



PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
OCP & ZONING AMENDMENT REPORT
BYLAW No. 2259 & 2260 (SHAMAN), 2016
1st and 2nd Reading

B-3 a)

OWNER: Brandi Shaman **DATE:** November 14, 2016
AGENT: David Gosling & Andrew Moody of WSP
AREA: Electoral Area C
LEGAL: Lot B SEC 35 TP 83 R 19 W6M Peace River Plan 17032
LOT SIZE: 24.09 ha (59.52 acres)
LOCATION: GRAND HAVEN

PROPOSAL

To redesignate 16.3 ha (40.2 acres) of the subject property from LSI to MDR and the remaining 8.6 ha (21.2 acres) of the subject property from HDR to MDR within the OCP to facilitate a rezoning of the entire property from A-2 (Large Agricultural Holdings Zone) to R-1 (Residential 1 Zone) with the intent of subdividing the property into 11 ~1.8ha lots.

RECOMMENDATION: OPTION 2

1. THAT the Regional Board defer OCP & Zoning Amendment Bylaws No. 2259 & 2260 (Shaman), 2016 until such time as the North Peace Fringe Area OCP is complete

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 November 3, 2106.
 2. THAT the Regional Board read Peace River Regional District OCP Amendment Bylaw No. 2259, (Shaman), 2016 for a First and Second time.
 3. THAT the Regional Board read Peace River Regional District Zoning Amendment Bylaw No. 2260, (Shaman), 2016 for a First and Second time.
 4. THAT a public hearing be held pursuant to the *Local Government Act*; and
 5. That the holding of the public hearing be delegated to Director of Electoral Area 'C'.
- OPTION 2:
1. THAT the Regional Board defer OCP & Zoning Amendment Bylaws No. 2259 & 2260 (Shaman), 2016 until such time as the North Peace Fringe Area OCP is complete.
- OPTION 3:
1. THAT the Regional Board refuse OCP & Zoning Amendment Bylaw No. 2259 & 2260 (Shaman), 2016.

Department Head

CAO

SITE CONTEXT

The subject property is located south of the City of Fort St. John along the 269 Road. The subject property is surrounded by ALR lands except for parcels at the north-west corner and parcels to the south-west. According to the applicant, surrounding property is rural residential (north), agriculture (east), and rural residential (south and west). Surrounding land uses as designated by the NPFA OCP consist of HDR (High Density Rural Residential) to the north and west, MDR (Medium Density Rural Residential) to the south-west, AGR(Res-LSI) – Agriculture (Reserve – Light/Service Industrial) to the south-east and LSI (Light/Service Industrial) to the east. There is currently a home and shop located on the subject property. The proposed access for the subdivision would be along the east side of the subject property from Pacific Avenue.

SITE FEATURES

- LAND:** From site visit the property is mostly treed with some clearings. There is a dugout located in the south-east corner (within proposed Lot 5) of the subject property which, according to the tentants, was dug to assist with drainage as that corner of the property was previously swamp. The north side of the property slopes up towards the residences along Pacific Avenue.
- STRUCTURES:** From site vist there is single detached home, one detached shop, a horse ring with covered shelter and a shed located on the subject property. The existing home is serviced by a lagoon located along the northern portion of proposed Lot 1, near the shop.
- ACCESS:** Pacific Avenue.
- CLI SOIL RATING:** The subject property has a soil rating of 2c. Class 2 denotes soils which have minor limitations and only slightly restrict the range of crops. Subclass of c denotes thermal limitations to agricultural capability.
- FIRE:** The subject property is within the Charlie Lake Fire Protection Area.

CONSULTATION DURING OCP DEVELOPMENT, LGA 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
Persons	Local residents	N	NA		
Organizations	None identified	N	NA		
Authorities	Participant Municipalities	Y	Referral	Before 1 st reading	1
	First Nations	N			1
	School District #60	Y	Referral	Before 1 st reading	1
	Northern Health Authority	Y	Referral		1
	Min. of Transportation	Y	Referral	Before 1 st reading	1
	Min. of Environment	N			
	Min. of Agriculture	N			
	Min. of Forests & Lands	N			
	Min. of Energy	N			1
	OGC	Y		Before 1 st reading	1
	ALC	N			1
	Federal government	N			

COMMENTS AND OBSERVATIONS

APPLICANT: The applicant is intending to redesignate 16.3 ha (40.2 acres) of the subject property from LSI to MDR and the remaining 8.6 ha (21.2 acres) of the subject property from HDR to MDR within the OCP to facilitate a rezoning of the entire property from A-2 (Large Agricultural Holdings Zone) to R-1 (Residential 1 Zone) with the intent of subdividing the property into 11 ~1.8 ha lots. The lots are proposed to be accessed via a newly created road along an existing right-of-way along the eastern parcel line of the property connecting to Pacific Avenue to the north. The remainder will be a 2.6 ha (6.5 acres) lot accessed via the 269 Road.

ALR: The entire subject property has been excluded by resolution #40/2016 for the purpose of subdividing a 2ha homesite for the existing residence and shop, see attached ALC resolution.

OCP: Pursuant to the PRRD NPFA Official Community Plan Bylaw No. 1870, 2009, 16.3 ha (40.2 acres) of the subject property is designated LSI (Light Service/Industrial) for which the minimum parcel size will not be less than 8 ha (20 acres). The remaining 8.6 ha (21.2 acres) is designated HDR (High Density Rural Residential), for which the minimum lot size will not be less than 8 ha (20 acres) for lands not connected to a community sewage system. Therefore, this application is not consistent with the OCP and this OCP amendment is required.

Pursuant to NPFA OCP Bylaw No. 1870, 2009, 4.3.1 Policy 6:

“Within the Medium Density Rural Residential designation and parcels not on a lakeshore the minimum parcel size will not be less than:

b) 1.6 ha (4 acres) for lands not connected to a community sewage system..."

This proposal indicates that the parcels will be a minimum of 1.8 ha (4.5 acres) as per the plans submitted by the applicant, and that there will not be a community sewer installed but lagoons on each individual property, therefore this proposal would be supported by the MDR designation.

ZONING: Pursuant to PRRD Zoning Bylaw No. 1343, 2001, the subject property is zoned A-2 (large Agricultural Holdings Zone), wherein minimum parcel size is 63.0 ha (155 acres). Therefore, this application is not consistent with zoning and this zoning amendment is required.

IMPACT ANALYSIS

AGRICULTURE: The entire parcel has been excluded from the ALR by resolution #40/2016 and is not currently used for agricultural production, therefore will have minimal impact on agriculture within the area.

CONTEXT: The subject property is surrounded by lands designated within the OCP as LSI (Light Service Industrial) to the east and south and HDR (High Density Rural Residential) to the north and west. It is adjacent to existing rural residential subdivisions to the north and south. This area is in a state of transition due to the mixture of residential and light industrial land uses.

POPULATION & TRAFFIC: The proposal may increase the local population by 28 persons (Stats Canada, 2011) and about 20 vehicles.

WATER & SEWER: According to the applicant, the existing parcel has its own lagoon that is currently in use and water is hauled. Subdivided parcels are large enough for lagoons. Lot 5 may have siting issues due to the existing dugout located on that proposed lot. The applicant has indicated that water will be supplied in the form of cisterns located on each parcel.

COMMENTS RECEIVED FROM MUNICIPALITIES AND PROVINCIAL AGENCIES

CITY OF DAWSON CREEK: Interests unaffected.

DISTRICT OF HUDSON'S HOPE: No response received.

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: The subject property does not fall within Section 52 of the Transportation Act and therefore will not require Ministry formal bylaw approval. The Ministry is in support of the proposal, and does not have any additional comments or concerns.

DISTRICT OF TAYLOR: Interests unaffected.

CITY OF FORT ST. JOHN: See attached response letter dated October 20, 2016.

BC OGC: There are active oil and gas activities within 1km of the subject property, however none are in direct conflict. The nearest activity (wellsite) is approximately 500m from the subject property boundary.

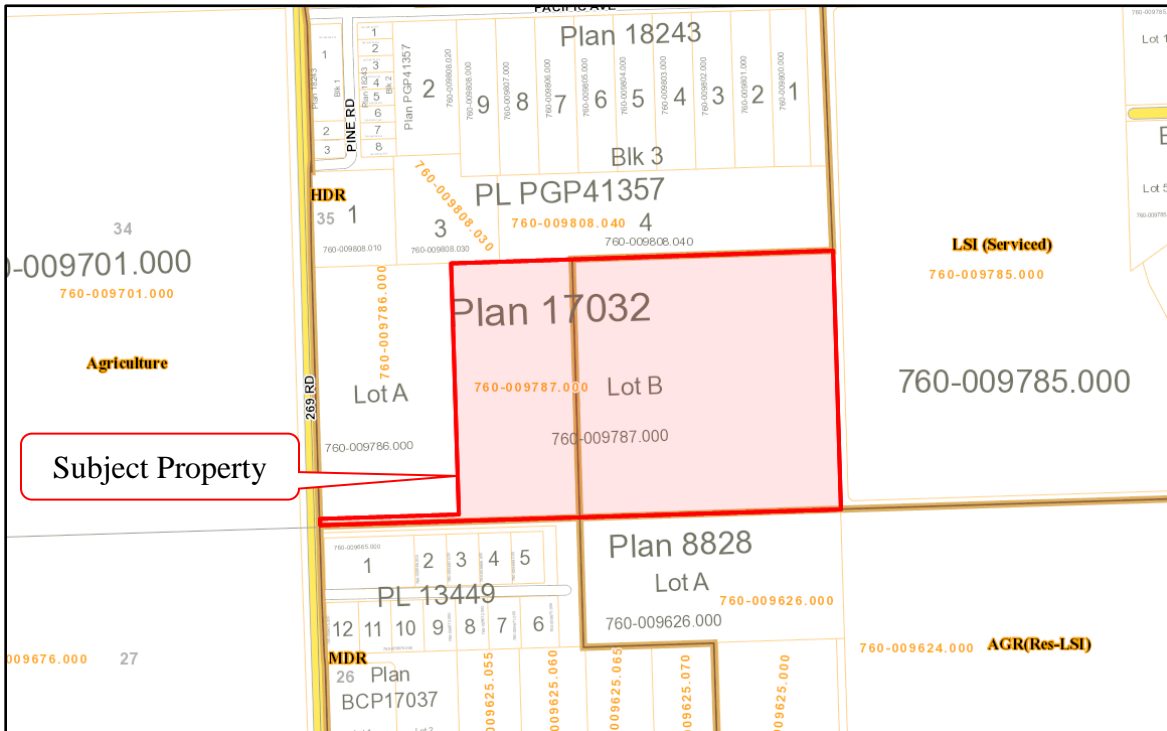
NORTHERN HEALTH

- The sewage system(s) or sewage holding tanks to be constructed and installed on subdivided property must comply with BC Sewage System Regulation, be consistent with current BC standard practices, and adhere to Northern Health Subdivision Guidelines and holding tank Guidelines.
- The proposed construction or maintenance of a sewerage system or sewage holding tank that, if constructed or maintained in accordance with the plans and specifications filed to Northern Health must not cause a health hazard.
- A sustainable method of sewage disposal should be chosen to prevent health hazards from occurring in the future.
- Water supply systems for somestic purposes serving more than one single family dwelling must comply with the BC Drinking Water Protection Act and Regulation and other applicable legislation.

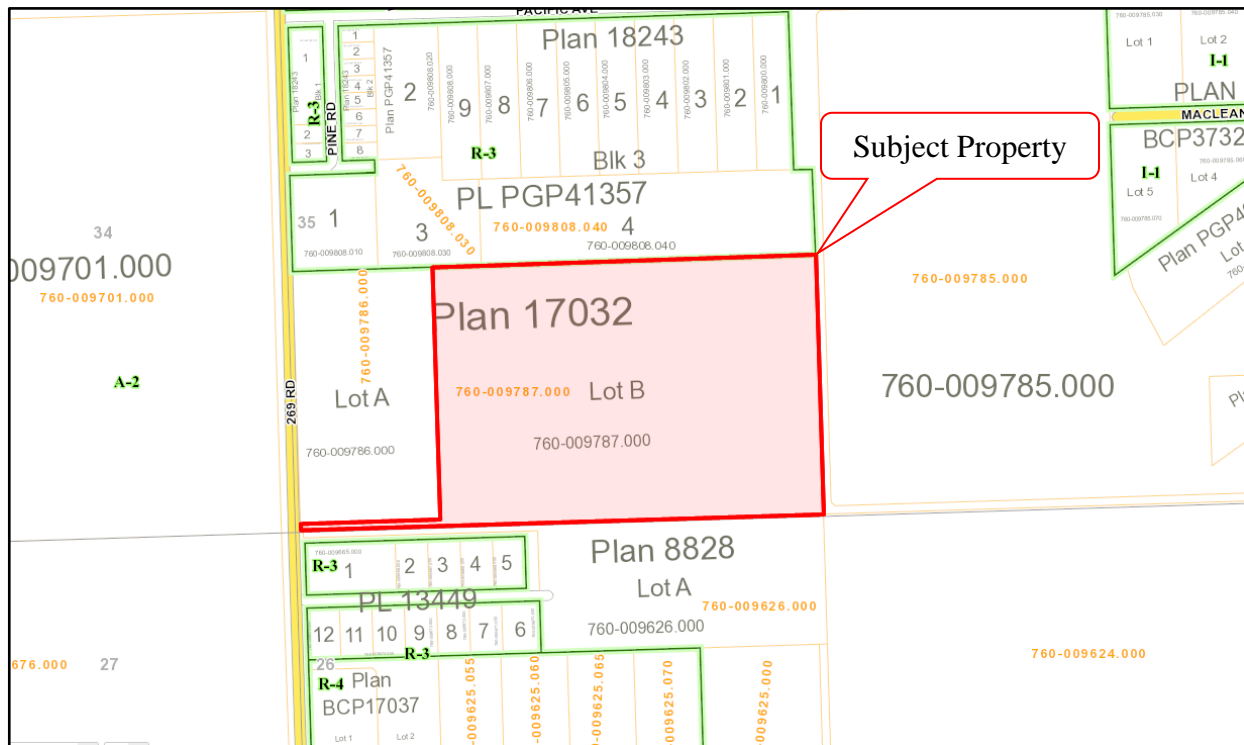


**ZONING AMENDMENT
MAPS
FILE No. 140/2016**

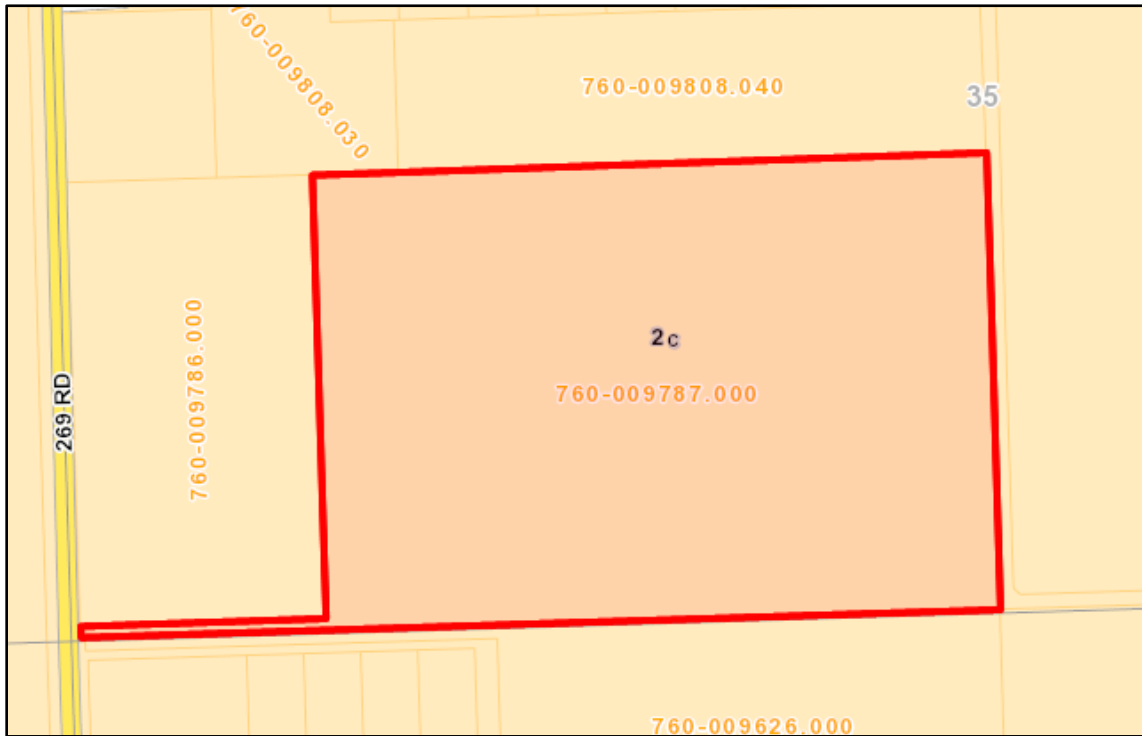
PRRD NPFA OCP Bylaw No. 1870, 2009 (Map 5)



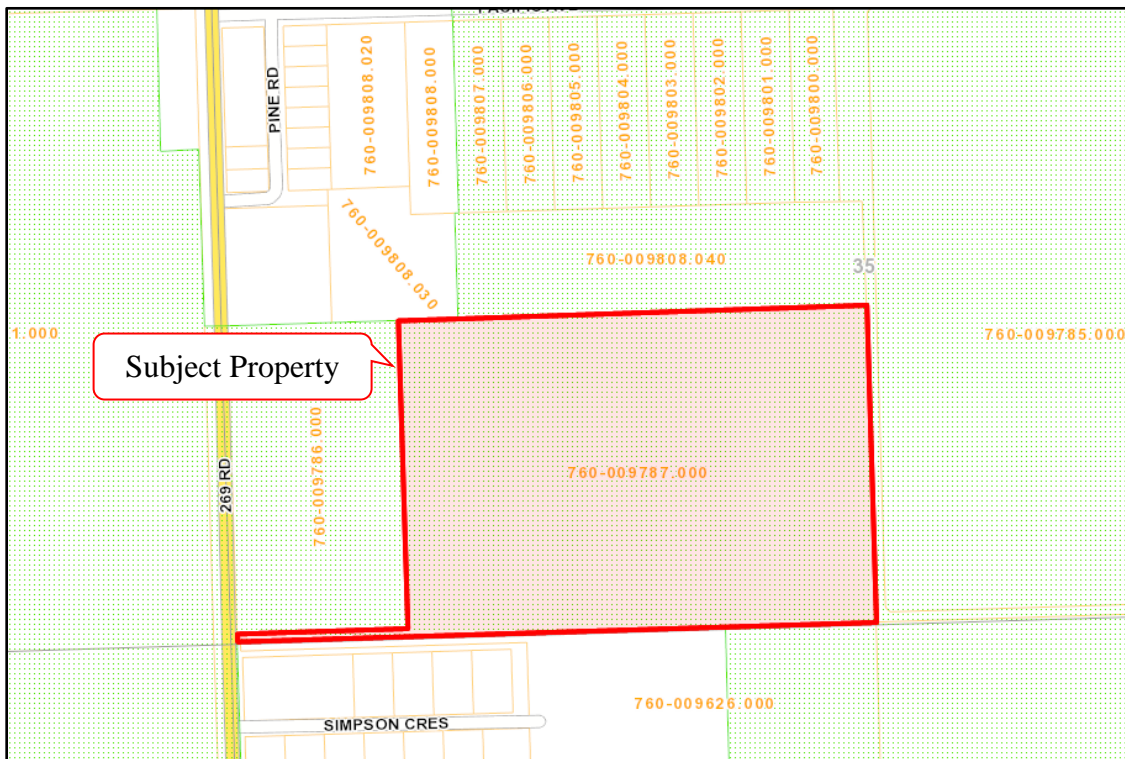
Zoning ByLaw 1343, 2001 (Map 10)



ZONING AMENDMENT
MAPS
FILE NO. 140/2016



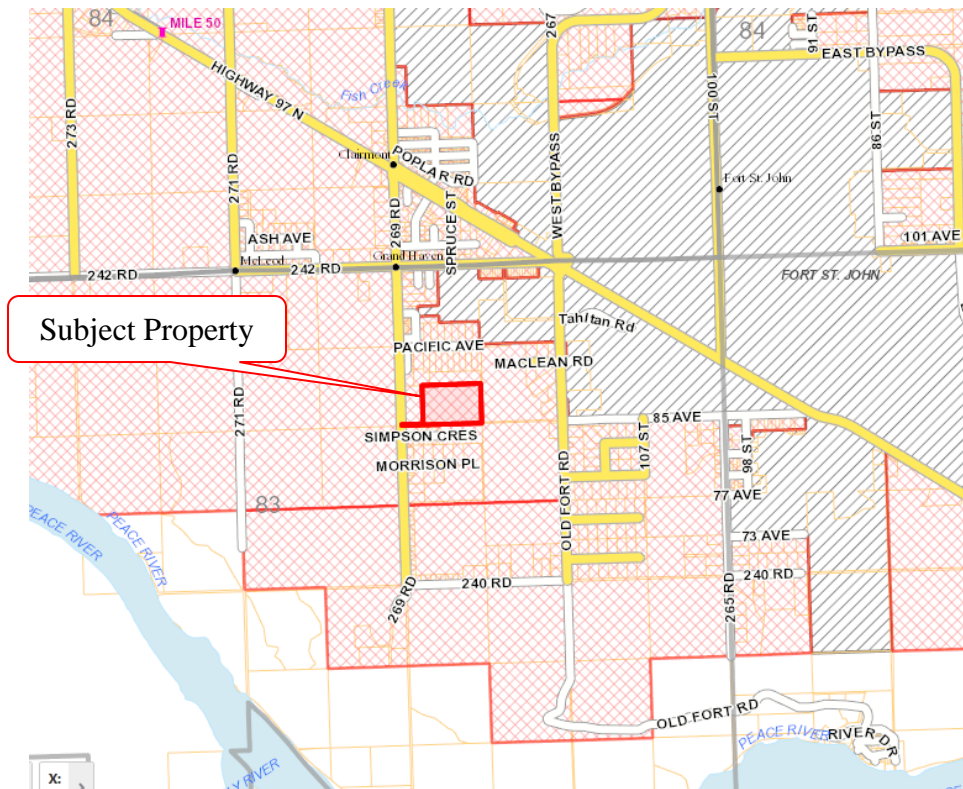
Agricultural Land Reserve (Excluded by Resolution #40/2016)



ZONING AMENDMENT
MAPS
FILE NO. 140/2016



Fire Protection Area





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 Avenue, 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

- | | |
|---|-------------|
| <input type="checkbox"/> Official Community Plan Bylaw Amendment | \$ 1,000.00 |
| <input checked="" type="checkbox"/> Zoning Bylaw Amendment | 650.00 |
| <input checked="" type="checkbox"/> 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;

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 Brandi Colleen Shaman	Authorized Agent of Owner (if applicable) Andrew Moody
Address of Owner Box 6943	Address of Agent 10716 100 Avenue
City/Town/Village Fort St. John	City/Town/Village Fort St. John
Postal Code V1J 4J3	Postal Code V1J 1Z3
Telephone Number: 250.793.2344	Telephone Number: 250.787.3156
Fax Number:	Fax Number:
E-mail: brandi@alexgroup.com russel@alexgroup.com	E-mail: andrew.moody@wspgroup.com

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot	
Lot B, Section 35, Township 83 Range 19 W6M, Plan 17032	24.0/59.3	ha./acres
		ha./acres
		ha./acres
	TOTAL AREA 24.0/59.3	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*.

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

4. Civic Address or location of property: 269 ⑤ 298 Road, South of Grandhaven

5. PARTICULARS OF PROPOSED AMENDMENT

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

Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: LSI HDR ⑤

Proposed OCP designation: HDR MDR ⑤

Text amendment: _____

Zoning Bylaw amendment:

Existing zone: A2 (Large Agricultural Holding Zone)

Proposed zone: R-1 (Residential 1 Zone)

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:

The property current contains 1 residence and 1 shop. The use of the land is currently residential.

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

(a) North Residential

(b) East Agricultural

(c) South Residential / Agricultural

(d) West Residential / Agricultural

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

The proposed development of Lot B is a bare land subdivision that will consist of 11 lots.

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

This subdivision is being proposed in order to support the continued need for additional residential land in the Peace River Regional District.

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

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

The proposed method for sewage disposal will be through the use of lagoons

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

Cisterns will be used as the supply method for water to the parcels.

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.

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

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.

Brandi
Signature of Owner

2016/06/28
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 Brandi Colleen Shaman and _____ hereby		
authorize		
(name) WSP (David Gosling/Andrew Moody) to act on my/our behalf regarding this application.		
Agent address: 10716 100th Avenue, Fort St. John, B.C., V1J 1Z3		
Telephone: 250.787.0300	Fax: 250.787.1611	Email: andrew.moody@wspgroup.com
Signature of Owner:	<u><i>Brandi</i></u>	Date: <u>2016/06/28</u>
Signature of Owner:		Date:



City of Fort St. John
10631 100 Street | Fort St. John, BC | V1J 3Z5
(250) 787 8150 City Hall
(250) 787 8181 Facsimile

October 20, 2016

RE: Proposed OCP Bylaw 2259, 2016, and Zoning Amendment Bylaw 2260, 2016 (Shaman LSI to HDR for Subdivision) by PRRD

Please note the following considerations:

- Please provide information on how this proposal supports the change from industrial to residential and supports the PRRD's OCP.
- Please explain how the proposal supports fringe area planning between City and PRRD. There is no overall transition between the adjacent residential lots or buffer between residential and industrial.
- The 'Fort St. John and Area Comprehensive Development Plan' from 2005 is referenced by the ALC when considering exclusion applications.
 - This document identifies the subject lot as light industrial with uses that require large amounts of land with limited level of services. The area directly adjacent is identified as rural residential with large scale home businesses, close to light industrial, large shops and garages.
- This area may be under consideration in the future to come into City's jurisdiction for future land development. The City does not support development that is contrary to agreed fringe area planning policies, and would contribute to undesirable development and servicing in the future.
- Servicing of the proposed residential lots may rely on a municipal water source. The City is concerned with the continued reliance of water from customers outside the municipal boundary who may rely on municipal water as their permanent water source solution.

Sincerely,

Renee Jamurat, Planning Manager
City of Fort St. John

November 24, 2016



Peace River Regional District
1981 Alaska Avenue,
Dawson Creek, B.C. V1G 4H8
Telephone: (250) 784-3200
Fax: (250) 784-3201

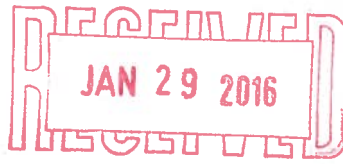
BYLAW REFERRAL FORM

RESPONSE SUMMARY: Zoning B/L#2259 & 2260 (Shaman), 2016	
Lot B SEC 35 TP 83 R 19 W6M Peace River PL 17032	
<input type="checkbox"/> Approval recommended for reasons outlined below	<input checked="" type="checkbox"/> Interests unaffected by Bylaw
<input type="checkbox"/> Approval recommended subject to conditions below	<input type="checkbox"/> Approval NOT recommended due to reasons outlined below

NOTE: - THERE ARE ACTIVE OIL & GAS ACTIVITIES WITHIN 1KM OF THE SUBJECT PROPERTY, HOWEVER NONE ARE IN DIRECT CONFLICT.

- THE NEAREST ACTIVITY (WELLSITE) IS APPROXIMATELY 500M FROM THE SUBJECT PROPERTY BOUNDARY.

Signed:	Title: ENVIRONMENTAL SPECIALIST
Date: 07-NOV-16	Agency: BC OIL & GAS COMMISSION



Agricultural Land Commission
 133-4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000
 Fax: 604 660-7033
 www.alc.gov.bc.ca

January 22, 2016

WSP# 150245

ALC File: 54493

BC Land Title & Survey
 Land Title Division
 Suite 110 - 1321 Blanshard Street
 Victoria, BC V8W 9J3

Kathryn Hannah
 10716 100 Avenue
 Fort St. John, BC V1J 1Z3

Dear Mrs. Hannah:

Order #40/2016

Re: Application to Exclude Land from the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #40/2016) as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly. A sketch plan depicting the decision is also attached.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from Certificate of Title #CA1549286.

Further correspondence with respect to this application is to be directed to Jess Daniels at (Jessica.Daniels@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

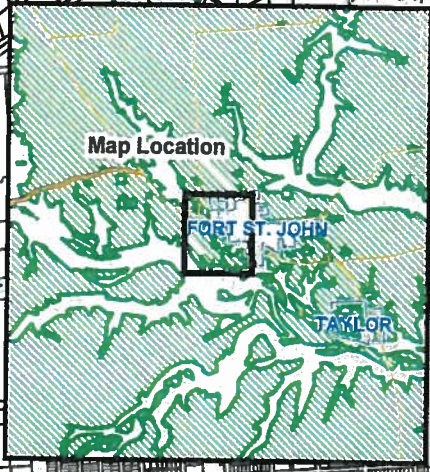
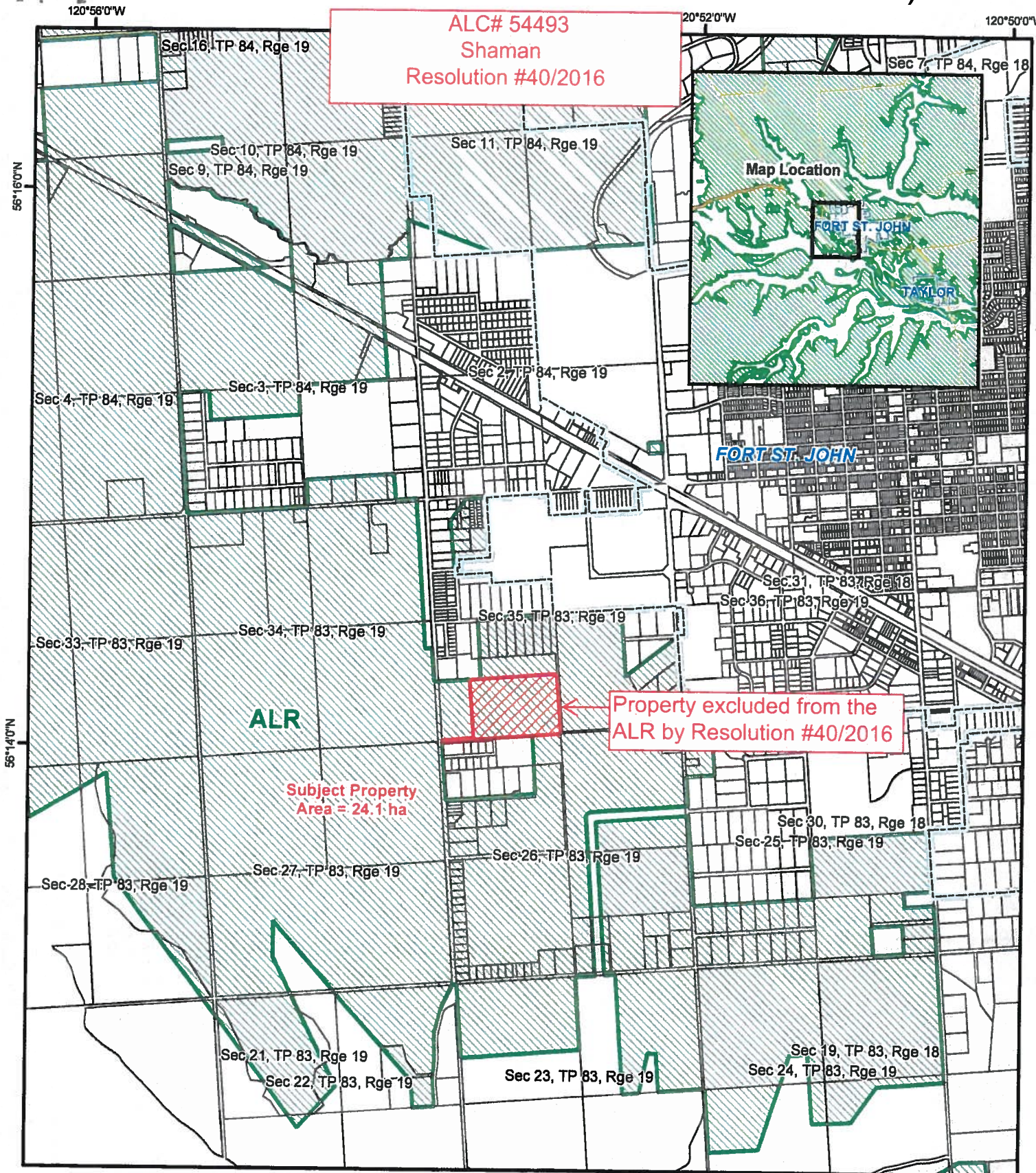
Colin J. Fry, Chief Tribunal Officer

Enclosures: Reasons for Decision (Resolution #40/2016)
 Sketch plan

cc: Peace River Regional District (File: 152/15)

54493d1

ALC# 54493
Shaman
Resolution #40/2016



ALC Context Map

Map Scale: 1:35,000



ALC File #:	54493
Mapsheet #:	94A/7
Map Produced:	Jan 11, 2016
Regional District:	Peace River

**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2259, 2016**

A bylaw to amend the "North Peace Fringe Area
Official Community Plan Bylaw No. 1870, 2009"

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, RSBC 1996, c. 323, adopt the "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009";

AND WHEREAS, an application has been made to amend "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009" to facilitate an associated zoning affecting Lot B, Section 35, Township 83, Range 19, W6M, PRD, Plan 17032;

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 Official Community Plan Amendment Bylaw No. 2259 (Shaman), 2016."
2. Schedule A – Map 10-Grandhaven of "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009" is hereby amended by redesignating 16.3 ha. portion of Lot B, Section 35, Township 83, Range 19, W6M, PRD, Plan 17032, from LSI "Light Service Industrial" to MDR "Medium Density Rural Residential"; and the remaining 7.79 ha. from HDR "High Density Rural Residential" to MDR "Medium Density Rural Residential". as shown shaded on Schedule "A" which is attached to and forms part of this bylaw.

READ a FIRST TIME this ____ day of _____, 2016.

READ a SECOND TIME this ____ day of _____, 2016.

Public Hearing held on the ____ day of _____, 2016 and notification mailed on the ____ day of _____, 2016.

READ A THIRD TIME this ____ day of _____, 2016.

ADOPTED this ____ day of _____, 2016.

(Corporate Seal has been affixed
to the original bylaw)

(_____
 (Chair
 (
 (
 (_____
 (Corporate Officer

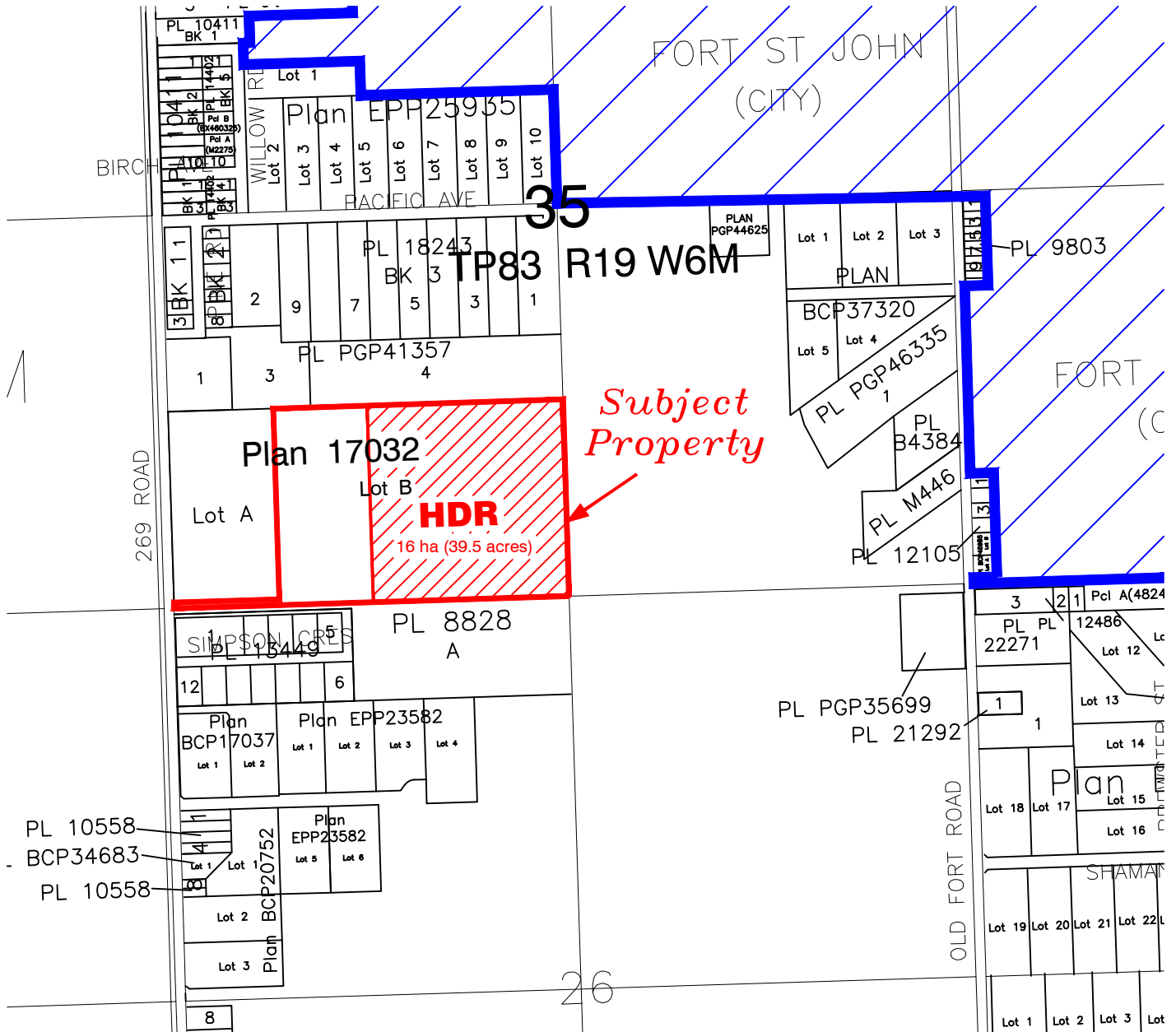
I hereby certify this to be a true and correct copy of
Bylaw No. 2259, (Shaman), 2016", as adopted by the
Peace River Regional District Board
on _____, 2016.

Corporate Officer

Peace River Regional District
By-law No. 2259, 2016
SCHEDULE "A"



Schedule A - Map 10 - Grandhaven of "North Peace Fringe Area Official Community Plan By-law No. 1870, 2009" is hereby amended by redesignating a 16.3 ha (39.5 acres) portion of lot B, plan 17032, Section 35, Township 83, Range 19, W6M, PRD, **from** LSI "Light Service Industrial" **to** HDR "High Density Rural Residential" as shown shaded on the drawing below:



**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2260, 2016**

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 by-law may be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2260 (Shaman), 2016."
2. Schedule A – Map 10 - Grandhaven of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning Lot B, Section 35, Township 83, Range 19, W6M, PRD Plan 17032, from A-2 "Large Agricultural Holdings Zone" to R-1 "Residential Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ a FIRST TIME this ____ day of _____, 2016.

READ a SECOND TIME this ____ day of _____, 2016.

Public Hearing held on the ____ day of _____, 2016 and notification mailed on the ____ day of _____, 2016.

READ A THIRD TIME this ____ day of _____, 2016.

ADOPTED this ____ day of _____, 2016.

(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. 2260 (Shaman), 2016,
as adopted by the Peace River Regional District
Board on _____, 2016.

Corporate Officer

Peace River Regional District
By-law No. 2260, 2016
SCHEDULE "A"



Schedule A - Map 10 - Grandhaven of "Peace River Regional District Zoning By-law No. 1343, 2001" is hereby amended by rezoning lot B, plan 17032, Section 35, Township 83, Range 19, W6M, PRD, from A-2 "Large Agricultural Holdings Zone" to R-1 "Residential Zone" as shown shaded on the drawing below:

