



# REPORT

To: Chair and Directors

Report Number: DS-BRD-305

From: Kathy Suggitt, RPP, MCIP, General Manager of Development Services Date: May 4, 2023

Subject: Zoning Amendment Bylaw No. 2506, 2023, PRRD File No. 22-008 ZN; 3rd and Adoption

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**RECOMMENDATION #1: [Corporate Unweighted – excluding Pouce Coupe]**

That the Regional Board give Zoning Amendment Bylaw No. 2506, 2023, to rezone a ±39.4 hectare (97.4 acre) portion of the subject property from Large Agricultural Holdings (A-2) to Small Agricultural Holdings (A-1) and the remaining ±3.64 hectare (8.98 acre) portion of the subject property from Large Agricultural Holdings (A-2) to Residential 4 Zone (R-4) on the property identified as PID: 014-927-101 third reading.

**RECOMMENDATION #2: [Corporate Unweighted – 2/3 Majority excluding Pouce Coupe]**

That the Regional Board adopt Zoning Amendment Bylaw No. 2506, 2023.

**BACKGROUND/RATIONALE:****Proposal**

The subject property is currently zoned Large Agricultural Holdings (A-2), and the applicant wishes to rezone a ±39.4 ha (97.4 ac) portion to Small Agricultural Holdings (A-1) and to rezone a ±3.64 ha (8.98 ac) portion to Residential 4 Zone (R-4).

The proposed A-1 zone would include the existing gravel pit, and the proposed R-4 zone would include the existing home site. The applicant would eventually like to subdivide along the proposed R-4 and A-1 zone boundary and seek permission from the Province to expand the existing gravel pit.

Pursuant to West Peace Fringe Area (WPFA) OCP Bylaw No. 2312, 2018, the subject property is within the Settlement designation which supports residential development, and small agricultural land uses. The proposal aligns with the general objectives of the OCP, and therefore staff supports the proposal.

While significant public opposition was expressed with regards to the expansion of a gravel pit on the subject property both prior to and during the public hearing, staff note that the approval and regulation of gravel pits are under the jurisdiction of the Ministry of Energy, Mines and Low Carbon Innovation (MoEMLCI) and the Peace River Regional District (PRRD) does not have the ability to regulate this use. The MoEMLCI provides parameters for gravel extraction activities such as buffers and requires that the applicant demonstrate how any public concerns have been addressed.

Alternatively, should the Board wish to place restrictions on future development of the property, staff have provided an alternative recommendation which would require the landowner to enter into a restrictive covenant to ensure adequate buffering of the proposed gravel pit portion of the property (i.e. the A-1 zoned area) from the adjacent residential lands.

**File Details**

Owner: Omineca Aggregate Ltd., Inc. No. BC1246687  
Agent: Tryon Land Surveying – Kathleen Lush  
Area: Electoral Area E  
Location: Jackfish Lake  
Legal: District Lot 3093 Peace River District Except: Part Dedicated Road On Plan BCP38359  
PID: 014-927-101  
Civic Address: 2959 Sawchuk Road  
Lot Size: 43.04 ha (106.35 ac)

### Site Context

The subject property is within the rural community of Jackfish Lake and is approximately 11 km north of Chetwynd.

The land use of surrounding properties is primarily rural residential to the east, crown land to the north, south and west, and CN rail right-of-way to the west.

### Summary of Procedure

Zoning Amendment Bylaw No. 2506, 2023 was read for a first and second time on February 23, 2023. The following activities have occurred since then:

March 16, 2023	Public notification mailed to landowners within notification area.
March 23 and 30	Notice of public hearing advertised in the Dawson Creek Mirror.
April 3, 2023	Public hearing held in Chetwynd.

### Comments Received from the Public

Numerous written public comments were received prior to the public hearing. The comments were expressing opposition to what they thought was a proposed gravel pit. The subject property does have a small gravel pit on the proposed A-1 portion, and staff notes that aggregate extraction is a permitted use in the existing A-2 zone, as well as the proposed A-1 zone. Additionally the MoEMLCI is responsible for permitting gravel pits and such authorizations supersede local government bylaws.

A public hearing was held on April 3, 2023, in accordance with the *Local Government Act*. The Minutes are attached to this report. At the beginning of the public hearing staff clarified for those members of the public that attended, that the application was not for a new gravel pit, instead it was a rezoning from A-2 to A-1 and R-4 zones. Following that clarification, members of the public noted that they were not opposed to the zoning bylaw amendment.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board give Zoning Amendment Bylaw No. 2506, 2023, to rezone a ±39.4 hectare (97.4 acre) portion of the subject property from Large Agricultural Holdings (A-2) to Small Agricultural Holdings (A-1) and the remaining ±3.64 hectare (8.98 acre) portion of the subject property from Large Agricultural Holdings (A-2) to Residential 4 Zone (R-4) on the property identified as PID: 014-927-101 third; and further

That the landowner be required to enter into a restrictive covenant to ensure adequate buffering along the eastern edge of the proposed A-1 zoned lands prior to consideration of final adoption.

2. That the Regional Board provide further direction.

**STRATEGIC PLAN RELEVANCE:**

☒ Not Applicable to Strategic Plan

**FINANCIAL CONSIDERATION(S):**

None at this time.

**COMMUNICATIONS CONSIDERATION(S):**

The Regional Board's decision will be communicated to the applicant.

**OTHER CONSIDERATION(S):**

None at this time.

**Attachments:**

1. Zoning Amendment Bylaw No. 2506, 2023, PRRD File No. 22-008 ZN
2. Comments Received from the Public, PRRD File No. 22-008 ZN
3. Public Notification for Zoning Bylaw No. 2506, 2023, PRRD File No. 22-008 ZN
4. Minutes – Public Hearing for Zoning Amendment Bylaw No. 2506, 2023, PRRD File No. 22-008 ZN

**External Links:**

1. [Report –Zoning Amendment Bylaw No. 2506, 2023, PRRD File No. 22-008 – Item No. 9.2](#)
2. [Public Hearing Agenda –Zoning Amendment Bylaw No. 2506, 2023, PRRD File No. 22-008](#)