



PEACE RIVER REGIONAL DISTRICT

Public Hearing Agenda

April 24, 2024, 6:00 p.m.
Pouce Coupe Community Centre
5010 52 Ave, Pouce Coupe, BC V0C 2C0

	Pages
1. CALL TO ORDER	
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a. OCP & Zoning Amendment Bylaw No. 2544 & 2545, 2024	2
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7. COMMENTS FROM THE APPLICANT	
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Notice of Public Hearing

OCP & Zoning Amendment Bylaw No. 2544 & 2545, 2024

FILE NO. 24-001, OCP ZN

When:

April 24, 2024 |

6:00 PM

Where:

Pouce Coupe
Community Centre

5010 52 Ave,

Pouce Coupe, B.C

For More Information:

Contact:
Development
Services

250-784-3200

Toll Free:
1-800-670-7773

Email:
planning@prrd.bc.ca

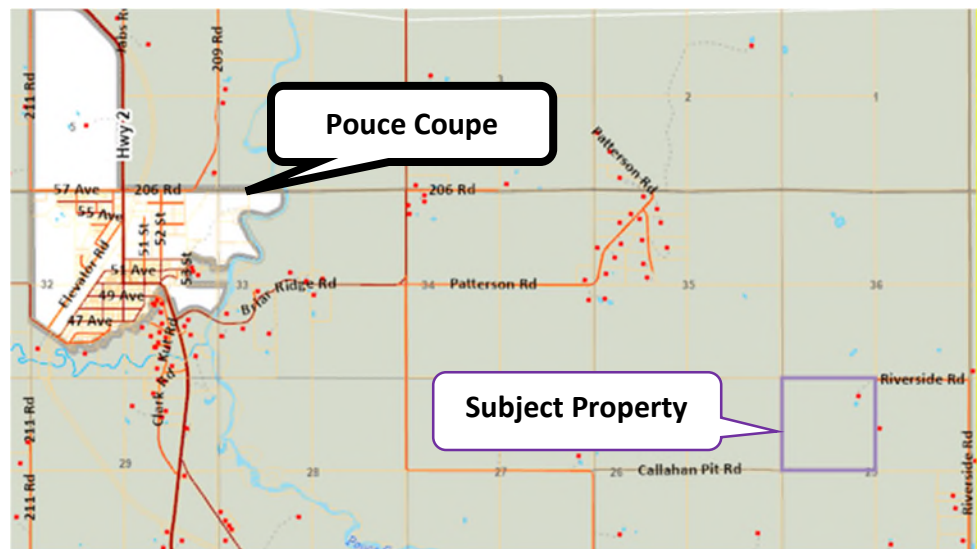
Pouce Coupe Area

The North West 1/4 Of Section 25 Township 77 Range 14 West Of
The 6th Meridian Peace River District

Address: 73 Riverside Rd

The Peace River Regional District is hosting a meeting to discuss
the proposed Zoning Amendment.

Proposal: The applicant is seeking to amend the designation and
zoning of a 8 ha portion in the NE corner of the subject property
from Agriculture (AG) to Low Density Residential (LDR) and from
Large Agricultural Holdings Zone (A-2) to a Residential 6 Zone (R-
6) to facilitate a subdivision.



View applications at:

www.prrd.bc.ca



Written comments or concerns accepted until 4:00 pm April 24, 2024.
Documents may be viewed Monday-Friday, 8:30 am - 4:30 pm at 1981
Alaska Avenue Dawson Creek, BC V1G 4H8

This public hearing has been delegated to the Director of Electoral Area D.

STATEMENT OF PUBLIC HEARING

This public hearing is convened pursuant to Section 465 of the *Local Government Act* to allow the public to make representations to the Board regarding the following proposed Official Community Plan amendment:

1. Official Community Plan & Zoning Amendment Bylaw Nos. 2544 & 2545, 2024 (PRRD File No. 24-001 OCP ZN)

You are encouraged to participate in the public hearing and are asked to observe the protocols noted below.

The Public Hearing is held to provide an opportunity for residents to share their views about the proposed changes to the bylaws. We will first hear from the Planner who will provide an overview of the proposal and application procedure to date, and then the Chair will call for comments from the public.

The notice of public hearing for the proposed bylaws was mailed to neighbouring properties and was advertised on the Peace River Regional District's website and Facebook page to alert residents to the proposed changes, and invite them to provide their feedback by e-mail, letter, or attendance at the public hearing today.

Every one of you present, who believes that your interest is affected by the proposed OCP & Zoning bylaw amendments shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws. None of you will be discouraged or prevented from making your views known. However, it is important that you restrict your remarks to matters contained in the proposed bylaws.

When speaking, please commence your remarks by clearly stating your first and last name.

Please take turns and ensure that you do not make follow up comments until each person has had a chance to speak.

Members of the Board may, if they so wish, ask questions of you following your presentation. However, the function of the Board at this public hearing is to listen to you rather than to debate the merits of the proposed bylaws.

After this public hearing has concluded, the Board may, without further notice, give whatever effect the Board believes proper to the representations made at this hearing. Once the hearing is concluded, no further comments will be accepted.

SUMMARY OF PROPOSED OCP & ZONING AMENDMENTS

Official Community Plan and Zoning Amendment Bylaw Nos. 2544 & 2545, 2023

Property Location: Pouce Coupe

Legal Description: The North West 1/4 Of Section 25 Township 77 Range 14 West Of The 6th Meridian Peace River District

Proposal:

The applicant is seeking to amend the designation and zoning of a 8 ha portion in the NE corner of the subject property from Agriculture (AG) to Low Density Residential (LDR) and from Large Agricultural Holdings Zone (A-2) to a Residential 6 Zone (R-6) to facilitate a subdivision.

Under Section 5.1.2, of the PRRD South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012, permitted uses within the proposed Agriculture designation will be generally limited to:

- agriculture;
 - and uses which are compatible or complementary to agriculture;
- agri-tourism;
- residential use;
- home-based business;
- kennels;
- trapping;
- outfitting establishments;
- ecological reserves and work that supports ecological protection or restoration;

subject to zoning regulations.

Under Section 33, of PRRD Zoning Bylaw No. 1343, 2001, the permitted uses within the Large Agricultural Holdings (A-2) zone are:

- agriculture;
- agriculture-intensive;
- agriculture-domestic;
- wood harvesting and forestry;
- mining, including gravel extraction and processing;
- asphalt plant;
- oil and gas wells, pipelines;
- production facilities;
- land treatment facility, non-commercial;
- kennel;
- equestrian facility;
- work camps occupied for less than six months, with less than 30 people;
- trapping, hunting, guiding, outfitting establishments;
- airstrip;
- dwelling units;

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2544, 2024

A bylaw to amend the "South Peace Fringe Area Official
Community Plan Bylaw No. 2048, 2012"

WHEREAS the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt the "South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012";

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 "South Peace Fringe Area Official Community Plan Amendment Bylaw No. 2544, 2024."
2. Schedule B – Map 5 of "South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012" is hereby amended by redesignating an 8 ha (20 ac) portion of the Northwest ¼ of Section 25, Township 77, Range 14, W6M, PRD, from AG "Agriculture" to LDR "Low Density Residential", as shown on Schedule "A" which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	<u>21st</u>	day of	<u>March</u>	, 2024.
READ A SECOND TIME THIS	<u>21st</u>	day of	<u>March</u>	, 2024.
Public Notice published on the	<u>10th to 24th</u>	day of	<u>April</u>	, 2024.
Public Hearing held on the	<u> </u>	day of	<u> </u>	, 2024.
READ A THIRD TIME THIS	<u> </u>	day of	<u> </u>	, 2024.
ADOPTED THIS	<u> </u>	day of	<u> </u>	, 2024.

Brad Sperling, Chair

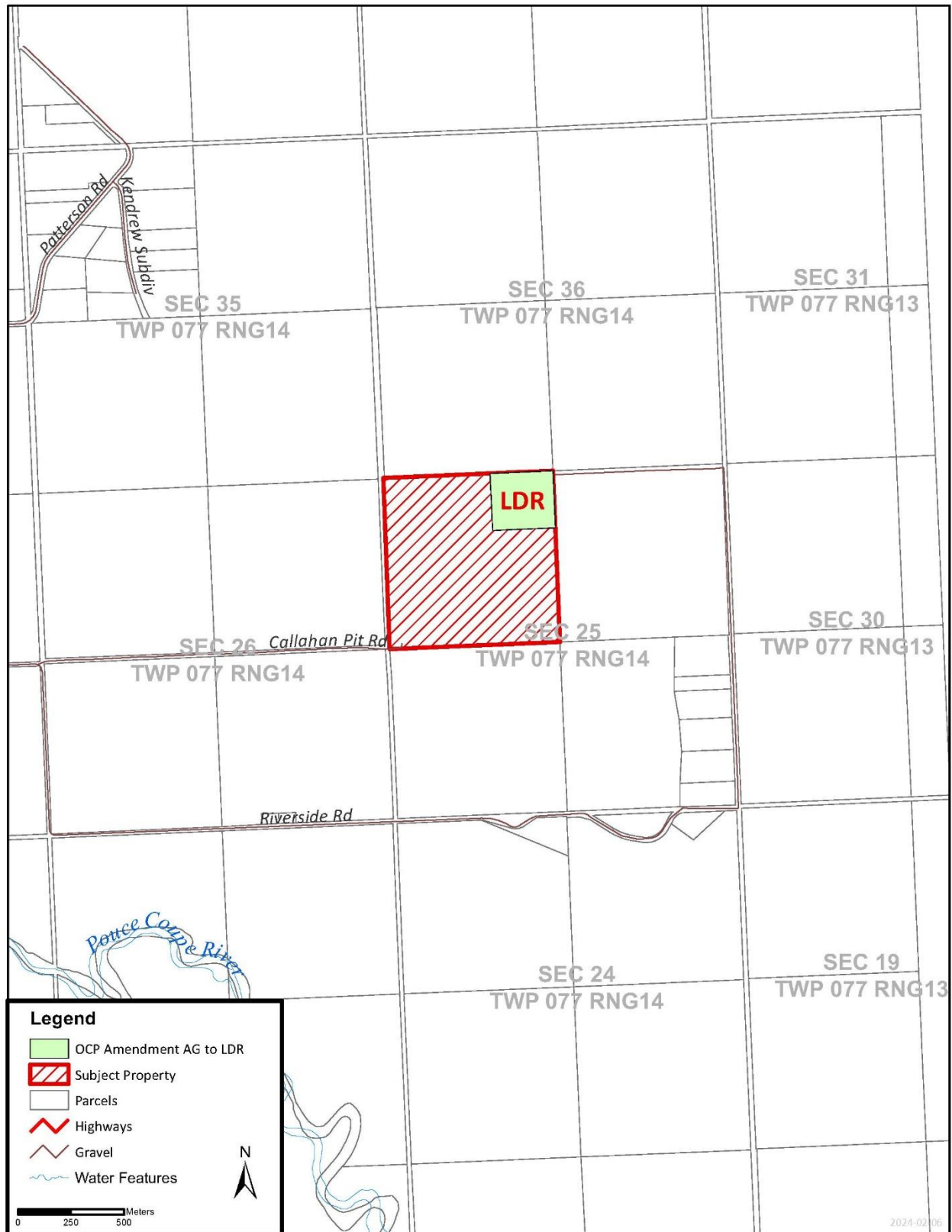
(Corporate Seal has been affixed to the original
bylaw)

Tyra Henderson,
Corporate Officer

I hereby certify this to be a true and correct copy of
"South Peace Fringe Area Official Community Plan
Amendment Bylaw No. 2544, 2024", as adopted by the
Peace River Regional District Board on _____, 2024.

Tyra Henderson,
Corporate Officer

Schedule A



PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2545, 2024

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 bylaw shall be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2545, 2024."
2. Schedule B – Map 15 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning an 8 ha (20 ac) portion of the Northwest ¼ of Section 25, Township 77, Range 14, W6M, PRD from A-2 "Large Agriculture Holdings Zone" to R-6 "Residential 6 Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	<u>21st</u>	day of	<u>March</u>	, 2024.
READ A SECOND TIME THIS	<u>21st</u>	day of	<u>March</u>	, 2024.
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Public Hearing held on the	<u></u>	day of	<u></u>	, 2024.
READ A THIRD TIME THIS	<u></u>	day of	<u></u>	, 2024.
ADOPTED THIS	<u></u>	day of	<u></u>	, 2024.

Brad Sperling, Chair

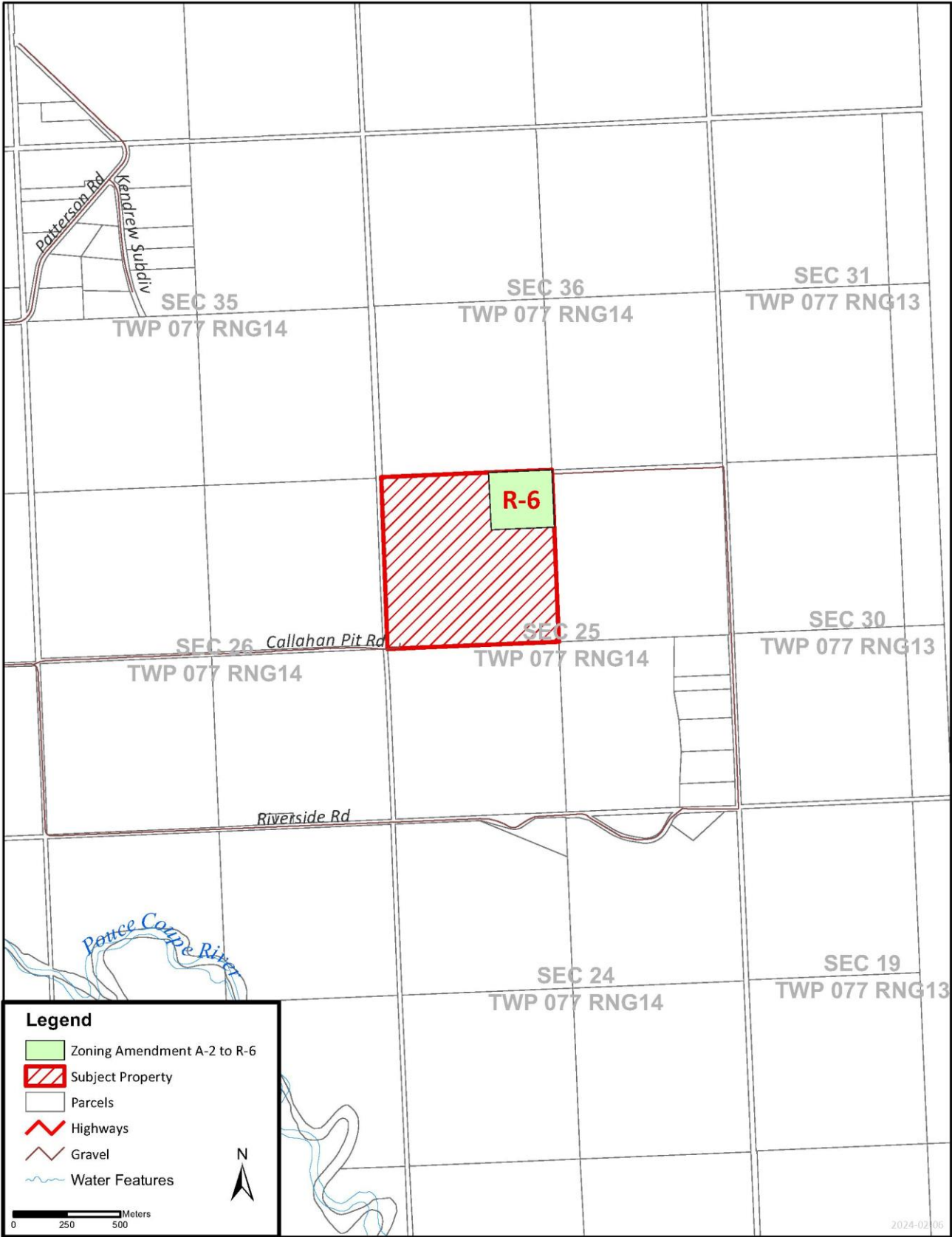
(Corporate Seal has been affixed to the original
bylaw)

Tyra Henderson,
Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD
Zoning Amendment Bylaw No. 2545, 2024", as adopted by the
Peace River Regional District Board on _____, 2024.

Tyra Henderson, Corporate Officer

Schedule A



SUMMARY OF APPLICATION PROCEDURE

The PRRD received the application.	January 17, 2023
The PRRD referred the application and proposed OCP & Zoning Amendment Bylaw Nos. 2544 & 2545, 2024 to municipalities and provincial agencies.	January 19, 2024
The PRRD Board read the bylaw for the 1 st & 2 nd time and authorized a public hearing.	March 21, 2024
The PRRD mailed notification of the public hearing to landowners within the notification area.	April 8, 2024
The PRRD advertised the public notification on the PRRD's website and Facebook page.	April 10, 2024 – April 24, 2024



REPORT

To: Chair and Directors

Report Number: DS-BRD-387

From: Ashley Murphey, GM of Development Services

Date: March 7, 2024

Subject: OCP & Zoning Amendment Bylaw Nos. 2544 & 2545, 2024, PRRD File No. 24-001

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board respectfully refuse to give South Peace Fringe Area Official Community Plan Bylaw No. 2544, 2024 to amend the designation of a ± 8 ha (20 acres) portion of the subject property identified as PID 011-652-403 from Ag (Agriculture) to LDR (Low Density Residential) first and second readings; and further,

That the Regional Board respectfully refuse to give Peace River Regional District Zoning Amendment Bylaw No. 2545, 2024 to rezone the same ± 8 ha (20 acres) portion of the subject property from A-2 (Large Agricultural Holdings Zone) to R-6 (Residential 6 Zone) first and second readings, as the proposal is not consistent with the Official Community Plan or Zoning Bylaws.

BACKGROUND/RATIONALE:

Proposal

The applicant is looking to amend a ± 8 ha (20 acres) portion of the property to the 'LDR' (Low Density Residential) designation and the R-6 (Residential 6) zone with the intention to subdivide and sell this portion of the property.

Rationale

Refusal is being recommended because the proposal is inconsistent with the objectives and policies of the Official Community Plan (OCP). The objectives and policies stated in the South Peace Fringe Area OCP acknowledge that land within the Ag (Agriculture) designation shall be used to support, preserve, and maintain agricultural land. To do this, subdivision and non-farm uses not complementary to agriculture should be directed away from agricultural areas.

File Details

Owner: Barbara & Dale Callahan
Area: Electoral Area D
Location: Pouce Coupe
Legal: THE NORTH WEST 1/4 OF SECTION 25 TOWNSHIP 77 RANGE 14 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT
PID: 011-652-403
Civic Address: 73 Riverside Road
Lot Size: 65.01 ha (160.64 ac)

Site Context

The property is located southeast of Pouce Coupe and just west of the Alberta border. The surrounding properties are all zoned A-2 (Large Agricultural Holdings Zone).

Site FeaturesLand

The property is heavily treed and there are no notable topographic features that exist on the property.

Structures

Currently on the property, there exists one residence, one garage, and a shop in the northeast corner of the property which is the subject of this OCP and Zoning amendment.

Access

The property is accessed off of Riverside Road, which is a public road.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the northeast ALR portion of the subject property are classified as Class 3W. Class 3 soils have moderately severe limitations that restrict the range of crops or require special conservation practices. Subclass 'w' denotes soils where excess water other than brought about by inundation is a limitation to agricultural use.

According to the Canada Land Inventory, soils that run through the center of the subject property are classified as Class 57T63TP and soils on the southwest portion of the subject property are classified as Class 5C. Class 5 soils have very severe limitations that restrict their capability to producing perennial forage crops, and improvement practices are feasible. Class 6 soils are capable only of producing perennial forage crops, and improvement practices are not feasible. Subclass 'T' denotes topography, subclass 'P' represents stoniness and subclass 'C' denotes adverse climate as limitations on soil productivity.

Comments & ObservationsApplicant

The Applicant is looking to move closer to town.

Agricultural Land Reserve (ALR)

The northeast corner of the subject property is within the Agricultural Land Reserve, and therefore the provisions of the *Agricultural Land Commission* apply.

Due to the proposed subdivision not dividing the ALR portions of the property, there is no need for explicit ALC approval.

Official Community Plan (OCP)

Pursuant to the South Peace Official Community Plan Bylaw No. 2048, 2012 (SPFA OCP), the subject property is designated Ag (Agriculture). Land within this designation should be used for agriculture, agri-tourism, and residential. The minimum parcel size should be 63 ha (156 ac). Therefore, the proposed parcel size is not consistent with this designation.

Section 5.1.1 outlines the objectives of the Agriculture designation including:

- b. To maintain agriculture in the SPFA as a primary economic resource activity and to direct subdivision and non-farm uses not complementary to agriculture away from agricultural areas where negative impact to agriculture will be minimized.
- d. To recognize that the PRRD has historically been surveyed on a quarter section basis and that this parcel size has been the building block foundation for the agriculture sector.

Section 3, General Development Strategies sets out additional considerations around development within the plan area. Objective 3.2.1.a within this section acknowledges that agricultural land should be used to preserve and utilize productive agricultural lands to foster self-sufficiency, promote security of food production and improve economic diversity. Policy 3.2.2.a of this section states that agricultural land should be preserved.

Therefore, an OCP amendment to LDR (Low Density Residential) is required. Land within the LDR designation should be used for residential, home-based businesses, and agriculture. The minimum parcel size should be 8 ha (20 ac). The proposal is consistent with the policies of the proposed designation.

Land Use Zoning

Pursuant to Zoning Bylaw No. 1343, 2001, the subject property is zoned A-2 (Large Agricultural Holdings Zone). Land within this zone may be used for agriculture, wood harvesting and forestry, and dwelling units. The minimum parcel size is 63 ha (156 ac). The proposed parcel size does not comply with the zoning bylaw.

Therefore, a Zoning Amendment to R-6 (Residential 6) is required. Land within the R-6 zone may be used for dwelling units and agriculture. The minimum parcel size is 8 ha (20 ac). The proposal is consistent with the regulations of the proposed zone.

Fire Protection Area

The subject property is outside all Fire Protection Areas.

Mandatory Building Permit Area

The subject property is outside the Mandatory Building Permit Area; however, Building Permits are still available on a voluntary basis.

Development Permit Area

The subject property is outside all Development Permit Areas.

Development Cost Charge Area

The subject property is outside the Development Cost Charge Area.

School District 60 School Site Acquisition Charge Area

The subject property is outside the School District 60 School Site Acquisition Charge Area.

Impact AnalysisPopulation & Traffic

Population and traffic would increase if the proposal is approved.

Sewage & Water

The property has a professionally installed lagoon for sewage. The residence uses a cistern for water.

Comments Received from Municipalities & Provincial AgenciesAgricultural Land Commission

The ALC has no concern with the subdivision itself if the boundary is on the non-ALR portion of the property and it doesn't divide the ALR portion(s) of the property. From the sketch, it looks like all the ALR land would remain on one parcel. However, in this it looks like the proposed zoning is the opposite of what typically happens when land is subdivided along the ALR boundary. If I understand correctly, the intent is to retain the A-2 zoning on the larger non-ALR proposed parcel and rezone the smaller ALR proposed parcel to R-6. R-6 zoning is inconsistent with the *ALC Act* as it does not align with the regulations on residences in the ALR (e.g. R-6 would permit two single family dwellings plus a temporary additional dwelling).

I suggest instead using a different zone that is consistent with the ALC regulations (possibly comprehensive zoning) or a text amendment.

PRRD GIS

No concerns.

Bylaw Enforcement

No concerns.

Ministry of Food & Agriculture

See attached.

ALTERNATIVE OPTIONS:

1. That the Regional Board give South Peace Fringe Area Official Community Plan Bylaw No. 2544, 2024 to amend the designation of the subject property identified as PID 011-652-403 from Ag (Agriculture) to LDR (Low Density Residential) first and second readings; and further

That the Regional Board give Peace River Regional District Zoning Amendment Bylaw No. 2545, 2024 to rezone the subject property identified as PID 011-652-403 from A-2 (Large Agricultural Holdings Zone) to R-6 (Residential 6 Zone) first and second readings; and further

That a Public Hearing be held pursuant to Section 464 of the *Local Government Act*, delegated to Director of Electoral Area D, and that public notification be authorized pursuant to Section 466 of the *Local Government Act*.

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.

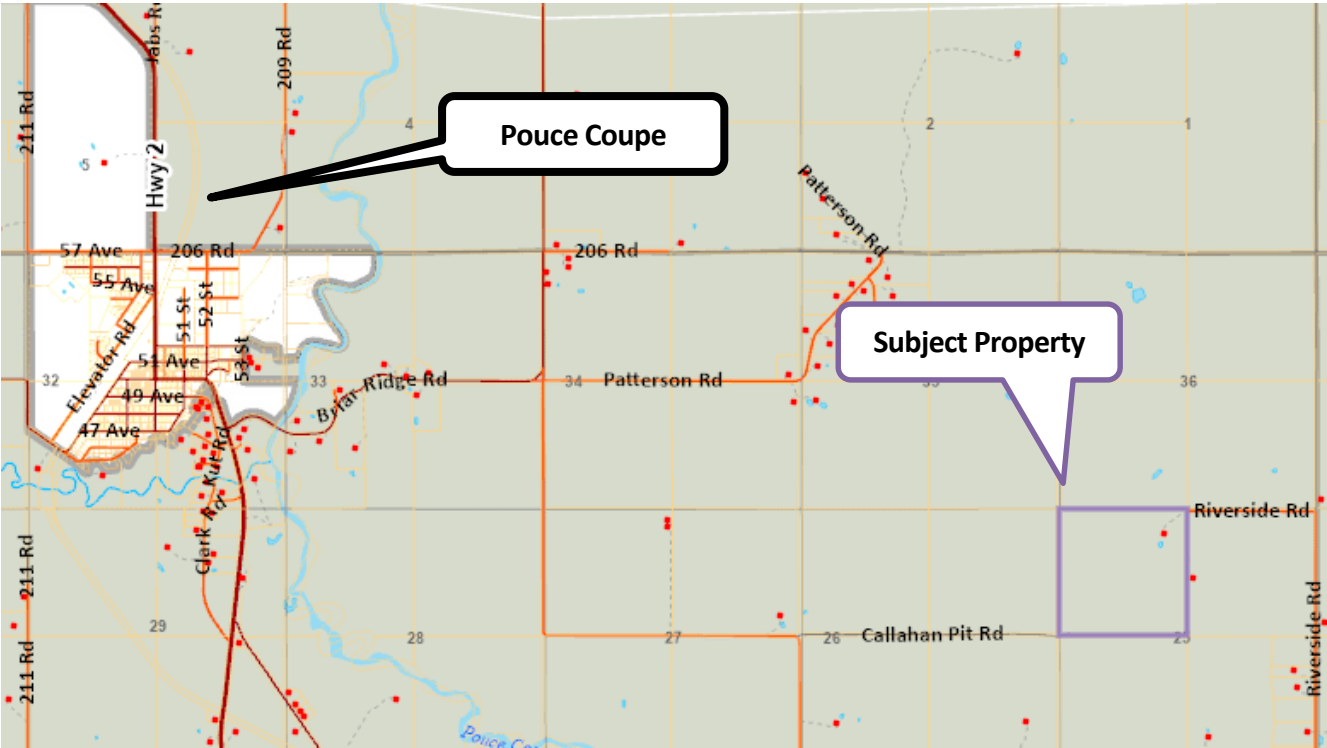
OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Official Community Plan Amendment Bylaw No. 2544, 2024
2. Zoning Amendment Bylaw No. 2545, 2024
3. Maps, PRRD File No. 24-001 OCPZN
4. Application, PRRD File No. 24-001 OCPZN
5. Comments Received from Municipalities and Provincial Agencies

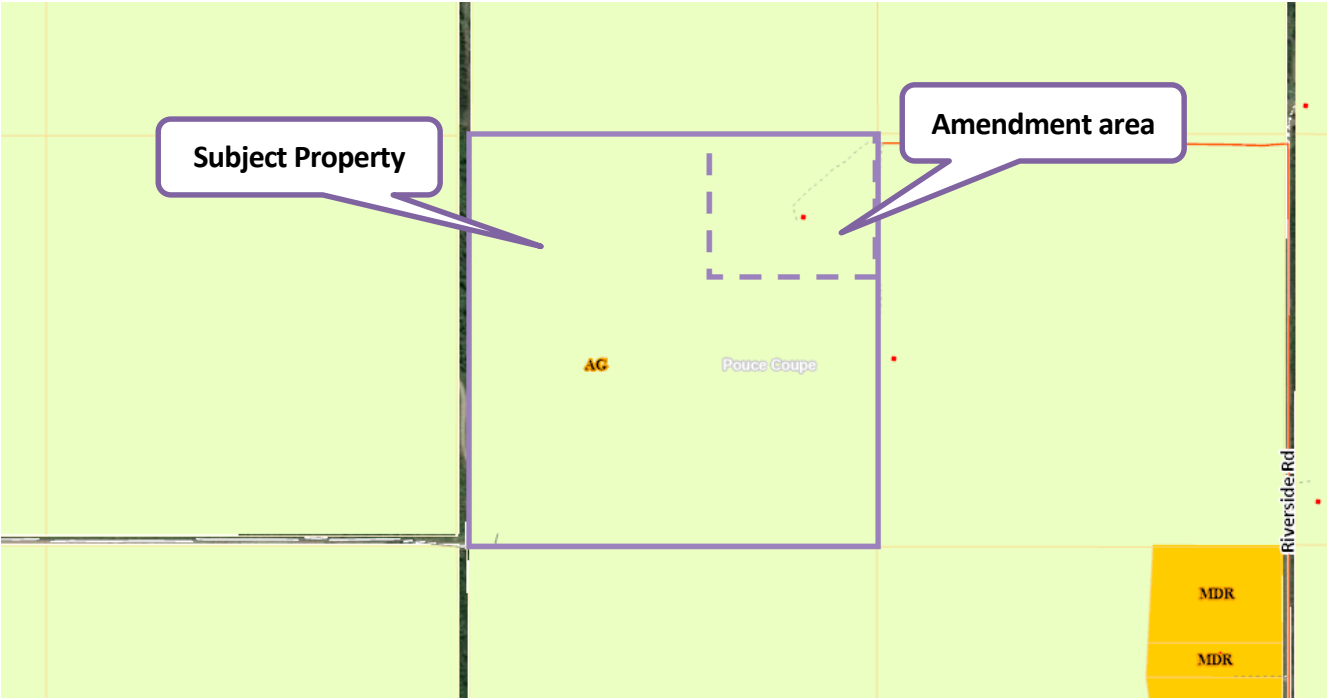
Location: Pouce Coupe area



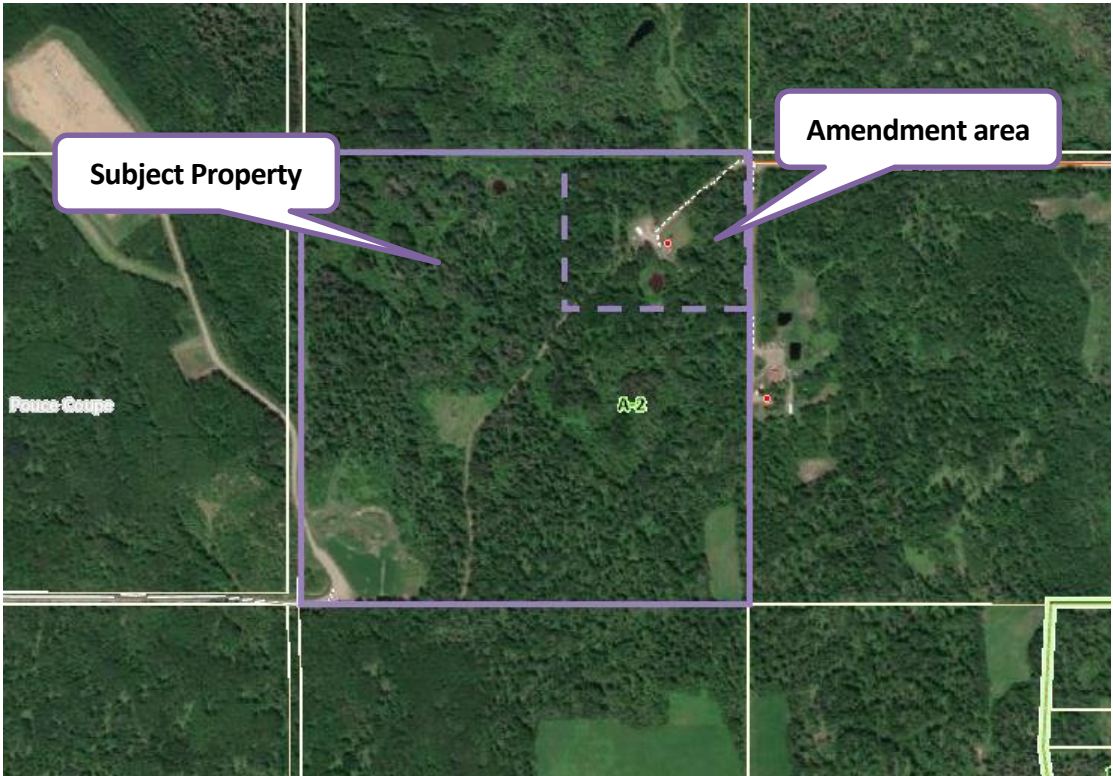
Aerial imagery



PRRD South Peace Official Community Plan Bylaw No. 2048, 2012: Agriculture (Ag)



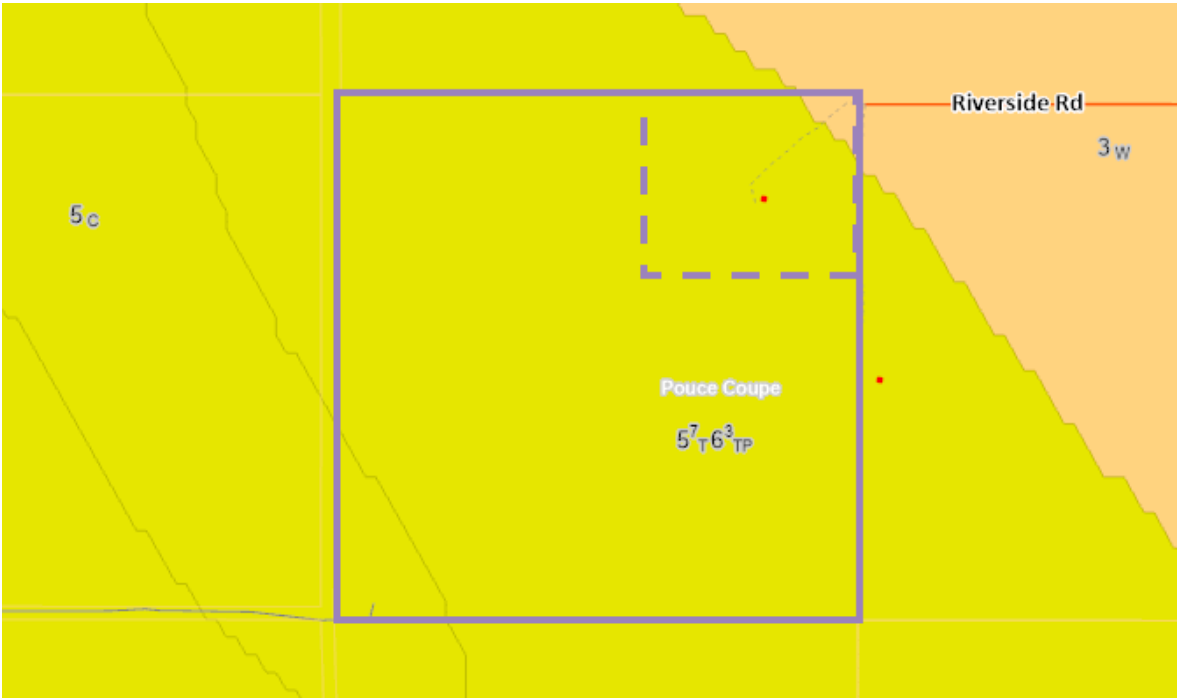
PRRD Zoning Bylaw No. 1343, 2001: Large Agricultural Holdings Zone (A-2)



Agricultural Land Reserve: Partially within



CLI Soil Classification: $5_C / 5^5_T 6^3_{TP} / 3_W$





PEACE RIVER REGIONAL DISTRICT

Dawson Creek | Box 810, 1981 Alaska Avenue BC, V1G 4H8
(T): (250) 784-3200 prrd.dc@prrd.bc.ca

Fort St. John | 9505 100 Street BC, V1J 4N4
(T): (250) 785-8084 prrd.fs@prrd.bc.ca

For Office Use:

Receipt # _____

Date Received _____

File No. _____

Sign Issued: Yes ☐ No ☐ N/A ☐

Application for Development

1. TYPE OF APPLICATION

- | | FEE |
|--------------------------------------------------------------------------------------------------|-------------|
| <input type="checkbox"/> Official Community Plan Bylaw Amendment* | \$ 1,150.00 |
| <input type="checkbox"/> Zoning Bylaw Amendment* # | \$ 800.00 |
| <input checked="" type="checkbox"/> Official Community Plan / Zoning Bylaw Amendment combined* # | \$ 1,200.00 |
| <input type="checkbox"/> Temporary Use Permit* | \$ 500.00 |
| <input type="checkbox"/> Temporary Use Permit Renewal | \$ 350.00 |
| <input type="checkbox"/> Development Permit # | \$ 165.00 |
| <input type="checkbox"/> Development Variance Permit | \$ 165.00 |

* Sign is required for this application type.

Sign provided by the PRRD and posted pursuant to Section 6 of Bylaw No. 2449, 2021, attached.

Contaminated Site Declaration Form required for this application type.

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <input type="checkbox"/> Exclusion from the Agricultural Land Reserve
(Applicant responsible for additional costs associated with the
advertisements, signage, and facility rental, if applicable) | \$ 1,500.00 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|

2. PLEASE PRINT

Property Owner's Name <i>Dale/Barbara Callahan</i>	Authorized Agent of Owner (if applicable)
Address of Owner [REDACTED]	Address of Agent
City/Town/Village: [REDACTED]	City/Town/Village:
Postal Code: [REDACTED]	Postal Code:
Telephone Number: [REDACTED]	Telephone Number:
E-mail: [REDACTED]	E-mail:

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*.

3. PROPERTY DESCRIPTION

Full legal description and PID of each property under application	Area of each lot
Part NW 1/4, section 25, township 77,	ha./acres
Range 14, Meridian W6 Peace	ha./acres
River Land District	ha./acres
PID - 011-652-403	TOTAL AREA 160 ha./acres

4. Civic Address or location of property: 73 Riverside Rd Peace Cove

5. PARTICULARS OF PROPOSED AMENDMENT

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

☐ Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: AG

Proposed OCP designation: LDR

Text amendment: _____

☐ Zoning Bylaw amendment:

Existing zone: A-2

Proposed zone: R6

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:

Home, garage, power shed, Tool shed,
greenhouse, coverall
This is our primary residence

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

(a) North no buildings - mostly bush
(b) East House + shop residential / Bush
(c) South Bush / Field no buildings
(d) West government lease Bush

8. Describe your proposal. Attach a separate sheet if necessary:

Subdivide the dwelling with 20 acres
to sell.
Keep the remaining 140 acres.

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

We are wanting to move closer to town.
The land has been in the family for many
years, so we still want to keep some of it.

10. Describe the proposed and/or existing means of sewage disposal for the property:

sewage - lagoon - professionally installed.

11. Describe the proposed and/or existing means of water supply for the property:

We haul water. We have a cistern.

THE FOLLOWING INFORMATION IS REQUIRED DEPENDING ON THE PROPOSAL/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 the following:
 - (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 and size of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location and size 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 survey plan prepared by a British Columbia Land Surveyor may be required.

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.

[Redacted Signature]

Jan 16, 2024
Date signed

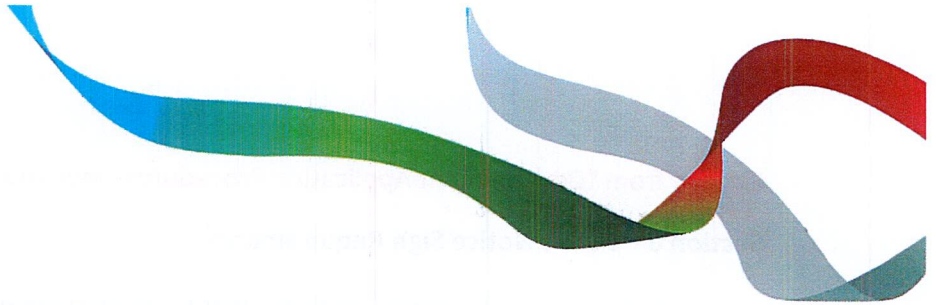
[Redacted Signature]

Jan 16, 2024
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 _____ and _____ hereby authorize (name of landowner) (name of landowner)	
_____ to act on my/our behalf regarding this application. (name of agent)	
Signature of Owner:	Date:
Signature of Owner:	Date:



CONTAMINATED SITE DECLARATION FORM

I, _____, hereby acknowledge that the
Environmental Management Act, 2003, as amended, is effective as of February 1, 2021.

Legal Description(s):

73 Riverside Road
Part NW 1/4, Section 25, Township 77, Range 14,
Meridian W6, Peace River Land District

Please check only one:

☒ I have read [Schedule 2](#) and based on my personal knowledge of the property in question, I do not believe that it is or has been used for any of the industrial or commercial purposes and activities specified in [Schedule 2](#) of the regulations. Accordingly, I elect not to complete and submit a 'site disclosure statement', as outlined in Section 40.(1) of the Act.

☐ I have read [Schedule 2](#) and one or more of the identified purposes or activities is or has occurred on the land(s) legally described above.

*Please contact staff to submit a "site disclosure statement" at planning@prrd.bc.ca

I further acknowledge that this declaration does not remove any liability, which may otherwise be applicable under the legislation.

16/10/2021
dd mm yyyy

16/10/24
dd mm yyyy

For more information, please visit the ministry's *Identification of Contaminated Sites* webpage or e-mail SiteID@gov.bc.ca



Peace River Regional District



Legend

Evacuation Orders Currently Is

- Alert
- Order

- Regional District Boundary
- Hwy Mile Marker
- Rural Community
- 911 Civic Address Rural
- 911 Civic Address Municipal
- Parcel / District Lot
- Highway
- Municipal Road
- Hard Surface
- Gravel
- Rural Road >1:250k
- Hard Surface
- Gravel
- Seasonal
- Driveway
- PRRD Electrical Utility Lines
- PRRD Sewer System
- Sewer Line
- Storm Water Drainage
- PRRD Water System
- Rivers/Creeks
- Regional Park
- Parks
- ALR
- Zoning Bylaw 1343

1: 9,028



458.6 0 229.31 458.6 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

Notes



October 30, 2023

File: 0280-30

Ref: 201422

Dear Local Government Planning Staff:

Ministry of Agriculture and Food (the Ministry) staff have noted that there has been a marked increase in Agricultural Land Commission (ALC) subdivision applications over the past few years, resulting in increased referral workload for local government, the Ministry and ALC staff.

A recent referral impact review project conducted by the Ministry, which reviewed 148 referrals from 26 local governments over a six-month period, showed that 80 percent of ALC subdivision applications were assessed by Ministry staff as “not beneficial to agriculture”; however, local government councils and boards opted to send these applications to the ALC for decision in nearly every instance. While local government decisions to forward these applications to the ALC are inconsistent with Ministry staff input, 92 percent of ALC decisions are consistent with Ministry staff’s assessment (i.e., applications identified as not beneficial to agriculture are refused).

Given the similar input provided by Ministry staff on most subdivision applications, the limited impact that Ministry referral responses have on local government decisions, and current staff workload pressures, the Ministry discontinued parcel-specific review of ALC subdivision applications for an initial six-month trial period from March 2023 to September 2023. The Ministry has extended the trial period for an additional 12 months from October 2023 to October 2024. At the conclusion of the 18-month trial period, Ministry staff will complete an analysis to determine how ALC subdivision application referrals from local governments will be reviewed moving forward. In the interim, Ministry staff will focus on developing alternative outreach and education mechanisms to support land use decisions that benefit agriculture.

In the absence of a parcel-specific review, local government planning staff and decision makers are encouraged to consider the following when reviewing ALC applications for subdivision on the Agricultural Land Reserve (ALR).

- Subdivision in the ALR frequently results in each parcel having diminished agricultural potential and an increase in land cost per hectare due to increased residential and accessory structures. Smaller lots and increased residential structures can also increase conflict between adjacent land uses.

.../2

- Ministry data, through Agricultural Land Use Inventories (ALUI), shows that smaller agricultural lots are less likely to be farmed.
- A [2022 Kwantlen Polytechnic University study](#) exploring the impact of non-farm uses and subdivision on agricultural land found that in regions of British Columbia (B.C.) reviewed, “30 percent of all new parcels created as a result of subdivision ceased to have a farm class status”, and “64 percent of all the parcels had their ownerships transferred within three years after non-farm use and subdivision applications were approved. This percentage becomes higher for subdivided parcels” (Summary Results, p.1-2).
- To advance viable long-term agricultural opportunities on the ALR, Ministry staff encourage ALR landowners to pursue alternative land access and tenure options, other than subdivision, (such as the leasing of portions of the property) as part of a coordinated succession plan. For more information on [B.C.’s Land Matching Program](#), please visit the [Agrarians Foundation](#) organization website.
- The Ministry also provides resources to producers to support successful farm transition, including support through the [B.C. Agri-Business Planning Program](#), as well as succession planning workshops and webinars to familiarize farmers with the steps and practices required for a successful farm transition.
- Ministry staff are available to discuss viable agricultural opportunities with the landowners considering pursuing farming activities on ALR land. For more information or to contact Ministry staff, please visit the Ministry [AgriService BC webpage](#) or email AgriServiceBC@gov.bc.ca.

While the Ministry will not be providing a detailed review and response to this parcel-specific referral, please feel free to reach out to Ministry staff with specific questions or for advice on this referral or land use planning for agriculture in general.

Sincerely,



Arlene Anderson

Executive Director

Phone: 

Email: 

PEACE RIVER REGIONAL DISTRICT

Bylaw No. 2544, 2024

A bylaw to amend the "South Peace Fringe Area Official
Community Plan Bylaw No. 2048, 2012"

WHEREAS the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt the "South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012";

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 "South Peace Fringe Area Official Community Plan Amendment Bylaw No. 2544, 2024."
2. Schedule B – Map 5 of "South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012" is hereby amended by redesignating an 8 ha (20 ac) portion of the Northwest ¼ of Section 25, Township 77, Range 14, W6M, PRD, from AG "Agriculture" to LDR "Low Density Residential", as shown on Schedule "A" which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	_____	day of _____	, 2024.
READ A SECOND TIME THIS	_____	day of _____	, 2024.
Public Notice published on the	_____	day of _____	, 2024.
Public Hearing held on the	_____	day of _____	, 2024.
READ A THIRD TIME THIS	_____	day of _____	, 2024.
ADOPTED THIS	_____	day of _____	, 2024.

Brad Sperling, Chair

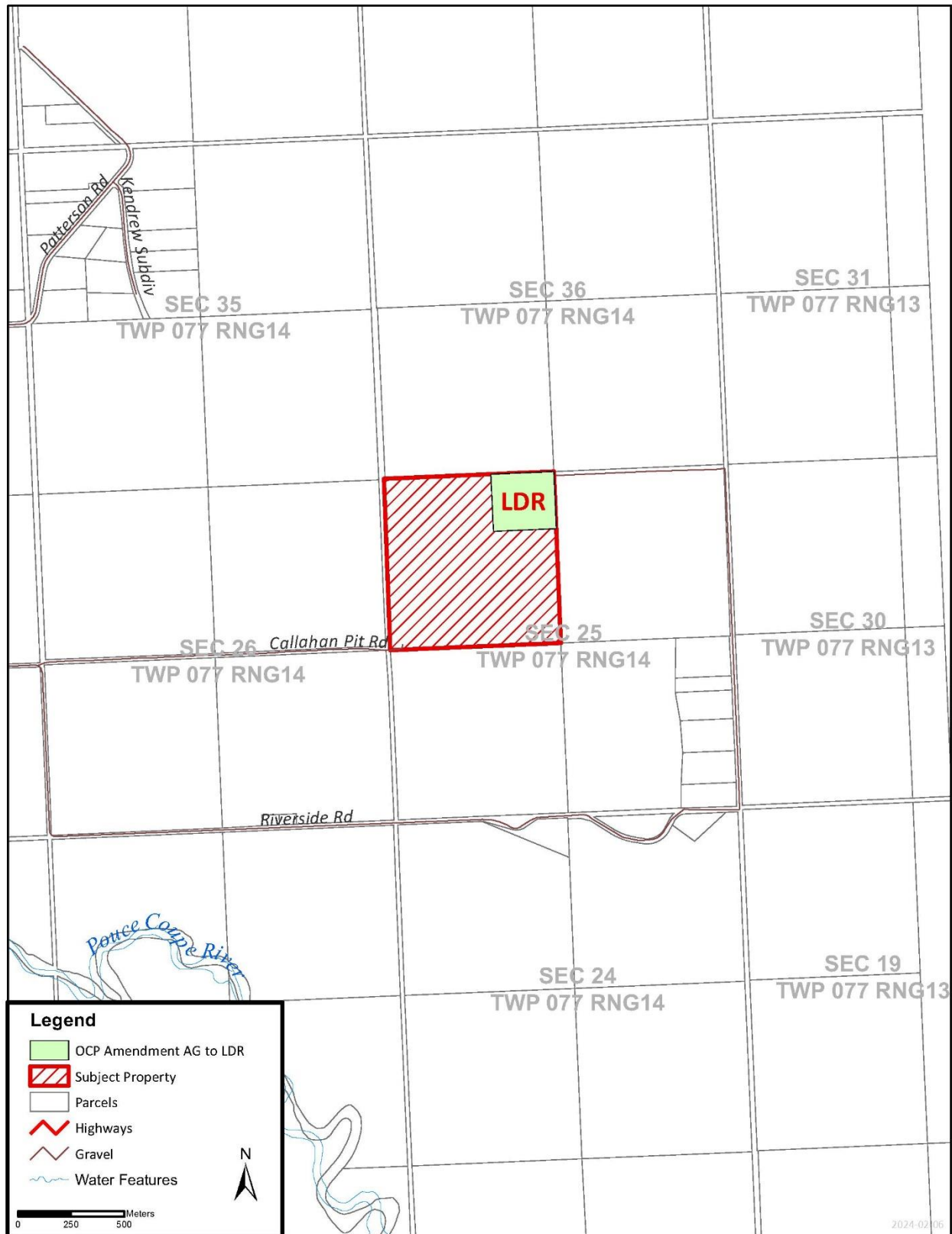
(Corporate Seal has been affixed to the original
bylaw)

Tyra Henderson,
Corporate Officer

I hereby certify this to be a true and correct copy of
"South Peace Fringe Area Official Community Plan
Amendment Bylaw No. 2544, 2024", as adopted by the
Peace River Regional District Board on _____, 2024.

Tyra Henderson,
Corporate Officer

Schedule A



PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2545, 2024

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 bylaw shall be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2545, 2024."
2. Schedule B – Map 15 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning an 8 ha (20 ac) portion of the Northwest ¼ of Section 25, Township 77, Range 14, W6M, PRD from A-2 "Large Agriculture Holdings Zone" to R-6 "Residential 6 Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	_____	day of _____	, 2024.
READ A SECOND TIME THIS	_____	day of _____	, 2024.
Public Notice published on the	_____	day of _____	, 2024.
Public Hearing held on the	_____	day of _____	, 2024.
READ A THIRD TIME THIS	_____	day of _____	, 2024.
ADOPTED THIS	_____	day of _____	, 2024.

Brad Sperling, Chair

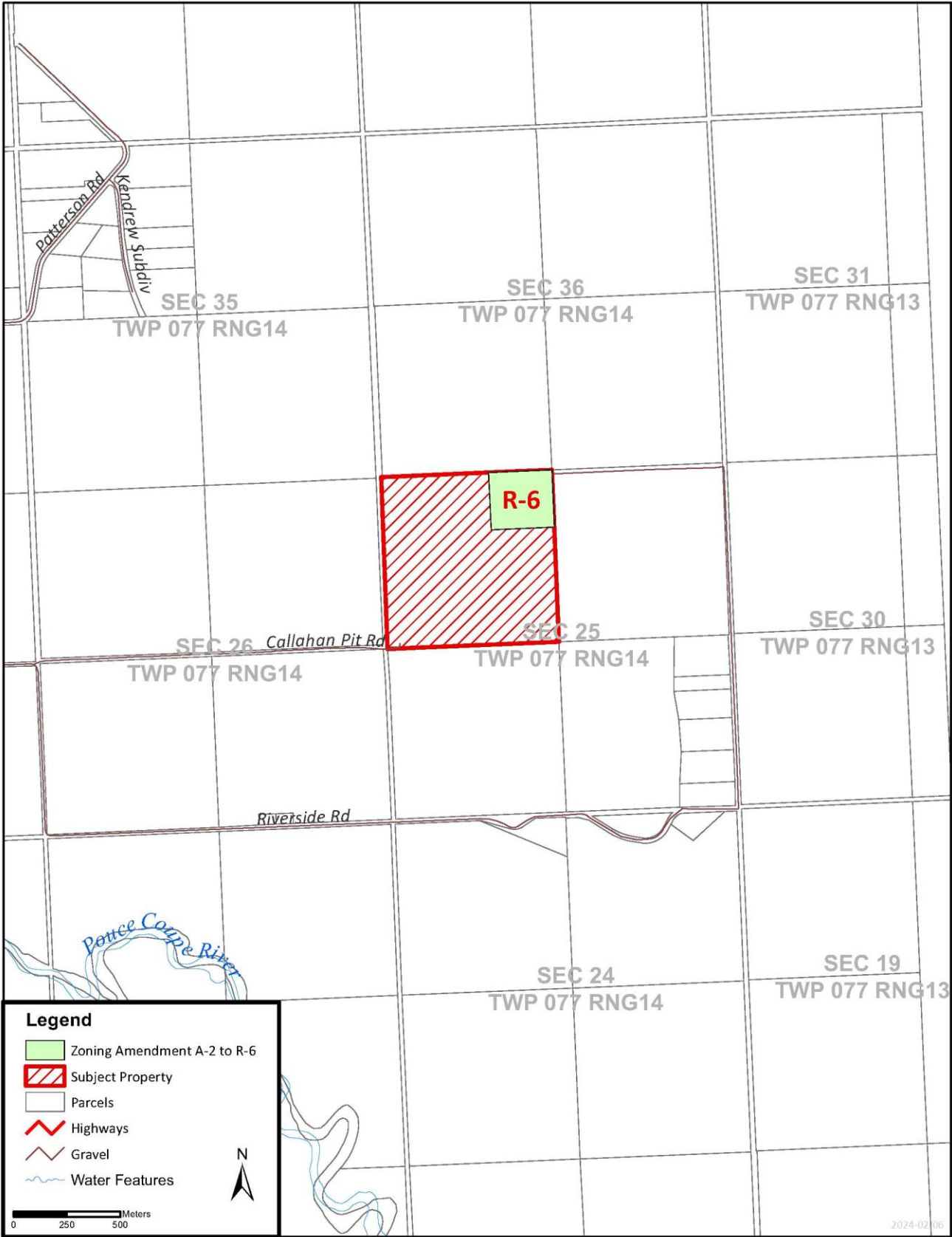
(Corporate Seal has been affixed to the original
bylaw)

Tyra Henderson,
Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD
Zoning Amendment Bylaw No. 2545, 2024", as adopted by the
Peace River Regional District Board on _____, 2024.

Tyra Henderson, Corporate Officer

Schedule A



COMMENTS RECEIVED FROM AGENCIES AND MUNICIPALITIES

PRRD Bylaw Enforcement

No concerns.

PRRD GIS

No concerns.

Agricultural Land Commission

The ALC has no concern with the subdivision itself if the boundary is on the non-ALR portion of the property and it doesn't divide the ALR portion(s) of the property. From the sketch, it looks like all the ALR land would remain on one parcel. However, in this it looks like the proposed zoning is the opposite of what typically happens when land is subdivided along the ALR boundary. If I understand correctly, the intent is to retain the A-2 zoning on the larger non-ALR proposed parcel and rezone the smaller ALR proposed parcel to R-6. R-6 zoning is inconsistent with the *ALC Act* as it does not align with the regulations on residences in the ALR (e.g. R-6 would permit two single family dwellings plus a temporary additional dwelling).

I suggest instead using a different zone that is consistent with the ALC regulations (possibly comprehensive zoning) or a text amendment.

Ministry of Food & Agriculture

See attached.



October 30, 2023

File: 0280-30

Ref: 201422

Dear Local Government Planning Staff:

Ministry of Agriculture and Food (the Ministry) staff have noted that there has been a marked increase in Agricultural Land Commission (ALC) subdivision applications over the past few years, resulting in increased referral workload for local government, the Ministry and ALC staff.

A recent referral impact review project conducted by the Ministry, which reviewed 148 referrals from 26 local governments over a six-month period, showed that 80 percent of ALC subdivision applications were assessed by Ministry staff as “not beneficial to agriculture”; however, local government councils and boards opted to send these applications to the ALC for decision in nearly every instance. While local government decisions to forward these applications to the ALC are inconsistent with Ministry staff input, 92 percent of ALC decisions are consistent with Ministry staff’s assessment (i.e., applications identified as not beneficial to agriculture are refused).

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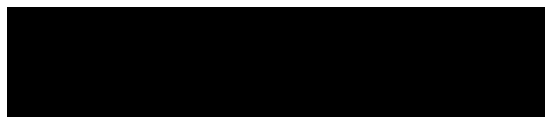
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.../2

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- A [2022 Kwantlen Polytechnic University study](#) exploring the impact of non-farm uses and subdivision on agricultural land found that in regions of British Columbia (B.C.) reviewed, “30 percent of all new parcels created as a result of subdivision ceased to have a farm class status”, and “64 percent of all the parcels had their ownerships transferred within three years after non-farm use and subdivision applications were approved. This percentage becomes higher for subdivided parcels” (Summary Results, p.1-2).
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While the Ministry will not be providing a detailed review and response to this parcel-specific referral, please feel free to reach out to Ministry staff with specific questions or for advice on this referral or land use planning for agriculture in general.

Sincerely,



Arlene Anderson

Executive Director

Phone: 

Email: 

Active Development Permit Applications - Submit a Comment

File No. / Applicant:

24-001 OCP ZN Dale and Barbara Callahan

Comments or Concerns:

The property outside the proposed 20 acre subdivision has experience significant industrial activity over the years and the southwest portion may have been used for contaminated soil deposition. I think the soil originated in Pouce Coupe. There was some reason the soil could not be used for fill in Pouce, and needed to be removed. The actual deposit is situated on the west side of the resource road, a short distance from the west boundary fence.

Name:

Kevin McCleary

Date:

02/03/2024

Address:

[REDACTED]

Pouce Coupe

Email (optional):**Phone Number (optional):**



To whom it may concern

My wife and I are the owners of the quarter section east of the callahans and is the proposed access to this subdivided lot.

As I'm sure you are aware there was a recent civil court ruling on the status of our driveway. Justice Kirchner has ruled [British Columbia v Querin 2023 BCSC 1994] Date 2023 Docket S23692 Registry, Dawson Creek, that an 800 meter length section of our driveway is now a public highway on our property. David Eby {then attorney general of BC. After a letter written by Barb Callahan[paragraph 36 } promised to have his office settle this matter for them. David Eby, now Premier of BC has used the power of the province and the resources of the taxpayers of British Columbia to fulfill this promise to the Callahans.

Justice Kirchner recognized the political interference in this case and put in his ruling certain limitations for the use of this new Public highway across our property. The province's team of attorneys under the direction of their boss David Eby sued Deanne and I for a 25 meter right of way across our property that would have included our power poles, our private power line right of way, the shoulders and ditches on this section of our driveway.

Justice Kirchner in his decision refused to do this. Instead he ruled in favor of David Eby's attorneys but only to the extent of the traveled surface at the time of trial.{paragraph 181} This is vague and open to interpretation on the actual width of this new public highway.

Part of what is now the "new public Highway" are two posts spaced at 123 inches apart. The province's team of attorneys, through threats and intimidation, demanded that these posts be removed. When we refused they again sued us [British Columbia v Querin 2024 BCSC 197] for the provinces cost to in our opinion steal our legally owned property.

Justice Kirchner refused to do this in spite of Barb Callahans Sworn under oath testimony [BCSC 1994 paragraph 38,39,40 } in which she testified that there was no way to get emergency vehicles including ambulances or fire trucks through these posts. As well Barb Callahan testified under oath that due to the posts no services could be delivered to their property including water trucks and propane delivery.

The Callahans have an alternative access from the south west corner of their property. {Callahan Pit Road} This is the access they and their family have used since they obtained this property from Bruce Callahan.

The Callahan's have attempted to get subdivision approval in the past. PLA 2015-04777. Part of the pending approval for that subdivision was they survey a 25 meter roadway along the north side of their quarter, build a highway to moti specs and dedicate it to the province.

Under this proposed subdivision, this access will no longer be available. The potential owners of

this lot will {according to Callahan's sworn testimony} be completely cut off from all emergency vehicles and services.

In Justice Kirchners decision {BCSC 197 paragraph 9} He states the reason he confined the width of the highway to the traveled surface at the time of trial is to prevent the highway from being used for a wider use than is possible within his declaration.

The definition of the traveled surface of a gravel road is the portion usually traveled by the public. As this was a private driveway for the thirty four years I've owned it, there was no public travel. Justice Kirchner viewed the road at the time of trial. Our Attorney and I photographed the entire roadway at the time of trial.

The photos clearly show the highway as a single lane approximately 102 inches wide. This is what Justice Kirchner saw and what his decision orders.

The Callahan subdivision plans were part of the civil trial and the judge was well aware of these plans and that this subdivision was the sole reason for David Eby's lawsuit against us. I believe judge Kirchner made his ruling with the limitations to prevent this subdivision using our driveway as access.

Are individual employees of the south peace regional district planning on ignoring or defying a civil court Ruling?

We will be taking any and all legal actions available to us to prevent trespassing or non authorized use of our property.

If the applicants are now saying that the width of this hiway and the 123 cm width between the posts is now suitable access for emergency and service vehicles, then they lied under oath. I believe that by submitting this application the applicants are admitting to having committed perjury.

Perjury is a serious offense under Canadian law. S.131.1 ss. 3 committing perjury can result in an indictable offense and a potential prison sentence of up to 14 years.

Due to the seriousness of this issue Justice Kirchner. The province's team of lawyers, our lawyer, the RCMP and the Crown Attorney must be made aware of this violation of law.

Work permitting, I will be prepared to speak at this public hearing on this and other matters affecting this subdivision plan.

Regards Curtis Querin

[REDACTED]

[REDACTED]

Bc hydro

To whom it may concern

My Name is Curtis Querin. My wife Deanne Querin and I own a quarter section of land in the east Pouce Coupe area, at the end of riverside road. [REDACTED]

Parcel identifier 014-253-003

There is a power line that runs well inside the northern border of our property. This power line runs all the way along the north side of our property turns to the south and runs up to our residence. This power line is also used to service our neighbor's Dale and Barb Callahan.

As you may be aware there has been a recent court decision on the status of a section of our driveway(British Columbia v Querin 2023 BCSC 1994, Docket S23692) which runs along the same northern boundary of our property.

Justice Kirchner has ruled that this section of our driveway is now a public highway across our property. His ruling states that the public highway is the traveled surface of the road at the time of trial only.

At the Trial a BC hydro employee, Brian Ward was called by the province to give testimony. Mr. Ward testified to the date on the poles but had no other information on who owns the poles, when they were installed or any easements for the right away.

These poles run across our property to the Callahan property
PID 001-652-403.

Please supply us with any documents you may have concerning any easement or legal rights BC hydro may have to run a power line across our property to service the Callahan's.

We believe extending the power line to the Callahan's constitutes an, aerial trespass. As such we demand an immediate disconnect.

We appreciate your immediate attention to this matter.

Regards
Curtis Querin

[REDACTED]

[REDACTED]

Active Development Permit Applications - Submit a Comment

File No. / Applicant:

24-001 OCP ZN Dale and Barbara Callahan

Comments or Concerns:

We are opposed to dividing up usable farmland. This also sets a precedence for neighboring quarters to do the same if this is allowed. With the proposed subdivision this land locks the usable land at the bottom of the hill from the east access, yes there is a west access but not ideal to reach useable farm land.

Name:

Duane Halma

Date:

04/16/2024

Address:

[REDACTED]

Email (optional):

Phone Number (optional):

Active Development Permit Applications - Submit a Comment

File No. / Applicant:

24-001 OCP ZN Dale and Barbara Callahan

Comments or Concerns:

The available farm land for sale in the briar ridge area is non existant at this time making farm expansion near impossible. I believe if left as a full quarter, future buyers are left with more options as far as types and numbers of animals to be farmed. A subdivision would increase traffic on riverside rd which already receives minimal maintenance and overall as an adjacent landowner to the Callahans I moved here 16 years ago for the peace and quiet of country life. If they are to ruin the valley with more chopped up acreages then I see no reason why I shouldn't be allowed to pull my land out of the ALR and subdivide it all, turning the valley into a little community for my prosperity. Thus defeating the purpose of agricultural land. Thankyou for your time. Tyson Ruscheinski

Name:

Tyson

Date:

04/24/2024

Address:

[REDACTED]

Email (optional):

[REDACTED]

Phone Number (optional):

[REDACTED]

Active Development Permit Applications - Submit a Comment

File No. / Applicant:

24-001 OCP ZN Dale and Barbara Callahan

Comments or Concerns:

I grew up in an agricultural community very similar to the Peace River area. Agricultural land deserves protection whenever possible. The 1/4 section affected by this proposal has alternate sites upon which rezoning could be accomplished. The alternate sites are all outside the ALR. In particular, the entire west boundary of this quarter section could be considered as there is a public access right-of-way along the entire western border. I am against the rezoning proposal. Thank you.

Name:

Beverley McCleary

Date:

04/24/2024

Address:

██████████ Pouce Coupe

Email (optional):

Phone Number (optional):

Active Development Permit Applications - Submit a Comment

File No. / Applicant:

24-001 OCP ZN Dale and Barbara Callahan

Comments or Concerns:

I own land just down the road. I have lived out here for approx 10 years. I moved out here for peace and quiet. I farm part time. If they are approved to subdivide from the ALR then all neighbours should have the same right. There is already a lack of farmable land in this area and by reducing the ALR land in question will reduce this even further. The access road is poorly maintained as is and we do not need more traffic

Name:

Mark Ruscheinski

Date:

04/24/2024

Address:

[REDACTED]

Email (optional):

Phone Number (optional):

Active Development Permit Applications - Submit a Comment

File No. / Applicant:

24-001 OCP ZN Dale and Barbara Callahan

Comments or Concerns:

To whom it may concern.

My name is Curtis Querin

As you know I dropped off a letter at your office. My work circumstances will not permit me to attend tonight's meeting.

I trust that the issue I brought up in my letter will be addressed at this public meeting.

I have instructed out attorney to send a letter describing this situation to Justice Kirchner and the attorney general's office.

Regards

Curtis Querin

Name:

Curtis Querin

Date:

04/24/2024

Address:

████████ Pouce Coupe BC
V0C 2C0

██████████.

Email (optional):

████████████████████

Phone Number (optional):

██████████