



REPORT

To: Chair and Directors

Date: June 24, 2019

From: Kole Casey, South Peace Land Use Planner

Subject: Zoning Amendment Report – Bylaw No. 2361, 2019, PRRD File No. 18-335

RECOMMENDATION #1: [Corporate Unweighted]

That the Regional Board read Zoning Amendment Bylaw No. 2361, 2019, to amend the zoning of 26.5 ha (65.6 ac) of the Northeast ¼ of Section 14, Township 78, Range 17 W6M Peace River except Plans A2035 & 32054 from A-2 (Large Agricultural Holdings Zone) to R-6 (Residential 6 Zone), and a 34.2 ha (84.6 ac) of the same parcel from A-2 (Large Agricultural Holdings Zone) to A-1 (Small Agricultural Holdings Zone) for a third time.

RECOMMENDATION #2: [Corporate Unweighted – 2/3 Majority]

That the Regional Board adopt Zoning Amendment Bylaw No. 2361, 2019.

BACKGROUND/RATIONALE:

Proposal:

To rezone 26.5 ha (65.6 ac) portion of the subject property from 'A-2' (Large Agriculture Holdings Zone) to 'R-6' (Residential 6 Zone) and a 34.2 ha (84.6 ac) portion of the subject property from 'A-2' (Large Agriculture Holdings Zone) to 'A-1' (Small Agriculture Holdings Zone) as part of an ALC conditionally approved two (2) lot subdivision along a railway right-of-way [ALC Resolution #290/2018].

File Details:

File No.: 18-335
 Owner: 4 Sam Ventures Ltd
 Agent: Murray Samuelson
 Area: Electoral Area D
 Location: Arras
 Legal: Northeast ¼ of Section 14 Township 78 Range 17 W6M Peace River except Plans A2035 & 32054
 PID: 009-111-328
 Lot Size: 60.75 ha (150.1 ac)

Summary of Procedure:

The PRRD received the application on December 14, 2018. The bylaw received first and second reading on March 28, 2019, and authorized a public hearing.

- The PRRD mailed notification for the public hearing to landowners within the notification area on May 6, 2019
- The PRRD advertised the public notification in the Mirror News on May 9 & 16, 2019

Staff Initials: *Z*

Dept. Head: *[Signature]*

CAO: *[Signature]*

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- The PRRD held the public hearing at the Devereaux Elementary School, on May 21, 2019

Public Hearing:

No written comments from the public were received in response to the statutory advertising of the public hearing, nor submitted at the public hearing. Attendees at the Public Hearing were generally interested in the proposed R-6 Zone and the ALR on the subject parcel. The minutes from the public hearing are attached to this report.

ALTERNATIVE OPTIONS:

1. That the Regional Board refuse Zoning Amendment Bylaw No. 2361, 2019.
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. ALC Resolution #290/2018
4. May 21, 2019 Public Hearing Minutes
5. Bylaw No. 2361, 2019

External Links:

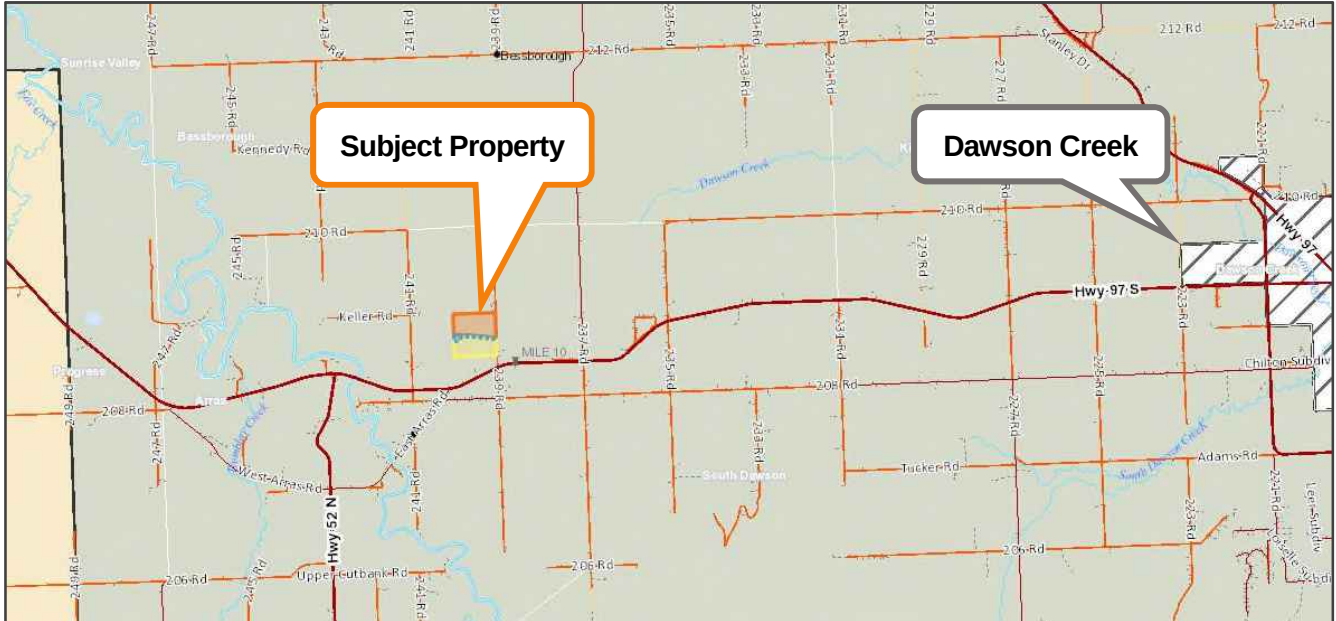
1. [May 21, 2019 Public Hearing Agenda](#)



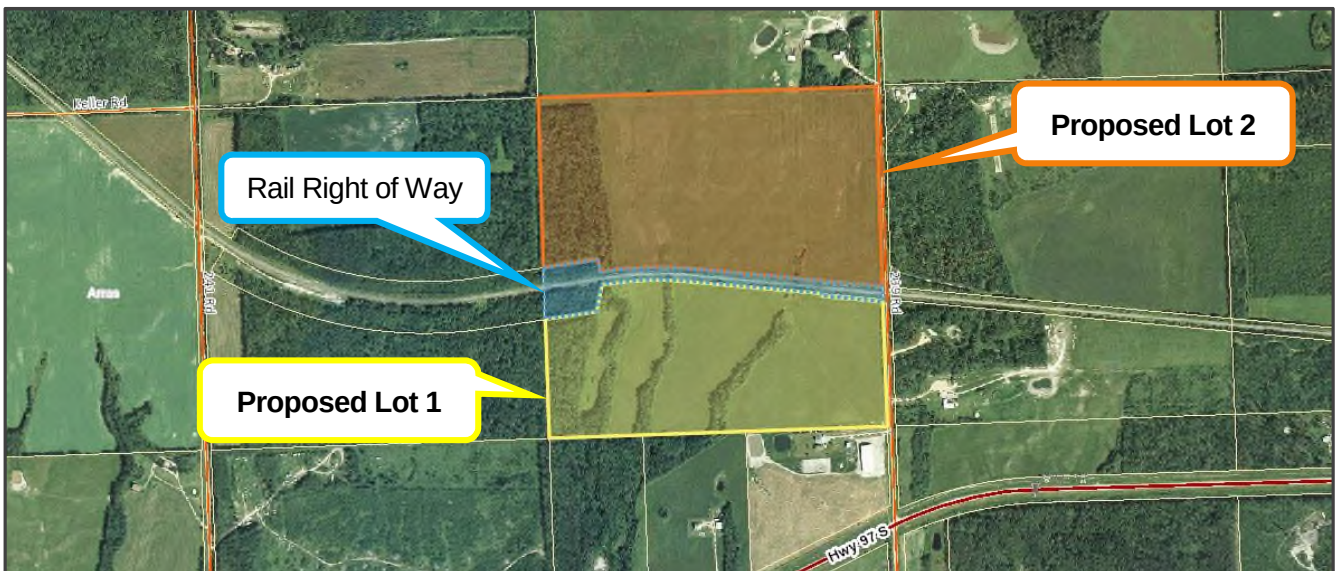
PEACE RIVER REGIONAL DISTRICT

MAPS Application for Rezoning File No. 18-335

Context Map



Aerial Photo

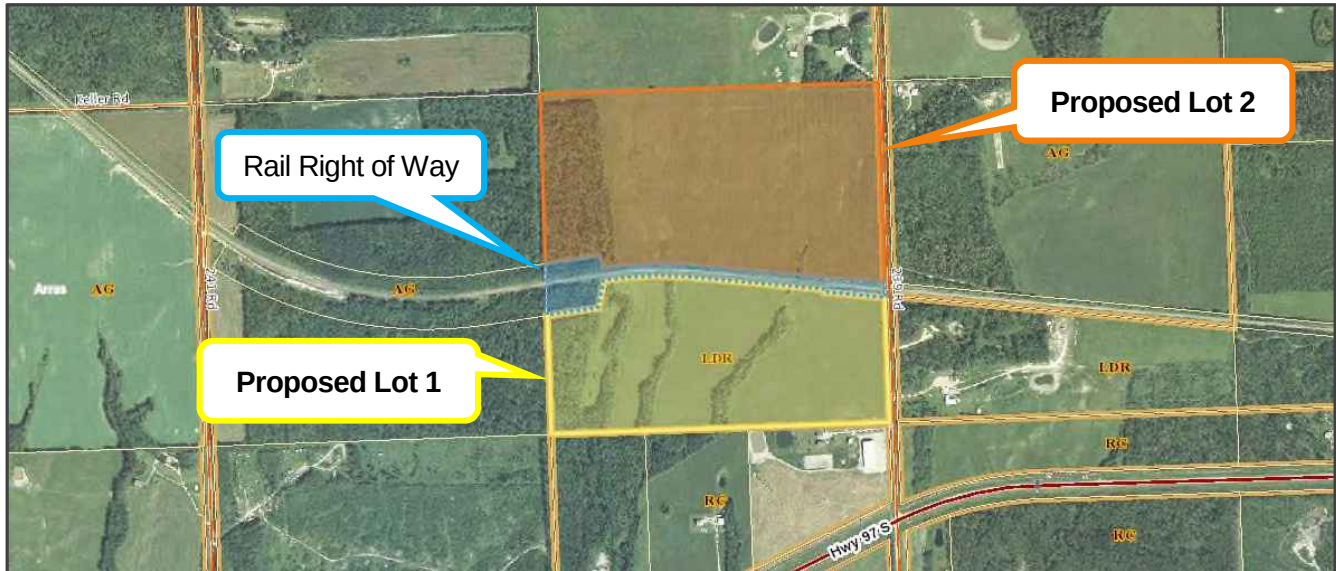




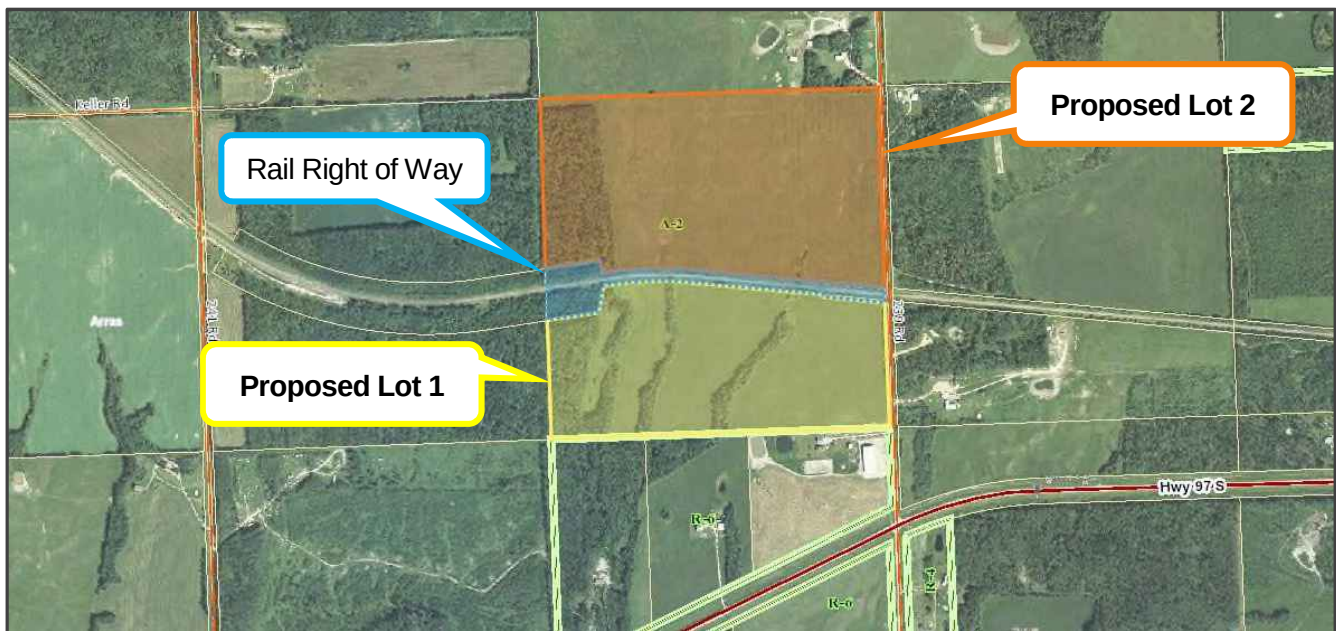
MAPS

Application for Rezoning
File No. 18-335

South Peace Fringe Area OCP Bylaw No. 2048, 2012: 'Agriculture' (Lot 2/RoW) and Low Density Residential (Lot 1)



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

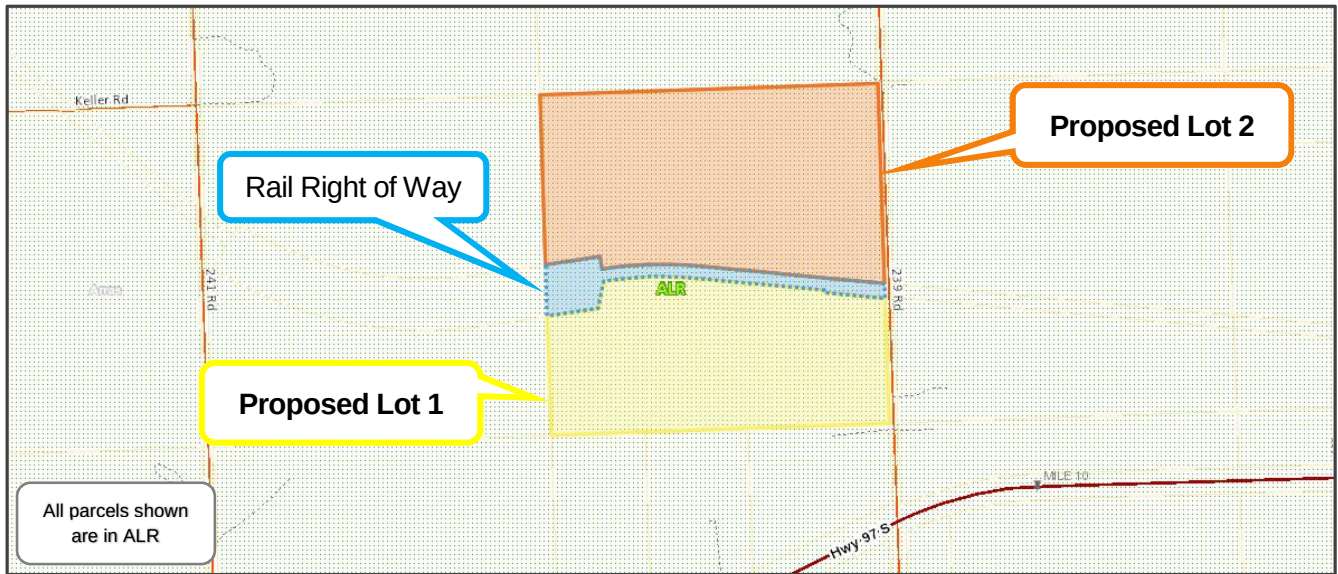




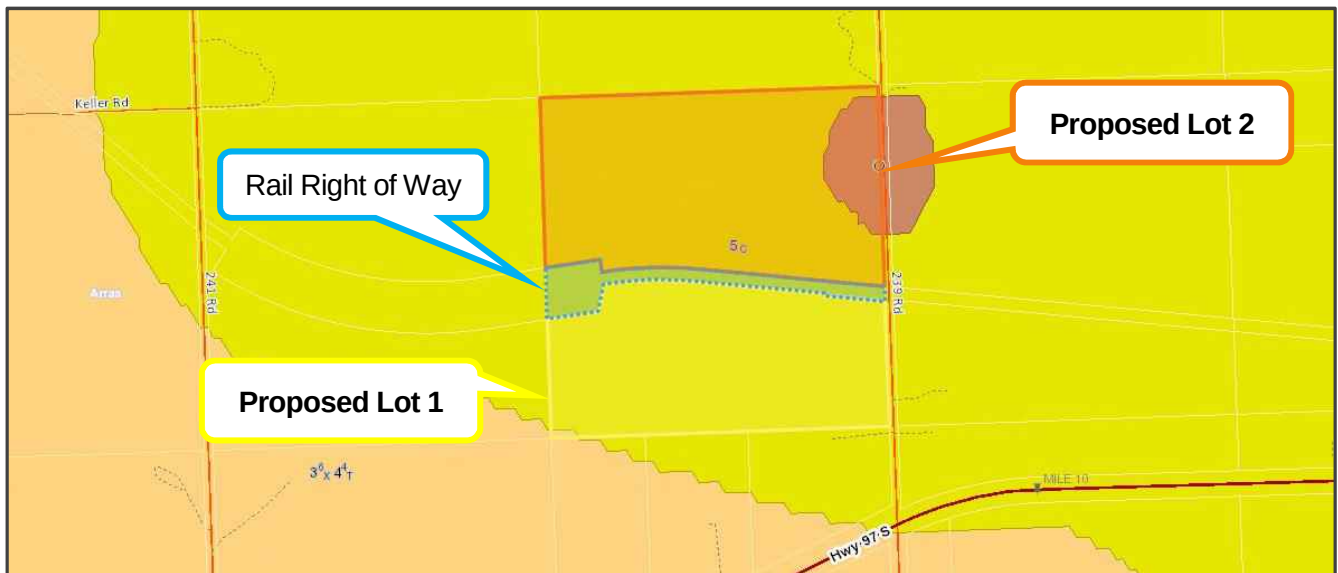
MAPS

Application for Rezoning
File No. 18-335

Agricultural Land Reserve: Within



CLI-Soil Classification: Mostly 5C with O in the northeast corner





PEACE RIVER REGIONAL DISTRICT

DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC (T) 250-784-3200..(F) 250-784-3201
FORT ST. JOHN 9505 100TH Street, Fort St. John, BC V1J 4N4 (T) 250-785-8084 (F) 250-785-1125
[Toll Free: 1-800-670-7773]

Receipt # _____

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 4sam Ventures Ltd	Authorized Agent of Owner (if applicable) Murray Samuelson
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
NE1/4 of SEC14 TP78 R17W6M	Lot 1 26.5 ha./acres
same	Lot 2 34.2 ha./acres
	ha./acres
	TOTAL AREA 60.7 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*.

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1

4. Civic Address or location of property: 239 Road north of Hwy 97 south

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: A-2

Proposed zone: Lot 1 low density residential Lot 2 Agriculture

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:

No buildings on property. Existing use is haying

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

- (a) North Agricultural/Farm - Horse pasture/Hay/ Farm house
(b) East Residential - Horse pasture/Hay/Single family dwelling subdivision
(c) South Residential - Hay/ Single family dwelling subdivision
(d) West Unused - Trees

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

No proposed development at this time other than the subdivision into Lot 1 and 2 to separate titles

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

Subdivision will allow development of each parcel separately

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

No development needing sewage disposal is proposed at this time.

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

No development needing water supply is proposed at this time.

There is a dugout on each proposed lot which may have been used
for stock watering purposes in the past.

**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.

 Murray Samuelson

 Signature of Owner

Dec 14/18

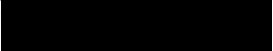
 Date signed

 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 4sam Ventures Ltd		and		hereby	
authorize					
(name) Murray Samuelson		to act on my/our behalf regarding this application.			
Agent address:					
Telephone:		Fax:		Email:	
Signature of Owner:		Murray Samuelson 2018.12.14 09:05:42 -07'00'	Date:	Dec 14/18	
Signature of Owner:			Date:		



Peace River Regional District

4-Jan-2018

PID: 014-643-731
Roll Number: 759-088046.010
Legal Description: PT OF THE NE 1/4 OF SEC 14 TP 78 R 17 W6M PEACE RIVER SHOWN ON PL A2035

Parcel Size

3.66 Hectares 9.05 Acres



This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Peace River Regional District should be contacted for information regarding other conditions such as easements, rights-of-way or covenants.

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Peace River Regional District

4-Jan-2018

PID: 009-111-328
Roll Number: 759-006173.001
Legal Description: NE 1/4 OF SEC 14 TP 78 R 17 W6M PEACE RIVER EXC PLS A2035 & 32054

Parcel Size

34.22 Hectares 84.55 Acres



This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Peace River Regional District should be contacted for information regarding other conditions such as easements, rights-of-way or covenants.

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Peace River Regional District

4-Jan-2018

PID: 014-643-740
Roll Number: 759-006174.001
Legal Description: NW 1/4 OF SEC 14 TP 78 R 17 W6M PEACE RIVER EXC PL A2035

Parcel Size

30.64 Hectares 75.72 Acres



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Peace River Regional District

4-Jan-2018

PID: 004-509-617

Roll Number: 759-006180.120

Legal Description: L 3 SEC 14 TP 78 R 17 W6M PEACE RIVER PL 30011

Parcel Size

8.82 Hectares

21.80 Acres



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Peace River Regional District

4-Jan-2018

PID: 009-111-239

Roll Number:

Legal Description: PT OF THE NE 1/4 OF SEC 14 TP 78 R 17 W6M PEACE RIVER SHOWN ON PL 32054

Parcel Size

0.09 Hectares

0.22 Acres



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Peace River Regional District

4-Jan-2018

PID: 009-111-328

Roll Number: 759-006173.001

Legal Description: NE 1/4 OF SEC 14 TP 78 R 17 W6M PEACE RIVER EXC PLS A2035 & 32054

Parcel Size

26.52 Hectares

65.54 Acres



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July 25, 2019



**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

September 19, 2018

ALC File: 57180

4 Sam Ventures Ltd.
DELIVERED ELECTRONICALLY

Attn: Murray Samuelson

Re: Application 57180 to Subdivide Land in the Agricultural Land Reserve

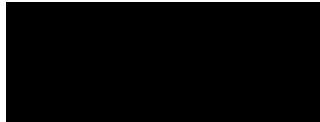
Please find attached the Reasons for Decision for the above noted application (Resolution #290/2018). As agent, it is your responsibility to notify the applicant accordingly.

Request for Reconsideration of a Decision

Under section 33(1) of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. The request must be received within one (1) year from the date of this decision's release. For more information, refer to *ALC Policy P-08: Request for Reconsideration* available on the Commission website.

Please direct further correspondence with respect to this application to ALC.North@gov.bc.ca.

Yours truly,



Mike Bandy, Land Use Planner

Enclosures: Reasons for Decision (Resolution #290/2018)
Schedule A: Decision Map

cc: Peace River Regional District (File No. 18-003), Attn: Kole Casey

July 25, 2019



AGRICULTURAL LAND COMMISSION FILE 57180

REASONS FOR DECISION OF THE CHIEF EXECUTIVE OFFICER

Subdivision Application Submitted Under s. 21(2) of the *Agricultural Land Commission Act*

Applicant: 4 Sam Ventures Ltd.

Agent: Murray Samuelson

Property: Parcel Identifier: 009-111-328

**Legal Description: The North East 1/4 of Section
14, Township 78, Range 17, West of the 6th
Meridian, Peace River District, Except Plans
A2035 and 32054**

Civic: Arras, BC

Area: 60.7 ha

Chief Executive Officer: Kim Grout

(the "CEO")



OVERVIEW

1. The Property is located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA). The Property is located within Zone 2 as defined in s. 4.2 of the ALCA.
2. Pursuant to s. 21(2) of the ALCA, the Applicant is applying to the Agricultural Land Commission (the "Commission") to subdivide the 60.7 ha Property into a 26.5 ha lot and a 34.2 ha lot, as divided by an existing rail right-of-way (ROW) (the "Proposal").
3. The Proposal is consistent with the South Peace Fringe Area Official Community Plan (the "OCP") adopted by the Peace River Regional District in 2012. The proposed 26.5 ha lot is designated as Residential Low Density in the OCP, and the proposed 34.2 ha lot is designated as Agricultural. The Commission endorsed the OCP on September 5, 2012 by ALC Resolution #21N/2012.
4. The Proposal along with related documentation from the Applicant, Agent, local government, and Commission is collectively referred to as the "Application". All documentation in the Application was disclosed to the Applicant in advance of this decision.
5. On October 19th, 2017 the Commission delegated decision-making to the CEO by Resolution #046N/2017. In accordance with section 27 of the ALCA the Commission specified that the following applications may be decided by the CEO:
 2. Exclusion, subdivision, and non-farm use applications that are consistent with a specific planning decision of the Commission made by resolution.

DECISION

1. After reviewing the Application, I am satisfied that the Proposal is consistent with Criterion #2 of Resolution #046N/2017 and approve the Proposal.



[7] The Proposal to subdivide the Property into a 26.5 ha lot and 34.2 ha lot is approved subject to the following conditions:

- a. the submission of a survey plan delineating the area to be subdivided;
- b. the survey plan to be in substantial compliance with Schedule A of this decision; and,
- c. the survey plan be submitted within three years from the date of release of this decision.

[8] When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the subdivision plan.

[9] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

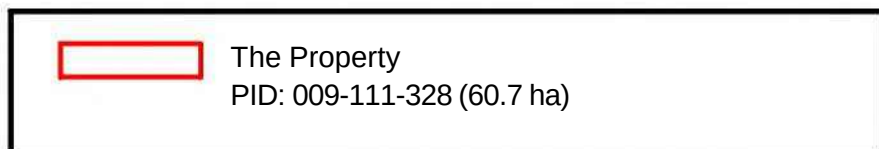
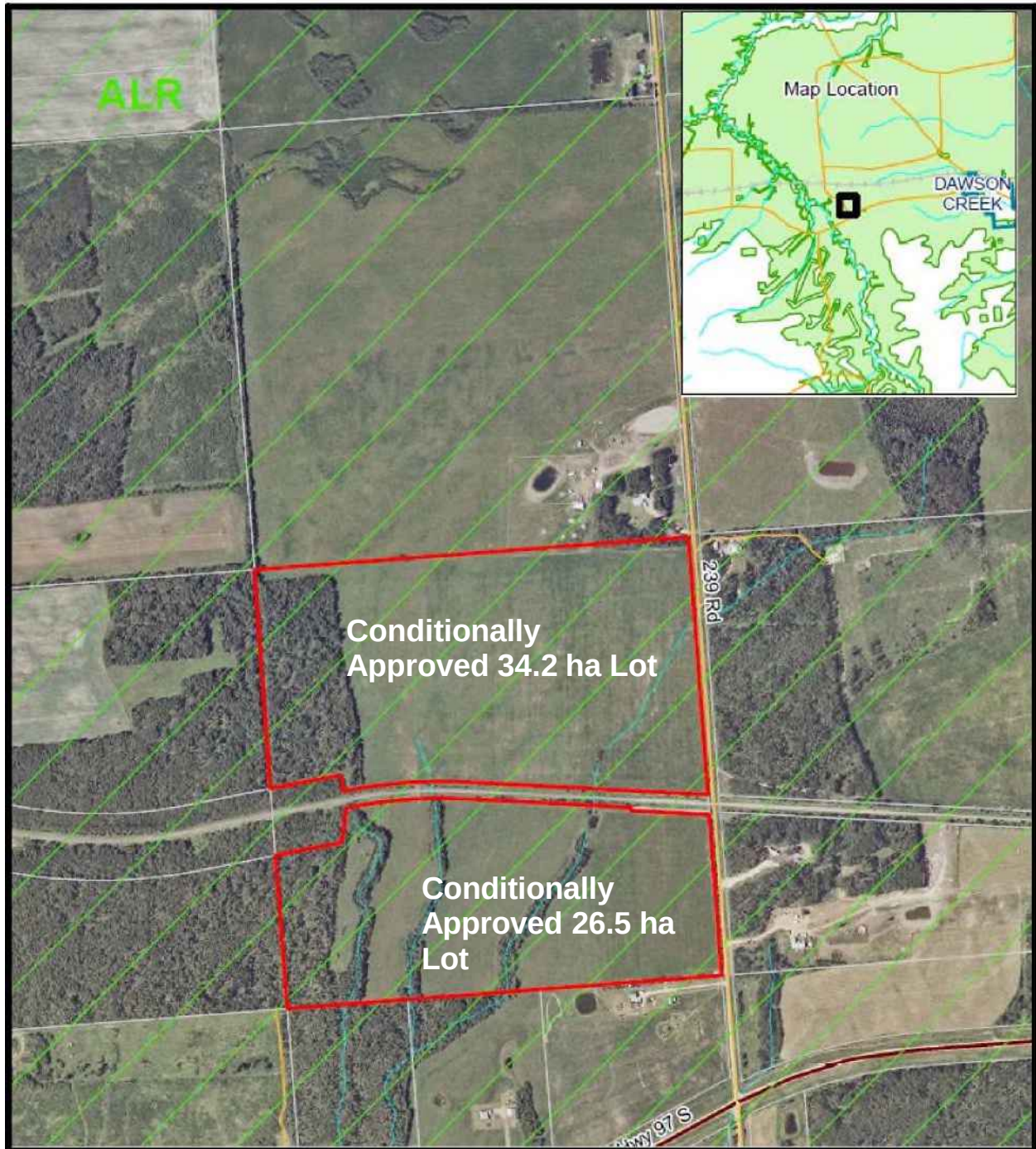
[10] A decision of the CEO is a decision of the Commission pursuant to s. 27(5) of the ALCA.

[11] Resolution #290/2018

Released on September 19, 2018



Kim Grout, Chief Executive Officer





PEACE RIVER REGIONAL DISTRICT
PUBLIC HEARING – MINUTES
Proposed Zoning Amendment Bylaw No. 2361, 2019
Tuesday, May 21, 2019 @ 7:00 pm
Devereaux Elementary School, 4584 208 Road, Arras BC

ATTENDANCE:

Peace River Regional District: Leonard Hiebert, Director of Electoral Area 'D' (Chair)
Kole Casey, South Peace Land Use Planner

Applicant/Owner: Murray Samuelson, 4 Sam Ventures Ltd.

Public: 4 members of the public

1. CALL TO ORDER

The Chair called the meeting to order at 7:00 pm.

2. STATEMENT OF PUBLIC HEARING

The Chair stated the procedural rules in place to govern the conduct of the public hearing.

3. INTRODUCTION TO PROPOSAL

Staff provided those in attendance with a summary of the proposed Zoning Amendment Bylaw No. 2361, 2019 for the property legally described as Northeast ¼ of Section 14 Township 78 Range 17 W6M Peace River except Plans A2035 & 32054

Staff summarized the proposal to rezone 26.5 ha (65.6 ac) portion of the subject property from 'A-2' (Large Agriculture Holdings Zone) to 'R-6' (Residential 6 Zone) and a 34.2 ha (84.6 ac) portion of the subject property from 'A-2' (Large Agriculture Holdings Zone) to 'A-1' (Small Agriculture Holdings Zone) as part of an ALC conditionally approved two (2) lot subdivision along a railway right-of-way [ALC Resolution #290/2018].

4. SUMMARY OF APPLICATION PROCEDURE

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

5. COMMENTS FROM AGENCIES AND MUNICIPALITIES RECEIVED

Staff read aloud and summarized the comments received agencies and municipalities as outlined in the agenda.

6. WRITTEN COMMENTS RECEIVED FROM PUBLIC

Staff stated that as of 4:00 pm on April 24, 2019 the Peace River Regional District had not received any written comments from the public.

Chair called out for written comments received for the public.

7. COMMENTS FROM APPLICANT(S)

The Chair asked the applicant Murray Samuelson of 4 Sam Ventures Ltd if he had any comments.

- The applicant had no comment

8. COMMENTS FROM PUBLIC

The Chair asked the members of the public in attendance if they had any comments related to the proposed bylaw. The following questions were asked by the attendees:

Tracy Danish- 10245 241 Road.

- Only concern is if it is rezoned to R-6, does that exclude it from being in the ALR?
- Discussion on the R-6 zone and the uses.
Discussion on the regulations and the ALC when it comes to residential use on the property, and its limitations.

9. FINAL COMMENTS FROM APPLICANT(S)

The Chair asked the applicant if they had any final comments. The applicants/agent stated no.

Chair commented that with the termination of the Public Hearing that no other information will be accepted unless the Regional Board requests for new information. The information gathered here will be accepted at the Board meeting that the minutes and report will be presented at.

10. TERMINATION OF PUBLIC HEARING

The Chair terminated the Public Hearing at 7:09 pm.



Kole Casey, Recorder



Director Leonard Hiebert, Chair

PEACE RIVER REGIONAL DISTRICT

Bylaw No. 2361, 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. 2361, 2019."
2. Schedule B – Map 6 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning:
 - a) a 26.53 ha. (65.55 acre) portion of the Northeast ¼, Section 14, Township 78, Range 17, W6M, PRD except Plans A2035 and 32054, from A-2 "Large Agriculture Holdings Zone" to R-6 "Residential 6 Zone"; as shown on Schedule A which is attached to and forms part of this bylaw; and
 - b) a 34.22 ha (84.55 acre) portion of the Northeast 1/4, Section 14, Township 78, Range 17, W6M, PRD except Plans A2035 and 32054, from A-2 "Large Agriculture Holdings Zone" to A-1 "Small Agriculture Holdings Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	28 th	day of	March	, 2019.
READ A SECOND TIME THIS	28 th	day of	March	, 2019.
Public Notification mailed on the	6 th	day of	May	, 2019.
Public Notification published on the	9 th and 16 th	day of	May	, 2019.
Public Hearing held on the	21 st	day of	May	, 2019.
Ministry of Transportation approval received this	15	day of	July	, 2019. <i>Handwritten signature</i>
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. 2361, 2019,
as adopted by the Peace River Regional District
Board on _____, 20____.

Corporate Officer

July 25, 2019



Peace River Regional District
Bylaw No. 2361, 2019
SCHEDULE "A"



Map No. 6 - Schedule B of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning a) a 26.53 ha (65.55 acres) portion of the Northeast 1/4, Section 14, Township 78, Range 17, W6M, PRD, except plans A2035 and 32054, **from** A-2 "Large Agriculture Holdings Zone" **to** R-6 "Residential 6 Zone" as shown shaded on the drawing below: and
b) a 34.22 ha (84.55 acres) portion of the Northeast 1/4, Section 14, Township 78, Range 17, W6M, PRD, except plans A2035 and 32054, **from** A-2 "Large Agriculture Holdings Zone" **to** A-1 "Small Agriculture Holdings Zone" as shown shaded on the drawing below:

