



PEACE RIVER REGIONAL DISTRICT  
DEVELOPMENT SERVICES  
**OCP & ZONING AMENDMENT REPORT**  
**BYLAW No. 2264 & 2265, 2018**  
**1<sup>st</sup> and 2<sup>nd</sup> Reading**

**B-3a**

**OWNER:** Melvin & Ethelann Stewart **DATE:** July 6, 2018  
**AREA:** Electoral Area C **FILE NO:** 16-110  
**LEGAL:** Lot 2, part of the NW ¼ of Sec 24, Twp 83, Rge 18, W6M, PRD, Plan PGP47112  
**LOT SIZE:** 2.19 ha (5.4 acres)  
**LOCATION:** Mile 40 of the Alaska Highway, across from intersection with 255 Rd/Baldonnel Rd

**Proposal:**

To amend the OCP from MDR (Medium Density Residential) to LSI (Light/Service Industrial) and to amend the zoning from R-4 (Residential 4 Zone) to I-1 (Light Industrial Zone) to allow for the use of the subject property for modular home sales and potentially commercial pre-fab buildings.

**Recommendation:**

THAT the Regional Board refuse the application as submitted as it is incompatible with surrounding residential uses and contrary to the NPFA OCP.

**ALTERNATIVE OPTIONS:**

- OPTION 1:**
1. THAT 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 the Development Services report dated July 6, 2018; and that OCP Amendment Bylaw No. 2264, 2018 be read a first and second time;
  2. THAT Zoning Amendment Bylaw 2265, 2018 be read a first and second time; and,
  3. THAT a Public Hearing for Bylaws 2264 and 2265, 2018 be held pursuant to the *Local Government Act*; and that the holding of the Public Hearing be delegated to the Director of Electoral Area C.
- OPTION 2:** THAT consideration of OCP Amendment Bylaw No. 2264, 2018 and Zoning Amendment Bylaw 2265, 2018 be deferred until such a time as the NPFA OCP is complete.

**SITE CONTEXT**

The subject property is located south of the City of Fort St. John, along the Alaska Highway. The subject property is located within a Medium Density Residential subdivision at Mile 40 of the Alaska Highway.

**SITE FEATURES**

**LAND:** The property is generally flat, partially treed and partially cleared.  
**STRUCTURES:** There are no structures on the subject property.  
**ACCESS:** Alcan Street

**CLISOIL RATING:** The subject property has a soil rating of 3<sup>6</sup>T<sup>2</sup>4<sup>c</sup>. Class 3 soils have moderately severe limitations that restrict the range of crops or require special conservation practices. Class 2 soils have moderate limitations in use for crops. Subclass T denotes topographic limitations. Subclass c denotes a significant adverse climate for crop production.

**FIRE:** Within Taylor Rural Fire Protection area.

#### CONSULTATION DURING OCP DEVELOPMENT, IGA s. 475

For the purposes of s. 475 of the *Local Government Act*, the following table summarizes recommended consultation:

	Description	Affected	Consultation		
			Type	Timing	Frequency
<b>Persons</b>	Local residents	N	N/A		
<b>Organizations</b>	None identified	N	N/A		
<b>Authorities</b>	Municipalities	Y	Referral	Before 1 <sup>st</sup> Reading	1
	First Nations	N			
	School District #60	N			
	Northern Health	Y	Referral	Before 1 <sup>st</sup> Reading	1
	MoTI	Y	Referral	Before 1 <sup>st</sup> Reading	1
	Min. of Env.	N			
	Min. of Ag.	N			
	Min. of FLNRO	N			
	Min. of Energy	N			
	OGC	N			
	ALC	N			
Federal government	N				

#### COMMENTS AND OBSERVATIONS

**APPLICANT:** It is the intent of the applicant to amend the OCP designation and zoning of the subject property in order to permit the property to be used for the sale of modular homes and prefabricated buildings.

**ALR:** The subject property is not within the ALR.

**OCP:** The subject property is currently designated as MDR (Medium Density Residential) within PRRD NPFA OCP Bylaw No. 1870, 2009. The proposed use does not fit within the MDR designation, therefore an OCP amendment is required.

Section 4 Residential Areas - Objective 4.2.6 Spot zoning is not supported by this Plan, therefore, Industrial or commercial scale business will not be allowed in the residential designations and should be directed to appropriate designated areas.

The proposal is to change the designation to HC (Highway Commercial).

#### Section 8 Industrial Areas

One of the objectives of Section 8.2 of the OCP is to recognize that industrial development often impacts or generates conflict with surrounding land uses such as residential. The Plan encourages initiatives taken by industry to mitigate conflict with adjoining land.

Policy 3 states that industrial developments will first be directed to areas having community

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sewer services.

Policy 5 requires the mitigation of potential conflicts between residential and light/service industrial uses by infilling existing industrial areas and by considering measures to mitigate noise, traffic, visual and emission conflicts.

**The proposed designation change to ISI would not be compatible with the adjacent residential land uses.**

**ZONING:** The subject property is zoned R-4 (Residential 4 Zone) pursuant to PRRD Zoning Bylaw No. 1343, 2001, wherein the minimum parcel size is 1.8 ha (4.5 acres). The R-4 zone does not permit the proposed use, therefore a zoning amendment is required.

The proposal is to change the zoning to I-1 (Light Industrial Zone). It is felt that this zoning is not compatible with the surrounding residential areas.

**IMPACT ANALYSIS**

**CONTEXT:** This proposal represents a significant land use change for the neighbourhood and surrounding area. The subject property is located within a Medium Density Rural Residential subdivision, including a mobile home park to the south with a small local commercial site.

The I-1 (Light Industrial Zone) permits a number of uses which would be incompatible with the residential character of the surrounding neighbourhood and would be intrusive to a rural residential lifestyle. However, the Ministry of Transportation and Infrastructure (MoTI) will be requiring the applicant to register a restrictive covenant on title restricting the permitted uses to only modular home sales and commercial pre-fab buildings. MoTI would be the signatory of that covenant.

**POPULATION & TRAFFIC** The proposal would significantly increase traffic to the subdivision, and would introduce heavy trucking traffic to the access roads and neighbouring rural residential properties. The Ministry of Transportation and Infrastructure has provided comments regarding access which can be found below.

**SEWAGE:** The subject property is not currently developed, and would require a sewage system approved by Northern Health.

**COMMENTS RECEIVED FROM MUNICIPALITIES AND PROVINCIAL AGENCIES**

**DISTRICT OF CHETWYND:** *No response received.*

**CITY OF DAWSON CREEK:** Interests unaffected.

**CITY OF FORT ST. JOHN:** The City of Fort St. John notes the following:

- The amendment is inconsistent with the PRRD NPFA OCP Bylaw No. 1870, 2009 which currently designates the applicant's lands as Medium Density Residential.
- The area is surrounded by residential and agricultural lands, which may be adversely affected by an industrial re-zone.
- Does the PRRD NPFA OCP review that is currently underway, include information that informs the future growth of this area?
- Are there other available lands appropriate for this proposal?

*Note: the NPFA OCP review does not currently identify any additional growth in this area.*

**DISTRICT OF HUDSON'S HOPE:** *No response received.*

**VILLAGE OF POUCE COUPE:** *No response received.*

**DISTRICT OF TAYLOR:** Within the Taylor Rural Fire Protection area. Please ensure that any buildings and other development comply with the BC Building Code and BC Fire Code. Please ensure a site visit with Taylor Fire Chief for fire planning purposes.

*Note: A site visit was conducted with the Taylor Fire Chief. They expressed no concerns at that time.*

**DISTRICT OF TUMBLER RIDGE:** *No response received.*

**MoTI:** Complete response attached. In summary:

- MoTI approval required
- The Ministry will not support direct access to the Alaska Highway from the subject property – covenant required.
- Land use must be limited to modular home sales and potential commercial pre-fab buildings – covenant required.
  - Alternatively, applicant must complete a Traffic Impact Study (TIS) to address access issues
- Paved apron and throat required from the commercial access to the Alcan Frontage Road to reduce the tracking of mud and debris to the Alcan Frontage Road and Alaska Highway from the subject property.
- Additional permitting and approval may be required for any construction and/or road upgrades within the Ministry Right of Way and road allowances.

**NHA:** Interests unaffected regarding Northern Health Environmental Public Health Laws.

#### COMMENTS RECEIVED FROM THE PUBLIC

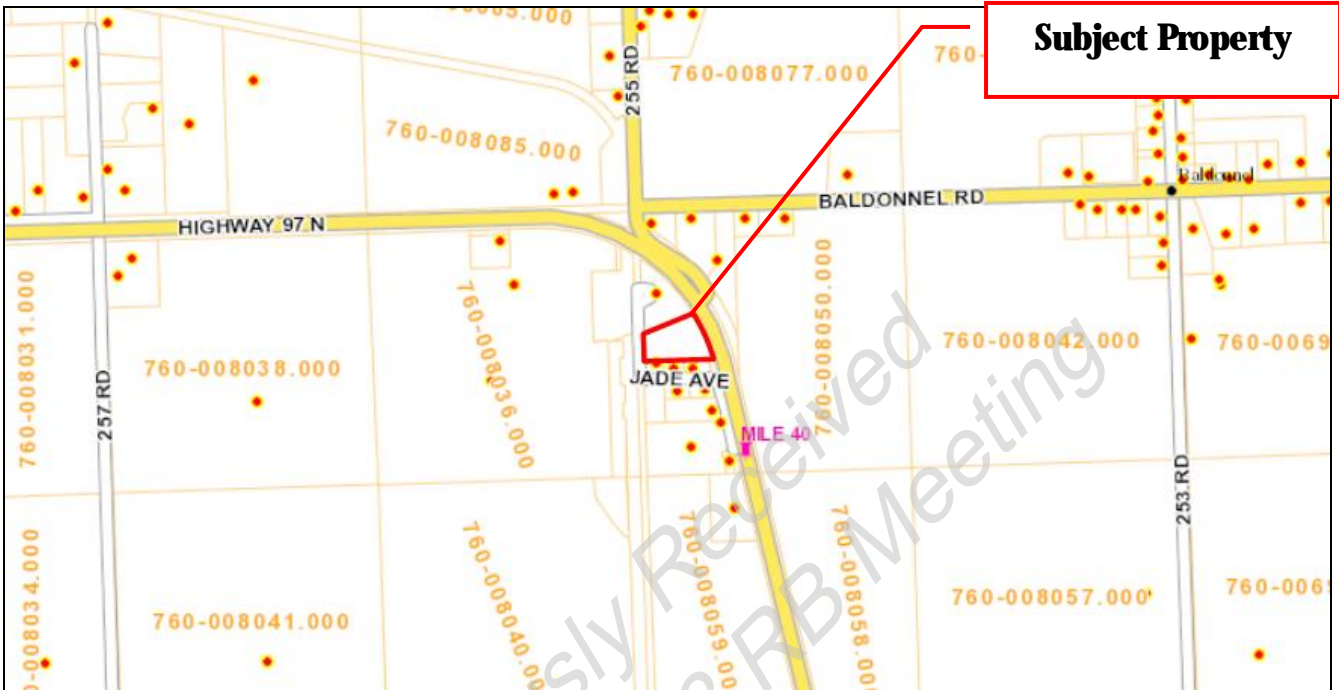
To date, the PRRD has received three letters and emails from the public regarding this application. They are attached to this report, and the comments have been summarized as follows:

- Visual appearance of the property affecting both residents and highway travellers.
- Concern regarding the different uses permitted on an industrial parcel which are not compatible with the residential area and will adversely affect surrounding residents.
- The NPFA OCP does not support spot zoning like this application, and the OCP does not support introducing commercial uses into residential neighbourhoods.
- The proposed zoning does not fit with the neighbourhood, particularly considering all of the uses that are permitted in the industrial zone.
- Loss of privacy in the neighbourhood.
- Increased industrial traffic in a residential area.
- Decreased property values for neighbouring residential properties.



**OCP & ZONING AMENDMENT REPORT  
MAPS  
FILE NO. 16-110**

**Location**



**Aerial Photo**

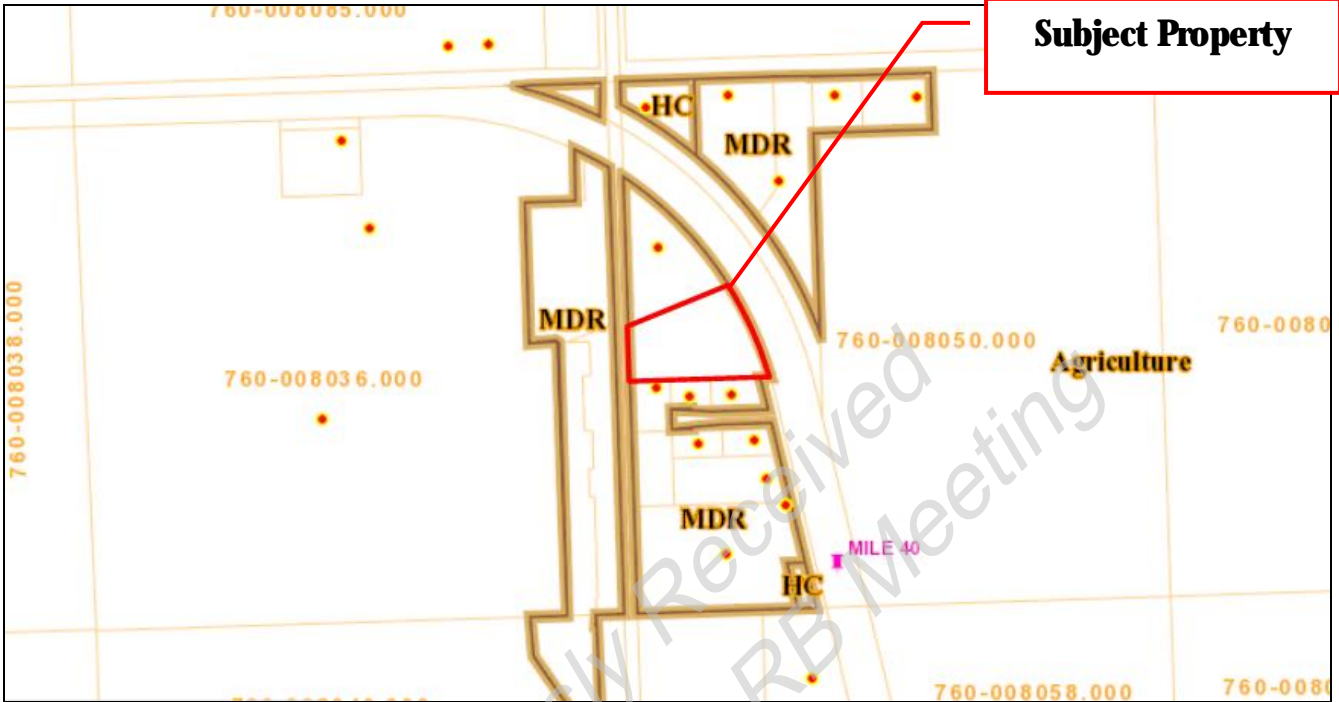




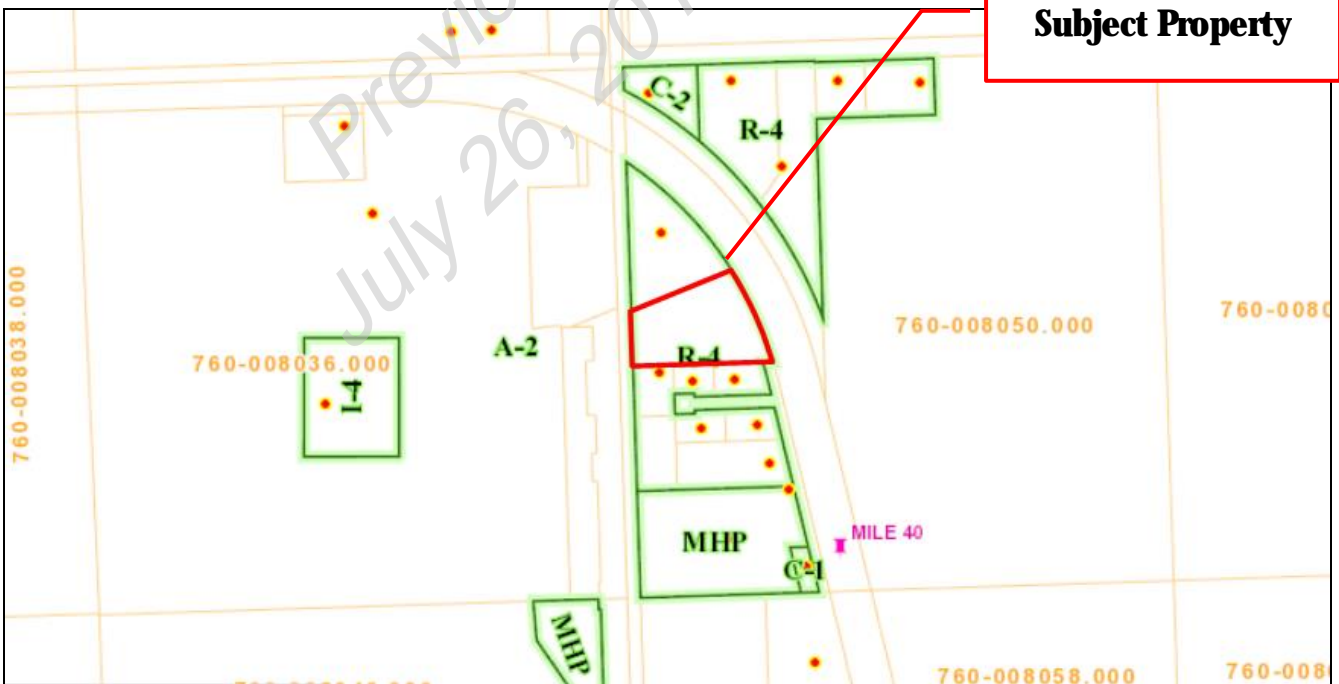
OCP & ZONING AMENDMENT REPORT  
MAPS  
FILE NO. 16-110

File No. 16-110  
**B-3a**

**North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009**



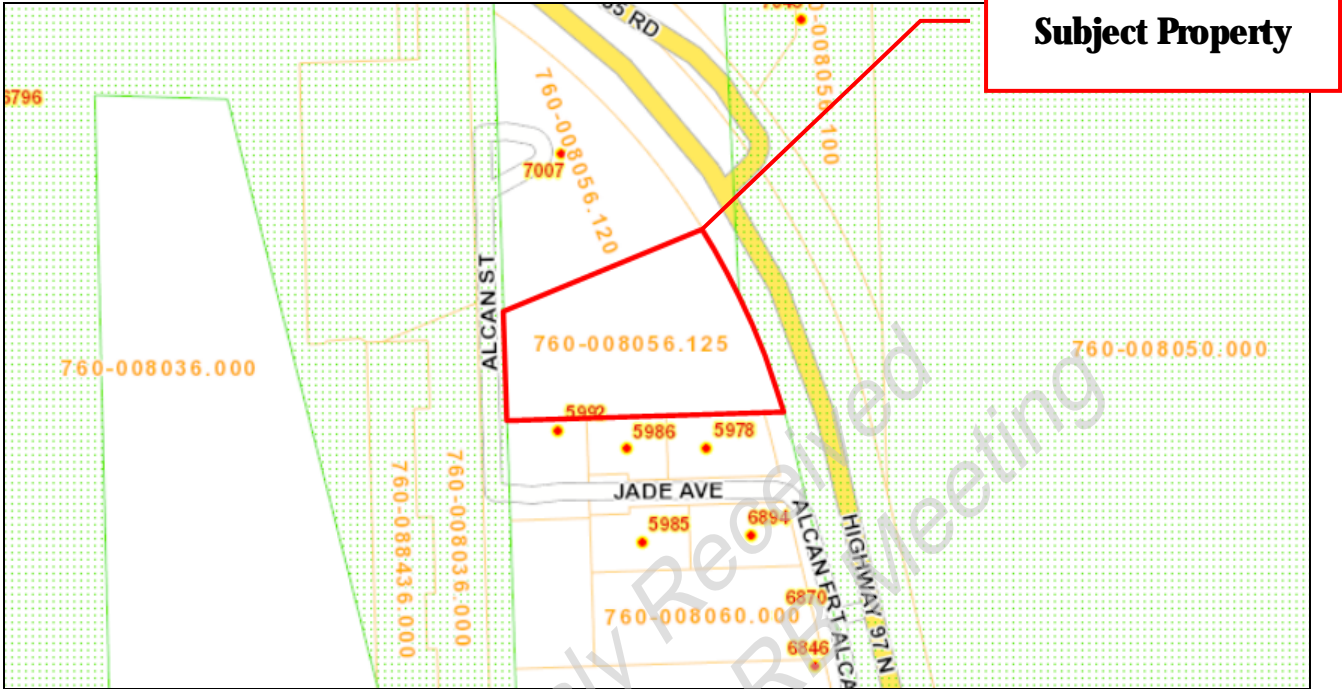
**Peace River Regional District Zoning Bylaw No. 1343, 2001**





OCF & ZONING AMENDMENT REPORT  
MAPS  
FILE NO. 16-110

**Agricultural Land Reserve**



**Soil Classification**



Please note that this application has been changed:  
 The application is requesting an OCP and Zoning amendment  
 from Residential to Light Industrial. (October, 2017)

Bylaw No. 2165, 2016  
 Schedule A – Application for Development

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**PRRD** PEACE RIVER REGIONAL DISTRICT

110/2016

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

Receipt # 6334

**Application for Development**

**1. TYPE OF APPLICATION**

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

In regard to applications for:

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

\$ 1,200.00

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

**2. PLEASE PRINT**

Property Owner's Name <i>MELVIN (DAN) STEWART ETHELANN STEWART</i>	Authorized Agent of Owner (if applicable)
Address of Owner [REDACTED]	Address of Agent
City/Town/Village [REDACTED]	City/Town/Village
Postal Code [REDACTED]	Postal Code
Telephone Number: [REDACTED]	Telephone Number:
Fax Number: [REDACTED]	Fax Number:
E-mail: [REDACTED]	E-mail:

**3. PROPERTY DESCRIPTION**

Full legal description of each property under application	Area of each lot
<i>LOT 2, PLAN DGP 47112, SECTION 24 TOWNSHIP 83</i>	ha./acres
<i>RANGE 12, MERIDIAN W6, PEACE RIVER LAND</i>	ha./acres
<i>DISTRICT, PREY FOLD 008056-100 RD 025 153-110</i>	ha./acres
<b>TOTAL AREA</b>	<b>5*</b> ha./acres

**Notice of collection of personal information:**

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.



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

**5. PARTICULARS OF PROPOSED AMENDMENT**

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

Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: MDR

Proposed OCP designation: h c

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

Zoning Bylaw amendment:

Existing zone: R4

Proposed zone: C2

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:

ACROSS LAND HIGHWAYS APPROVED THE  
CLASS OF A ROAD AND ROAD T AB.  
LETTER ATTACHED

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

- (a) North RESIDENCE - ONE
- (b) East ALASKA HIGHWAY
- (c) South RESIDENCE - THREE
- (d) West RAILROAD GRADE  
ABOVE AIRLINE LINE OF STRIP

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

ERECT IN COM - 0 42 m S  
A-1 FLL CO - RUI L P 5 - ERE -  
✓ CE R LIBRARY 1 THE MODERATE  
PRER NOW

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

C - L42.S 6 L 8 -  
UL END F - ON L' S USE SS'S  
E END GS 1 - DS US A N

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

LAGOON NORTHWARD HEALTH APPROVAL APRIL 2013

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

CISTERN NORTHWARD HEALTH APPROVAL APRIL 2013

**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.

[Redacted Signature]

Signature of Owner

*May 26 / 16*

Date signed

[Redacted Signature]

Signature of Owner

*May 26 / 16*

Date signed

16. **AGENT'S AUTHORIZATION**

If you have an agent act on your behalf in submission of this application, the following authorization **MUST** be signed by **ALL** property owners.

I / We authorize	and	hereby
(name) application.		to act on my/our behalf regarding this
Agent address:		
Telephone:	Fax:	Email:
Signature of Owner:		Date:
Signature of Owner:		Date:

Previously Received  
July 26, 2018 RB Meeting

For Reference - excerpt from "Development Application Procedures and Fees Bylaw No. 2165, 2016."

### 8. Public Notice Sign Requirements

- (a) On those parcel(s) that are subject to an amendment to:
  - (i) an ~~official~~ community plan and / or zoning bylaw; or
  - (ii) temporary use permit;
 the applicant shall post a development application sign on the subject property, which shall be provided by the Peace River Regional District.
- (b) The sign shall be a minimum of 1.2 metres x 1.2 metres (4 feet x 4 feet) in dimension;
- (c) The sign shall be constructed of recyclable material;
- (d) The sign shall have a white background with black block lettering that is not less than 6 centimeters in height;
- (e) The sign shall contain the following wording:  
*"This site is subject to an application to change land use or density. For further information please contact the Peace River Regional District at 1-800-670-7773";*
- (f) The sign must be placed at the driveway entrance or midpoint of the property fronting the main service road, providing the most effective legibility and visibility for passersby from the road;
- (g) The sign shall be erected on the property at a minimum of fourteen (14) days prior to the Regional Board considering the application, and the applicant must submit to the Regional District a photograph clearly showing the sign posted on the property;
- (h) The sign shall be placed in a manner that does not interfere with pedestrian or vehicle traffic flow, or create a potential hazard by obstructing visibility from a highway, road or lane;
- (i) The sign shall be installed in a safe, sturdy manner, capable of withstanding typical wind and other weather conditions;
- (j) The sign shall remain in place continuously until the conclusion of the Public Hearing or issuing of the permit, as the case may be, and shall be removed within fourteen (14) days after the decision(s) of the Regional Board on the said application. Applicants are encouraged to dispose of the signs by recycling them.
- (k) Failure to post and keep the sign in accordance with this bylaw may result in a delay or postponement of the Public Hearing and / or Board decision process;
- (l) Any additional notification costs incurred by the Regional District as a result of the applicant failing to post the required sign shall be payable by the applicant prior to advertising of the Public Hearing or delivering public notification.
- (m) Where a sign required by this bylaw is removed, destroyed or altered due to vandalism or the actions of unknown persons, the validity of any bylaw that is the subject of the relevant application and Public Hearing shall not be impacted;
- (n) If a land owner receives any written comments regarding the land use application, those comments must be delivered to the Peace River Regional District office as soon as they are received so that this information may be considered with the subject application.
- (o) A non-refundable fee in the amount of \$150.00 shall be levied for the sign.

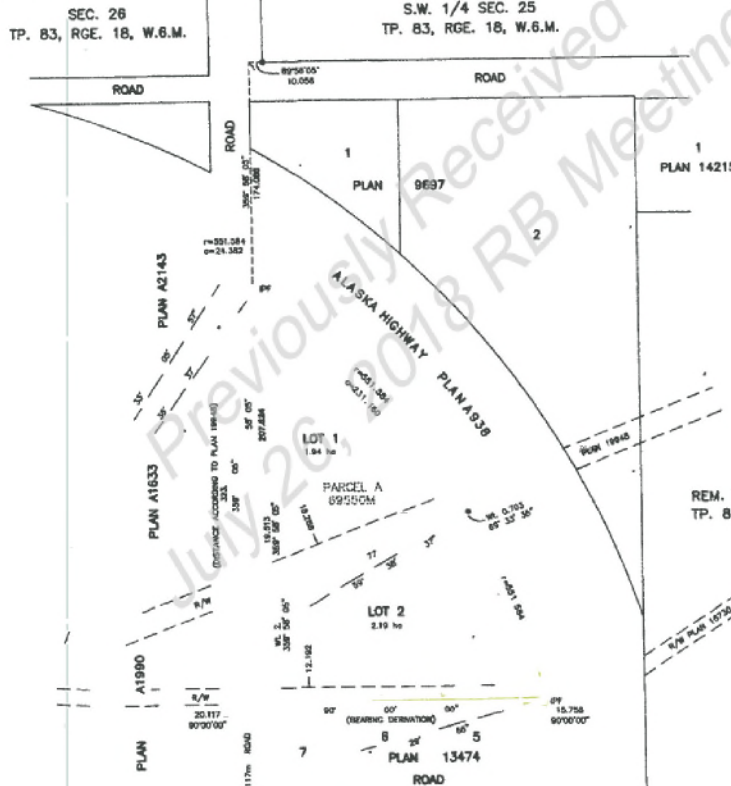
July 26, 2018

**B-3a**

SUBDIVISION PLAN OF  
 PARCEL A (69550M) OF THE N.W. 1/4,  
 SEC. 24, TP. 83, RGE. 18, .6.M.  
 PEACE RIVER DISTRICT  
 (B.C.G.S. 94A.027)  
 SCALE = 1 : 2,000



---THIS PLAN LIES WITHIN THE PEACE RIVER REGIONAL DISTRICT---



PLAN PGP 47112 (AS31830)

DEPOSITED IN THE LAND TITLE OFFICE AT PRINCE GEORGE, B.C. THIS 20 DAY OF SEPT. 2013.

LINDA KILGABIE  
 REGISTERED  
 P.L.O.

OWNERS:  
Jakub  
 DOREN BEAN MINISTRY  
Barclay  
 RUCOLS-DA MINISTRY  
Barclay  
 OFFICE AT 6000 SKWATWAY  
 DENNIS TRILL  
 NAME  
 FORM SUBMITTED  
 POSITION  
 6000 Skwatway Ave  
 ADDRESS  
 FORT ST. JOHN, B.C.  
 V1T 5A7

REGISTERED OWNER OF CHARGE: THE BANK OF NEW SCOTIA  
Bonnie S. Miller  
 AUTHORIZED SIGNATORY  
Bonnie S. Miller  
 NAME  
Branch Manager  
 POSITION

WITNESS:  
Thomas Numbury  
 NAME  
Tom Numbury, Registrar  
 POSITION  
 6000 Skwatway Ave  
 ADDRESS  
 FORT ST. JOHN, B.C. V1T 5A7

APPROVED UNDER THE LAND TITLE ACT THIS 12<sup>th</sup> DAY OF September, 2001.

M. Leifer Brown  
 APPROVAL OFFICER  
 MINISTRY OF TRANSPORTATION AND HIGHWAYS

**LEGEND**

FOUND PLACED  
 \* STANDARD HIGH POST  
 \* INDICATES POST SET BY E.E. MITCHELL B.C.L.S., AUGUST 28, 1991.

**NOTES**  
 ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED. BEARINGS ARE ASTROGNOMIC, AND ARE DERIVED FROM PLAN 13474.

**DECLARATION**  
 I, DENNIS TRILL, A BRITISH COLUMBIA LAND SURVEYOR OF THE CITY OF FORT ST. JOHN, IN BRITISH COLUMBIA, CERTIFY THAT I HAVE PREPARED AND PERSONALLY SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN, AND THAT THE SURVEY AND PLAN ARE CORRECT. THE SURVEY WAS COMPLETED ON THE 27<sup>th</sup> DAY OF August, 2001.

Dennis Trill  
 DENNIS TRILL B.C.L.S.

July 26, 2018