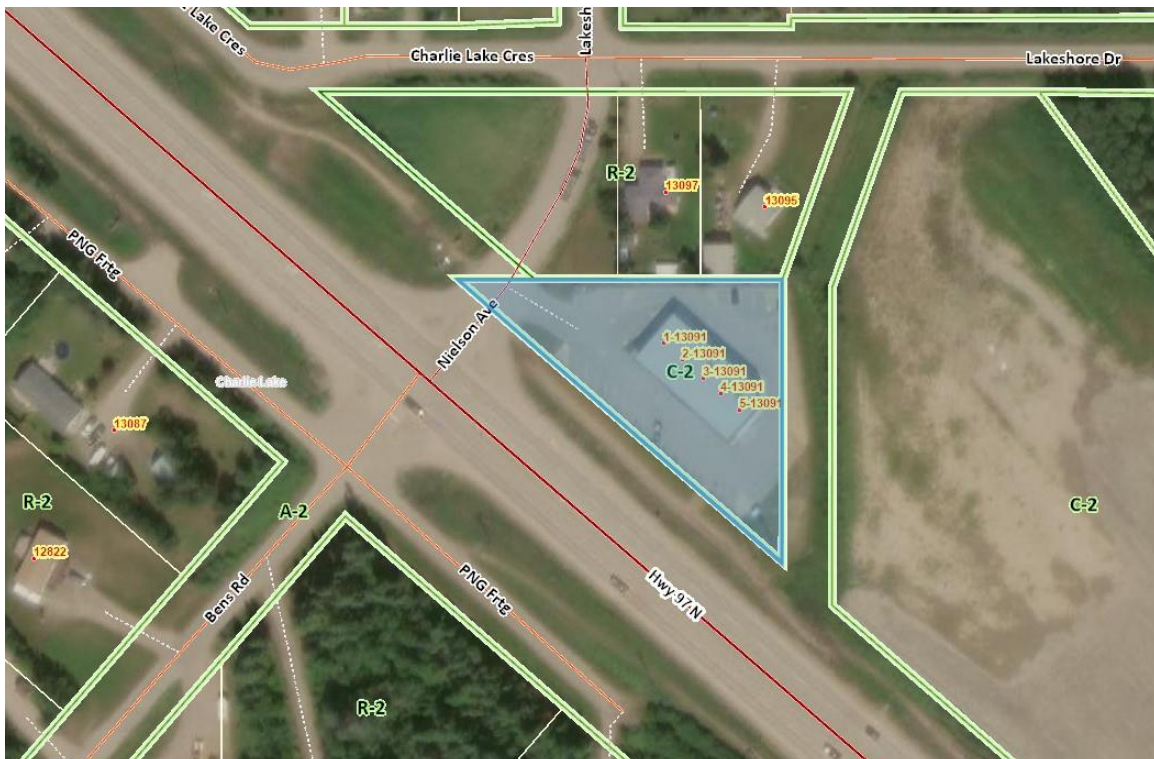


Applicant Specific Property Mapping

PRRD NPFA Official Community Plan Bylaw No. 2460, 2021: Settlement Centre



PRRD Zoning Bylaw No. 1343, 2001: General Commercial (C-2)





PEACE RIVER REGIONAL DISTRICT

Dawson Creek | Box 810, 1981 Alaska Avenue BC, V1G 4H8
(T): (250) 784-3200 prrd.dc@prrd.bc.ca

Fort St. John | 9505 100 Street BC, V1J 4N4
(T): (250) 785-8084 prrd.fs@prrd.bc.ca



For Office Use:
Receipt # _____
Date Received _____
File No. _____
Sign Issued: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

Application for Development

1. TYPE OF APPLICATION

<input type="checkbox"/> Official Community Plan Bylaw Amendment*	\$ 1,150.00
<input checked="" type="checkbox"/> Zoning Bylaw Amendment* #	\$ 800.00
<input type="checkbox"/> Official Community Plan / Zoning Bylaw Amendment combined* #	\$ 1,200.00
<input type="checkbox"/> Temporary Use Permit*	\$ 500.00
<input type="checkbox"/> Temporary Use Permit Renewal	\$ 350.00
<input type="checkbox"/> Development Permit #	\$ 165.00
<input type="checkbox"/> Development Variance Permit	\$ 165.00

* Sign is required for this application type.

Sign provided by the PRRD and posted pursuant to Section 6 of Bylaw No. 2449, 2021, attached.

Contaminated Site Declaration Form required for this application type.

<input type="checkbox"/> Exclusion from the Agricultural Land Reserve (Applicant responsible for additional costs associated with the advertisements, signage, and facility rental, if applicable)	\$ 1,500.00
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2. PLEASE PRINT

Property Owner's Name Eric Bell	Authorized Agent of Owner (if applicable) Raz Petrick
Address of Owner [REDACTED]	Address of Agent [REDACTED]
City/Town/Village: [REDACTED]	City/Town/Village: [REDACTED]
Postal Code: [REDACTED]	Postal Code: [REDACTED]
Telephone Number: [REDACTED]	Telephone Number: [REDACTED]
E-mail: [REDACTED]	E-mail: [REDACTED]

Notice of collection of personal information:

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.

3. PROPERTY DESCRIPTION

Full legal description and PID of each property under application	Area of each lot	
PARCEL B (P26810) SEC17 TOWNSHIP 84 RANGE 19 W6M	.42/1.04	ha./acres
		ha./acres
		ha./acres
	TOTAL AREA .42/1.04	ha./acres

4. Civic Address or location of property: 13091 NIELSON AVE, CHARLIE LAKE

5. PARTICULARS OF PROPOSED AMENDMENT

Please check the box(es) that apply to your application type:

Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: _____

Proposed OCP designation: _____

Text amendment: _____

Zoning Bylaw amendment:

Existing zone: C-2

Proposed zone: C-2

Text amendment: DAYCARE, GYM, COFFEE SHOP, DENTIST, PHYSIOTHERAPIST, DOCTOR

Development Variance Permit – describe proposed variance request:

Temporary Use Permit – describe proposed use:

Development Permit: Bylaw No. _____ Section No. _____

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

COMMERCIAL DEVELOPEMNT - 5 UNIT RETAIL SPACE

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

(a) North HIGHWAY

(b) East EQUIPMENT LAYDOWN YARD

(c) South RESIDENTIAL PROPERTY'S

(d) West ROAD

8. Describe your proposal. Attach a separate sheet if necessary:

SEE ATTACHED PDF

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

SEE ATTACHED PDF

10. Describe the proposed and/or existing means of sewage disposal for the property:

SEPTIC TANK

11. Describe the proposed and/or existing means of water supply for the property:

CISTREN

THE FOLLOWING INFORMATION IS REQUIRED DEPENDING ON THE PROPOSAL/APPLICATION:

12. Proof of ownership of the subject property or properties. (For example: Certificate of State of Title, BC Land Title Office Property Title Search or recent Property Tax Notice.)
13. A Sketch Plan of the subject property or properties, showing the following:
 - (a) the legal boundaries and dimensions of the subject property;
 - (b) boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - (c) the location and size of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location and size of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - (e) the location of any existing sewage disposal systems;
 - (f) the location of any existing or proposed water source.

ADDITIONAL OR MORE DETAILED INFORMATION MAY BE REQUESTED BY THE PEACE RIVER REGIONAL DISTRICT FOLLOWING REVIEW OF YOUR APPLICATION.

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

15. I / We the undersigned hereby declare that the information provided in this application is complete and is, to the best of my / our knowledge, a true statement of the facts related to this application.



Signature of Owner

3/2/2023


Date signed

Signature of Owner

Date signed

16. **AGENT'S AUTHORIZATION**

If you have an agent act on your behalf in submission of this application, the following authorization **MUST** be signed by **ALL** property owners.

I / We <u>Eric Bell</u> and _____ hereby authorize (name of landowner) (name of landowner)	
<u>RAZ PETRICK</u> to act on my/our behalf regarding this application. (name of agent)	
Signature of Owner: 	Date: <u>3/2/2023</u>
Signature of Owner:	Date:

8. We propose the text in the approved business types per the C-2 zoning be added to include these business types: Daycare, Gym, Coffee shop, Dentist, Physiotherapist & doctors office, because we believe these business types would provide more diverse opportunities for the community as a whole to improve and align with the community master plan.

9. We propose that the zoning uses be amended so that there are more opportunities for the community to grow by having the zoning uses expanded for more long-term businesses in the community. The centralized location of this mixed use commercial space, can provide more opportunities for the Charlie Lake community, because of the time frame that it takes to add another approved uses in the bylaw we propose that we are requesting to add multiple lines to the zoning bylaw in order to give the opportunity for tenants to be able to look at the space and then get the process started to do a unit buildout. Therefore, we request that the text be added to let the following business types: daycare, gym, coffee shop, dentist, physiotherapist & doctors office to give the opportunity for giving the residents of Charlie Lake a more diverse businesses opportunities to align with the community master plan. Because the personal service establishment does not define all of the above, we request that these be included in the bylaw. The long term view of the commercial development is to have it be a gathering place for the residents of Charlie Lake, a place where they can pick up their mail, grab a coffee or use one of the other businesses in the complex and continue to their destination.

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2522, 2023

A bylaw to amend "Peace River Regional District
Zoning Bylaw No. 1343, 2001"

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt "Peace River Regional District Zoning Bylaw No. 1343, 2001;"

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

1. This bylaw may be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2522, 2023."
2. "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended as follows:
 - a) that the following Principal Use be added to list of Permitted Uses in Part VI Zones, Section 42 C-2 (General Commercial Zone – 1.8 ha), in alphabetical order, and all subsequent sections are renumbered accordingly:
 1. Permitted Uses
 - a) Daycare

READ A FIRST TIME THIS _____ day of _____, 2023.

READ A SECOND TIME THIS _____ day of _____, 2023.

Public Notice mailed on the _____ day of _____, 2023.

Public Notice published on the _____ day of _____, 2023.

Public Hearing held on the _____ day of _____, 2023.

READ A THIRD TIME THIS _____ day of _____, 2023.

ADOPTED THIS _____ day of _____, 2023.

(Corporate Seal has been affixed to the original bylaw)

Leonard Hiebert, Chair

I hereby certify this to be a true and correct copy of "PRRD
Zoning Amendment Bylaw No. 2522, 2023, as adopted by
the Peace River Regional District Board on
_____, 2023.

Tyra Henderson, Corporate Officer

Tyra Henderson, Corporate Officer