



REPORT

To: Chair and Directors

Date: July 26, 2019

From: Kevan Sumner, GM Development Services

Subject: **OCP & Zoning Amendment Bylaw No. 2351 & 2352, 2019, PRRD File No. 18-268**

RECOMMENDATION: [Corporate Unweighted]

That whereas the Regional Board has considered the requirements of s. 475 of the *Local Government Act* and has provided opportunity for early and ongoing consultation with those persons, organizations and authorities the Board considers will be affected as summarized in this report, that the Regional Board give Official Community Plan Amendment Bylaw No. 2351, 2019, to amend the designation of a ±1.8 ha portion of PID 003-521-575 from 'Agriculture' to 'Medium Density Residential' first and second reading; further,

that the Regional Board give zoning Amendment Bylaw No. 2352, 2019, to rezone a ±1.8 ha portion of the same property from A-2 (Large Agricultural Holdings Zone) to R-2 (Residential 2 Zone) first and second reading; and finally,

that a Public Hearing be held pursuant to the *Local Government Act*, and be delegated to the Director of Electoral Area "D".

BACKGROUND/RATIONALE:

Proposal

To amend the OCP by re-designating a ±1.8 ha (±4.5 ac) portion of the subject property from Agriculture (AG) to Medium Density Rural Residential (MDR) and to amend the Zoning Bylaw by rezoning a ± 1.8 ha (±4.5 ac) portion of the subject property from A-2 (Large Agricultural Holdings Zone) to R-2 (Residential 2 Zone).

File Details

File No.: 18-268
 Owner: Cherene & Donal Triska
 Agent: Tom Wolsey
 Area: Electoral Area D
 Location: South Taylor
 Legal: The NE ¼ of Section 12, Township 82, Range 18, W6M, PRD
 PID: 003-521-575
 Lot Size: 64.8 ha (160 ac)
 Civic address: 5603 232 Road

Site Context

The subject property is approximately 4 km south of Taylor, and approximately 1 km from the Pingel Creek intersection with the Alaska Highway. The surrounding area is predominantly ¼ section parcels with some smaller lot subdivisions around the Pingel Creek Road intersection.

Site FeaturesLand

The subject property is mostly cleared for agricultural use with patches of forested areas throughout the property. The Northeast portion of the property contains the homestead.

Structures

There is a residence with a two-car garage, a small shed and workshop on the subject property.

Access

The subject property is accessed from 232 Road off the Pingel Creek Road.

CLI Soil Rating

Soil on the property is a combination of 4_x. Class 4 soils severe limitations that restrict the range of crops or require special conservation practices. Subclass x comprises of soils having a limitation resulting from the cumulative effect of two or more adverse characteristics

Comments & ObservationsApplicant

The landowner's intent is to subdivide the home site from the parent property and amalgamate the remainder with a ½ section directly west.

Agricultural Land Reserve (ALR)

The subject property is within the Agricultural Land Reserve. A Preliminary Layout Review from the Ministry of Transportation and Infrastructure written on June 17, 2019 states that one of the conditions states that a with notation on the Land Title that the approval for subdivision is granted under *Section 10* of the *ALR Reserve General Regulation 171/2002*.

Part 5 Section 10 of the Agricultural Land Commission Regulations allows an approving officer under the Local Government Act, to authorize or approve a plan of subdivision without the approval of the Agricultural Land Commission if the proposal achieves the following criteria:

Involves not more than 4 parcels, each of which is a minimum of 1 ha, and results in all of the following:

- (i) no increase in the number of parcels;*
- (ii) boundary adjustments that, in the opinion of the approving officer, will allow for the enhancement of the owner's overall farm or for the better utilization of farm buildings for farm purposes;*
- (iii) no parcel in the reserve of less than 1 hectare.*

The ALC has recommended not moving forward with the Amendment Bylaws until such time that an ALC subdivision is approved, but no ALC approval is required if the Ministry of Transportation allows the subdivision to proceed under Section 10.

Official Community Plan (OCP)

The property is designated 'Agriculture' (AG) within *PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009*. Section 3.2.2 Policy 1 of the Official Community Plan states the principal use of land within this designation will generally be limited to agriculture and uses which are compatible or complementary to agriculture. Section 3.2.2 Policy 3 of the OCP states that the minimum parcel size for parcels with the agriculture designation will not be less than 63 ha (155 acres).

Therefore, the proposal is inconsistent with the Official Community Plan, and is the reason for this amendment.

Land Use Zoning

The property is zoned A-2 (Large Agricultural Holdings Zone) within *PRRD Zoning Bylaw No. 1343, 2001*. Section 33 of the bylaw states that the principal uses can be dwelling unit(s) and agriculture and associated uses. Section 33(2.a) states that the minimum parcel size is 63 ha (155 ac). There are no exceptions to the minimum parcel size that meets this proposal, which is the reason for this zoning amendment.

Fire Protection Area

The subject property is within the Taylor Rural 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.

Development Cost Charge Area

The subject property is outside the Development Cost Charge Area.

School District 60 School Site Acquisition Charge Area

The subject property is outside the School District 60 School Site Acquisition Charge Area.

Impact Analysis

Context

If the rezoning receives adoption, the intention is to consolidate the remainder parcel with the ½ section directly West of the subject property, in order to comply with Section 10 of the ALC regulations.

Population & Traffic

There is no foreseen increase in traffic should the proposed OCP & rezoning amendment be approved.

Sewage & Water

There are no changes proposed to the present lagoon and water well on the subject property.

Comments Received from Municipalities & Provincial Agencies

Agricultural Land Commission

The Commission has previously refused a similar subdivision application on this property. The staff of the Commission are concerned that the proposed subdivision does not meet the criteria for Section 10 of the

Regulation. It is recommended that the Bylaw Amendment not be moved forward until a Commission subdivision is approved.

The full response from the Commission is within the attachment section of this report.

Dawson Creek, Pouce Coupe, Taylor
Interests unaffected.

Fort St. John
Subject to support from the Agricultural Land Commission

Ministry of Transportation and Infrastructure
The property does not fall within Section 52 of the Transportation Act and does not require Ministry approval. The Ministry did receive a subdivision application from the owner, and this application is not guaranteed as it still needs to be reviewed.

The full response and preliminary layout review status from The Ministry is within the attachment section of this report.

Northern Health
Must follow Public Health Act, Drinking Water Act and its applicable regulations, Sewerage Systems Regulations as applicable Must not cause a health hazard. Must have appropriate sewerage system installed and all the requirements met as applicable.

Chetwynd, Hudson's Hope, Tumbler Ridge, MoFLNRORD & SD 60, Taylor Fire Department, OGC
No response received.

ALTERNATIVE OPTIONS:

1. That the Regional Board refuse Official Community Plan Amendment Bylaw No. 2351, 2019, and Zoning Amendment Bylaw No. 2352, 2019 to amend the designation of a ±1.8 ha portion of PID 003-521-575 from 'Agriculture' to 'Medium Density Residential' and rezone the property from A-2 (Large Agricultural Holdings Zone) to R-2 (Residential 2 Zone), as submitted;
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

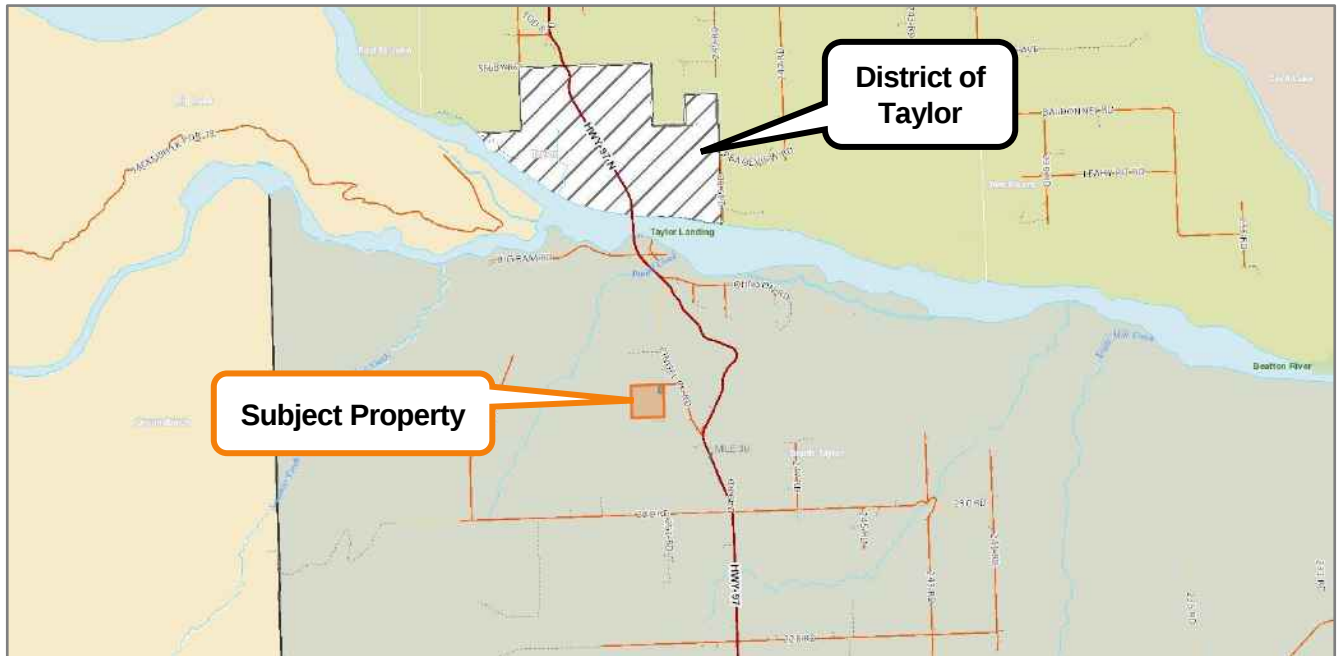
COMMUNICATIONS CONSIDERATION(S):

OTHER CONSIDERATION(S):

Attachments:

1. Maps
2. Application
3. Director Referral email
4. Section 4.3.2 of the *PRRD Official Community Plan Bylaw No. 1870, 2009*
5. Section 35 of the *PRRD Zoning Bylaw No. 1343, 2001*
6. Response from the Agricultural Land Commission
7. Response from the Ministry of Transportation and Infrastructure
8. Preliminary Layout Review from the Ministry of Transportation and Infrastructure
9. Draft Bylaw No. 2351, 2019
10. Draft Bylaw No. 2352, 2019

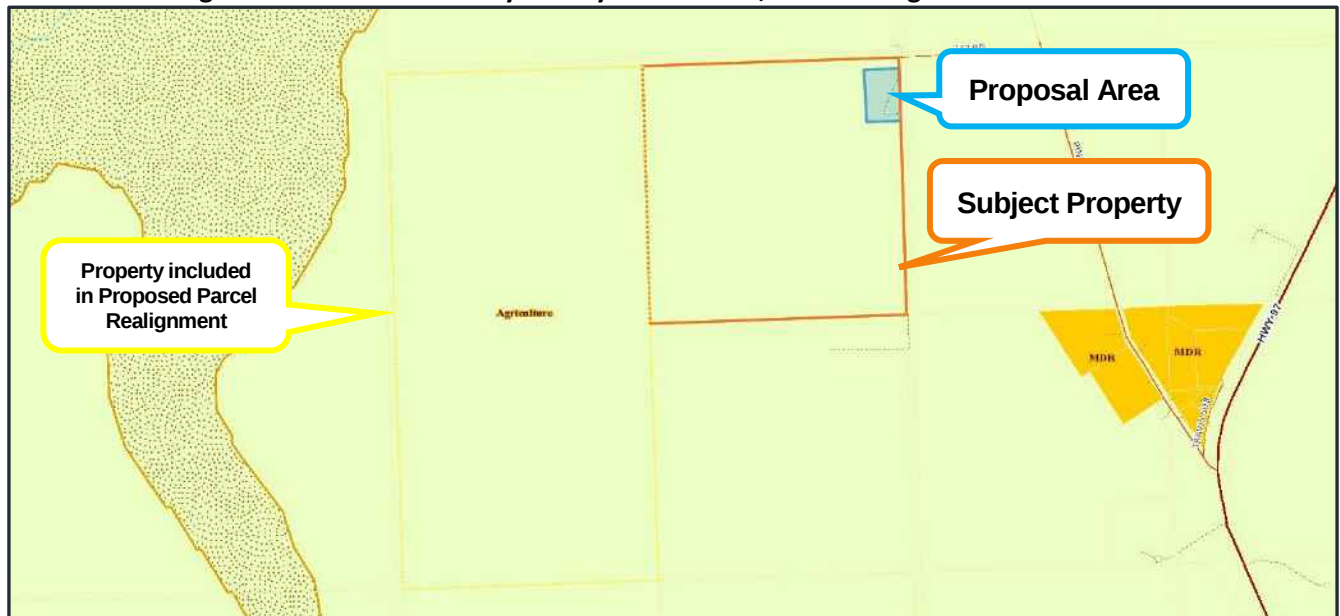
Context Map



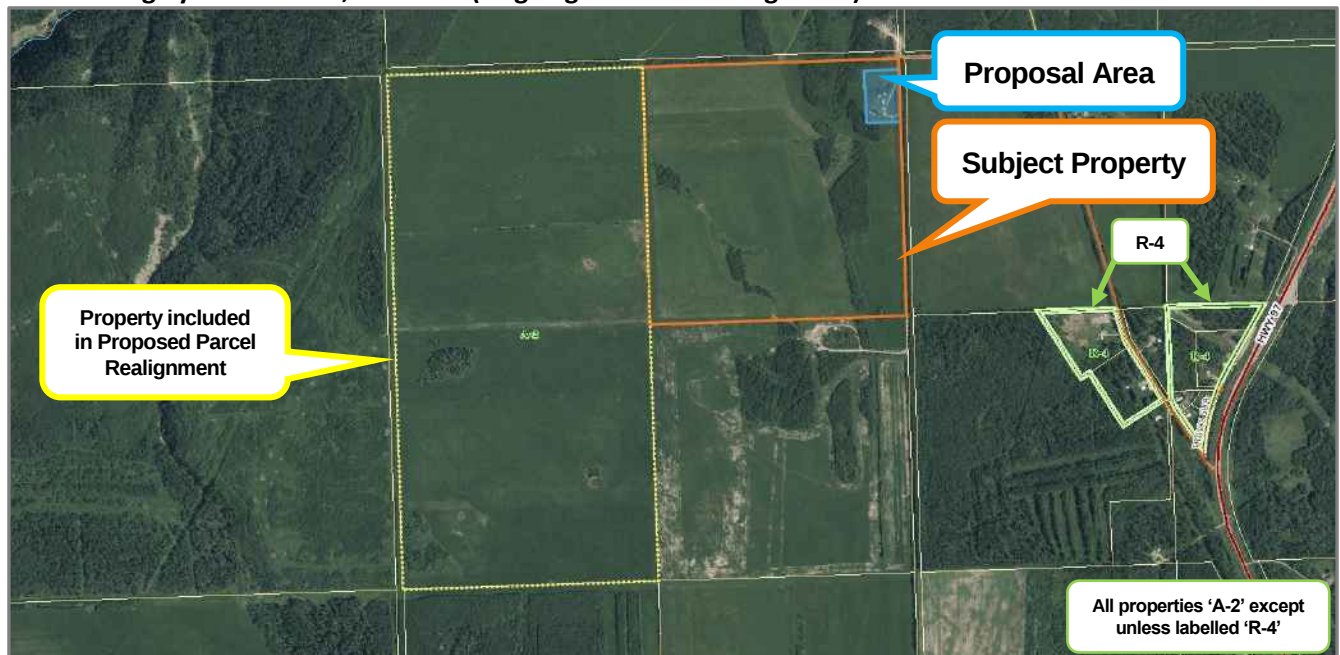
Aerial Photo



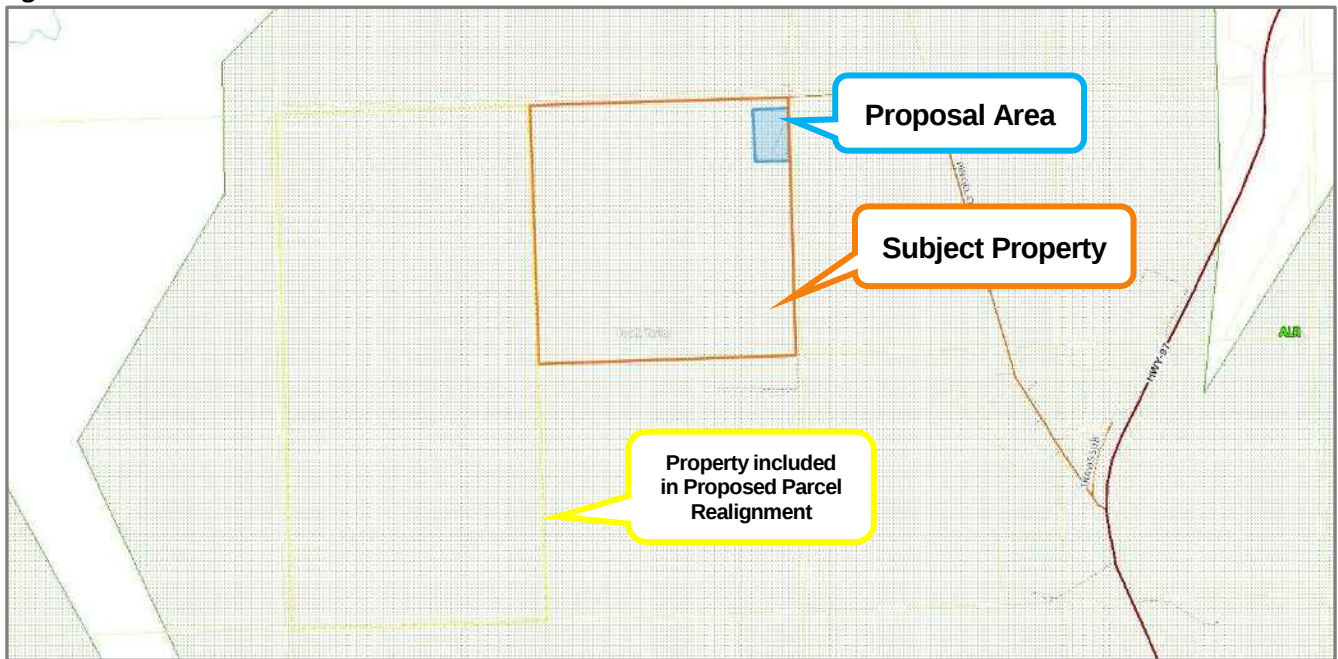
North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009: AG 'Agriculture'



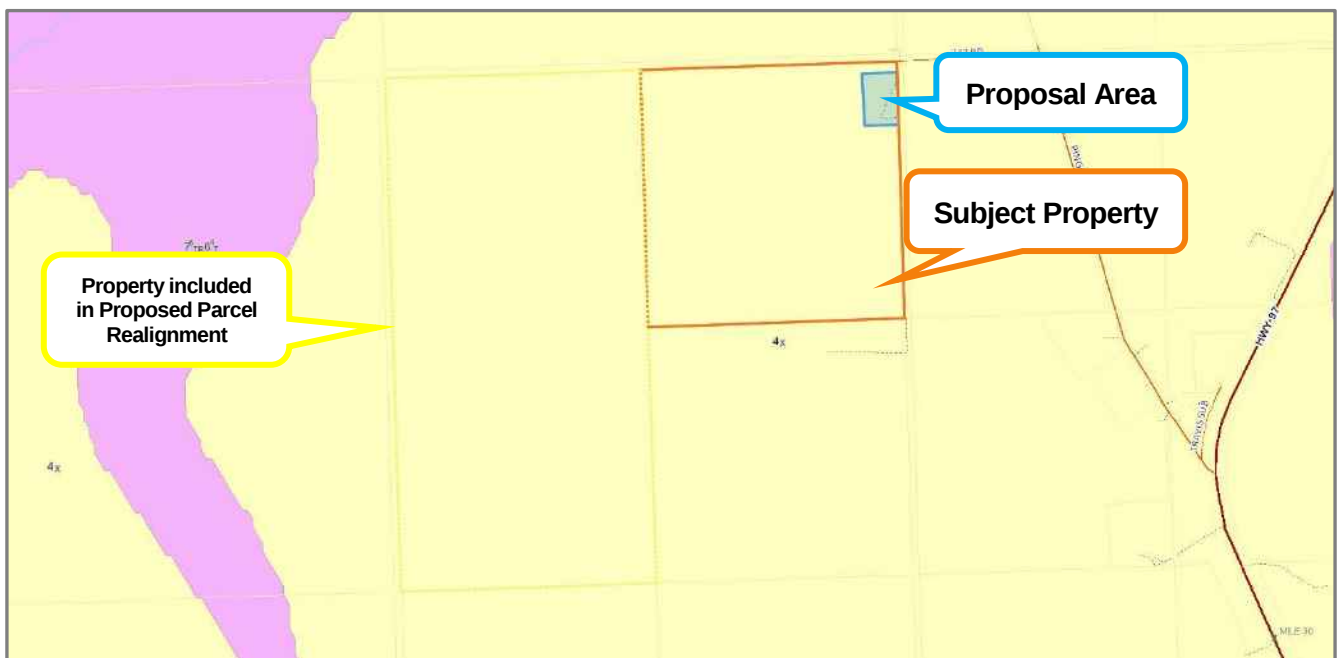
PRRD Zoning Bylaw No. 1343, 2001: A-2 (Large Agricultural Holdings Zone)



Agricultural Land Reserve



CLI-Soil Classification: 4x





PEACE RIVER REGIONAL DISTRICT

DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC
 FORT ST. JOHN 9505 100TH Street, Fort St. John, BC V1J 4N4

(T) 250-784-3200..(F) 250-784-3201
 (T) 250-785-8084 (F) 250-785-1125

[Toll Free: 1-800-670-7773]

Receipt # 7232

Application for Development

1. TYPE OF APPLICATION

	FEE
☐ Official Community Plan Bylaw Amendment	\$ 1,000.00
☐ Zoning Bylaw Amendment	650.00
☒ Official Community Plan / Zoning Bylaw Amendment combined	1,050.00
☐ Temporary Use Permit	350.00
☐ Development Permit	165.00
☐ Development Variance Permit	165.00
☒ 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 <u>Cherene & Donal Triska</u>	Authorized Agent of Owner (if applicable) <u>Tom Wolsey</u>
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]
Fax Number: [REDACTED]	Fax Number: [REDACTED]
E-mail: [REDACTED]	E-mail: [REDACTED]

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot
<u>NE 1/4 of 12-82-18, W6M</u>	<u>64.78 ha / 160.08 acres</u>
	ha./acres
	ha./acres
	ha./acres
	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: 5603 232 Rd

5. PARTICULARS OF PROPOSED AMENDMENT

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

☒ Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: Agriculture

Proposed OCP designation: Medium Density Residential

Text amendment: _____

☒ Zoning Bylaw amendment:

Existing zone: A-2 "Large Agricultural Holdings Zone"

Proposed zone: R-2 "Residential 2 Zone"

Text amendment: _____

☐ 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:

one homestead (4.5 acres to be subdivided) and
pasture land

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

(a) North Bush; small trailer
(b) East farm land
(c) South one dwelling; pasture
(d) West pasture

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

subdivide 4.5 acre homestead from quarter
section and amalgamate remainder with
quarter section to the west. OCP and zoning
amendments for 4.5 acre area only.

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

current owner is not using land for agriculture.
selling everything but the homestead will allow
the new owner (Tom Wolsey) to farm the land

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

n/a - existing

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

n/a - existing

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.

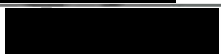

Signature of Owner DONAL TRISKA

Signature of Owner

09/24/18
Date signed
09/26/18
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>DONAL TRISKA</u> and <u>CHERBNE TRISKA</u> hereby authorize		
(name) <u>TOM WOLSEY</u> to act on my/our behalf regarding this application.		
Agent address:		
Telephone: 	Fax:	Email:
Signature of Owner: 	Date: <u>09/24/18</u>	
Signature of Owner: 	Date: <u>09/26/18</u>	



Peace River Regional District



508.0 0 254.00 508.0 Meters

NAD_1983_UTM_Zone_10N

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Hwy Mile Marker
- Rural Community
- 911 Civic Address-Label
- 911 Civic Address Rural
- 911 Civic Address Municipal
- Regional Park
- Parcels
- Highway
- Municipal Road
- Hard Surface
- Gravel
- Rural Road >1:250k
- Hard Surface
- Gravel
- Seasonal
- Driveway
- PRRD_Sewer_Systems
- Sewer Line
- Water Line
- Streams/Rivers
- Locality
- ☒ Municipal Boundary
- ☐ Regional District Boundary
- DC City
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - North Peace Fringe
 - Red: Band 1

1:10,000

Notes

B-1 a)

Degeers 56 min 05 seconds 52 N



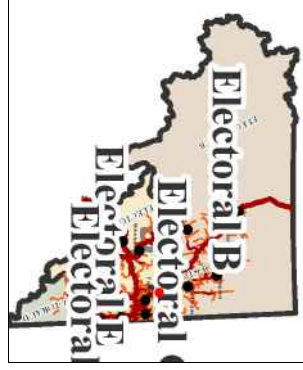
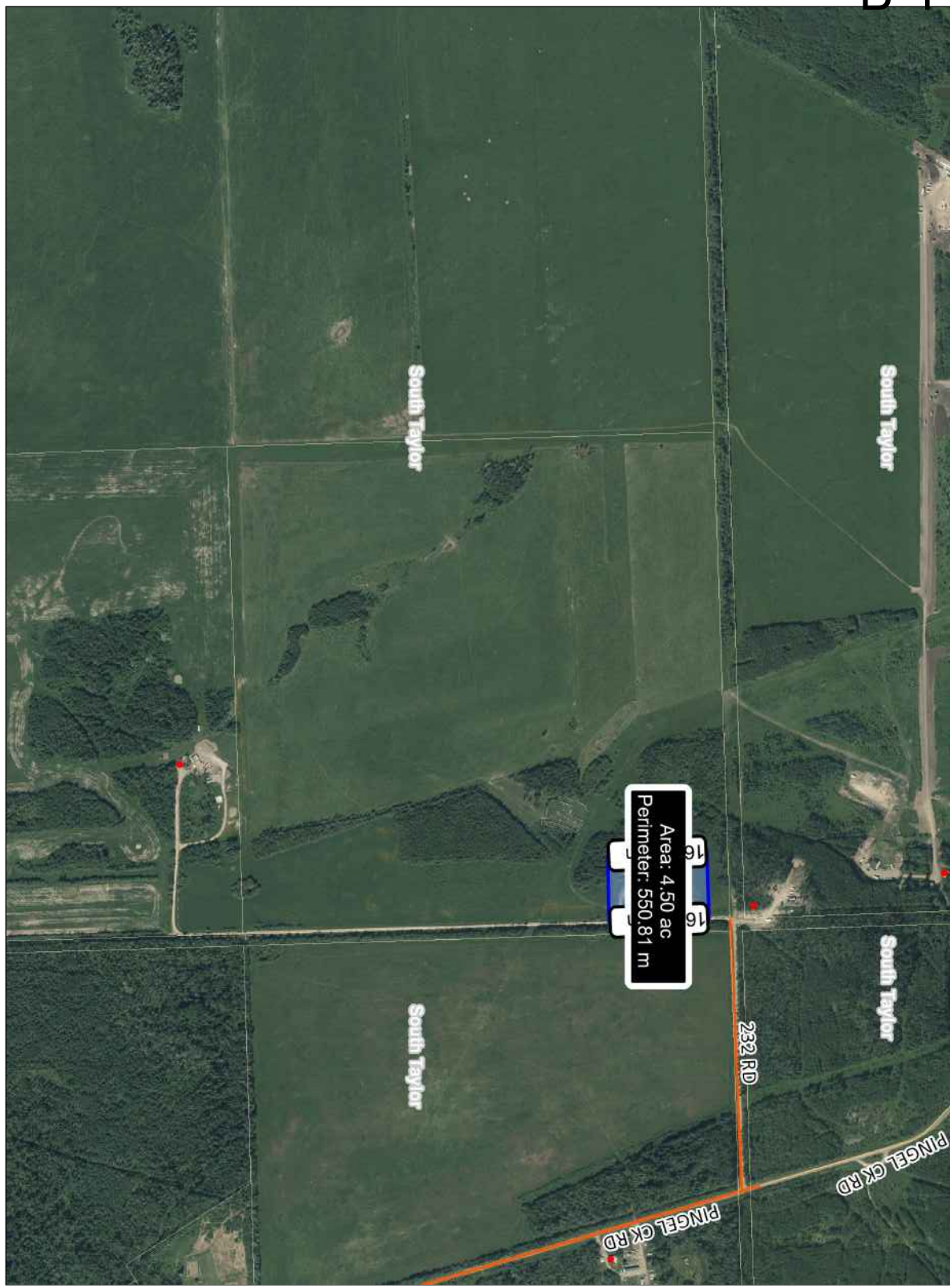
Imagery ©2018 DigitalGlobe, Map data ©2018 Google 100 m

September 19, 2019



Peace River Regional District

B-1 a)



Legend

- Hwy Mile Marker
- Rural Community
- 911 Civic Address-Label
- 911 Civic Address Rural
- 911 Civic Address Municipal
- Regional Park
- Parcels
- Highway
- Municipal Road
- Hard Surface
- Gravel
- Rural Road >1:250k
- Hard Surface
- Gravel
- Seasonal
- Driveway
- PRRD_Sewer_Systems
- Sewer Line
- Water Line
- Streams/Rivers
- Locality
- ☒ Municipal Boundary
- ☐ Regional District Boundary
- DC City
 - Red: Band 1
 - Green: Band 2
 - Blue: Band 3
- North Peace Fringe
 - Red: Band 1

1:10,000



Notes

508.0 0 254.00 508.0 Meters

NAD_1983_UTM_Zone_10N

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

September 19, 2019

**Peace River Regional District
Memorandum**

To: Leonard Hiebert, Director of Electoral Area 'D'

From: Kole Casey, South Peace Land Use Planner

Date: August 23, 2019

RE: OCP & Zoning Amendment Bylaw No. 2351 & 2352, 2019, PRRD File No. 18-268

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 September 6, 2019.

Please contact me if you have any questions.

Thank you.

COMMENTS:

circle if
No Comment

Hi Kole,

Does the owner of the 1/2 section to the west already own this property?

If so, I don't see a problem with this as the parcel, except for the homesite portion, will be moved to expand the 1/2 section to the west.

Date: September 11, 2019

Initial: LH

September 19, 2019

Archived: Wednesday, September 11, 2019 3:39:56 PM
From: Kole Casey
Sent: Wednesday, September 11, 2019 2:00:00 PM
To: Director Leonard Hiebert
Cc: Shawn Dahlen; Crystal Brown; Kevan Sumner
Subject: RE: 18-268
Sensitivity: Normal

That is correct Director Hiebert,

Just contacted Mr. Wosley to confirm, and he stated that he does not require any building on this property as he would like to expand his grazing area for his cattle.

From: Director Leonard Hiebert <leonard.hiebert@prrd.bc.ca>
Sent: Wednesday, September 11, 2019 1:50 PM
To: Kole Casey <Kole.Casey@prrd.bc.ca>
Cc: Shawn Dahlen <Shawn.Dahlen@prrd.bc.ca>; Crystal Brown <Crystal.Brown@prrd.bc.ca>
Subject: Re: 18-268

Thanks Kole,

Just to be clear Mr. and Mrs Triska are selling the property to Mr. Wosley, he just doesn't want the homesite. Correct.

Leonard Hiebert
Electoral Director Area "D"
Leonard.hiebert@prrd.bc.ca
250-219-8098

On Sep 11, 2019, at 13:44, Kole Casey <Kole.Casey@prrd.bc.ca> wrote:

Hello Director Hiebert,

In response to your question to the Director Memorandum please see below:

The ½ Section is owned by Mr. Wolsey who is the agent to this application. Mr. Wolsey intends to purchase the remaining portion of the property from Mr. & Mrs. Triska and consolidate the property to his ½ Section to the West.

Within the attachments section of this report there is the Ministry of Transportation and Infrastructure's Preliminary Layout Review Status (Pg#28). Subsection 3 states that this proposal can be granted under Section 10 of the Agricultural Land Reserve General Regulation 171/2002. If Mr. & Mrs. Triska would not wish to consolidate their property to the adjacent ½ section, they would be required to apply to the ALC for Subdivision.

Cheers,

<image002.jpg> Kole Casey | South Peace Land Use Planner
PEACE RIVER REGIONAL DISTRICT | Direct: 250-784-3205 |
kole.casey@prrd.bc.ca | www.prrd.bc.ca
<image003.jpg> <image001.jpg>

September 19, 2019

4.3.1 High Density Rural Residential (HDR)

- Policy 5** Within the High Density Rural Residential designation the principal use of land will generally be limited to; residential and home based business subject to zoning regulations.
- Policy 6** Within the High Density Rural Residential designation and parcels not on a lakeshore the minimum parcel size will not be less than:
- a) **2000 sq. metres (0.50 acre)** for lands connected to a community sewage system;
 - b) **8 ha (20 acres)** for lands not connected to a community sewage system;
 - c) **0.4 ha (1 acre)** for land described as District Lot 418, except Plan 18222, W6M., which recognizes the existing approvals on this property.
- Policy 7** The purpose of setting a large 8 ha (20 acres) minimum parcel size for lands not connected to a community sewage system, is to re-enforce the priority of first supporting subdivision having a community sewage system that are compatible to nearby rural or urban serviced areas, to promote infilling and compact development.
- Policy 8** High Density Residential subdivision will be directed to those areas having community sewer services to maximize existing sewer capacity or those areas planned to receive sewer service, encouraging compact development, as referenced in Section 11.3.1, Policy No. 10 to to12.

4.3.2 Medium Density Rural Residential (MDR)

- Policy 8** Within the Medium Density Rural Residential designation the principal use of land will generally be limited to; residential and home based business, subject to zoning regulations.
- Policy 9** Within the Medium Density Rural Residential designation the minimum parcel will not be less than:
- a) **0.8 ha (2 acres)** for lands;
 - i) connected to a community sewage system, or;
 - ii) where soil conditions are suitable for on-site sewage disposal and a system authorized by the agency having jurisdiction regarding sewage disposal;
 - b) **1.6 ha (4 acres)** for lands not connected to a community sewage system.
 - c) **0.3 ha (0.74 acre)** for land described as a portion of the Northwest ¼ of Section 1, Township 84, Range 18, W6M, PRD [Bylaw No. 2115, 2014]
- Policy 10** For parcels designated Medium Density Rural Residential lying within Electoral Area 'B' the minimum parcel size will not be less than **1.6 ha (4 acres)** as shown on Schedule B, Map No.'s 1 and 2.



PEACE RIVER REGIONAL DISTRICT Zoning Bylaw No. 1343, 2001

SECTION 35 R-2 (Residential 2 Zone - 0.4ha / 1.8 ha)

1. Permitted Uses

The following PRINCIPAL USES and no others are permitted in a R-2 zone subject to Part IV of this bylaw and subject to Sub-Section 2 of this Section 35;

- a) DWELLING UNIT;
- b) Market garden;
- c) AGRICULTURE;

The following ACCESSORY uses and no others are permitted in a R-2 zone, subject to Part IV of this bylaw and Sub-Section 2 of this Section 35:

- d) ACCESSORY buildings and ACCESSORY structure; (See Section 13)
- e) AGRICULTURE-DOMESTIC;
- f) BED AND BREAKFAST accommodation; (See Section 16)
- g) HOME BASED BUSINESS; (See Section 19)
- h) SECONDARY SUITE; (See Section 25)
- i) TEMPORARY ADDITIONAL DWELLING. (See Section 29)

2. Regulations

Minimum Parcel Size

- (a) The minimum parcel size is 1.8 hectares (4.5 acres) where there is no COMMUNITY SEWAGE SYSTEM (Electoral Areas B, D and E only); [Bylaw No. 2249, 2016]
- (aa) The minimum parcel size is 1.8 hectares (4.5 acres) where there is no COMMUNITY SEWER (Electoral Area C only); [Bylaw No. 2249, 2016]
- (b) The minimum parcel size is 0.4 hectare (1 acre) when the parcel or parcels are connected to a COMMUNITY SEWAGE SYSTEM (Electoral Areas B, D and E only) [Bylaw No. 2249, 2016]
- (bb) The minimum parcel size is 0.4 hectare (1 acre) when the parcel or parcels are connected to a COMMUNITY SEWER (Electoral Area C only); [Bylaw No. 2249, 2016]

Except for:

- i) a 0.278 ha. portion of Parcel A, Section 17, Township 84, Range 19, W6M, PRD, Plan 34277, for which the minimum parcel size shall not be less than 0.22 ha. (0.563 acres); [Bylaw No. 2088, 2013]
- (ii) a 0.84 ha. portion of District Lot 553, PRD except Plan 17999 and 21352, for which the minimum parcel size shall not be less than 0.84 ha (2.08 acres) where there is no COMMUNITY SEWAGE SYSTEM and has a sewage system approved by the agency having jurisdiction regarding sewage disposal. [Bylaw No. 2321, 2018]



PEACE RIVER REGIONAL DISTRICT
Zoning Bylaw No. 1343, 2001

SECTION 35 R-2 (Residential 2 Zone - 0.4ha / 1.8 ha) continued

Number and type of DWELLING UNIT(S)

- (c) One SINGLE FAMILY DWELLING is permitted on a parcel;
- (d) One TEMPORARY ADDITIONAL DWELLING, is permitted on a parcel 0.9 hectares (2.2 acres) and larger where there is no COMMUNITY SEWAGE SYSTEM (Electoral areas B, D and E only); [Bylaw No. 2249, 2016]
- (dd) One TEMPORARY ADDITIONAL DWELLING, is permitted on a parcel 0.9 hectares (2.2 acres) and larger where there is no COMMUNITY SEWER (Electoral area C only); [Bylaw No. 2249, 2016]
- (e) One TEMPORARY ADDITIONAL DWELLING, is permitted on a parcel 0.4 hectares (1 acre) and larger when the parcel is connected to a COMMUNITY SEWAGE SYSTEM (Electoral Areas B, D and E only); [Bylaw No. 2249, 2016]
- (ee) One TEMPORARY ADDITIONAL DWELLING, is permitted on a parcel 0.4 hectares (1 acre) and larger when the parcel is connected to a COMMUNITY SEWER (Electoral Area C only); [Bylaw No. 2249, 2016]

Height

- (f) No building or structure shall exceed 10 metres (32.8 ft.) in HEIGHT.

Setbacks

- (g) Except as otherwise permitted in this bylaw, no PRINCIPAL building or structure shall be located within:
 - (i) 7 metres (23 ft.) of a FRONT PARCEL LINE;
 - (ii) 3 metres (10 ft.) of an INTERIOR SIDE PARCEL LINE;
 - (iii) 5 metres (17 ft.) of an EXTERIOR SIDE PARCEL LINE;
 - (iv) 5 metres (17 ft.) of a REAR PARCEL LINE.
- (h) Except as otherwise specifically permitted in this bylaw, no ACCESSORY building or ACCESSORY structure shall be located within:
 - (i) 7 metres (23 ft.) of a FRONT PARCEL LINE;
 - (ii) 1.5 metres (5 ft.) of an INTERIOR SIDE PARCEL LINE;
 - (iii) 5 metres (17 ft.) of an EXTERIOR SIDE PARCEL LINE;
 - (iv) 3 metres (10 ft.) of a REAR PARCEL LINE.

Agriculture

- (i) AGRICULTURE, use is permitted on parcels 4 hectares (10 acres) and larger;
- (j) AGRICULTURE DOMESTIC, is permitted on parcels 0.4 hectares (1 acre) and larger;



PEACE RIVER REGIONAL DISTRICT
Zoning Bylaw No. 1343, 2001

SECTION 35 R-2 (Residential 2 Zone - 0.4ha / 1.8 ha) continued

Where AGRICULTURE or AGRICULTURE-DOMESTIC are permitted the following regulations shall apply;

- (k) Maximum LOT COVERAGE for each commodity group is limited to the following:

COMMODITY GROUPS			
Apiculture (bees)	Greenhouse, Nursery, Speciality wood & Turf Crops	Livestock,* Poultry, Game and Fur	Mushroom growing facility
20%	Greenhouse: 75% Nurseries, Speciality Wood Crops & Turf Farms: 35%	35%	35%

*CONFINED LIVESTOCK AREAS, are included in the LOT COVERAGE restriction.

The following structures do not fall under the LOT COVERAGE restrictions:

- detention ponds
- support structures used for shading, frost and wind protection of plants and animals.


Agricultural Land Commission

201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

November 9, 2018

ALC Issue ID 51195
PRRD File No. 18-268 Triska (Wolsey)

Danielle Patterson, Planning Intern
Peace River Regional District

Delivered Electronically: Danielle.Patterson@prrd.bc.ca

**Re: OCP Amendment Bylaw No. 2351, 2018
Zoning Amendment Bylaw No. 2352, 2018**

Property Parcel Identifier: 003-521-575

Thank you for forwarding a draft copy of the above bylaw (the “Amendment Bylaws”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Amendment Bylaws are consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the “Regulation”), and any decisions of the ALC.

The Amendment Bylaws affect 1.8 ha portion of a 64.78 ha property that is entirely in the Agricultural Land Reserve (ALR). The property was previously the subject of an ALC application (#53532) to subdivide a 4 ha homesite lot from the property. That application was refused by the ALC by Resolution #125/2014 (enclosed). ALC Resolution #125/2014 stated that “*the Commission does not believe that the subdivision of a four hectare lot is supportive of agriculture.*”

The ALC understands that the current owner have applied to the Ministry of Transportation and Infrastructure under Section 10 of the Regulation for subdivision of a 1.8 ha homesite lot from the subject property and to consolidate the remainder parcel with the ALR parcel located directly to the south. The Amendment Bylaws would facilitate this subdivision.

Section 10 of the Regulation allows approving officers to approve subdivisions in the ALR that:

Involve not more than 4 parcels, each of which is a minimum of 1 ha, and results in all of the following:

- (i) no increase in the number of parcels;*
- (ii) boundary adjustments that, in the opinion of the approving officer, **will allow for the enhancement of the owner's overall farm or for the better utilization of farm buildings for farm purposes;***
- (iii) no parcel in the reserve of less than 1 hectare*

Because the Commission has already considered, and refused, a similar subdivision on this property, ALC staff are concerned that the proposed subdivision does not meet the criteria of Section 10 of the Regulation and should not be allowed unless approved by the Commission via a non-farm use application. As such, the ALC recommends not moving forward with the Amendment Bylaws until such time that an ALC subdivision is approved.

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulation, or any Orders of the Commission.

If you have any questions about the above comments, please contact Martin Collins, ALC Director of Policy and Planning at Martin.Collins@gov.bc.ca.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Caitlin Dorward, Regional Planner

Enclosure: ALC Resolution #125/2014
PRRD File No. 18-268 Triska (Wolsey) Referral Package

51195m1

September 19, 2019



B-1 a)
Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

April 11, 2014

ALC File: #53532

Lance and PennyLane MacDonald
PO Box 5002
Lacombe Alberta
T4L 1W7

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #125/2014 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:

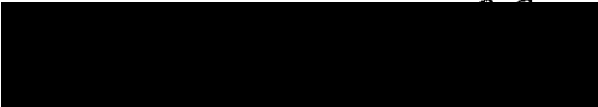
- (a) evidence not available at the time of the original decision has become available,
- (b) all or part of the original decision was based on evidence that was in error or was false.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #125/2014

cc: Peace River Regional District (File 201/2013)

53532d1

September 19, 2019

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

A meeting was held by the Provincial Agricultural Land Commission on March 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53532.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Gordon Bednard	Planner
Jennifer Carson	Planner
Lindsay McCoubrey	Planner
Colin Fry	Chief Tribunal Officer

PROPOSAL (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

To subdivide a 4 ha lot containing the existing home from the 64.7 ha property.

PROPERTY INFORMATION:

Owner: Lance and PennyLane MacDonald

Legal: PID: 003-521-575
NE ¼, Section 12, Twp 82, R 18, W6M Peace River District

Location: South of Taylor

Size: 64.7 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and

- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.
-

COMMISSION CONSIDERATION

After considering the file information the Commission concluded as follows:

1. The Commission assessed the agricultural capability of the subject property.

Conclusion:

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system,.

The improved agricultural capability rating identified on Canadian Land Inventory (CLI) map is 4X. Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations. The limiting subclasses associated with this parcel are X (a combination of cumulative and minor limitations with no one factor dominating).

The Commission confirmed that the subject property has agricultural capability.

2. The Commission assessed the agricultural impacts of the proposed subdivision.

Conclusion:

The Commission does not believe that the subdivision of a four ha lot is supportive of agriculture. Its experience is that 4 ha parcels are not used for agriculture in this region. In addition, the proposed subdivision severs the homesite and it is likely that a new homesite will be constructed on the remainder (by the next landowner), alienating arable land for a new homesite, septic pond and access.

The Commission is generally not supportive of introducing non-farm residents into farm areas. Rural residential intrusion can raise expectations of further subdivision, erodes farm capability, and increases the potential for conflict between residents and farmers.

IT WAS

MOVED BY: Commissioner Johnson

SECONDED BY: Commissioner Dyson

THAT the application to subdivide a 4 ha lot from the 64.7 ha property be refused.

CARRIED

Resolution #125/2014



Ministry of
Transportation
and Infrastructure

Peace River Regional District
PO Box 810
1981 Alaska Avenue
Dawson Creek, BC V1G 4H8

Attn: Danielle Patterson,

The Ministry of Transportation and Infrastructure has received and reviewed your referral of November 1, 2018 to amend the OCP by re-designating a ± 1.8 ha (± 4.5 ac) portion of the subject property from AG 'Agriculture' to MDR 'Medium Density Rural Residential' and to amend the Zoning Bylaw by rezoning a ± 1.8 ha (± 4.5 ac) portion of the subject property from A-2 'Large Agricultural Holdings Zone' to R-2 'Residential 2 Zone'. The property does not fall within Section 52 of the Transportation Act and will not require Ministry of Transportation and Infrastructure formal approval. Although the Ministry has no objections to the OCP and Zoning Bylaw amendment, we do have the following comment.

The ministry has received a conventional subdivision application from the owner to subdivide the subject lot as shown in this referral package. The proposed subdivision lot layout as submitted is not guaranteed as it is dependent on review and approval by the Provincial Approving Officer – conditions of subdivision have not been determined.

Thank you for the opportunity to comment. If you or the applicant has any questions, please contact me at (250) 787-3237 or by email Beth.Bahm@gov.bc.ca.

Sincerely,



Beth Bahm
District Development Technician



eDAS File #: 2018-03073

Date: June 17, 2019

Donal and Cherene Triska
c/o
Thomas C Wolsey
RR1 SITE 16 COMP 17
Fort St. John, British Columbia V1J 4H6

Attention: Thomas C Wolsey

Re: Proposed Subdivision of:

PID 003-521-575, Part NE 1/4 , Sec 12, Twp 82, Rge 18, W6M, Peace River
PID 013-891-812, W 1/2, Sec 12, Twp 82, Rge 18, W6M, Peace River

This letter cancels and replaces the letter issued Dec 12, 2018.

Your application for preliminary review of the proposed subdivision as detailed above has been considered and this letter summarizes the additional information and requirements that are required for consideration of approval of the subdivision.

The review of the proposed subdivision remains ongoing and therefore the considerations and conditions listed reflect the matters noted at the date of this letter. As consideration continues and on review of additional information, the listed considerations and conditions may be modified.

- A. Requires successful application to the Peace River Regional District for Official Community Plan and/or Zoning Bylaw amendments. Please contact the Peace River Regional District regarding this application process.
- B. Proposal does not offer written confirmation from the Northern Health Authority that all of their requirements have been met. Please contact your local Environmental Health Officer at 250-719-6500. Please note, if proposed Lot 1 (smaller lot) is 5 acres (2.02ha) or larger, written confirmation from NHA is not required.

Should the above reason(s) be overcome additional conditions must be met before approval of the subdivision will be considered. These include but are not limited to:

Local District Address
Peace District 300-10003 110th Avenue Fort St John, BC V1J 6M7 Canada Phone: (250) 787-3237 Fax: (250) 787-3279

1. Lythall 232/251 Road along the entire east boundary of both proposed lots is to be dedicated 12.5m on either side of existing center line or 3 m beyond any cuts or fills, whichever is greater.
2. Applicant to apply for a Works: Road Works permit to the Ministry of Transportation and Infrastructure for the driveway within the unmaintained portion of Lythall 232/251 prior to final subdivision approval.

Applicant to apply online here: <http://www.th.gov.bc.ca/permits/Apply.asp>

Please note, we acknowledge the receipt of permit application 2019-03327.

3. Provision of a notation on the Survey Plan Certification or Application to Deposit (whatever current Land Title Office practice is) specifying approval is being granted under Section 10 of the Agricultural Land Reserve General Regulation 171/2002.
4. Compliance with Peace River Regional District's letter dated October 22, 2018.
5. Compliance with BC Hydro's comments dated September 04, 2018.
6. Compliance with Enbridge's comments dated November 29, 2018 (attached).

If the property contains a watercourse, the surveyor is required to locate the watercourse(s) which may be required to be returned to the crown, and return the bed(s) to crown in conjunction with subdivision.

Provincial records indicate the proposed development is located within an area with potential to contain archaeological sites protected by the Heritage Conservation Act.

The applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads and other stone tools, or even buried human remains. If such material is encountered during demolition or construction, a Heritage Conservation Act Permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.

Please contact the Archaeology Branch immediately at (250) 953-3334 if archaeological site deposits are encountered on the subject property.

Completion of the matters outlined above will not automatically bring approval. Changes to statutes, regulations, bylaws, fees, or other matters happen from time to time and may impact your proposal.

This preliminary review of the proposed subdivision or any part of this preliminary review may be reconsidered at any time. After one year the applicant is advised to make a written request for an extension of this preliminary review.

Submission of final plans and documents to be accompanied by a current tax certificate to show proof all property taxes are paid, together with a plan examination fee of \$50 plus \$100 per lot for a total of \$250.00. If paying by cheque, make payable to the Minister of Finance.

If you have any questions please do not hesitate to call 250-261-5745. Please quote file number 2018-03073 when contacting this office.

Signed on behalf of Provincial Approving Officer by

A black rectangular box redacting the signature of the Provincial Approving Officer.

Raj Chopra
Development Technician



PEACE RIVER REGIONAL DISTRICT

Development Approvals Technician

300-10003 110th Avenue

Fort St John, BC V1J 6M7

Re: Proposed, 2 lot Subdivision, Section 10 of the ALR

PRRD File # 18-243

MOTI File # 2018-03073

October 22, 2018

*Amendment to letter dated September 21, 2018***Re: Proposed 2 lot subdivision – Section 10 ALR**

**PID 003-521-575, Part NE 1/4, Section 12, Township 82, Range 18, W6M Peace River District
and PID 013-891-812, W 1/2, Section 12, Township 82, Range 18, W6M Peace River District**

In response to this subdivision proposal, in which proposed 'Lot B' is comprised of the 1.82 ha (4.5 ac) northeast portion of the parcel with legal description *Part NE 1/4, Section 12, Township 82, Range 18, W6M Peace River District* and proposed 'Lot A' is comprised of the parcel with legal description *W 1/2, Section 12, Township 82, Range 18, W6M Peace River District* and the remaining 62.96 ha (155.58 ac) portion of the parcel with legal description *Part NE 1/4, Section 12, Township 82, Range 18, W6M Peace River District*, please note the following:

1. The subject property *Part NE 1/4, Section 12, Township 82, Range 18, W6M Peace River District* and subject property *W 1/2, Section 12, Township 82, Range 18, W6M Peace River District* are both within the Agricultural Land Reserve; therefore, the subject properties are subject to the provisions of the Agriculture Land Commission Act. However, pursuant to *Section 10.1(C) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulations*, this proposal appears to qualify as a permitted subdivision.
2. Pursuant to the *North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009*, proposed 'Lot A' and proposed 'Lot B' are designated 'Agriculture'. Within this designation, the minimum parcel size will not be less than 63 ha (155 ac). Proposed 'Lot A' is consistent with the OCP. Based on the site drawing provided by the applicant, 'Lot B' of the proposed subdivision would create a new 1.82 ha (4.5 ac) lot. Due to the proposed size of 'Lot B,' the proposal is not consistent with the OCP; therefore, the applicant will need to apply for an OCP amendment prior to subdivision.
3. Pursuant to the *PRRD Zoning Bylaw No. 1343, 2001*, the subject properties are both zoned A-2 (Large Agricultural Holdings Zone). Within this zone, the minimum parcel size will not be less than 63 ha (155 ac); therefore proposed 'Lot A' is consistent with the zoning bylaw. Based on the site drawing provided by the applicant, 'Lot B' of the proposed subdivision would create a new 1.82 ha (4.5 ac) lot. Due to the proposed size of 'Lot B,' the proposal is not consistent with the zoning bylaw and a Zoning Bylaw Amendment is required prior to subdivision.
4. This proposal is within the PRRD Mandatory Building Permit Area.

If you, or the applicant, have any questions regarding the above, please contact me.

Sincerely,

Danielle B. Patterson, Planning Intern

C: Leonard Hebert, Director of Electoral Area "D"

Agent: Thomas Craig Wolsey

diverse. vast. abundant.

PLEASE REPLY TO:

☒ Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H8 Tel: (250) 784-3200 or (800) 670-7773 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca
☐ 9505 100 St, Fort St. John, BC V1J 4N4 Tel: (250) 785-8034 Fax: (250) 785-0125 Email: prrd.fsj@prrd.bc.ca

September 19, 2019

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2351, 2019

A bylaw to amend the "North Peace Fringe Area
Official Community Plan Bylaw No. 1870, 2009"

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt the "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009";

AND WHEREAS, an application has been made to amend "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009" to facilitate an associated zoning affecting the Northeast ¼ of Section 12, Township 82, Range 18, W6M, PRD;

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 "North Peace Fringe Area Official Community Plan Amendment Bylaw No. 2351, 2019."
2. Schedule B – Index Map – South Taylor of "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009" is hereby amended by redesignating ± 1.8 ha. (± 4.5 acre) portion of the Northeast ¼ of Section 12, Township 82, Range 18, W6M, PRD, from AG "Agriculture" to MDR "Medium Density Residential" as shown on Schedule "A" which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	_____	day of	_____	, 2019.
READ A SECOND TIME THIS	_____	day of	_____	, 2019.
Notification published on	_____	day of	_____	, 2019.
Public Hearing held on the	_____	day of	_____	, 2019
READ A THIRD TIME this	_____	day of	_____	, 2019
ADOPTED THIS	_____	day of	_____	, 2019.

Chair

(Corporate Seal has been affixed
to the original bylaw)

Corporate Officer

I hereby certify this to be a true and correct copy of
Bylaw No. 2351, 2019", as adopted by the
Peace River Regional District Board
on _____, 20____.

Corporate Officer

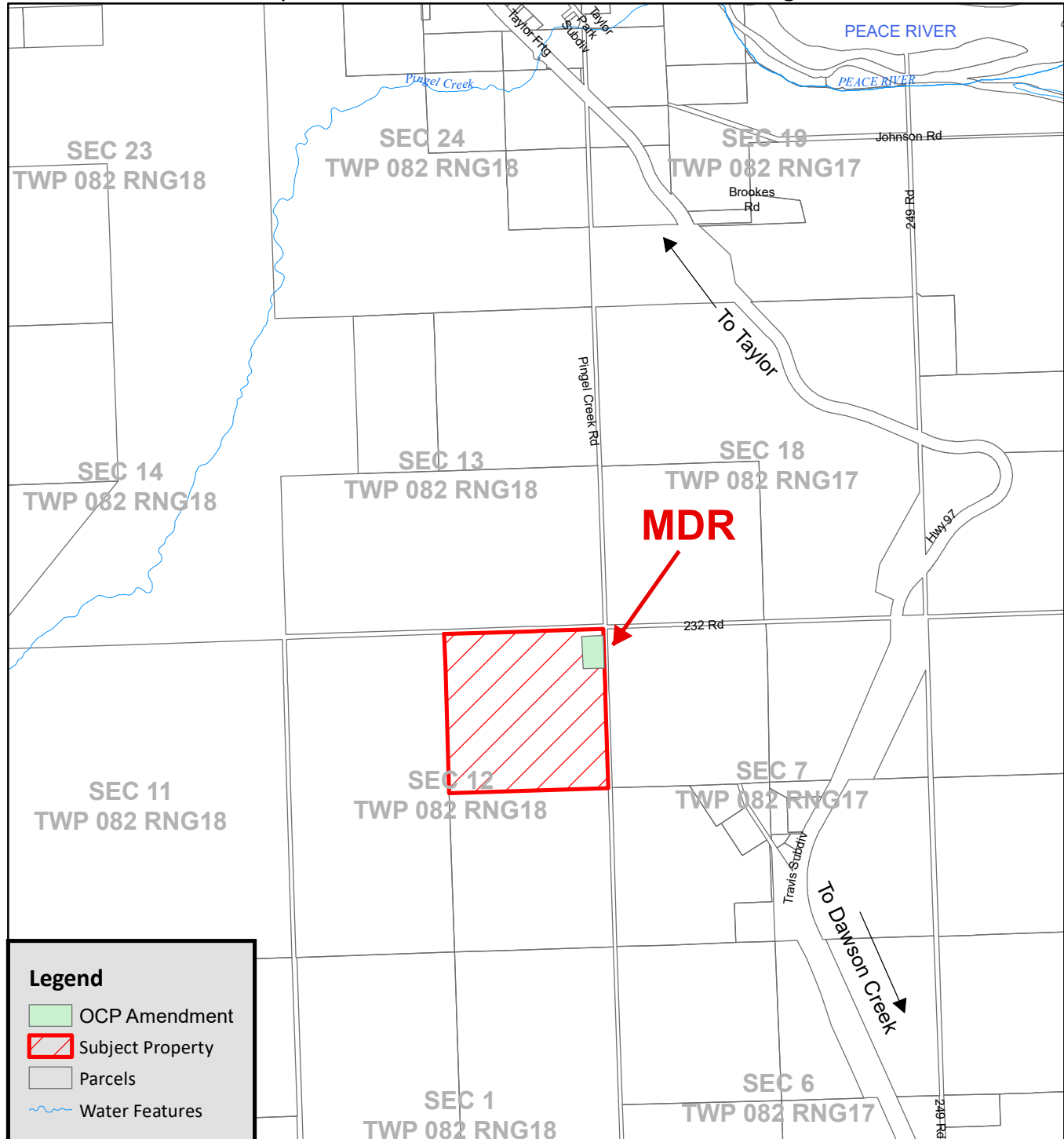
September 19, 2019



Peace River Regional District
Bylaw No. 2351, 2019
SCHEDULE "A"



Index Map - Schedule B - South Taylor of "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009" is hereby amended by redesignating +/- 1.8 ha (+/- 4.5 acres) portion of the Northeast 1/4 of Section 12, Township 82, Range 18, W6M, PRD **from** AG "Agriculture" **to** MDR "Medium Density Residential" as shown shaded on the drawing below:



PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2352, 2019

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. 2352, 2019."
2. Schedule A – Map 17 – South Taylor of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning ± 1.8 ha. (± 4.5 acre) portion of the Northeast $\frac{1}{4}$ of Section 12, Township 82, Range 18, W6M, PRD, from A-2 "Large Agricultural Holdings Zone" to R-2 "Residential 2 Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	_____	day of _____	, 2019.
READ A SECOND TIME THIS	_____	day of _____	, 2019.
Notification published on	_____	day of _____	, 2019.
Public Hearing held on the	_____	day of _____	, 2019.
READ A THIRD TIME THIS	_____	day of _____	, 2019.
ADOPTED THIS	_____	day of _____	, 2019.

(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. 2352, 2019, as
adopted by the Peace River Regional District
Board on _____, 20____.

Corporate Officer

September 19, 2019

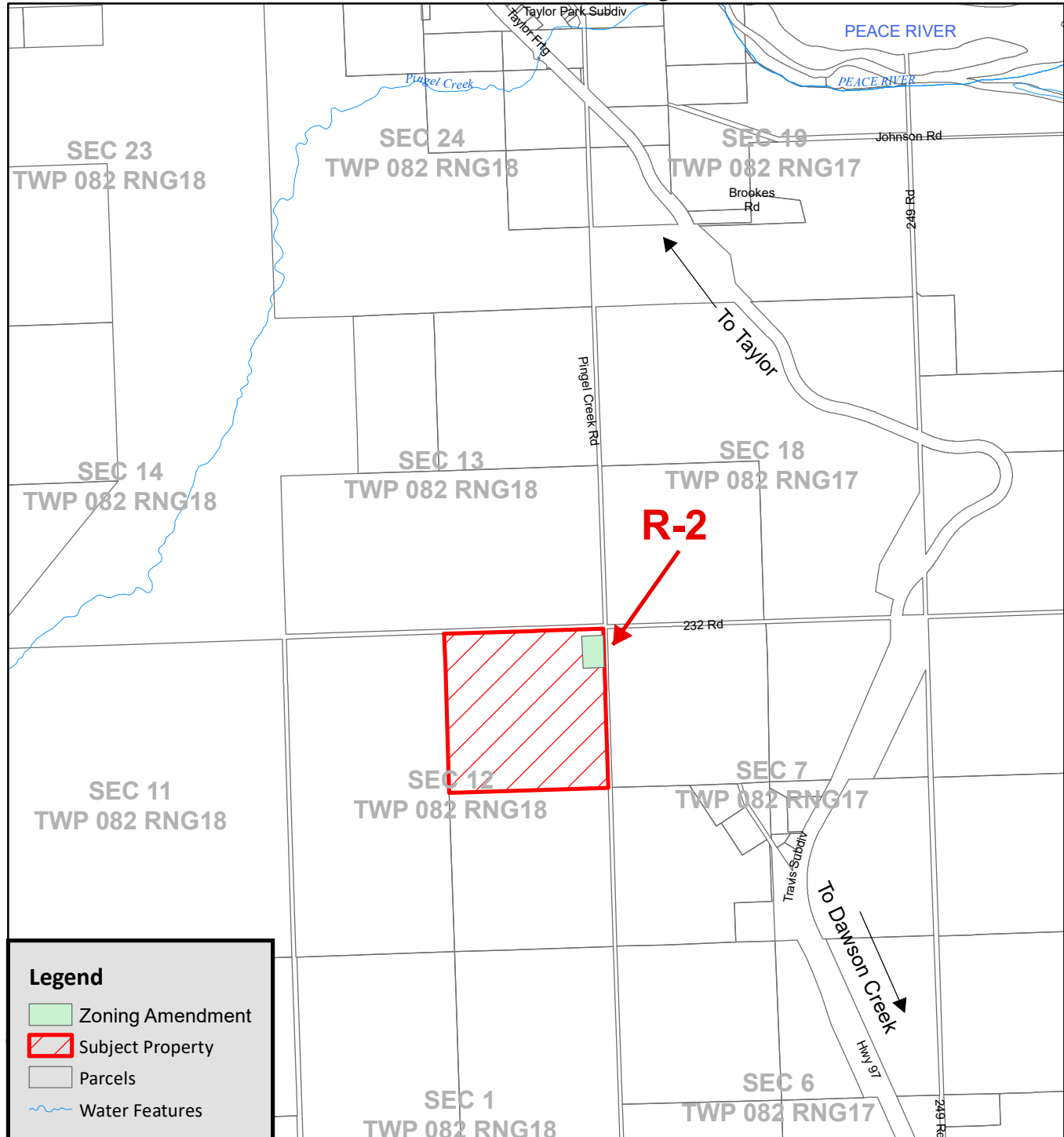


Peace River Regional District
Bylaw No. 2352, 2019
SCHEDULE "A"



1:30,000

Map No 17 - Schedule A of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning +/- 1.8 ha (+/- 4.5 acres) portion of the Northeast 1/4 of Section 12, Township 82, Range 18, W6M, PRD **from** A-2 "Large Agricultural Holdings Zone" **to** R-2 "Residential 2 Zone" as shown shaded on the drawing below:



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September 19, 2019

6/25/2019