



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.

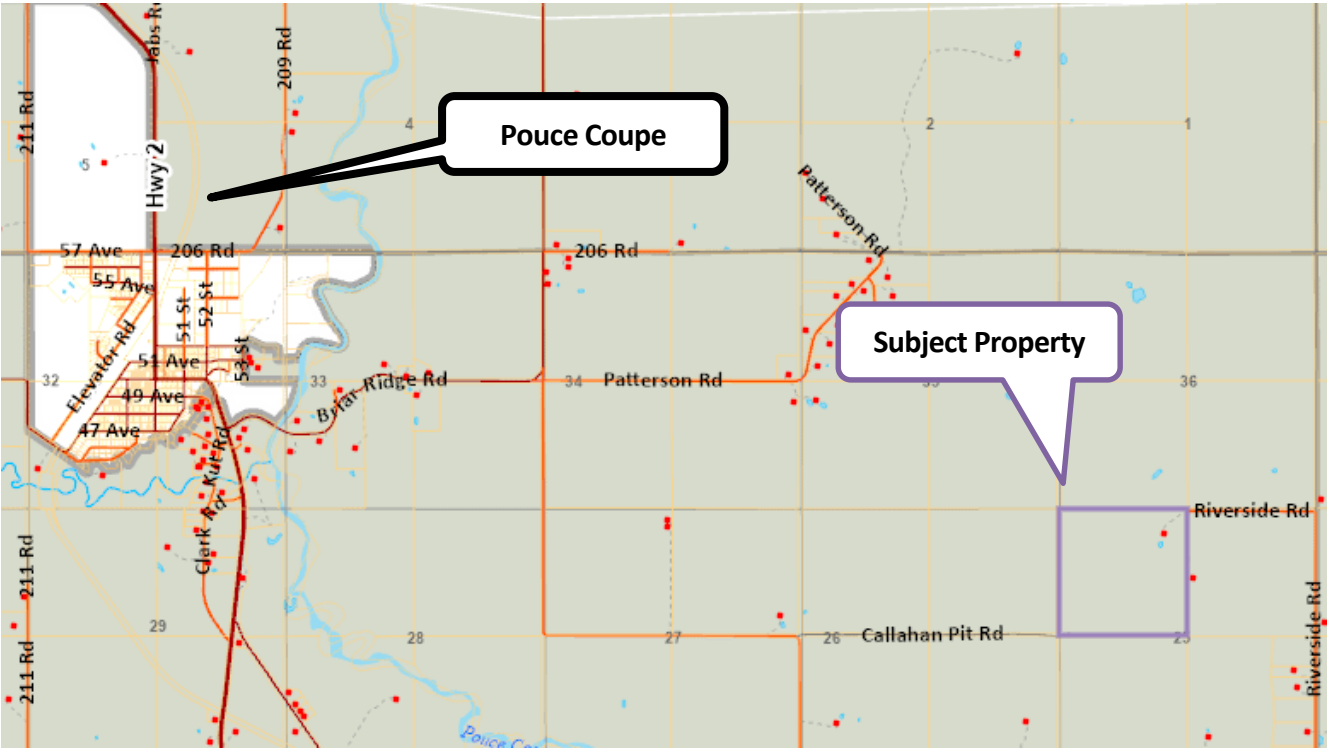
OTHER CONSIDERATION(S):

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

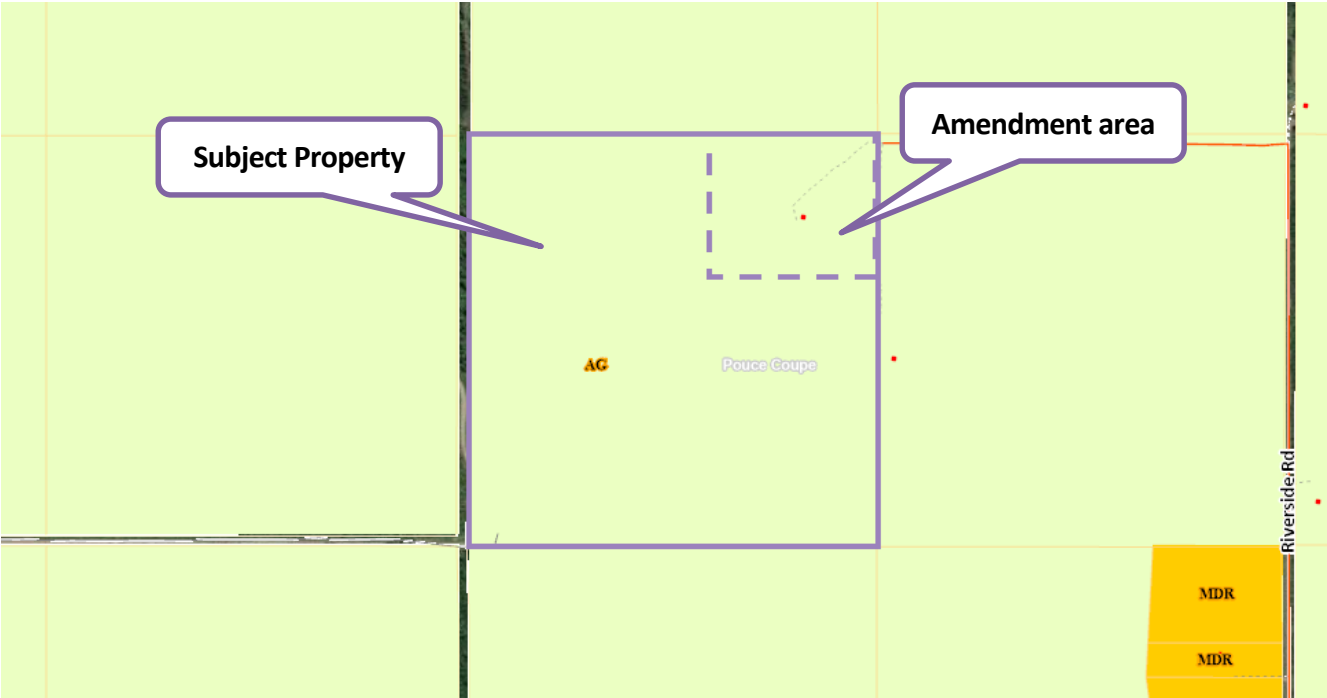
Location: Pouce Coupe area



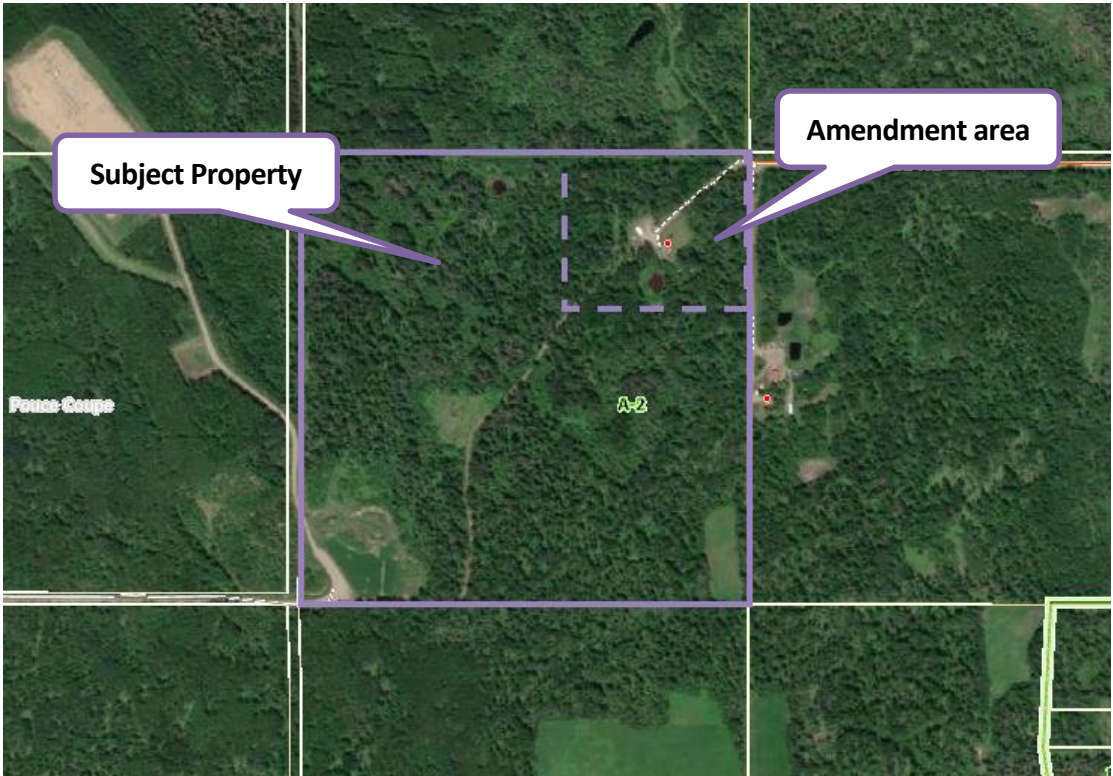
Aerial imagery



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



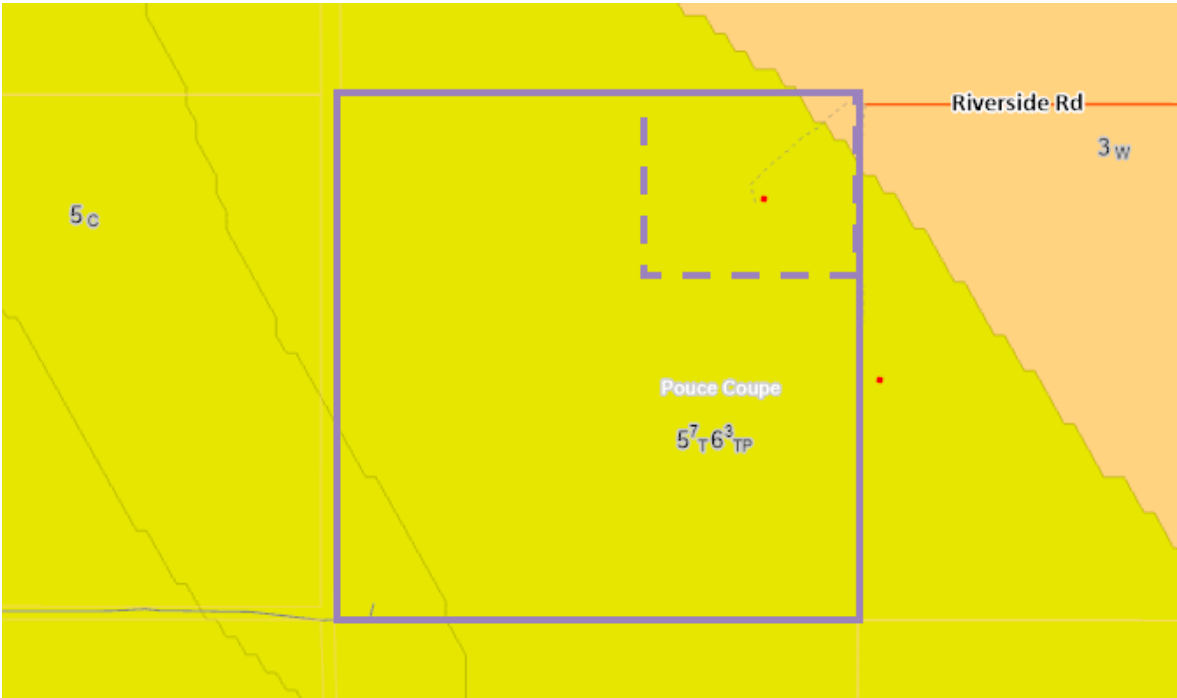
PRRD Zoning Bylaw No. 1343, 2001: Large Agricultural Holdings Zone (A-2)



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:



PEACE RIVER REGIONAL DISTRICT

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 26, 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.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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 $\frac{1}{4}$ 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

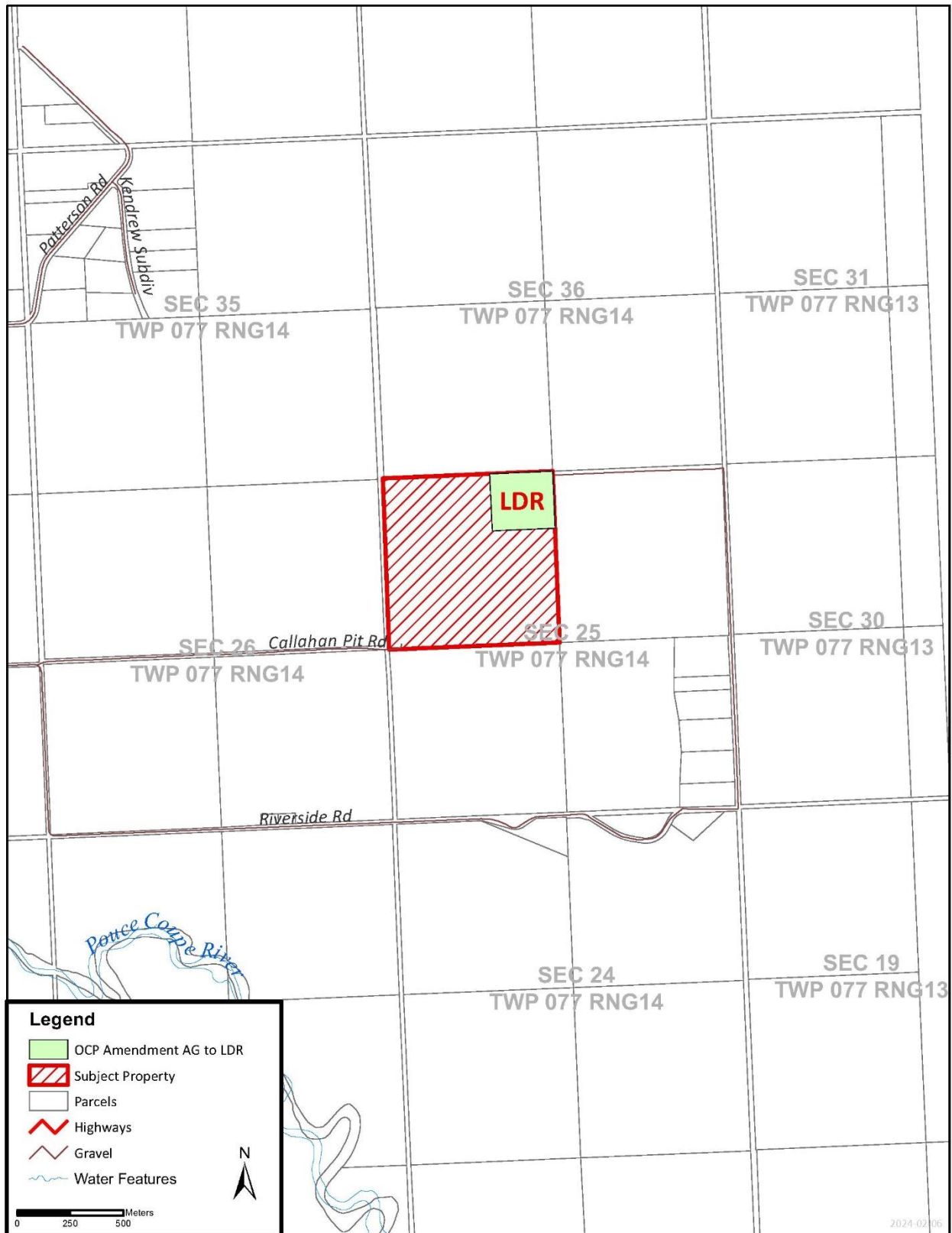
(Corporate Seal has been affixed to the original
bylaw)

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

