



REPORT

To: Chair and Directors

Report Number: DS-BRD-281

From: Ashley Murphey, RPP, MCIP, Planning Services Manager

Date: February 23, 2023

Subject: OCP Amendment Bylaw No. 2511, 2023, 1st and 2nd Reading

RECOMMENDATION: [Corporate Unweighted – Pouce Coupe Excluded]

That the Regional Board give OCP Amendment Bylaw No. 2511, 2023, to amend Section 5 Agriculture of the North Peace Fringe Area Official Community Plan to include a new policy to exempt approved Agricultural Land Reserve Non-Farm Uses from requiring an amendment to the OCP, 1st and 2nd Readings; and further

That a public hearing be held pursuant to Section 464 of the *Local Government Act*, delegated to the Chair of the Regional Board, and that public notification be authorized pursuant to Section 466 of the *Local Government Act*.

BACKGROUND/RATIONALE:

Proposal

To amend North Peace Fringe Area Official Community Plan (NPFA OCP) Bylaw No. 2460, 2021 to include a new policy under Section 5 Agriculture, which will exempt Non-Farm Uses approved by the Agricultural Land Commission (ALC) from having to amend the OCP.

The new policy proposed is:

“Non-Farm Uses which have been authorized by the Agricultural Land Commission shall be considered a permitted use within the Agriculture designation for the duration of the Non-Farm Use approval, subject to the terms and conditions set out in the approval, and shall not require an amendment to the OCP.”

Background

The PRRD receives numerous Agricultural Land Reserve (ALR) Non-Farm Use (NFU) applications each year. Non-Farm Uses are uses that are not considered to be agricultural in nature and are not expressly permitted under the *Agricultural Land Commission Act* or the associated Regulations. The ALC must endorse all OCPs or amendments to agricultural lands within the ALR; therefore, the Agricultural designation does not permit any uses that would be required to apply to the ALC for a NFU approval.

Currently if a NFU application is approved by the ALC, the applicant must then apply to amend the OCP and Zoning Bylaws in order to bring the use into compliance with the PRRD’s bylaws. In doing so, the property is then effectively removed from the Agriculture Designation forever. This is not the intent of the ALC’s Non-Farm Use approvals, nor is it the intent of the OCP, causing these applications to not receive staff support.

Rationale

By adding the proposed new policy to the OCP, the Board will ensure that agricultural lands remain designated as Agricultural while allowing the approved NFU to occur in compliance with the PRRD's bylaws. It will also make the process more efficient for these types of applications and reduce the applicant's associated costs to obtain all required approvals.

Given that the Board has the authority to refuse NFU applications and prevent them from going to the ALC, staff do not anticipate that this policy will remove any of the Board's decision-making powers. Most of the NFU's that receive ALC approval will still have to go through the zoning amendment process. This zoning amendment process will however be simplified to a text amendment, as the Agricultural zone will remain in place in order to ensure consistency with the OCP.

Comments Received from Municipalities & Provincial AgenciesAgricultural Land Commission

The amendment would allow specific non-farm uses that the ALC has approved without permanently redesignating the land for a non-agricultural use. The amendment is consistent with the *ALC Act*.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse to give OCP Amendment Bylaw No. 2511, 2023, to amend Section 5 Agriculture of the North Peace Fringe Area Official Community Plan to include a new policy to exempt approved Agricultural Land Reserve Non-Farm Uses from requiring an amendment to the OCP, 1st and 2nd Readings.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- Organizational Effectiveness
- Comprehensive Policy Review

FINANCIAL CONSIDERATION(S):

None at this time.

COMMUNICATIONS CONSIDERATION(S):

Staff will prepare for the statutory Public Hearing following the Regional Board's decision as necessary.

OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Official Community Plan Amendment Bylaw No. 2511, 2023

**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2511, 2023**

A bylaw to amend "North Peace Fringe Area Official Community
Plan Bylaw No. 2460, 2021"

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt "North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021";

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. 2511, 2023."
2. "North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021" is hereby amended by adding the following policy to Section 5.1 Agriculture (AG) "Agriculture Land Use Designation Policies" in numerical order:

"15. Non-Farm Uses which have been authorized by the Agricultural Land Commission shall be considered a permitted use within the Agriculture designation for the duration of the Non-Farm Use approval, subject to the terms and conditions set out in the approval, and shall not require an amendment to the Official Community Plan."

READ A FIRST TIME THIS _____ day of _____, 2023.
READ A SECOND TIME THIS _____ day of _____, 2023.
Public Notice published on the _____ day of _____, 2023.
Public Hearing held on the _____ day of _____, 2023.
READ A THIRD TIME THIS _____ day of _____, 2023.
ADOPTED THIS _____ day of _____, 2023.

Leonard Hiebert, Chair

(Corporate Seal has been affixed to the original
bylaw)

Tyra Henderson,
Corporate Officer

I hereby certify this to be a true and correct copy of Bylaw
No. 2511, 2023", as adopted by the Peace River Regional
District Board on _____, 2023.

Tyra Henderson, Corporate Officer