



REPORT

To: Chair and Directors

Report Number: DS-BRD-157

From: Kathy Suggitt, General Manager of Development Services

Date: May 27, 2021

Subject: OCP and Zoning Amendment Bylaws No. 2425 and 2426, 2021; PRRD File No. 20-011

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board give Official Community Plan Amendment Bylaw No. 2425, 2021, to amend the designation of the Crown Land parcels identified as PIN 7966360 (Parcel 1), 7966100 (Parcel 2), and 7966070 (Parcel 3) from 'HI' (Heavy Industrial) to 'Ag-Rural' (Agriculture-Rural) and the Private Land Parcel identified as PID 025-150-766 (Parcel 4) from 'Ag-Rural' (Agriculture-Rural) to 'HI' (Heavy Industrial), first and second reading; further,

That the Regional Board give Zoning Amendment Bylaw No. 2426, 2021, to amend the zoning of the Crown Land parcels identified as PIN 7966360 (Parcel 1), 7966100 (Parcel 2), and 7966070 (Parcel 3) from 'M-2' (General Industrial) to 'A-2' (Large Agricultural Holdings) and the Private Land Parcel identified as PID 025-150-766 (Parcel 4) from 'A-2' (Large Agricultural Holdings) to 'M-2' (General Industrial), first and second reading; further,

That a public hearing, delegated to the Electoral Area E Director, be held pursuant to the *Local Government Act* Section 464(1) and public notification be authorized pursuant to the *Local Government Act* Section 466.

BACKGROUND/RATIONALE:

Proposal

Due to an administrative mapping error on a previously approved Official Community Plan (OCP) amendment and Zoning Bylaw amendment file PRRD File No. 10-002, PRRD staff is seeking to correct the error by re-designating and rezoning three Crown Land Parcels back to the original OCP designation and zone category, and to re-designate and rezone the Private Land Parcel that was unintentionally left out of the previous amendment, through a mapping error.

The OCP Amendment proposal is to return the three parcels of Crown Land having lot areas of 14.02 ha (Parcel 1), 18.63 ha (Parcel 2), and 18.42 ha (Parcel 3), back to their former 'Ag-Rural' (Agriculture-Rural) designation (from 'HI' (Heavy Industrial) and to designate a Private Land Parcel having a lot area of ± 87.50 ha (Parcel 4), from 'Ag-Rural' (Agriculture-Rural) to 'HI' (Heavy Industrial), pursuant to PRRD Rural Official Community Plan Bylaw No. 1940, 2011.

The zoning amendment bylaw is proposed to return the three Crown Land Parcels (Parcel 1, Parcel 2 and Parcel 3) to their former zoning category, 'A-2' (Large Agricultural Holdings) from 'M-2' (General Industrial) and to change the zoning of the Private Land Parcel (Parcel 4) from 'A-2' (Large Agricultural Holdings) to 'M-2' (General Industrial) as was originally intended. These changes will appear in *Chetwynd Rural Area Zoning Bylaw No. 506, 1986*.

File Details**Crown Land Parcels:**

Owner: Crownland
Area: Electoral Area E
Location: Pine Valley
Legal: District Lot 384, Peace River District (Parcel 1), District Lot 382, Peace River District (Parcel 2), and District Lot 381, Peace River District (Parcel 3)
PIN: 7966360 (Parcel 1), 7966100 (Parcel 2), and 7966070 (Parcel 3)
Lot Size: 14.02 ha (Parcel 1), 18.63 ha (Parcel 2), and 18.42 ha (Parcel 3)

Private Land Parcel:

Owner: Loisselle Investments Ltd.
Area: Electoral Area E
Location: Pine Valley
Legal: A portion of Block B District Lot 383 Peace River District
PID: 025-150-766 (Parcel 4)
Lot Size: 87.50 ha (Parcel 4)

Site Context

The parcels of land that are the subject to the re-designation and rezoning are located on the eastern side of the community of Willow Flats, ±46 km east of the District of Chetwynd and adjacent to Highway 97S. The Crown Land Parcels are surrounded by industrial land on the south and agricultural lands on the other three sides, whereas the Private Land Parcel is surrounded by industrial land on the north and west side and agricultural on the south and east side.

Site FeaturesLand

The Pine River crosses through the three Crown Land parcels. There is a creek passing through the eastern portion of the Private Land parcel.

Structures

There are no structures such as residences, industrial buildings or shops on any of the parcels of land.

Access

Access to the parcels of land is via Highway 97S.

Comments & ObservationsApplicant

PRRD initiated this file to correct an administrative error discovered in 2020 on a previous PRRD rezone, File 10-002. The bylaw will return the designation and zoning of the three Crown Land Parcels back to their original designation of Ag Rural, and zoning of A-2 (Large Agricultural) as it was never intended to identify Crown Land for heavy industrial use adjacent to a watercourse. The bylaws will change the land use designation on the remaining parcel of the Private Land to Heavy Industrial and change the zoning to M-2 (General Industrial), as was requested by the applicant in 2010, which matches the other

portions of the private land, and adjacent private land parcels that were amended in the approved application in 2010. The past reports are added as attachments.

Agricultural Land Reserve (ALR)

A very small portion of District Lot 381 (Parcel 3) of the Crown Land parcels is partially within the Agricultural Land Reserve, and therefore the provisions of the *Agricultural Land Commission Act* apply.

Official Community Plan (OCP)

Pursuant to PRRD Rural Official Community Plan Bylaw No. 1940, 2011, the Crown Land Parcels (Parcel 1, Parcel 2 and Parcel 3) are designated 'HI' (Heavy Industrial). However, this designation was changed due to an administrative error in PRRD File No. 10-002, which was intended for the private land parcels adjacent to the southern boundary of these parcels. PRRD does not have any authority to re-designate Crown Land parcels without the authorization from the Province. PRRD staff received confirmation from the Ministry of Forests, Lands, Natural Resource Operations, and Rural Development that authorizes the current designation 'HI' (Heavy Industrial) to be returned to the original designation of 'Ag-Rural' (Agriculture-Rural).

Pursuant to PRRD Rural Official Community Plan Bylaw No. 1940, 2011, the Private Land Parcel (Parcel 4) is designated 'Ag-Rural' (Agriculture-Rural). Through an OCP Amendment in PRRD File No. 10-002, this parcel was intended to be re-designated to 'HI' (Heavy Industrial), however, due to a mapping error the re-designation did not properly get approved. The original intent of the application from the land owner in 2010 was to re-designate this parcel (Parcel 4) as well as the parcels adjacent to the north of Parcel 4, which were properly re-designated from 'Ag-Rural' (Agriculture-Rural) to 'HI' (Heavy Industrial) by Bylaw No. 1875, 2010 adopted on June 10, 2010. Therefore, an OCP amendment is required for all of the four parcels (i.e. the three Crown Land Parcels and the one Private Land Parcel).

Land Use Zoning

Pursuant to Chetwynd Rural Area Zoning Bylaw No. 506, 1986, the Crown Land Parcels (Parcel 1, Parcel 2 and Parcel 3) are zoned 'M-2' (General Industrial). However, they were re-zoned due to the mapping error that happened in OCP and Zoning application PRRD File No. 10-002, which was intended for the private land parcels adjacent to the southern boundary of the Crown Lands (Parcel 1, Parcel 2 and Parcel 3). PRRD does not have any authority to rezone Crown Land parcels without the authorization from the Province. Provincial authorization has been obtained to proceed with this rezoning proposal. In order to correct the error that occurred, the Crown Land Parcels that are currently zoned 'M-2' (General Industrial) are proposed to be rezoned back to the original zone of 'A-2' (Large Agricultural Holdings).

Pursuant to Chetwynd Rural Area Zoning Bylaw No. 506, 1986, the Private Land Parcel (Parcel 4) is zoned 'A-2' (Large Agricultural Holdings). This parcel was intended to be re-zoned to 'M-2' (General Industrial Zone) but due to the mapping error on OCP and Zoning application File No. 10-002, it did not get properly approved. The original re-zoning file was for this parcel (Parcel 4) as well as the parcels adjacent to the north of Parcel 4, which did get re-zoned from 'A-2' (Large Agricultural Holdings) to 'M-2' (General Industrial).

Therefore, a Zoning Bylaw Amendment is required for all of the four Parcels (i.e. the three Crown Land Parcels and the one Private Land Parcel).

Fire Protection Area

The lands are outside of all fire protection areas.

Mandatory Building Permit Area

The lands are outside of the Mandatory Building Permit Area.

Development Cost Charge Area

The lands are outside of the Development Cost Charge Area.

Impact AnalysisContext

The proposed designations and zoning are consistent with the surrounding context as the land parcels are located adjacent to a highway and comprised of agricultural and industrial uses in the surrounding area.

Population & Traffic

No new population is anticipated through the re-designation and rezoning of the land parcels. If the private land owner initiates any industrial use on their parcel in the future, traffic will increase according to the use.

Sewage & Water

N/A

Comments Received from Municipalities & Provincial AgenciesMinistry of Transportation and Infrastructure

The proposal does not fall within Section 52 of the *Transportation Act* and will not require formal Ministry approval and signature. MoTI is in support of the proposal and has no objections.

City of Dawson Creek

Interests Unaffected.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse to give first and second reading to Official Community Plan Amendment Bylaw No. 2425, 2021, to amend the designation of the Crown Land Parcels identified as PIN 7966360 (Parcel 1), 7966100 (Parcel 2), and 7966070 (Parcel 3) from 'HI' (Heavy Industrial) to 'Ag-Rural' (Agriculture-Rural) and the Private Land Parcel identified as PID 025-150-766 (Parcel 4) from 'Ag-Rural' (Agriculture-Rural) to 'HI' (Heavy Industrial); further,

That the Regional Board respectfully refuse to give first and second reading to Zoning Amendment Bylaw No. 2426, 2021, to amend the zoning of the Crown Land Parcels identified as PIN 7966360 (Parcel 1), 7966100 (Parcel 2), and 7966070 (Parcel 3) from 'M-2' (General Industrial) to 'A-2' (Large Agricultural Holdings) and the Private Land Parcel identified as PID 025-150-766 (Parcel 4) from 'A-2' (Large Agricultural Holdings) to 'M-2' (General Industrial).

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 and public notice as required by the *Local Government Act* will be provided.

OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Maps
2. Comments from Municipalities & Provincial Agencies
3. Comments from Electoral Area Director
4. Section 7 and Section 11 of PRRD Rural OCP Bylaw No. 1940, 2011
5. Section 6.11 and Section 6.61 of PRRD Chetwynd Rural Area Zoning Bylaw No. 506, 1986
6. Draft Official Community Plan Amendment Bylaw No. 2425, 2021
7. Draft Zoning Amendment Bylaw No. 2426, 2021
8. Crownland Authorization
9. Private Land Authorization
10. Previous First and Second Reading Report
11. Previous Third Reading Report
12. Previous Final Reading Report