



Peace River Regional District REPORT

B-2a

To: Peace River Regional Board

Date: July 17, 2014

From: Kole A. Casey, South Peace Land Use Planner

Subject: Bylaw No's 2127 & 2128 (Brewster), 2014

RECOMMENDATION(S):

Option 1

1. THAT the Regional Board has considered the requirements of s. 879 of the Local Government Act, and has provided opportunity for early and ongoing consultation with those persons, organizations and authorities the Board considers will be affected as summarized in the Development Services report dated July 16th, 2014.
2. THAT the Regional Board read OCP Amendment Bylaw No.2127 (Brewster), 2014 for a First and Second time.
3. THAT the Regional Board read Zoning Amendment Bylaw No.2128 (Brewster), 2014 for a First and Second time.
4. THAT a public hearing be held pursuant to the Local Government Act;
5. THAT the public hearing be scheduled after the applicant and the Peace River Regional District discuss options for a 100m Preservation Buffer along Half-Moon Lake within District Lot 2964 and the buffer plan is approved by the General Manager of Development Services.
6. THAT the holding of the public hearing be delegated to the Director of Electoral Area "E",

BACKGROUND/RATIONALE:

At its meeting on July 10th, 2014 the Regional District adopted the following resolution

West Peace OCP Amendment Bylaw No. 2127, 2014 and Zoning Amendment Bylaw No. 2128, 2014 (Brewster) - That consideration of Resolution No. RD/14/07/28 be tabled until such time as the District of Chetwynd has had the opportunity to comment

RD/14/07/29

MOVED by Director Nichols, SECONDED by Director Schembri,
That a qualified professional be engaged by the applicant to research and give recommendations for environmental protection or buffering between the lake and proposed gravel operations.

Please see the District of Chetwynds comments attached to this report:

Staff Initials:

Dept. Head:

CAO:

Page 1 of 1



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
OCP & ZONING AMENDMENT REPORT
BY-LAW No. 2127, 2014 2128, 2014
1st and 2nd Reading**

B-2a

Part 26 Participants.
Includes all except District
of Tumbler Ridge.

OWNER: Tarla R. Brewster **DATE:** July 16th, 2014
AREA: Electoral Area E
LEGAL: District Lot 2964, PRD, Exc. Plan PGP25979 PGP26136 PGP27501 PGP29739 PGP32590 32766
LOT SIZE: 139 ha (343.5 acres)
LOCATION: Chetwynd Area

PROPOSAL

To redesignate the parcel to Resource Agricultural and rezone the parcel to A2 (Large Agricultural Holdings Zone), to support agricultural and resource extraction purposes.

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OPTIONS

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- OPTION 2: 2. THAT the Regional Board refuse the application as submitted as it is inconsistent with the Official Community Plan.

SITE CONTEXT

The subject property is located adjacent to Halfmoon Lake approximately 12 km up the Jackfish Lake road, north of the District of Chetwynd. The subject property is bordered on 3 sides by 5-10 acre residential use parcels. There is an existing gravel extraction site on the western boundary which has been granted a Temporary Use Permit. Majority of the parcel is forested which is stated to prevent dust and noise from having an impact on those properties to the east of the proposed processing site as they are approximately 1 kilometre away.

SITE FEATURES

- LAND:** Based on aerial photograph interpretation the subject property has approximated an eighth cleared for agricultural use and possibly has been cleared in the past. The remainder of the land is occupied by developed residential use, a two acre gravel extraction pit and undeveloped forested land.
- STRUCTURES:** According to the application a modular home is situated on the property.
- ACCESS:** The subject property can be accessed from Adey Road on the western side, Clark Way on the east and Jackfish Lake Road to the south.
- CLI SOIL RATING:** Class 5tp, Class 5pm And Class O. Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops and improvement practices are feasible. Class O are Organic soil and not place in a capability class. Subclass t indicates topographical constraints. Subclass p denotes stoniness. Subclass m demotes moisture limitations.
- FIRE:** Outside all Rural Fire Protection Zones

COMMENTS AND OBSERVATIONS

- APPLICANT:** It is the intent of the landowners to redesignate the property to Resource-Agricultural and rezone the property to Large Agricultural Holdings Zone for reasons to discontinue the resubmitting of a Temporary Use application for the current gravel pit within the subject property. The applicant has no desire to subdivide the property into 5 acre lots as it was initially proposed. The applicant may wish to subdivide one parcel out for their child in the future, which is allowable within a A-2 zoning.
- ALR:** The subject property lies outside the Agricultural Land Reserve and therefore is not subject to the Regulations of the *Agricultural Land Commission Act*; **Therefore, this proposal does not require the approval of the Agricultural Land Commission.**
- OCP:** The subject property is designated "Settlement" within the West Peace Official Community Plan Bylaw No. 1096, 1997. The Preferred use for this designation is medium density clustered growth and does not state any use for resource extraction and agricultural use within this designation. For this reason an OCP amendment is warranted
- ZONING:** The subject property is zoned as R-4 (Residential 4 Zone) within the PRRD Zoning Bylaw No. 1343, 2001. The current zoning does not permit Mining, including gravel extraction and processing and minimal agricultural use, which is the reason for this zoning amendment

TEMPORARY USE PERMITS: Temporary Use Permit renewal 197/2013 was issued for the Operation of a gravel processing site with crushing hours limited to 7 am to 10pm within the subject property on November 14th, 2013 and expires November 14th, 2016.
A Previous Temporary Use Permit 115-2010 was issues with the subject property on October 14th, 2010 with an expiry of October 14th 2013. Two letters of objection was received by the PRRD concerning this TUP permit.
No complaints since the original permit issued has been received by the PRRD.

IMPACT ANALYSIS

AGRICULTURE: The proposal could have an impact on the agricultural use of the land if the applicant decides to expand the gravel extraction operation or create a new pit; however the expansion or creation of a new pit would require permitting with the Ministry of Mines and requirements from other provincial agencies. The Rezoning of the subject parcel could limit future residential development on the land and agriculture use overall could increase

CONTEXT: This area consists essentially of small rural lots that surround the subject property along the north. Halfmoon Lake is situated directly north to the subject property which could be affected if any development is increased in the area. A Rezoning to A-2 of the subject property can protect Halfmoon lake from possible development, unless a gravel extraction mine is permitted closer to Halfmoon lake. The property has low feasibility for most agricultural uses. Previous development does show high potential for gravel extraction. As the area has residential development surrounding the property a public hearing is strongly advised.

POPULATION: No increase in local population is foreseen unless another gravel pit is allowed, then transient population may increase.

TRAFFIC: No increase in traffic is foreseen unless another gravel extraction site is allowed.

COMMENTS RECEIVED FROM MUNICIPALITIES AND PROVINCIAL AGENCIES

District of Taylor: Interests unaffected by Bylaw

City of Fort St. John: Interests unaffected by Bylaw

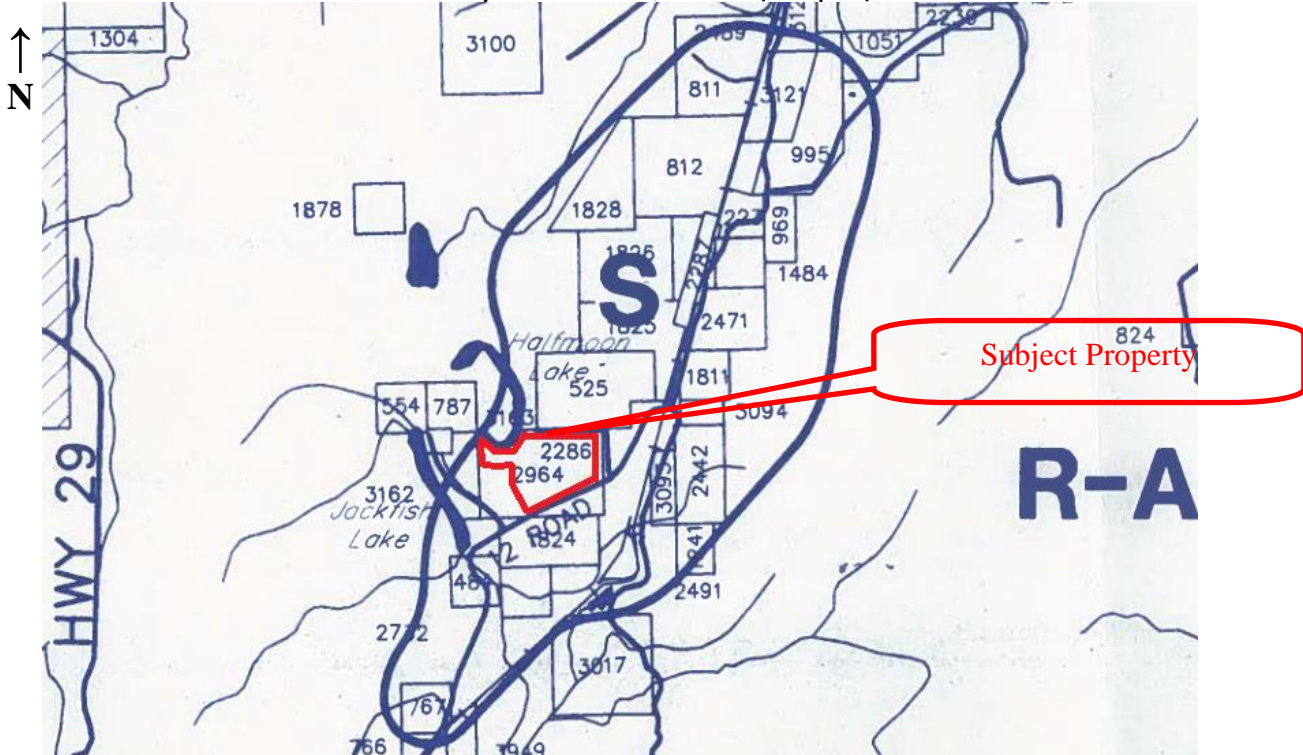
Northern Health:The proposed zoning amendment on this property would not be affected directly by the Acts and Regulations that Northern health is guided by. Please note that the property may need to be reviewed for sewage disposal and drinking water sources when a subdivision application is made. Further inquiries can be directed to an Environmental Health Officer at the Dawson Creek Health Unit (250)-719-6500

District of Chetwynd: At its regular Council meeting held July 14th, 2014 Council requested that the Peace River Regional District (PRRD) consider negotiations with the proponent to create a 100 meter buffer along the South end of Half Moon Lake and the PRRD take actions to secure Half Moon Lake as a Regional Park.

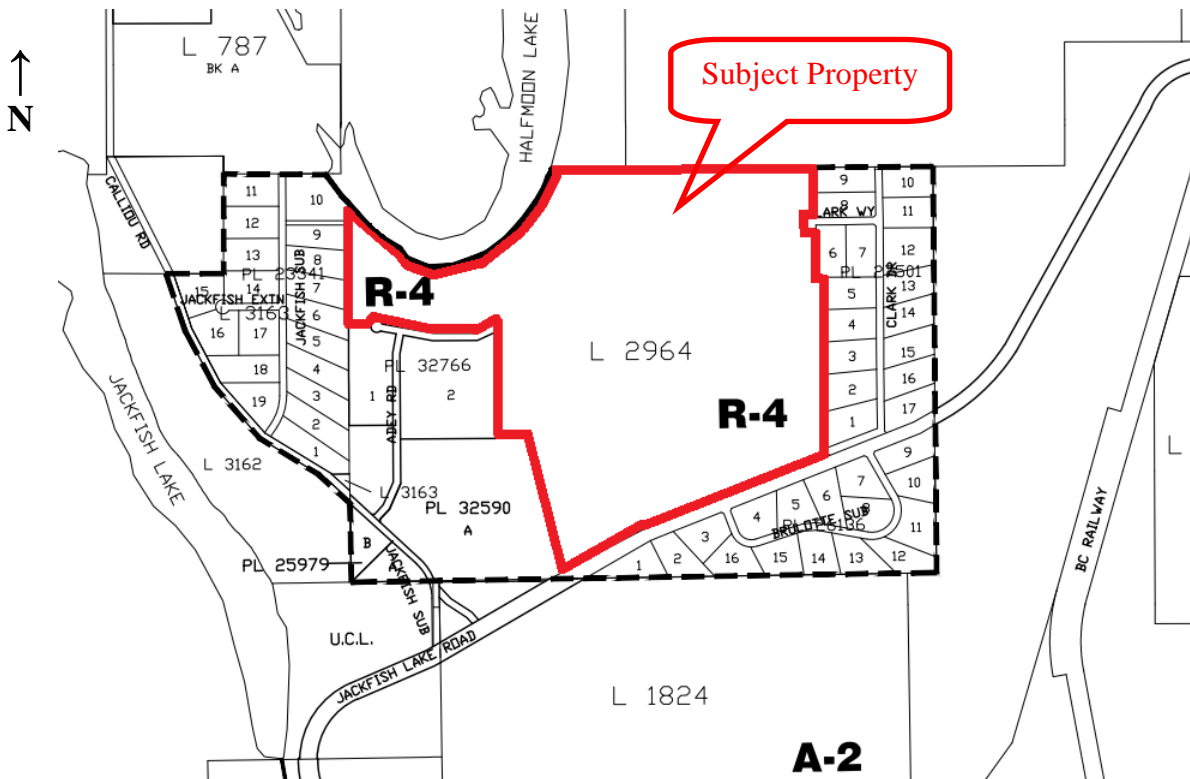


REZONING REPORT
MAPS
FILE NO. 097/2014

West Peace Official Community Plan 1086, 1997 (Map 2)



Peace River Regional District Zoning Bylaw 1343, 2001 (Map 4, Schedule C)

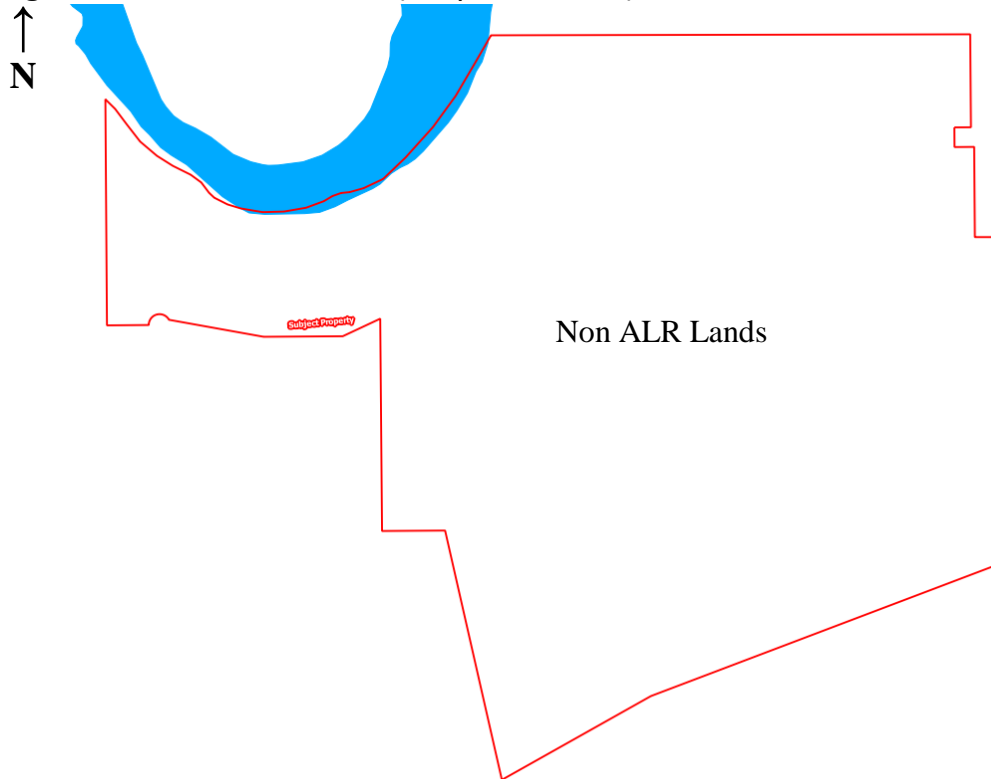




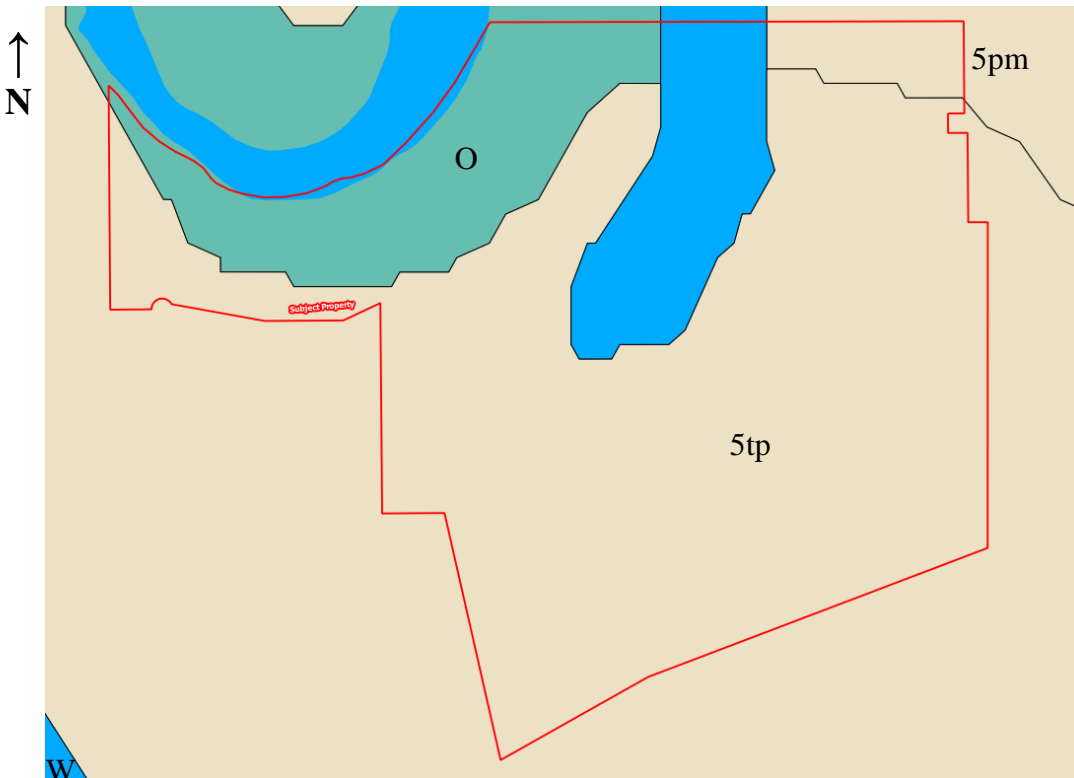
REZONING REPORT
MAPS
FILE NO. 097/2014

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Agricultural Land Reserve (Map #93P.083)



CLI-Soil Classification (Map #93P/14)





REZONING REPORT
MAPS
FILE NO. 097/2014

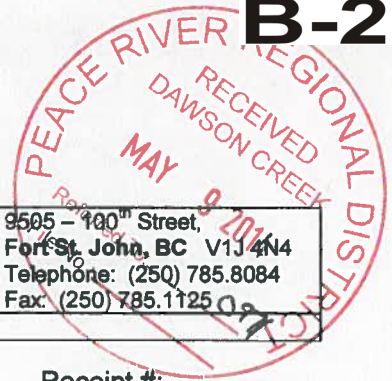
Air Photo





PEACE RIVER REGIONAL DISTRICT

097/2014 B-2a



Box 810, 1981 Alaska Avenue, Dawson Creek, BC V1G 4H8 Telephone: (250) 784.3200 Fax: (250) 784.3201	9505 - 100 th Street, Fort St. John, BC V1J 4N4 Telephone: (250) 785.8084 Fax: (250) 785.1125
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Toll Free: 1.800.670.7773

Receipt #: _____

Application for Development

- | | | |
|-------------------------------------|--|-------------|
| 1. | | FEES |
| <input type="checkbox"/> | Official Community Plan Amendment | \$1,000.00 |
| <input checked="" type="checkbox"/> | Zoning Amendment | \$ 650.00 |
| <input type="checkbox"/> | Official Community Plan and Zoning Amendment combined | \$1,050.00 |
| <input type="checkbox"/> | Temporary Use Permit | \$ 350.00 |
| <input type="checkbox"/> | Development Permit | \$ 165.00 |
| <input type="checkbox"/> | Development Variance Permit | \$ 165.00 |
| <input checked="" type="checkbox"/> | Sign requirement [Amended by By-law No. 1898, 2010] | \$ 150.00 |

The applicant, on those parcel(s) subject to an amendment to:

- i) an official community plan and/or zoning by-law;
- ii) temporary commercial or industrial use permit;

shall post a development application sign on the subject property, as provided by the Regional District.

A \$150.00 fee will be charged for utilizing the sign and a \$100.00 refund will be issued upon return of the sign to the Regional District.

2. Please print

Property Owners Name <i>Tarla R. Brewster.</i>	Authorized Agent of Owner (if applicable):
Address of Owner <i>Box 1148,</i>	Address of Agent
City / Town / Village <i>Chetwynd, BC</i>	City / Town / Village
Postal Code <i>V0C 1J0</i>	Postal Code
Telephone Number: <i>250-401-8772</i>	Telephone Number:
Fax Number:	Fax Number:
e-mail address: <i>trbrewster@hotmail.com</i>	e-mail address:

3. Full legal description of each property under application	Area of each lot	
D.L. 2964	343	ha./ <u>acres</u>
		ha. / acres
		ha./ acres
	Total area	ha./ acres

4. Civic address or location of property: 2887 Jackfish Lake Road.

5. **Particulars of proposed amendment**
Please check the box(es) that apply(ies) to your proposal.

Official Community Plan (OCP) amendment:
Existing OCP designation: _____
Proposed OCP designation _____
Text amendment: _____

For a Zoning amendment:
Existing zone: R4
Proposed zone Agricultural
Text amendment: _____

Development Variance Permit: - describe proposed variance request:

Temporary Use Permit (describe proposed use):

For a Development Permit: By-law No. _____ Section: _____

6. Describe the existing use and buildings on the subject property:
Modular.

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

- a) North lease - Crown.
- b) East Small Sub.
- c) South Small Residential Acreage.
- d) West Gravel Pits

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

- possible sub divide @ later date for our children
- small gravel pit

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

The following information is required. Failure to provide any of the following may delay the application.

1. A copy of the **proof of ownership**. [For example: Certificate of Title or recent Tax Assessment] for the subject property or properties.
2. A **Sketch Plan** of the subject property, showing:
 - the legal boundaries and dimensions of the subject property;
 - boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - the location of permanent buildings and structures on the subject property, with distances to property lines;
 - the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - the location of any existing sewage disposal systems;
 - the location of any existing or proposed water source; and
3. Additional or more detailed information may be requested by the Regional District following review of your application.

If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a British Columbia Land Surveyor may be required.

I / We hereby declare that the information provided in this application is, to the best of my / our knowledge, true and correct in all respects, and I / we enclose the required fee with this application.

Signature of Owner/s:	<i>Janelle Brewster</i>
Signature of Owner/s:	
Date:	

Agents Authorization

Should the property owners elect to have someone act on their behalf in submission of this application, the following must be signed by **all property owners**.

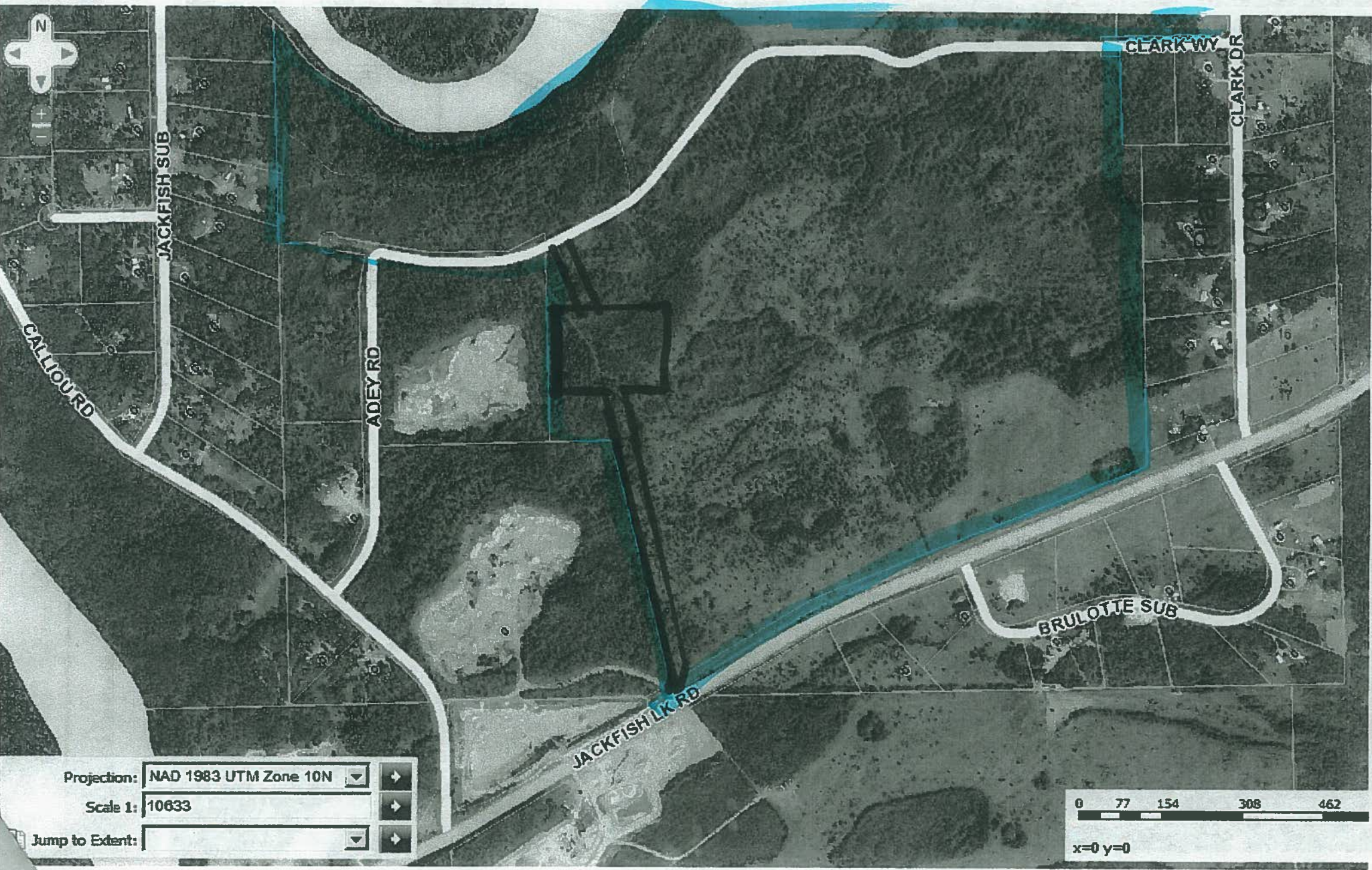
I / We	and	hereby authorize
(name)	to act on my/our behalf in respect of this application.	
Address of agent:		
Telephone:	Fax:	Email:

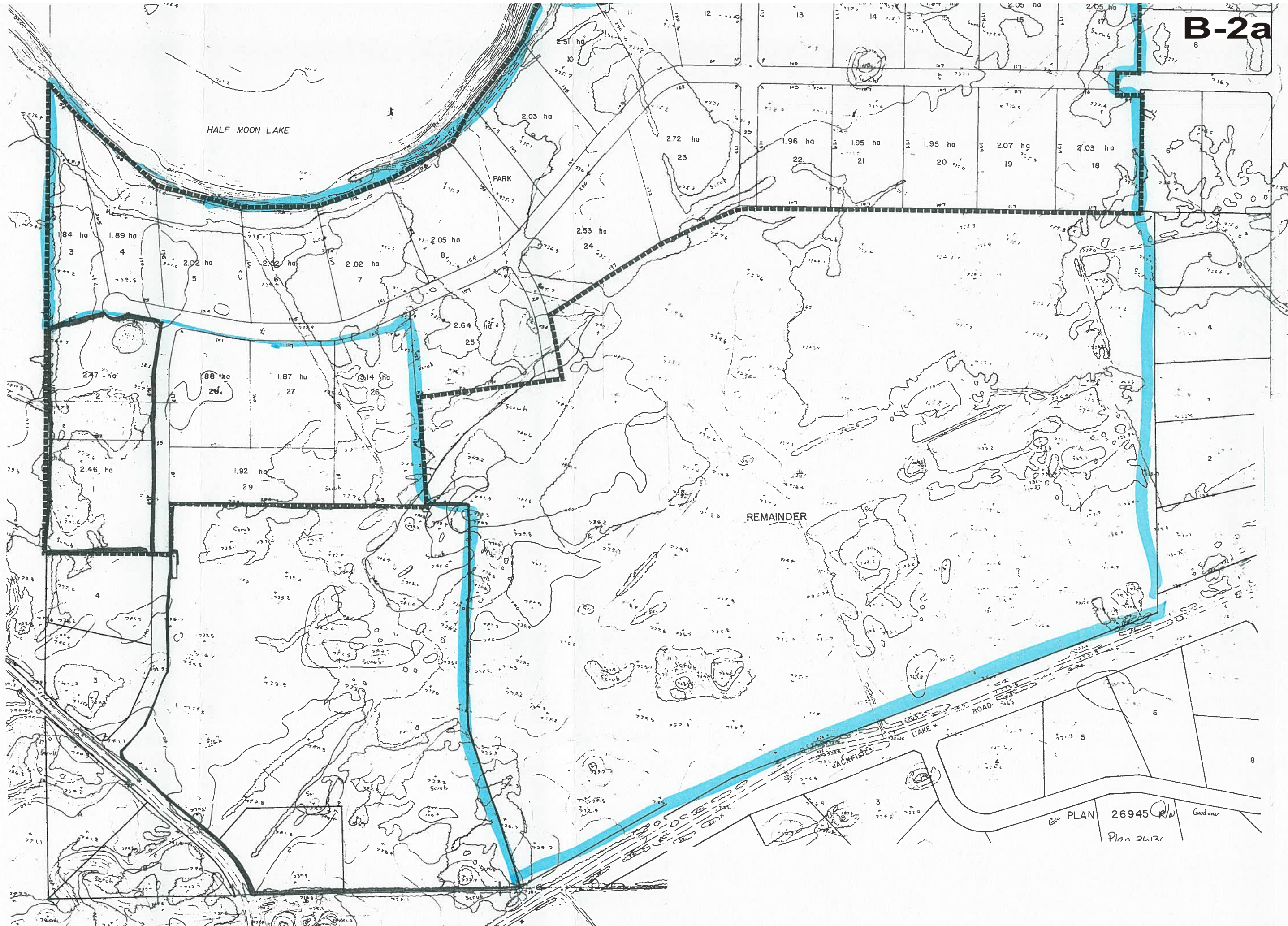
Signature of Owner/s:

Date

Signature of Owner/s:

Date





**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2127, 2014**

B-2b

A bylaw to amend "West Peace Official Community
Plan Bylaw No. 1086, 1997"

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 "West Peace Official Community Plan Bylaw No. 1086, 1997";

AND WHEREAS an application has been made to amend "West Peace Official Community Plan Bylaw No. 1086, 1997" to facilitate an associated zoning affecting District Lot 2964, W6M, PRD except Plan PGP25979, PGP26136, PGP27501, PGP29739, and PGP32766;

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 the "West Peace Official Community Plan Amendment Bylaw No. 2127 (Brewster), 2014."
2. Map No. 2 of "West Peace Official Community Plan Bylaw No. 1086, 1997" is hereby amended by redesignating District Lot 2964, W6M, PRD except Plan PGP25979, PGP26136, PGP27501, PGP29739, and PGP32766, from "Settlement" designation to "Resource Agricultural" designation as shown shaded on Schedule "A" which is attached to and forms part of this bylaw.

READ a FIRST TIME this ____ day of _____, 2014.

READ a SECOND TIME this ____ day of _____, 2014.

Public Hearing held on ____ day of _____, 2014 and notification mailed on the ____ day of _____, 2014.

READ a THIRD TIME this ____ day of _____, 2014.

ADOPTED this ____ day of _____, 2014.

Karen Goodings, Chair

Jo-Anne Frank, Corporate Officer

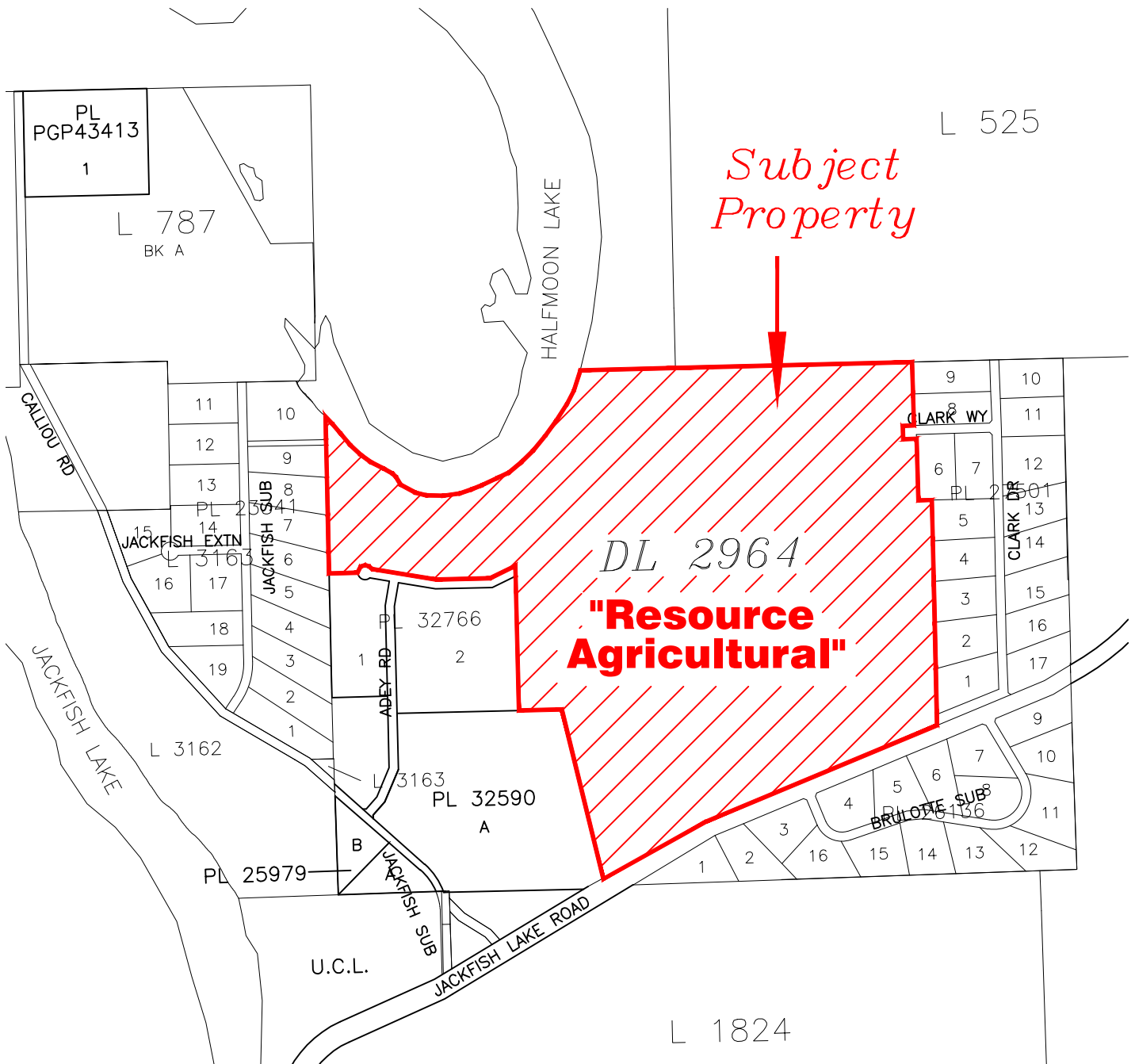
I hereby certify this to be a true and correct copy of Bylaw No. 2127, 2014 titled, "West Peace Official Community Plan Amendment Bylaw No. 2127 (Brewster), 2014", as adopted by the Peace River Regional District Board on _____, 2014.

Peace River Regional District
By-law No. 2127, 2014

SCHEDULE "A"



Map No. 2 - Schedule A of "West Peace Official Community Plan Bylaw No. 1086, 1997" is hereby amended by redesignating District Lot 2964, W6M, PRD except plan PGP25979, PGP26136, PGP27501 and PGP32766, from "Settlement" designation to "Resource Agricultural" designation as shown shaded on the drawing below:



**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2128, 2014**

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 the "Peace River Regional District Zoning Bylaw No. 1343, 2001";

AND WHEREAS an application has been made to amend the "Peace River Regional District Zoning Bylaw No. 1343, 2001" to facilitate a rezoning;

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 the "Peace River Regional District Amendment Zoning Bylaw No. 2128 (Brewster), 2014."
2. Schedule C – Map 4 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning District Lot 2964, W6M, PRD except Plan PGP25979, PGP26136, PGP27501, PGP29739, and PGP32766 from R-4 "Residential 4 Zone" to A-2 "Large Agricultural Holdings Zone" as shown shaded on Schedule "A" which is attached to and forms part of this bylaw.

READ a FIRST TIME this ____ day of _____, 2014.

READ a SECOND TIME this ____ day of _____, 2014.

Public Hearing held on ____ day of _____, 2014 and notification mailed on the ____ day of _____, 2014.

READ a THIRD TIME this ____ day of _____, 2014.

ADOPTED this ____ day of _____, 2014.

Karen Goodings, Chair

Jo-Anne Frank, Corporate Officer

I hereby certify this to be a true and correct copy of Bylaw No. 2128, 2014 titled, "PRRD Zoning Amendment Bylaw No. 2128 (Brewster), 2014", as adopted by the Peace River Regional District Board on _____, 2014.

Peace River Regional District
By-law No. 2128, 2014
SCHEDULE "A"



Map. No. 4 - Schedule C of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning District Lot 2964, W6M, PRD except plan PGP25979, PGP27501, PGP29739 and PGP32766, **from R-4 "Residential 4 Zone" to A-2 "Large Agricultural Holdings Zone"** as shown shaded on the drawing below:

