



PEACE RIVER REGIONAL DISTRICT
 DEVELOPMENT SERVICES
 OCP & ZONING AMENDMENT REPORT
 BYLAW No. 2259 & 2260 (SHAMAN), 2016
 3rd READING & ADOPTION

B-4a

OWNER: Brandi Shaman **DATE:** January 19, 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, pursuant to the revised OCP Bylaw Schedule A.

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 read Peace River Regional District OCP Amendment Bylaw No. 2259 (Shaman), 2016, with revised Schedule A, for a Third Time, as amended.
 2. THAT the Regional Board read Peace River Regional District Zoning Amendment Bylaw No. 2260 (Shaman), 2016 for a Third Time.
 3. THAT the Regional Board adopt Peace River Regional District OCP & Zoning Amendment Bylaws No. 2259 & 2260 (Shaman), 2016.
- 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 Bylaws No. 2259 & 2260 (Shaman), 2016.

SUMMARY OF PROCEDURE

June 23, 2016	-PRRD received OCP & Zoning Amendment application
August 17, 2016	-Application and proposed bylaw referred to municipalities and provincial agencies.
October 5, 2016	-PRRD received revised OCP & Zoning Amendment application
October 7, 2016	-Revised application and proposed bylaw referred to municipalities

Page 1 of 9
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 Report prepared by: Ashley Murphey, North Peace Land Use Planner

Bruce Simard

 Department Head

Chris Burk

 CAO

	and provincial agencies.
November 24, 2016	-PRRD Board gives Zoning amendment bylaw 1st & 2nd Reading and authorizes a public hearing to take place pursuant to s. 464(1) of the <i>Local Government Act</i> .
December 21, 2016	-Public hearing notification mailed to landowners
December 22 & 29, 2016	-Public notification advertised in <i>Alaska Highway News & Northern Horizon</i>
January 4, 2016	-Public hearing takes place at North Peace Leisure Pool, Fort St. John, BC

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**B-4a**

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	Before 1 st reading	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.

CORRECTIONS: The Schedule A for OCP amendment Bylaw No. 2259 has been revised to read "MDR" instead of "HDR". This change is due to an error within the report from 1st & 2nd reading which correctly cited MDR throughout the report as well as within the Bylaw, however the Schedule A attached incorrectly labelled the proposed OCP designation as "HDR". The original application received listed "HDR" as the proposed OCP designation, however after discussion with the applicant regarding lot sizes and servicing requirements it was determined that amending the application to the proposed "MDR" designation would be more suitable.

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

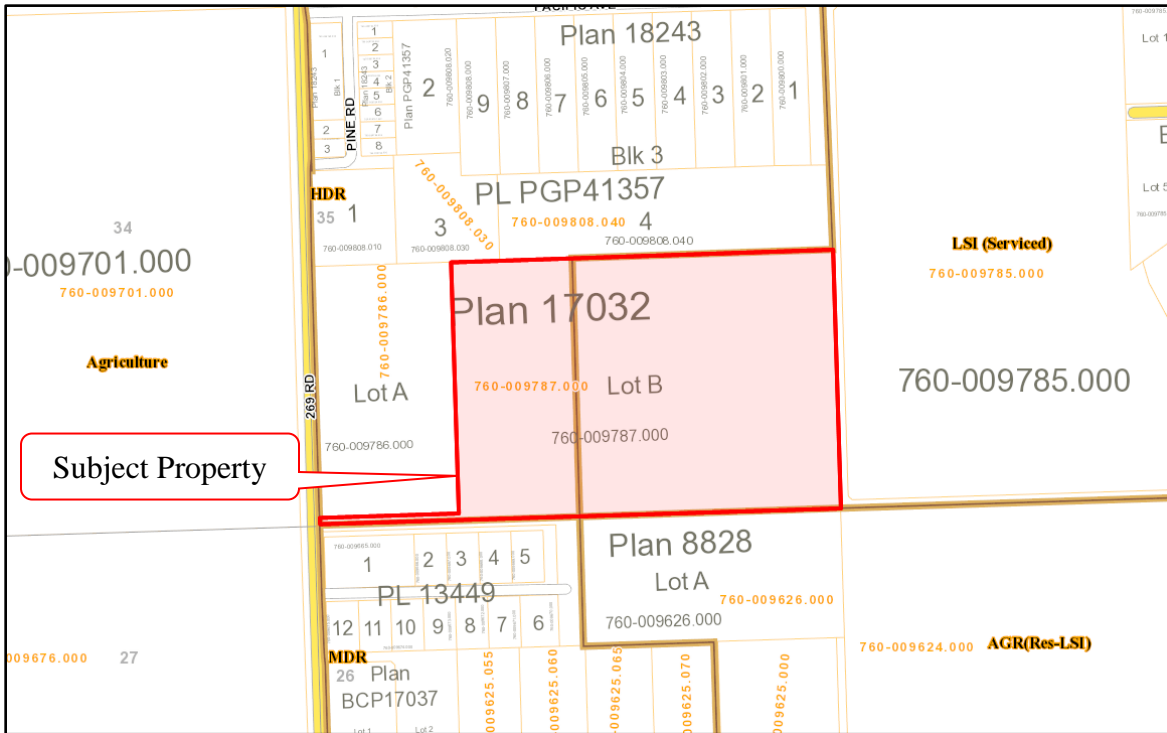
- The sewage system(s) or sewage holding tanks to be constructed and installed on subdivided property must comply with BC Sewage System Regulation, be consistent with current BC standard practices, and adhere to Northern Health Subdivision Guidelines and holding tank Guidelines.
- The proposed construction 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.



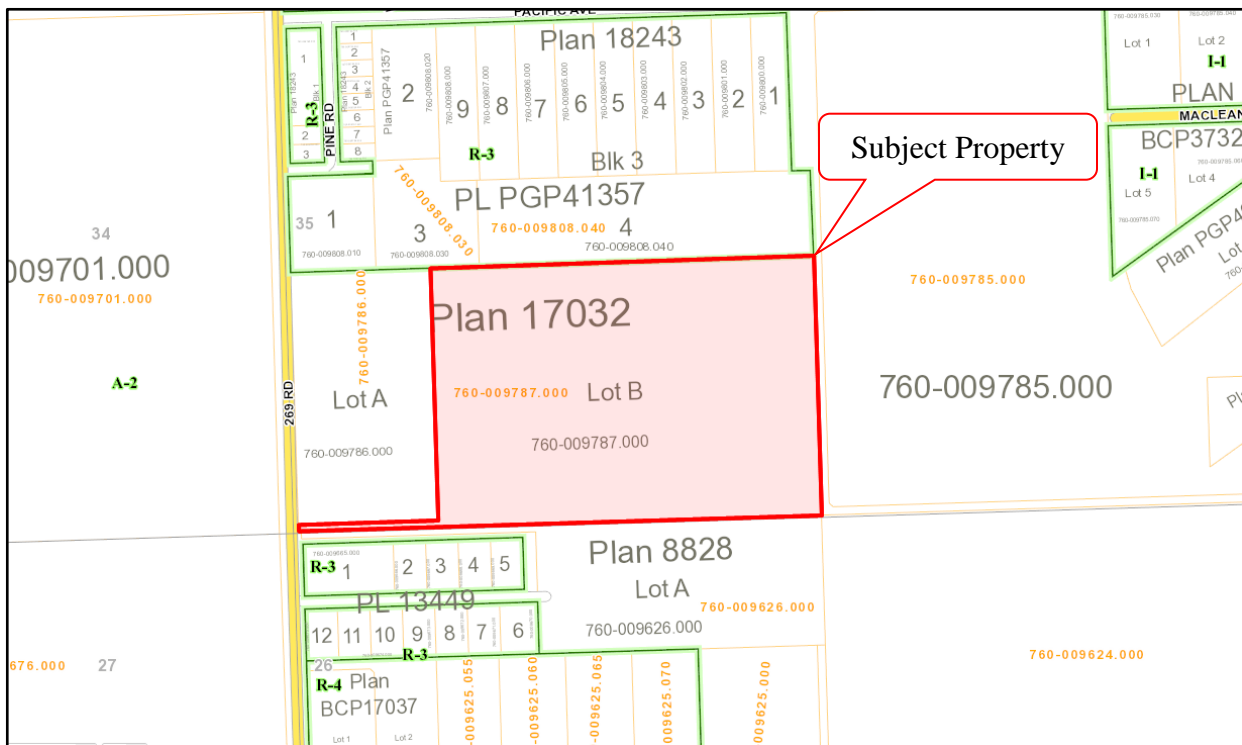
ZONING AMENDMENT
MAPS
FILE No. 140/2016

File No. 140/2016
B-4a

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

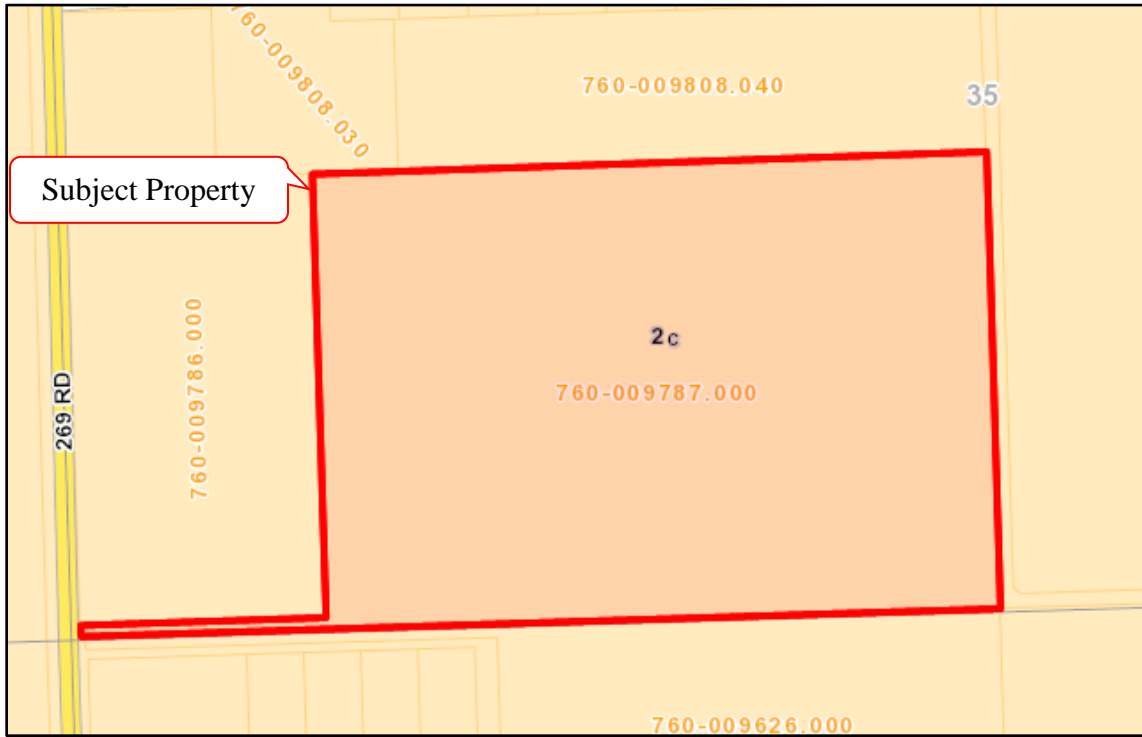


Zoning ByLaw 1343, 2001 (Map 10)

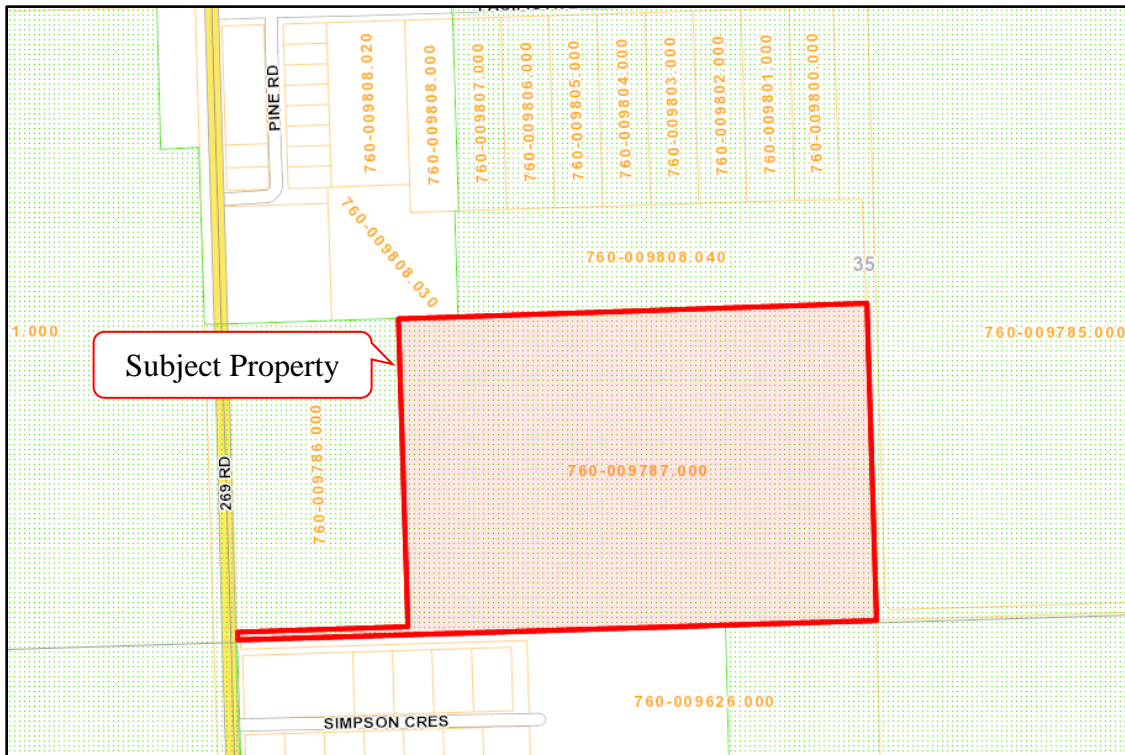


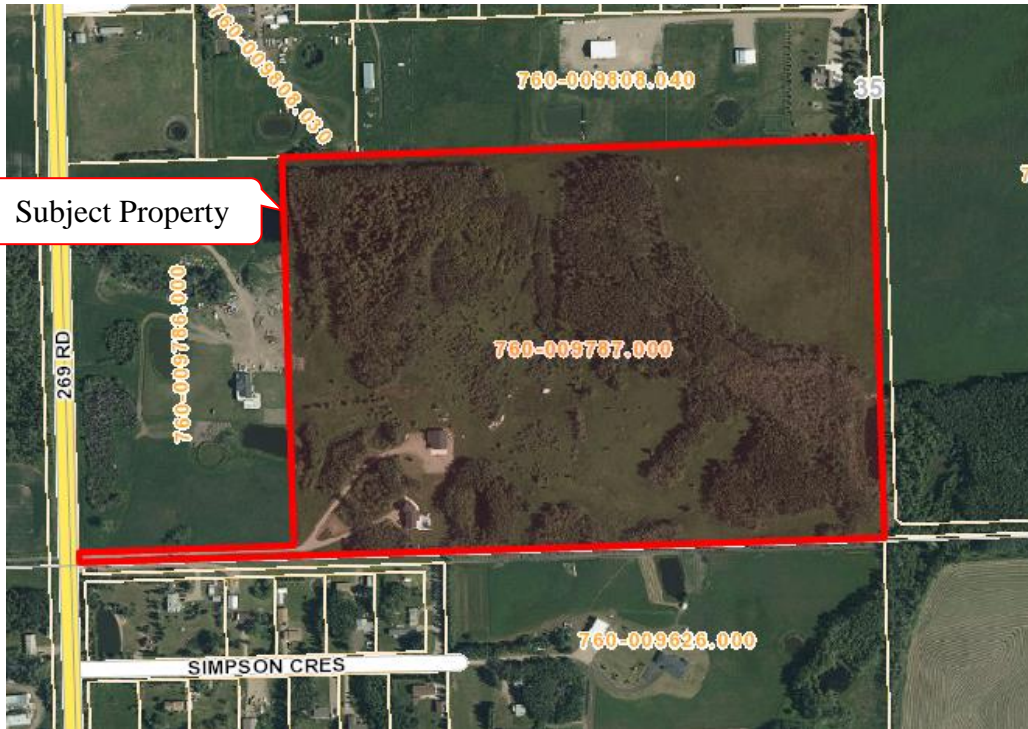


CLI Soil Classification

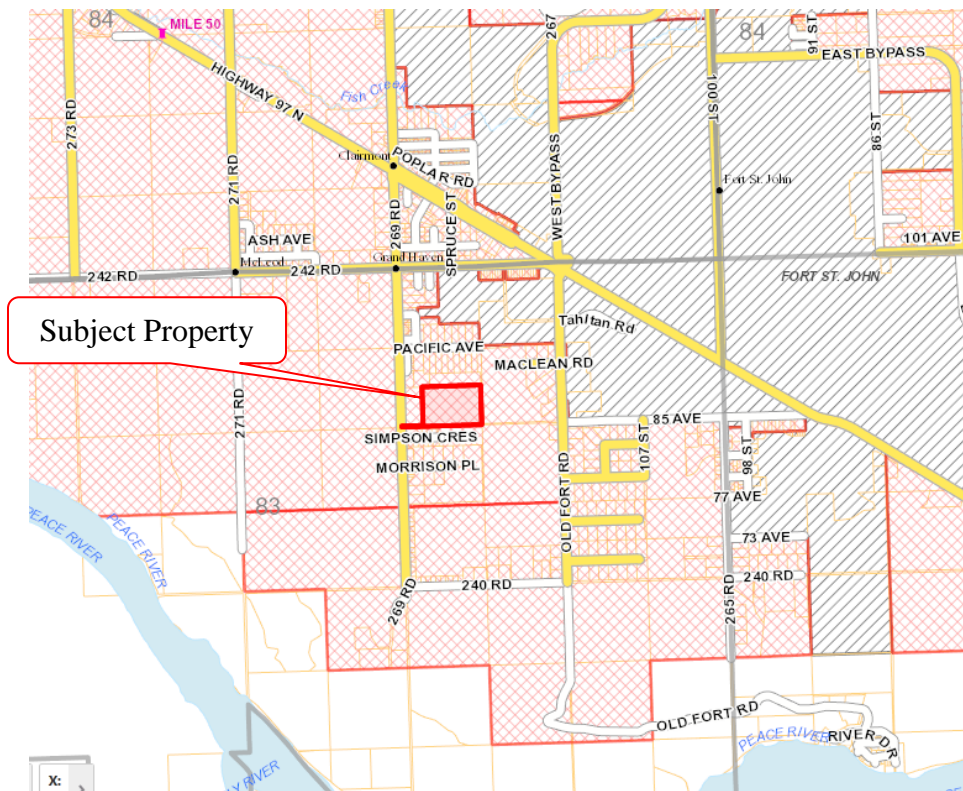


Agricultural Land Reserve (Excluded by Resolution #40/2016)





Fire Protection Area





**PEACE RIVER REGIONAL DISTRICT
PUBLIC HEARING MEETING – MINUTES
OCP & Zoning Amendment Bylaws No. 2259 & 2260, 2016**

B-4a

January 4th, 2017 @ 7:00 p.m.
Pomeroy Sports Centre, Fort St. John, BC

ATTENDANCE:

Peace River Regional District: Brad Sperling, Director of Electoral Area 'C' (Chair)
Claire Negrin, Assistant Manager of Development Services
Ashley Murphey, North Peace Land Use Planner

Applicant/Owner: Not Present

Public: Ron Rodgers, Fort St. John
Scott & Jenna Dyck, 12256 Simpson Cres., Fort St. John

1. CALL TO ORDER

The Chair called the meeting to order at 7:04 pm

2. CHAIRMAN READS THE STATEMENT OF PUBLIC HEARING

The Chair read out the Statement of Public Hearing

3. COMMENTS FROM AGENCIES AND MUNICIPALITIES RECEIVED

Ashley Murphey reads comments from referred 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.

3. COMMENTS FROM THE APPLICANT

None, applicant was not present.

4. COMMENTS FROM THE PUBLIC

None.

TERMINATION OF PUBLIC HEARING

The Chair terminated the Public Hearing at 7:11 pm



Ashley Murphey, Recorder

February 9, 2017

Brad Sperling, Meeting Chair



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

February 9, 2017

**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 24th day of November, 2016.

READ a SECOND TIME this 24th day of November, 2016.

Public Hearing held on the 4th day of January, 2017 and notification mailed on the 21st day of December, 2016.

READ A THIRD TIME this ____ day of _____, 2017.

ADOPTED this ____ day of _____, 2017.

(Corporate Seal has been affixed
to the original bylaw)

(_____
 (Chair
 (
 (
 (_____
 (Corporate Officer

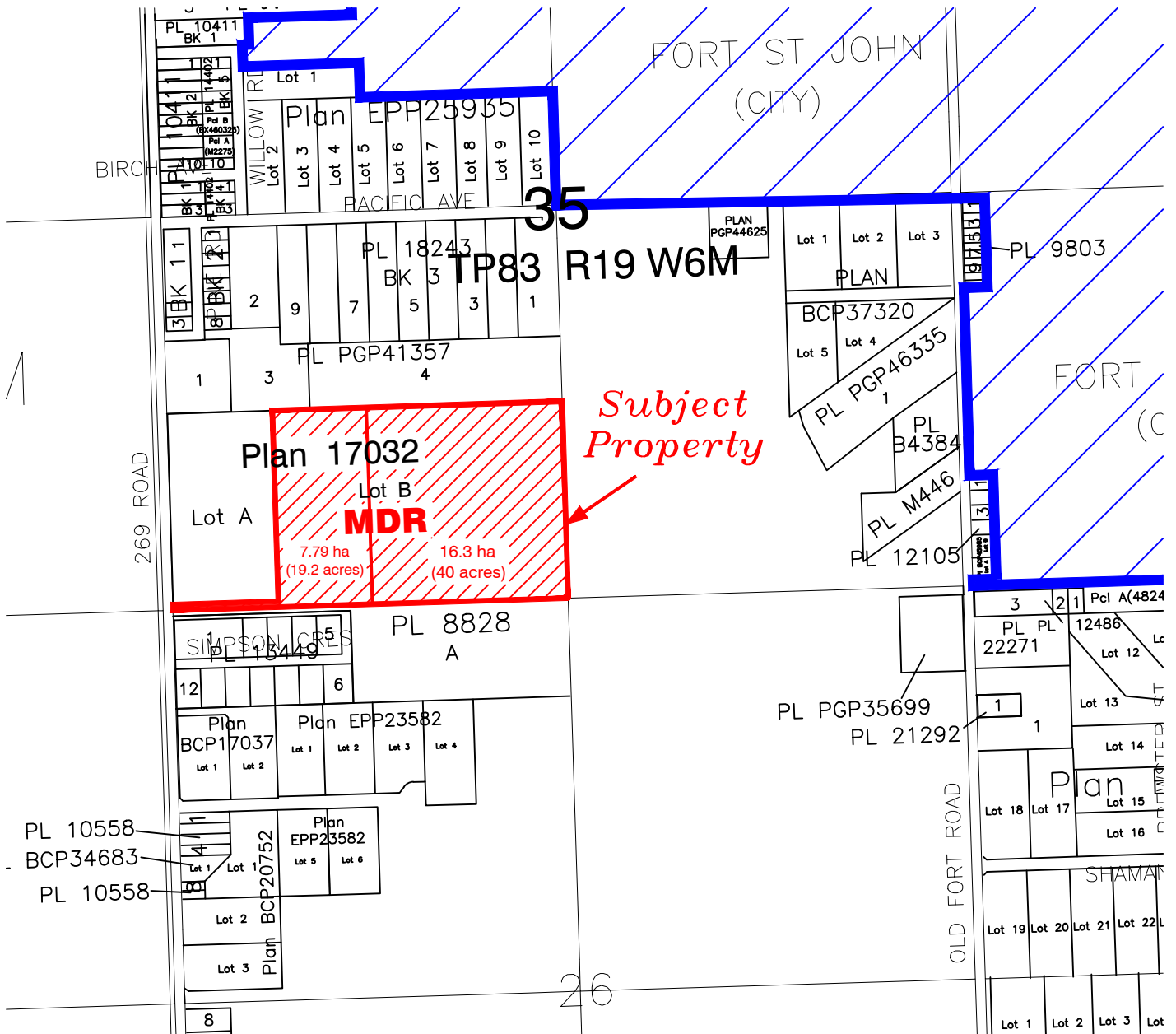
I hereby certify this to be a true and correct copy of
Bylaw No. 2259, (Shaman), 2016", as adopted by the
Peace River Regional District Board
on _____, 20__.

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 (40 acres) portion of lot B, plan 17032, Section 35, Township 83, Range 19, W6M, PRD, **from** LSI "Light Service Industrial" **to** MDR "Medium Density Rural Residential"; and the remaining 7.79 ha (19.2 acres) from HDR "High Density Rural Residential" to MDR "Medium 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 24th day of November, 2016.

READ a SECOND TIME this 24th day of November, 2016.

Public Hearing held on the 4th day of January, 2017 and notification mailed on the 21st day of December, 2016.

READ A THIRD TIME this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

(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 _____, 20__.

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:

