



REPORT

To: Chair and Directors

Report Number: DS-BRD-140

From: Kathy Suggitt, General Manager of Development Services

Date: April 15, 2021

Subject: Zoning Amendment Bylaw No. 2402, 2020, PRRD File No. 20-003 ZN

RECOMMENDATION #1: [Corporate Unweighted]

That the Regional Board give Zoning Amendment Bylaw No. 2402, 2020, to rezone the property identified as PID 006-487-033 from R-6 (Residential 6 Zone) to R-4 (Residential 4 Zone), third reading.

RECOMMENDATION #2: [Corporate Unweighted, 2/3 majority required]

That the Regional Board adopt Zoning Amendment Bylaw No. 2402, 2020.

BACKGROUND/RATIONALE:

Proposal

To amend the zoning of the subject property from R-6 (Residential 6 Zone) to R-4 (Residential 4 Zone) under *PRRD Zoning Bylaw No. 1343, 2001*, to allow the subject property to be subdivided into two lots.

File Details

Owner: Shayne McNary
 Area: Electoral Area D
 Location: Arras
 Legal: Lot 1 of Section 14 Township 78 Range 17 W6M PRD, Plan 23079, except Plan 26098
 PID: 006-487-033
 Civic Address: 4642 208 Road
 Lot Size: 7.8 ha (19.4 ac)

Site Context

The subject property is located within the rural community of Devereaux. The direct surrounding area consists of smaller rural residential lots and the Devereaux School that is east of the subject property. Hart Highway (97S) is directly north of the subject property.

Summary of Procedure

Zoning Amendment Bylaw No. 2402, 2020 was read for a first and second time on March 12, 2020. Due to COVID-19 public health orders, the public hearing for the proposed zoning amendment was delayed until March 2021. The following activities have occurred since the beginning of March 2021:

March 8, 2021	Public notification mailed to landowners within notification area
March 11 & 18, 2021	Notice of public hearing advertised in the Dawson Creek Mirror
March 18, 2021	Zoning Bylaw No. 2402, 2020 approved by the Ministry of Transportation and Infrastructure (received in the form of signed Bylaw)
March 23, 2021	Public hearing was conducted virtually on Zoom

Comments Received from the Public

A public hearing was held on March 23, 2021 in accordance with the *Local Government Act*. There were no comments from those in attendance during the public hearing. One written comment was received from the public prior to the public hearing, not opposing the rezoning, but raising concerns with water flow.

The written comment from the member of public has been attached to this report along with the minutes of the public hearing held March 23, 2021.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse Zoning Amendment Bylaw No. 2402, 2020, to permit rezoning of the property identified as PID 006-487-033 under *PRRD Zoning Bylaw No. 1343, 2001*, rescind first and second readings, and mark the bylaw as unused.
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. Comment Received from the Public
2. Zoning Amendment Bylaw No. 2402, 2020
3. Minutes of Public Hearing- March 23, 2021

External Links:

1. [Report –Zoning Amendment Bylaw No. 2402, 2020, PRRD File No. 20-003ZN – March 12, 2020](#)
2. [Agenda –Public Hearing for Zoning Amendment Bylaw No. 2402, 2020, PRRD File No. 20-003 ZN – \[March 23, 2021\]](#)



**PEACE RIVER REGIONAL DISTRICT
PUBLIC HEARING – MINUTES**

- Proposed Zoning Amendment Bylaw No. 2402, 2020
March 23, 2021 @ 6:00 p.m.
Via Zoom Audio/Video call

ATTENDANCE:

Peace River Regional District: Leonard Hiebert, Director of Electoral Area D (Chair)
Jack Irving-Peckham, South Peace Land Use Planner (Recorder)
Anmol Anand, Junior Planner (Moderator)
Kathy Suggitt, General Manager of Development Services

Proposed Zoning Amendment Bylaw No. 2402, 2020

Public: 1 member of the public

1. CALL TO ORDER

The South Peace Planner called the Public Hearing to order on behalf of the Chair at 6:05 pm for proposed Zoning Amendment Bylaw No. 2397, 2020, OCP Amendment Bylaw No. 2400, 2020 and Proposed Zoning Amendment Bylaw No. 2401, 2020, and proposed Zoning Amendment Bylaw No. 2402, 2020.

The proceedings for proposed Zoning Amendment Bylaw No. 2402, 2020 began at 6:25pm.

2. STATEMENT OF PUBLIC HEARING

The Chair stated the procedural rules in place to govern the conduct of the public hearing for proposed Zoning Amendment Bylaw No. 2402, 2020 as written in the agenda.

3. PEACE RIVER REGIONAL DISTRICT PROPOSED ZONING AMENDMENT BYLAW NO. 2402, 2020

Staff provided those in attendance with a summary of proposed Zoning Amendment Bylaw No. 2402, 2020 for the property legally described as Lot 1, Section 14, Township 78, Range 17, W6M, PRD, Plan 23079, except Plan 26098.

3.1. PROPOSED ZONING AMENDMENT

Staff summarized the proposal to rezone the property from R-6 (Residential 6 Zone) to R-4 (Residential 4 Zone).

3.2. SUMMARY OF APPLICATION PROCEDURE

Staff provided a summary of the application procedure and timeline as outlined in the agenda for those in attendance at the hearing.

3.3. COMMENTS FROM AGENCIES AND MUNICIPALITIES RECEIVED

Staff summarized the comments received from agencies and municipalities as attached in the agenda.

3.4. WRITTEN COMMENTS RECEIVED FROM PUBLIC

Staff stated that as of 4:00 pm on March 23, 2021 the Peace River Regional District had received one written comment from the public regarding proposed Zoning Amendment Bylaw No. 2402, 2020. Staff read the written comment out loud (Public Comment 1). The comment specifies that they are not necessarily against this sub-division but wants to ensure that any development on this land does not create water issues in the neighboring residential properties, as development works in the past have created flooding issues for the residents of the area.

3.5. COMMENTS FROM THE APPLICANT

The Chair invited the applicant to make any comments in support of the application. None were offered.

3.6. COMMENTS FROM PUBLIC HEARING ATTENDEES

The Chair asked the members of the public in attendance if they had any comments related to the proposed bylaw. None were offered.

The Chair called a second time for comments from members of the public in attendance. None were offered.

The Chair called a final time for comments from members of the public in attendance. None were offered.

3.7. FINAL COMMENTS FROM APPLICANT

The Chair invited the applicant to make any final comments. None were offered.

3.8. CONCLUDE PUBLIC HEARING RE: BYLAW 2402, 2020**4. ADJOURN PUBLIC HEARING**

The Chair concluded the Public Hearing at 6:35 pm for the proposed Zoning Amendment Bylaw No. 2402, 2020.

Certified to be a fair and accurate summary of the nature of the representations respecting proposed Zoning Amendment Bylaw No. 2402, 2020 held on Tuesday, March 23, 2021.

Original copy signed by:

Director Leonard Hiebert, Chair
Anmol Anand, Moderator

Jacqueline Burton

From: Lawrence & Tracey Reynen [REDACTED]
Sent: Monday, February 24, 2020 5:08 PM
To: Planning Department
Subject: Comments/concerns development application File #ZN20-003

CAUTION: This email originated from outside of the organization.

This letter is in regards to File #ZN20-003, Tryon Land Surveying Ltd. as agent for Shayne McNary.

We are the owners of the property abutting the McNary property on the west side. We have lived at this location since the year 2000. We do have some concerns with any additional development on the McNary property. Our concerns are with the water flow through the property during spring run-off and larger rainfall events. A large volume of water flows through this property as it is the main drainage pathway for a large area of land north and south of Hwy 97. In my view, very particular attention needs to be paid to the way water will be directed on the McNary property so as to not negatively impact the neighboring properties to the south and west.

Approximately 4 years ago a rough access road was put in from the 208 Road and at that time the direction of the flow of water on the McNary property was changed and has caused flooding issues to at least three neighboring properties, including our own.

I am not necessarily against the subdivision of the McNary property, but want to ensure that any development on the land does not create water issues on my own property.

I believe there may be a simple solution to this problem with a redirection of water on the north side of Hwy 97, which would direct water further west instead of south into the McNary property and this residential area.

Thank you,
Lawrence & Tracey Reynen

[REDACTED]

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[Report as Phish/Fraud](#)
[Report as Not Spam](#)
[Forget previous vote](#)

**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2402, 2020**

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. 2402, 2020."
2. Schedule B – Map 6 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning Lot 1, Section 14, Township 78, Range 17, W6M, PRD, Plan 23079, except Plan 26098, from R-6 "Residential 6 Zone" to R-4 "Residential 4 Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	<u>12th</u>	day of	<u>March</u>	, 2020.
READ A SECOND TIME THIS	<u>12th</u>	day of	<u>March</u>	, 2020.
Notification mailed on the	<u>8th</u>	day of	<u>March</u>	, 2021.
Notification published on the	<u>11th and 18th</u>	day of	<u>March</u>	, 2021.
Public Hearing held on the	<u>23rd</u>	day of	<u>March</u>	, 2021.
Ministry of Transportation approval received this	<u>18th</u>	day of	<u>March</u>	, 2021.
READ A THIRD TIME THIS	<u> </u>	day of	<u> </u>	, 2021.
ADOPTED THIS	<u> </u>	day of	<u> </u>	, 2021.

(Corporate Seal has been
affixed to the original bylaw)

Chair

Corporate Officer

I hereby certify this to be a true and correct copy of
"PRRD Zoning Amendment Bylaw No. 2402, 2020,
as adopted by the Peace River Regional District
Board on _____, 20__.

Corporate Officer



Peace River Regional District
 Bylaw No. 2402, 2020
SCHEDULE "A"



Schedule B - Map 6 of "Peace River Regional District Zoning Bylaw 1343, 2001" is hereby amended by rezoning Lot 1, Section 14, Township 78, Range 17, W6M, PRD, Plan 23079, except Plan 26098, **from R-6 "Residential 6 Zone" to R-4 "Residential 4 Zone"** as shown on the drawing below:

