

COMMENTS RECEIVED FROM AGENCIES AND MUNICIPALITIES

PRRD Bylaw Enforcement

Interest unaffected.

CN Rail

Thank you for consulting CN on the application mentioned in subject. CN has concerns of developing/densifying residential uses abutting railway right-of-way. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area. Please refer to CN's guidelines for the development of sensitive uses in proximity to railways. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities.

CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

1. Safety setback of principal buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 meters above grade at the property line, with side slopes not steeper than 2.5 to 1.
2. The Owner shall install and maintain a chain link fence of minimum 1.83 meter height along the mutual property line.
3. The implementation of the following mitigation measures in the design and construction of dwellings located within 300m from CN right of way:
 - Forced air ventilation systems with central air conditioning,
 - The exterior wall siding of buildings closest to the railway line to be brick or a masonry equivalent for the exposed facades,
 - Acoustically upgraded windows meeting the minimum requirements of the Building Code and providing a maximum 35 dBA indoor limit for bedrooms and 40 dBA for living rooms,
 - Locating noise sensitive rooms away from the railway side,
 - Noise barrier fence providing a maximum 55 dBA limit for outdoor living areas,
 - Lining the outside of the foundation walls with a resilient layer,
 - Isolating the upper floors from the foundation wall and any internal column supports using rubber pads designed to deflect 5 to 20mm under load.
4. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility

that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

CN anticipates the opportunity to review a detailed site plan and proposed N&V measures taking into consideration CN development guidelines.

Agricultural Land Commission

See the attached ALC resolution.

Ministry of Transportation and Infrastructure

The Ministry of Transportation and Infrastructure is currently reviewing the proposed road design as proposed through the related subdivision application (MOTI File 2022-00803). With this in mind, the Ministry has no objections to the proposal as submitted.

Northern Health

Unfortunately we do not have the capacity to review/respond to requests of this nature at this time. Please be aware that a lack of response does not conclude that interests of Northern Health are not affected but instead that we were unable to review to determine potential for impact.

Pacific Northern Gas Ltd

PNG has no concerns that need to be addressed with this application.

Fort St. John Fire Department

Interest unaffected

Fort St. John – City Engineering

As long as the actual construction of the road as the specified radius it will be sufficient.

Ministry of Agriculture and Food

See attached letter.



July 28, 2022

Local Government File: 22-003 ZN

Marc Villarosa, Planner 2
Peace River Regional District (PRRD)
VIA EMAIL: planning@prrd.bc.ca

Re: Zoning Bylaw Amendment application – Rose Prairie Road (PID 012-906-405)

Dear Marc Villarosa:

Thank you for providing the Ministry of Agriculture and Food (Ministry) with the opportunity to comment on the proposed rezoning of the subject property located within the Agricultural Land Reserve (ALR) to allow its subdivision into three parcels. Ministry staff can offer the following comments:

- Ministry staff note that the Ministry's July 7, 2021 letter responding to the Regional District's referral request for comment regarding the subject property and associated ALC application #63300, addresses the proposed subdivision. A copy is attached for your convenience.
- Ministry staff further note that notwithstanding the ALC's approval of the proposed subdivision (Resolution # 25/2021) with no objection to the proposed rezoning, the Regional District may wish to further consider this July 7, 2021 letter and associated concerns.

If you have any questions or concerns about our comments, please do not hesitate to contact staff.

Sincerely,

Gregory Bartle
Land Use Planner
Ministry of Agriculture and Food
Phone: (778) 974-3836
Email: Gregory.Bartle@gov.bc.ca

Attached: AF July 7, 2021 letter re: ALC Subdivision application - Rose Prairie Road (PID 012-906-450)



July 7, 2021

Local Government File: 21-006 ALR Sub
ALC ID: 63300

ATTN: Anmol Anand
Junior Planner
Peace River Regional District (PRRD)
VIA EMAIL: planning@prrd.bc.ca

Re: ALC Subdivision application - Rose Prairie Road (PID 012-906-450)

Dear Anmol Anand:

Thank you for providing the Ministry of Agriculture, Food and Fisheries (Ministry) with the opportunity to comment on the proposed Agricultural Land Commission (ALC) application to subdivide a 6.79 hectare parcel into three residential lots for the purpose of meeting consumer demand for rural residential property in the Agricultural Land Reserve (ALR). Ministry staff offer the following comments:

- The proposed project is located on prime agricultural land with an agricultural capability rating of Class 2, which are lands with very high potential for agricultural activities. The dominant soil texture is silty clay with moderately well drained soils. This proposal provides no apparent benefit to agricultural production on the ALR.
 - The proposed residential lots are located immediately south of actively farmed annual crop land. The proposed residential subdivision does not include any buffering considerations. Should this subdivision be approved, to reduce potential conflicts resulting from normal agricultural activities (such as dust, odour, and noise), the PRRD may wish to require a 15 meter vegetative buffer and 30 meter building setbacks from property lines, as described in the Ministry's [Guide to Edge Planning](#).
 - Ministry staff recognize that the proposal for the residential subdivision is close to similar small lot acreages which are wedged between the rail tracks to the west and road to the east. However, subdivision for residential use of Class 2 agricultural land may set precedence for further development and price speculation on adjacent ALR land.
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- The subdivision of the agricultural parcels can also lead to a reduction of farm production in the long run, particularly when the land is sold in the future. Provincial data shows that smaller parcels are less likely to be farmed, as smaller size reduces the options for farm type.
- The stated reason for why there is currently no agricultural activity taking place on this parcel is because of topography. Ministry staff are available to discuss viable agricultural opportunities with landowners considering pursuing farming activities on ALR land that may have possible limitations due to this reason.

For your information, the Ministry is proposing new rules to provide more flexibility to help farming families thrive and to benefit non-farmers living in the ALR. The new rules will also help small-scale farmers by streamlining approval for a small-farm labourer residence or agri-tourism accommodation. For more information on this topic, please see the Ministry fact sheet on residential flexibility located [here](#).

If you have any questions or concerns about our comments, please do not hesitate to contact us.

Sincerely,

Gregory Bartle
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