



**PEACE RIVER REGIONAL DISTRICT  
DEVELOPMENT SERVICES  
ZONING AMENDMENT REPORT  
BYLAW No. 2320, 2018  
1<sup>st</sup> & 2<sup>nd</sup> Reading**

**OWNER:** Mike and Jeanne Heily and Ed and Cathy Sargent      **DATE:** April 16<sup>th</sup>, 2018  
**AGENT:** Ed and Cathy Sargent      **FILE NO:** 17-232  
**AREA:** Electoral Area D  
**LEGAL:** Lot 3 Section 24 Township 26 Peace River Plan 26246, PID: 007-282-087  
**LOT SIZE:** 2.75 ha (6.78 ac)  
**LOCATION:** Swan Lake, Tupper Area

**PROPOSAL:**

Amendment to the R-4 (Residential 4 Zone) to allow a smaller lot size for the purpose of subdividing the property into two lots providing separate title for the two families that currently have joint ownership.

**RECOMMENDATION:**

1. THAT the Regional Board read Zoning Amendment Bylaw No. 2320, 2018 for a First and Second time.
2. THAT the holding of a Public Hearing be waived pursuant to s. 464(2) of the *Local Government Act*, and authorize performance of public notification pursuant to s. 467 of the *Local Government Act*.

**ALTERNATIVE OPTIONS**

- OPTION 1:**
1. THAT the Regional Board read Zoning Amendment Bylaw No. 2320, 2018 for a First and Second time.
  2. THAT a Public Hearing be held pursuant to the Local Government Act;
  3. THAT the holding of the Public Hearing be delegated to the Director of Electoral Area "D".
- OPTION 2:**
1. THAT the Regional Board refuse the application as submitted.

**SITE CONTEXT**

The subject property is a shoreline property on Swan Lake along the RC Campground Road. There are residential and seasonal properties located north and south, agricultural land to the west and Swan Lake on its eastern boundary.

**SITE FEATURES**

- LAND:** The centre of the property is cleared. There is tree coverage on the western part of the property; the eastern part of the property has some tree coverage around the existing residences with some vegetation along the lakeshore.
- STRUCTURES:** The Sargent and Heily families each have separate cabins with their own septic systems. There is also a gazebo between the two residential structures.

Department Head

CAO

<b>ACCESS:</b>	The proposal is accessed from the RC Campground Road
<b>AGRICULTURE LAND RESERVE:</b>	Not within.
<b>BUILDING PERMIT AREA:</b>	Within the Mandatory Building Permit Area.
<b>DEVELOPMENT PERMIT AREA:</b>	Swan Lake Development Permit Area.
<b>FIRE:</b>	Tomslake Rural Fire Protection Area.

#### COMMENTS AND OBSERVATIONS

<b>APPLICANT:</b>	This property has been jointly owned by the Heily and Sargent families for the last 27 years. The applicants would like to subdivide the property with the intention of each couple holding their own titles.
<b>ALR:</b>	The subject property is outside the ALR.
<b>OCP:</b>	<p><b>South Peace Fringe Area Official Community Plan No. 2048, 2012</b></p> <p>The subject property is designated Rural Neighbourhood.</p> <p>This OCP supports and recognizes existing residential subdivision areas in the SPFA, which provide for a rural residential lifestyle. Opportunity for infilling or new residential development is supported within the Rural Neighbourhood designation to provide housing options within the rural area setting.</p> <p>Parcels within the Rural Neighbourhood designation should have a minimum parcel size of 1.6 hectares (4 acres), unless:</p> <ol style="list-style-type: none"> <li>i. soil conditions are suitable for on-site sewage disposal and a system authorized by the agency having jurisdiction regarding sewage disposal, in which case the parcel should be at least 0.8 ha (2 acres).</li> </ol> <p>Northern Health Authority has authorized the sewer system on the proposed new subdivision.</p> <p>Therefore this proposal is consistent with the OCP.</p>
<b>DPA GUIDELINES:</b>	<p>Section 15.2 of the SPFA OCP sets out the following guidelines in the Swan Lake Development Permit Area:</p> <ol style="list-style-type: none"> <li>1. No Person Shall: Subdivide land, Alter land; including the removal of trees or vegetation and removal or deposit of soil; construction as building or structure. Prior to the landowner applying for and receiving a development permit from the regional, which shall sufficiently address the following guidelines: <ul style="list-style-type: none"> <li>• Applicants have been informed that they will need to apply for a Development Permit before they can subdivide their property</li> </ul> </li> </ol>
<b>ZONING:</b>	<p><b>Peace River Regional District Zoning Bylaw No. 1343, 2001</b></p> <p>The subject property is zoned R-4 (Residential 4 Zone).</p> <p>The minimum parcel size is 1.8 hectares (4.5 acres), therefore a zoning amendment is required.</p>
<b>WATER &amp; SEWER</b>	Each cabin currently has a cistern for water and holding tank for sewer.

**IMPACT ANALYSIS**

<b>AGRICULTURE:</b>	N/A
<b>CONTEXT:</b>	The resulting two lots would not change the existing conditions of the subdivision. No impacts are anticipated.
<b>POPULATION &amp; TRAFFIC</b>	No change in population or traffic is anticipated.

**COMMENTS RECEIVED FROM MUNICIPALITIES AND PROVINCIAL AGENCIES**

**NORTHERN HEALTH:** Northern Health has no objection to the proposed subdivision. This decision was made based on the percolation test results and the 10 foot observation holes dug on the undeveloped parcel. All new development on the

From Referral:

Based on the intended use of the Application, Approval is recommended subject to the conditions listed below:

- Must adhere the BC Public Health Act, and all regulation under the BC Public Health act that may apply. As per the BC Public Health Act, the operator must not create a health hazard.
- As per the BC Public Health Act. If the operator is required by regulations to have a license or permit to engage in a regulated activity, such as the installations of a sewerage system, holding tank, drinking water system or construction/ operation of a food establishment, the operator must obtain such license or permit by submitting the appropriate application to the health officer prior to construction or operation of the regulated activity.
- As per the BC Public Health Act, an operator who engages in a regulated activity must comply with any requirements or duty set out in a regulations respecting the regulated activity. In addition, the operator must ensure that employees are adequately trained and sufficiently equipped to recognized, prevent and respond to health hazards that may arise when engaging in a regulated activity.
- As per the Drinking Water Protection Act, the operator must ensure that any wetlands, stream or drinking water well that may be located in the area are protected from all possible sources of contamination during construction and operation.
- All new development on the newly subdivided lots must be installed in compliance with the BC Sewerage System Regulations and filed with Northern Health.

**BC OIL AND GAS COMMISSION:** There is no significant oil and gas activity within 1.5 km of the subject property.

Some geophysical (Seismic) lines and stream works but no impacts anticipated.

**MINISTRY OF TRANSPORTATION & INFRASTRUCTURE** The property does not fall within Section 52 of the Transportation Act and will not require Ministry of Transportation and Infrastructure formal bylaw approval. The Ministry has no objections to the proposal as submitted and has no further comments at this time.

**CITY OF DAWSON CREEK** Interest unaffected by Bylaw

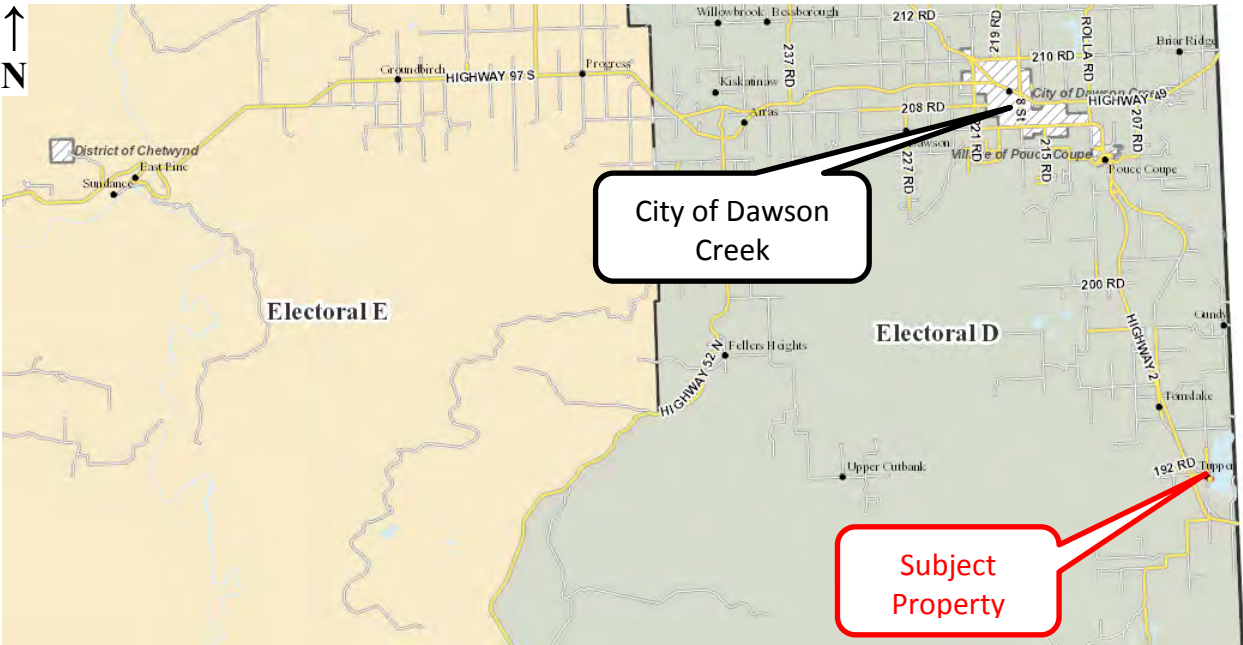
**CITY OF FORT ST. JOHN** None

**DISTRICT OF TAYLOR** Interest unaffected by Bylaw



ZONING AMENDMENT REPORT  
MAPS  
FILE NO. 17-232 (SARGENT/HEILY)

Context Photo



Air Photo





Zoning Amendment REPORT  
**MAPS**  
FILE NO. 17-232 (SARGENT/HEILY)

SPFA OCP Bylaw No. 2048, 2012



PRRD Zoning Bylaw No. 1343, 2001



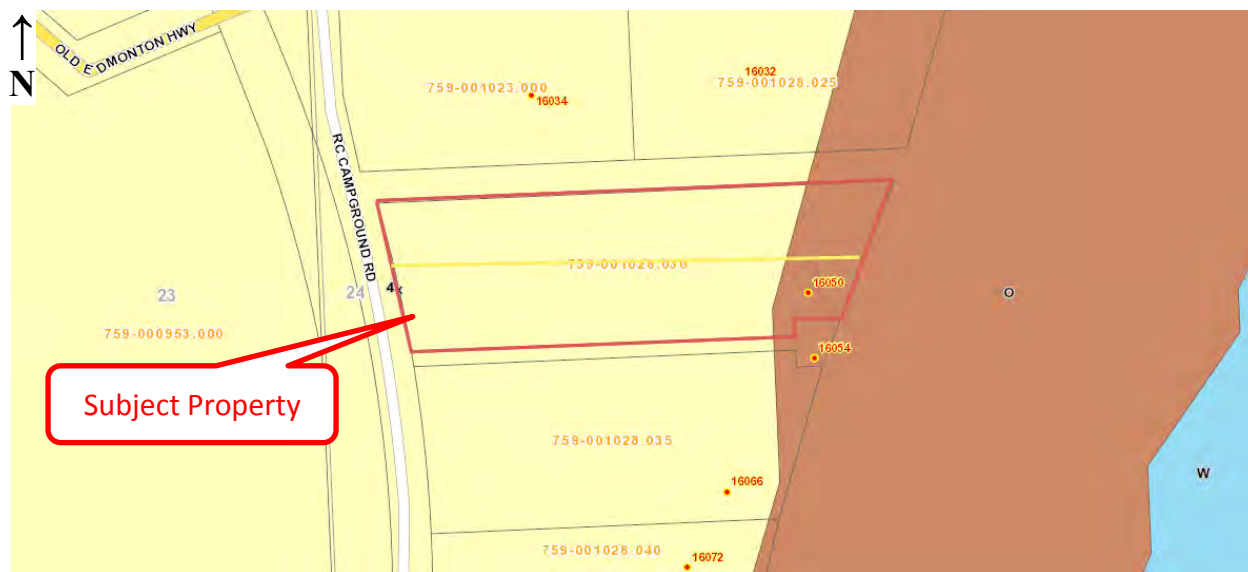


Zoning Amendment REPORT  
**MAPS**  
FILE NO. 17-232 (SARGENT/HEILY)

Agricultural Land Reserve



Soil Classification



**Peace River Regional District  
Memorandum**

To: Leonard Hiebert, Director of Electoral Area 'D'  
From: Janany Nagulan, Planning Intern  
Date: April 18<sup>th</sup>, 2018  
RE: Zoning Amendment Application # 17-232 (Heily/Sargent)

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Pursuant to the following resolution:

RD/15/04/26 (23)

That a two-week period be added to the development application review process to allow time for the appropriate Electoral Area Director to review applications prior to them going to the Regional Board for consideration.

The attached application and report are provided for your review.

Please return this form with your comments by or before May 2<sup>nd</sup>, 2018.

Please contact me if you have any questions.

Thank you.

COMMENTS:

circle if  
No Comment

Hi Janany,

I support the recommenddation, only I will be recommending option 1 as it includes the public hearing.

Date: April 22, 2018

Initial: LH

May 3, 2018



2165, 2016  
Development

PEACE RIVER REGIONAL DISTRICT 232/2017

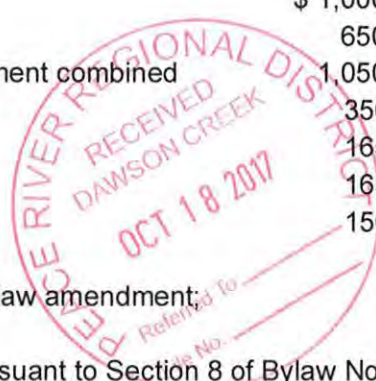
1 Alaska Avenue (Box 810), Dawson Creek, BC (T) 250-784-3200..(F) 250-784-3201  
 5 100<sup>TH</sup> Street, Fort St. John, BC V1J 4N4 (T) 250-785-8084 (F) 250-785-1125  
 [Toll Free: 1-800-670-7773]

Receipt # 50845

Application for Development

1. TYPE OF APPLICATION

- |                                     |   |             |
|-------------------------------------|---|-------------|
| <input type="checkbox"/>            | Official Community Plan Bylaw Amendment                   | \$ 1,000.00 |
| <input checked="" type="checkbox"/> | Zoning Bylaw Amendment                                    | 650.00      |
| <input type="checkbox"/>            | Official Community Plan / Zoning Bylaw Amendment combined | 1,050.00    |
| <input type="checkbox"/>            | Temporary Use Permit                                      | 350.00      |
| <input type="checkbox"/>            | Development Permit  | 165.00      |
| <input type="checkbox"/>            | Development Variance Permit                               | 165.00      |
| <input checked="" type="checkbox"/> | Sign requirement  | 150.00      |



In regard to applications for:

- i) an official community plan and/or zoning bylaw amendment;
- ii) temporary use permit;

Sign provided by the PRRD and sign posted pursuant to Section 8 of Bylaw No. 2165, 2016, **attached**.

2. PLEASE PRINT

Property Owner's Name <i>Mike &amp; Jeanne Heily Ed &amp; Cathy Sargent</i>	Authorized Agent of Owner (if applicable)
Address of Owner <i>PO Box 108</i>	Address of Agent
City/Town/Village <i>Tomslake BC</i>	City/Town/Village
Postal Code <i>V0C 2L0</i>	Postal Code
Telephone Number:	Telephone Number:
Fax Number: <i>250 719-5425</i>	Fax Number:
E-mail: <i>edsargent1952@gmail.com</i>	E-mail:

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot	
<i>16050 RCCampground RD</i>	<i>6.83</i>	ha. <u>acres</u>
<i>Lot 3 Plan PG P26246 Part SW 1/4</i>		ha./acres
<i>Section 24 Township 26 Peace River</i>		ha./acres
<i>P.L.D. 007-282-087</i>	TOTAL AREA	ha./acres

**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*.

4. Civic Address or location of property: \_\_\_\_\_

**5. PARTICULARS OF PROPOSED AMENDMENT**

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

Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: \_\_\_\_\_

Proposed OCP designation: \_\_\_\_\_

Text amendment: \_\_\_\_\_

Zoning Bylaw amendment:

Existing zone: R4

Proposed zone: \_\_\_\_\_

Text amendment: To Allow Smaller Lot size

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

(a) North \_\_\_\_\_

(b) East \_\_\_\_\_

(c) South \_\_\_\_\_

(d) West \_\_\_\_\_

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

X

ATTACHED letter

\_\_\_\_\_  
\_\_\_\_\_

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

X

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Describe the means of sewage disposal for the development:

X Each Piece has it's own Health Approved  
pump & go Septic Systems Installed by  
Don Squires. See Attached Approval From Northern  
Health.

11. Describe the means of water supply for the development:

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**THE FOLLOWING INFORMATION IS REQUIRED. FAILURE TO PROVIDE MAY DELAY YOUR 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:
- (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 of existing buildings and structures on the subject property, with distances to property lines;
  - (d) the location 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 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.

*W. S. Kelly*  
\_\_\_\_\_  
Signature of Owner

*Oct 16, 2017*  
*Oct 16, 2017*  
\_\_\_\_\_  
Date signed

*Cathy Sargent*  
\_\_\_\_\_  
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 authorize	and	hereby
(name) application.	to act on my/our behalf regarding this	
Agent address:		
Telephone: <i>250 719-5425</i>	Fax:	Email: <i>edsargent1950@gmail.com</i>
Signature of Owner:	Date:	
Signature of Owner:	Date:	



Public Health Protection  
Dawson Creek Health Unit

1001 - 110 Avenue, Dawson Creek, BC V1G 4X3

Telephone: (250) 719-6500, Fax: (250) 719-6513, [www.northernhealth.ca](http://www.northernhealth.ca)

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September 12, 2017

Your File No: 2017-01555  
PID #: 007-282-087

Ministry of Transportation and Infrastructure  
10003 110 Avenue No 300  
Fort St. John BC V1J 6M7

Attention: Bryce Pirozzini , District Development Technician

**Re: Swan Lake Lot 3 Sec 24 Twp 26 Peace River District Plan 26246**

Northern Health has no objection to the proposed subdivision. This decision was made based on the percolation test results and the 10-foot observation holes dug on the undeveloped parcel.

All new development on the newly subdivided lots must be installed in compliance with the BC Sewerage Regulations and filed with Northern Health.

If you have any questions regarding this matter you may contact me at (250) 719-6500 between the hours of 8:30 - 4:30, Monday to Friday.

Yours truly,

Ali Moore  
Environmental Health Officer  
Northern Health

MD/AM

cc: Sargent, Ed & Cathy & Heily, Mike & Jeanne  
Box 108  
Tomslake, BC  
V0C 2C0

May 3, 2018



**Re line 8. Describe the proposed development of the subject property**

**This property has been held in joint with Mike and Jeanne Heily and Cathy and Ed Sargent for the past 27 years. We are asking to subdivide only with the intentions of each couple holding their own titles for the future of our estates.**

S.W. 1/4 SEC: 24 TWP: 26

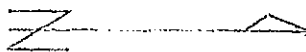
(SWAN LAKE)

5155478

RES OWNED BY 2013

RC. CAMPGROUND ROAD

TREES AREA



20 M

OPEN AREA

TREES AREA

DRIVE WAY

POWER SHED AND LINES

CYSTERN

TREES AREA

HOLDING TANK

K-SHED

SARGENT CABIN Deck

GAZEBO

HELIX CABIN Deck

TREES



Janany Nagulan

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From: Ed Sargent <edsargent1950@gmail.com>  
Sent: Monday, March 05, 2018 5:54 PM  
To: Janany Nagulan  
Subject: Re: Information Required

Yes both lots will be equal size

Sent from my iPhone

On Mar 5, 2018, at 3:32 PM, Janany Nagulan <[Janany.Nagulan@prrd.bc.ca](mailto:Janany.Nagulan@prrd.bc.ca)> wrote:

Hello Mr. Sargent,

I am writing with regards to the your Zoning Amendment Application. We wanted to confirm that the two proposed lots will be of equal size. If not could you please provide use with the proposed lots sizes.

Thank you,

Janany

[Janany Nagulan](#) | [Planning Intern](#)

Direct: 250-784-4845 | [janany.nagulan@prrd.bc.ca](mailto:janany.nagulan@prrd.bc.ca)

<image004.jpg>PEACE RIVER REGIONAL DISTRICT | Box 810, 1981 Alaska Highway Avenue, Dawson Creek, BC V1G 4H8

Toll Free: (24 hrs): 1-800-670-7773 | Office: 250-784-3200 | Fax: 250-784-3200 | [www.prrd.bc.ca](http://www.prrd.bc.ca)

<image003.jpg>

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**PEACE RIVER REGIONAL DISTRICT  
Bylaw No. 2320, 2018**

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 by-law may be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2320 (Sargeant), 2018."
2. "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by adding the following text amendment to Part VI, Section 37 R-4 (Residential 4 Zone) (a) Minimum Parcel Size:
  - a) Exceptions to the minimum parcel size as follows:
    - (vi) Lot 3, Section 24, Township 26, PRD, Plan 26246, shall not be less than 1.25 ha (3.1 acres).

READ A FIRST TIME THIS	_____	day of	_____	, 2018.
READ A SECOND TIME THIS	_____	day of	_____	, 2018.
Notification mailed on the	_____	day of	_____	, 2018.
READ A THIRD TIME THIS	_____	day of	_____	, 2018.
ADOPTED THIS	_____	day of	_____	, 2018.

\_\_\_\_\_  
Chair

(Corporate Seal has been  
affixed to the original bylaw)

\_\_\_\_\_  
Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD  
Zoning Amendment Bylaw No. 2320 (Sargeant), 2018,  
as adopted by the Peace River Regional District  
Board on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Corporate Officer

May 3, 2018