



REPORT

To: Chair and Directors

Report Number: DS-BRD-315

From: Ashley Murphey, RPP, MCIP, GM of Development Services

Date: July 20, 2023

Subject: Zoning Amendment Bylaw No. 2526, 2023, PRRD File No. 23-007; 1st and 2nd Readings

RECOMMENDATION:

That the Regional Board give Peace River Regional District Zoning Amendment Bylaw No. 2526, 2023, to rezone the property identified as PID 025-220-811 from Small Agricultural Holdings (A-1) to Residential 5 Zone (R-5), first and second readings; and further

That a public hearing be held pursuant to Section 464 of the *Local Government Act*, delegated to the Peace River Regional District director of Electoral Area C, and that public notification be authorized pursuant to Section 466 of the *Local Government Act*.

BACKGROUND/RATIONALE:

Proposal

The applicant is seeking to rezone the subject parcel from Small Agricultural Holdings (A-1) to Residential 5 Zone (R-5), to facilitate the subdivision of the parcel into 4 large residential lots (4.0 ha, 4.0 ha, 4.2 ha, and 4.0 ha), and one shared road access.

File Details

Owner: Lisa Quigley
Area: Electoral Area C
Location: Charlie Lake
Legal: Lot 1 Section 25 Township 84 Range 20 West of the 6th Meridian Peace River District Plan PGP47460
PID: 025-220-811
Lot Size: 17.04 ha (42.11 ac) PRRD Webmap – 16.5 ha on Plan

Background

This proposal is associated with PRRD File No. 23-002 ALR SUB - ALC ID 68237 to subdivide the subject property into four large residential lots which is also before the Regional Board for consideration.

Rationale

Support of this proposal is based on the Official Community Plan designation of Rural Residential (RR). The proposal will align the property with its intended designation and provide large residential lots to north peace residents.

Analysis

Site Context

The subject property is located in the Charlie Lake area approximately 13 kms northwest of the City of Fort St John along Highway 97 N. Surrounding land uses include large residential lots to the north and the southeast, along with agricultural parcels to the west and south west.

Official Community Plan (OCP)

Pursuant to the North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021, the subject property is designated Rural Residential (RR). Land within this designation are intended to be used for large residential lots that are not expected to be connected to community sewer systems.

Therefore, the proposal is consistent with the OCP.

Land Use Zoning

Pursuant to Peace River Regional District Zoning Bylaw No. 1343, 2001, the subject property is zoned Small Agricultural Holdings Zone (A-1). Land within this zone may be used primarily for agricultural purposes. The minimum parcel size is 15.00 ha (37.07 ac). The proposed subdivision does not comply with the zoning bylaw because the proposed lot sizes (4.0 ha, 4.0 ha, 4.0 ha, and 4.2 ha) are smaller than the current 15 ha minimum parcel size.

Therefore, a zoning amendment to Residential 5 Zone (R-5) is required. Land within the R-5 may be used primarily for residential use. The minimum parcel size is 4.0 ha (10 ac).

The proposal is consistent with the regulations of the proposed zone.

Agricultural Land Reserve (ALR)

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

The applicant has applied for a subdivision with the Agricultural Land Commission (PRRD File No. 23-002 ALR SUB – ALC ID 68237) which is also before the Regional Board for consideration.

Fire Protection Area

The subject property is within the Charlie Lake Fire Protection Area.

Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area.

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 within the School District 60 School Site Acquisition Charge Area and the charge must be paid prior to subdivision of the property.

Site Features

Land

The property slopes to the south and is mainly cleared of trees. There is remaining brush in various areas of the property.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as Class 5⁶4⁴x. Class 5 soils have severe limitations that restrict their capability in producing perennial forage crops, and

improvement practices are feasible. Class 4 soils have severe limitations that restrict the range of crops or require special conservation practices. Subclass T denotes topography concerns. Subclass X denotes soils having a limitation resulting from the cumulative effect of two or more adverse characteristics.

Structures

There are no structures existing on the property.

Access

A graveled dedicated road allowance (279 Rd) has been developed off Highway 97 N that gives the property access to the northwest corner of the property. The proposal includes the development of a shared access road along the north end of the property from this northwest corner to three of the four proposed lots (proposed Lots #1, #2 and #3), as shown on the subdivision plan submitted with the application. The remaining lot (proposed Lot #4) is proposed to be accessed along a frontage dedication via Robin Rd off Highway 97 N.

The applicant has stated that they have been in contact with the Ministry of Transportation and Infrastructure regarding all road and access plans which will be finalized at time of subdivision.

Impact Analysis

Context

The proposal is consistent with surrounding land uses which include large residential lots to the north, and to the southeast. Agricultural parcels remain to the west and to the southwest of the subject parcel which have also designated as Rural Residential in the OCP.

Population & Traffic

An increase in population and traffic is expected due to the creation of 3 new residential lots. The majority of traffic is expected to access the area from Highway 97 North via the existing 279 Road right-of-way. Proposed Lot #4 will be accessed off Highway 97 North at Robin Rd.

Sewage & Water

The property does not currently have sewer or water systems. The property is located outside all community Water and Sewer Catchment areas, therefore making it the landowner's responsibility to develop systems that are in accordance with Northern Health Authority's regulations.

Comments

Applicant

The applicant has stated that the subdivision is in compliance with the NPFA OCP as lands designated as Rural Residential are intended to provide large lot residential housing options while preserving the rural character of the North Peace Fringe Area.

Comments Received from Municipalities & Provincial Agencies

PRRD Bylaw Enforcement Officer

The PRRD does not have an active bylaw enforcement file on this property.

PRRD GIS

Future civic addressing:

- Lots 1, 2, and 3 would be assigned off the 279 Rd Road Allowance unless the Ministry of Transportation and Infrastructure (MoTI) assigns an official road name to this segment of Road Allowance from Hwy 97 N to the start of the Common Lot (shared driveway to Lots 1, 2 and 3).

- Lot 4 would be assigned off whichever MoTI named road the driveway intersects. Either from Hwy 97 N or Robin Rd.

Charlie Lake Fire Department

Interests unaffected.

Pacific Northern Gas

No concerns.

Ministry of Transportation and Infrastructure

The Ministry of Transportation and Infrastructure has no objections in principle to the proposed rezoning of the subject lands. See attached letter.

Ministry of Agriculture and Food

The Ministry will be discontinuing parcel-specific review of ALC subdivision applications for a trial period of 6 months based on the limited local government impact that their “not beneficial to agriculture” responses have. See attached letter.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse to give Peace River Regional District Zoning Amendment Bylaw No. 2526, 2023, to rezone the property identified as PID 025-220-811 from Small Agricultural Holdings (A-1) to Residential 5 Zone (R-5), first reading.
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.

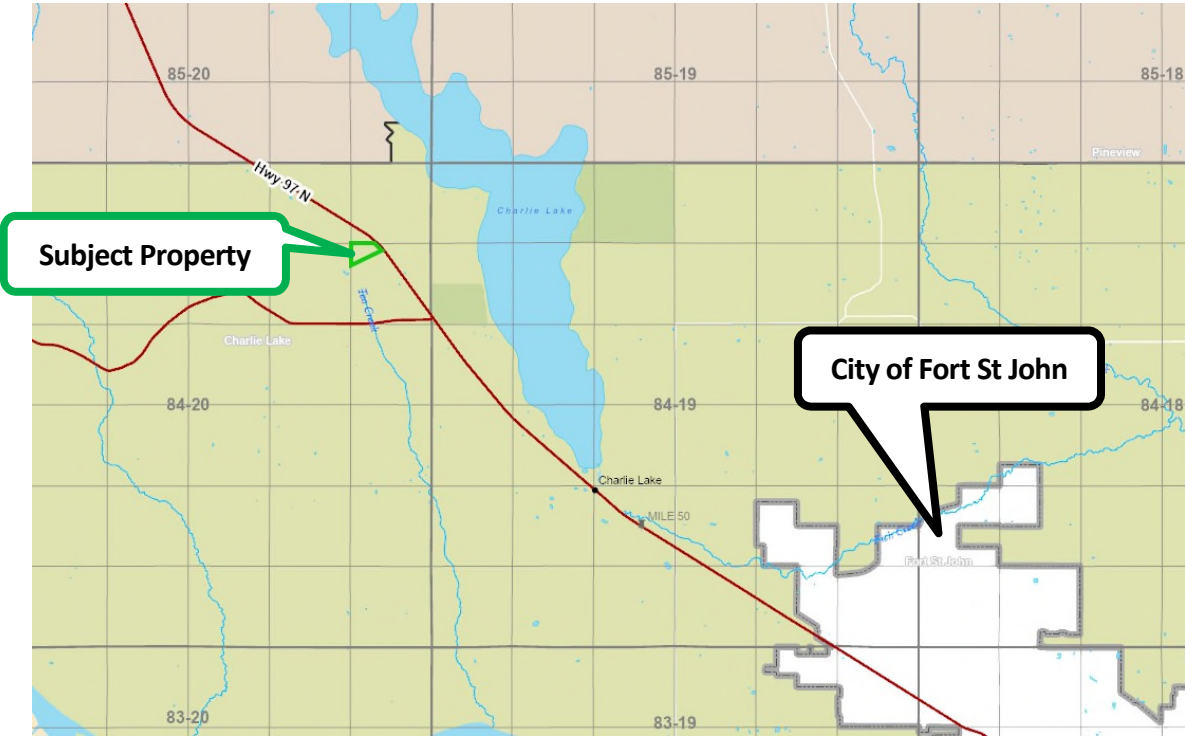
OTHER CONSIDERATION(S):

Should both the rezoning and ALC subdivision application be approved, the applicant will be required to submit a formal subdivision application to the Ministry of Transportation.

Attachments:

1. Peace River Regional District Zoning Amendment Bylaw No. 2526, 2023
2. Maps, PRRD File No. 23-007 ZN
3. Application, PRRD File No. 23-007 ZN
4. Comments Received from Municipalities and Provincial Agencies, PRRD File No. 23-007 ZN

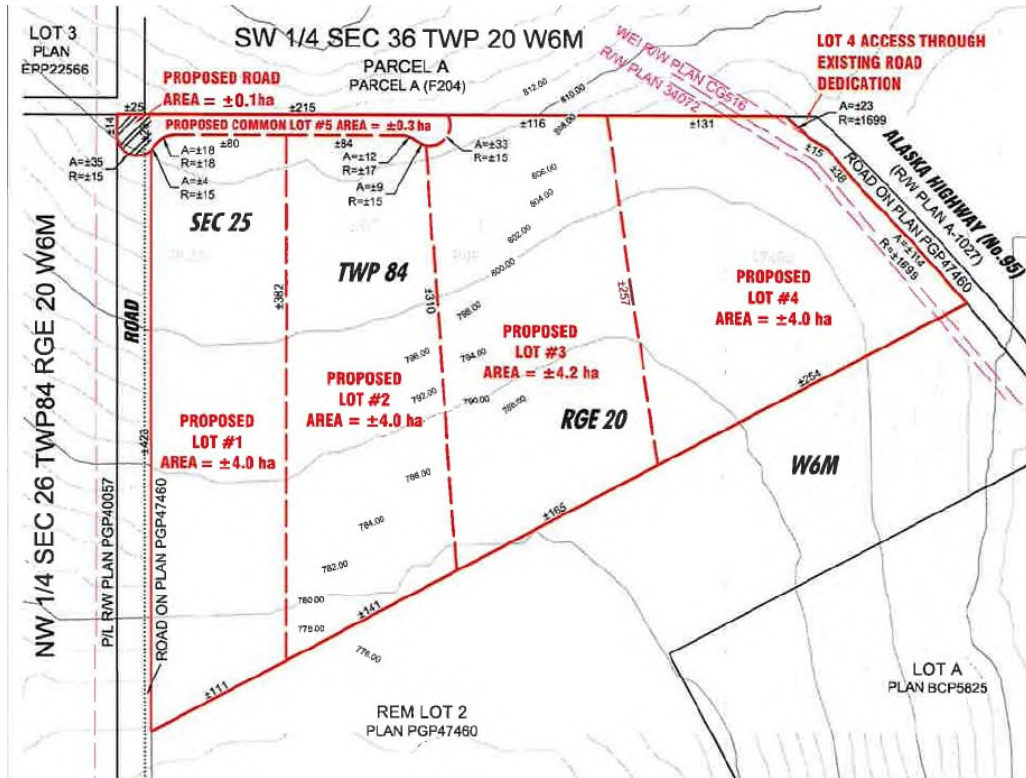
Location: Charlie Lake area



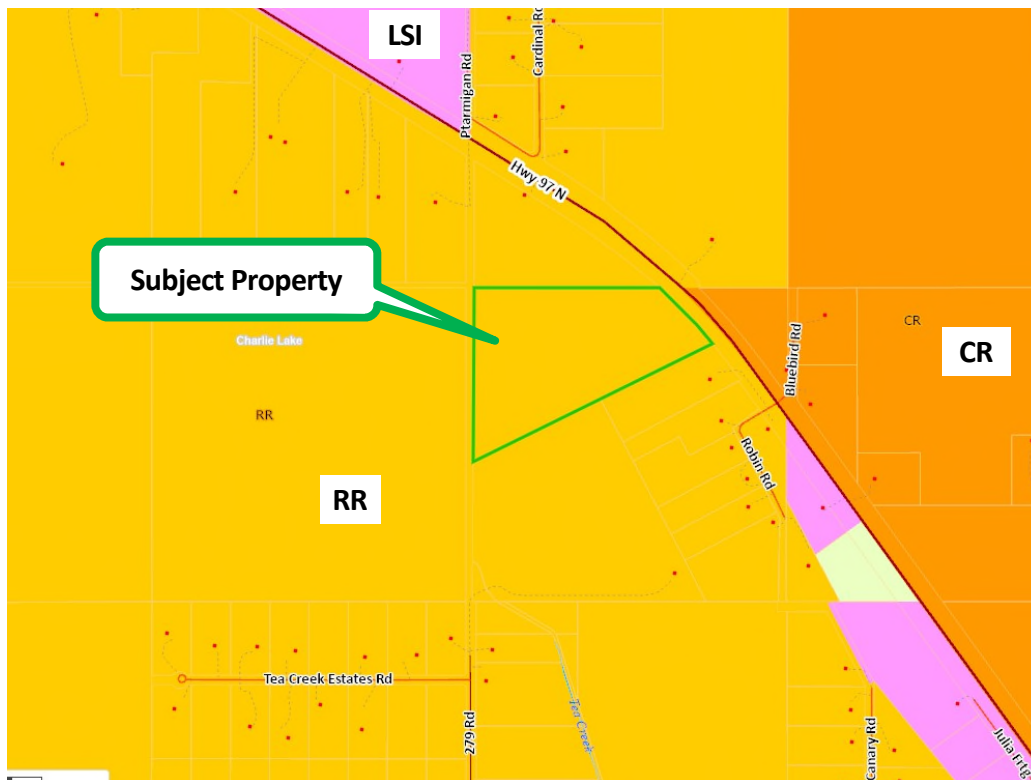
Aerial imagery



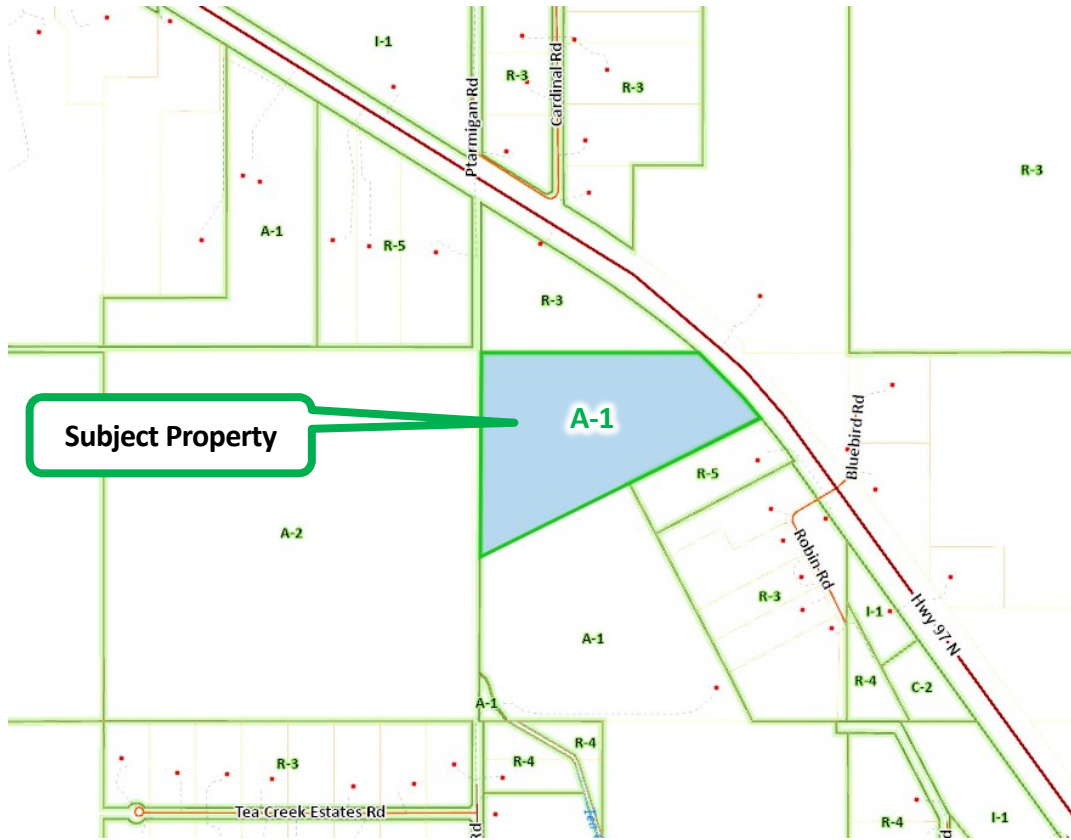
Proposed Subdivision Plan



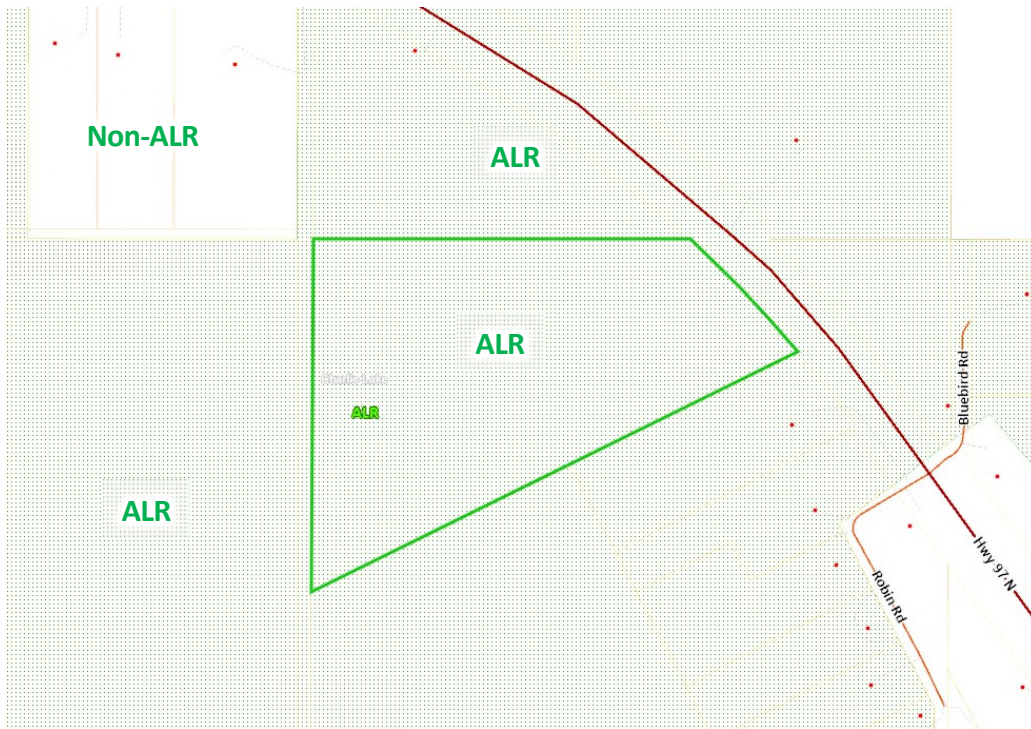
PRRD NPFA Official Community Plan Bylaw No. 2460, 2021: Rural Residential (RR)



PRRD Zoning Bylaw No. 1343, 2001: Small Agricultural Holdings Zone (A-1)



Agricultural Land Reserve: Within



CLI Soil Classification: 5⁶T4⁴X





For Office Use:
Receipt # _____
Date Received _____
File No. _____
Sign Issued: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

Application for Development

1. TYPE OF APPLICATION

<input type="checkbox"/> Official Community Plan Bylaw Amendment*	FEE \$ 1,150.00
<input checked="" type="checkbox"/> Zoning Bylaw Amendment* #	\$ 800.00
<input 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
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2. PLEASE PRINT

Property Owner's Name Richard Dennis Quigley and Lisa Marie Quigley	Authorized Agent of Owner (if applicable)
Address	Address of Agent
City/Town/Village	City/Town/Village:
Postal Code	Postal Code:
Telephone Number	Telephone Number:
E-mail:	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	
Lot 1, Section 25, Township 84, Range 20, West of the 6th Meridian,	17.04	ha./acres
Peace River District Plan PGP47460 PID 025-220-811		ha./acres
(Parcel area shown as 17.04 Ha on PRRD map and 16.5 Ha on official subdivision Plan PGP47460)		ha./acres
	TOTAL AREA 17.04	ha./acres

4. Civic Address or location of property: _____

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: _____

Proposed OCP designation: _____

Text amendment: _____

Zoning Bylaw amendment:

Existing zone: A-1 (Small Agricultural Holdings)

Proposed zone: R-5

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:

Vacant bare land - some shrubs

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

- (a) North Treed - single family dwelling on acreage - zoned R-3
- (b) East bound by Alaska Highway. Single family dwellings on acreages on other side of Highway
- (c) South SE bdy: single family on acreage (R-5); SW bdy single family on acreage (A-1)
- (d) West grazing, open with small shrubs and trees - zoned A-2

8. Describe your proposal. Attach a separate sheet if necessary:
See attached proposed 4-(approx 4.0Ha lot) subdivision with additional common lot 5 as 15m access
(cul-de-sac - on northwesterly corner to facilitate request of Ministry of Transportation & Infrastructure on March 27, 2023)

9. Reasons and comments in support of the application. Attach a separate sheet if necessary:
Subdivision in compliance with North Peace Fringe Area Official Community Plan No. 2460, 2021
Lands designated as Rural Residential are intended to provide large lot residential housing options while preserving the rural character of the North Peace Fringe Area

10. Describe the proposed and/or existing means of sewage disposal for the property:
Sewage disposal will be confined to each lot by lagoon to Ministry specification on downward facing
slope of each proposed building site.

11. Describe the proposed and/or existing means of water supply for the property:
Water supply at the discretion of each individual landowner with the option of well or 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.



April 20, 2023


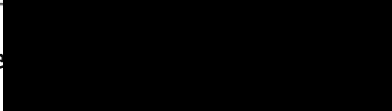
Date signed

April 20, 2023

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 <u>Richard Dennis Quigley</u> (name of landowner) and <u>Lisa Marie Quigley</u> (name of landowner) hereby authorize	
<u>Lisa Marie Quigley</u> (name of agent) to act on my/our behalf regarding this application.	
Signature of Owner 	Date: April 20, 2023
Signature of Owner 	Date: April 20, 2023



CONTAMINATED SITE DECLARATION FORM

I, Richard Dennis Quigley and Lisa Marie Quigley, hereby acknowledge that the *Environmental Management Act*, 2003, as amended, is effective as of February 1, 2021.

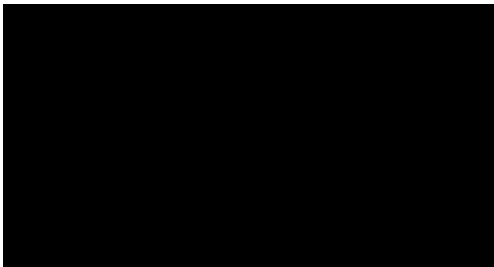
Legal Description(s):

PID 025-220-811 Lot 1, Plan PGP47460 - Section 25, Township 84, Range 20, West of the 6th Meridian Peace River 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.

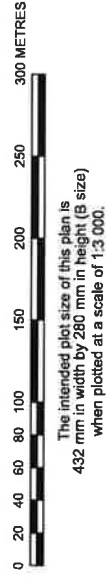


20 / 04 / 2023 /
dd mm yyyy

20 / 04 / 2023 /
dd mm yyyy

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

SITE SURVEY AND PROPOSED SUBDIVISION LOT 1 SECTION 25 TOWNSHIP 84 RANGE 20 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT PLAN PGP47460



NOTES:

Lot 1 is subject to the following non financial charges and interests that may affect the positioning of structures on the property:
 RIGHT OF WAY 10931K
 STATUTORY RIGHT OF WAY PD2715
 EASEMENT PP15161
 Unregistered interests have not been included or considered.
 This plan was prepared for design purposes and is for the exclusive use of our client. The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of reproduction, transmission, or alteration to this document without the consent of the signatory.
 Elevations are based on geodetic datum (CGVD28 HT2_0) derived from GNSS Observations to British Columbia Active Control Point 16441B, Elevation = 767
 Distances are in metres and decimals thereof
 Parcel Dimensions are derived from field survey.
 Scale factor is 0.999657

PID: 025-220-811
 Title Search: March 30th, 2023
 Title No: CA510746
 Land Use: R-2A

LEGEND:

- Denotes Subject Property
- Denotes Proposed Subdivision Line
- Denotes Right Of Way boundaries

GLOBAL RAYMAC LAND SURVEYING LTD.
 10228 7th Avenue, Invermere, BC V0A 1K0
 Ph: 250.409.5157 www.globalraymac.ca

MUNICIPAL ADDRESS:
 Robin Road
 Prince George, BC

Client: Lisa Quigley	Client File No. : #####
Date: April 4th, 2023	GRS File No. : 23IX0021_TO.dwg
Job No. : 23IX0021	Checked: EG/AB
Surveyed : -	Drawn: ND/W



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SITE SURVEY AND PROPOSED SUBDIVISION LOT 1 SECTION 25 TOWNSHIP 84 RANGE 20 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT PLAN PGP47460

0 20 40 60 80 100 150 200 250 300 METRES



The intended plot size of this plan is
432 mm in width by 280 mm in height (B size)
when plotted at a scale of 1:3 000.

NOTES:

Lot 1 is subject to the following non financial charges and interests
that may affect the positioning of structures on the property:

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STATUTORY RIGHT OF WAY PD2715
EASEMENT PP15161

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Observations to British Columbia Active Control Point 16441B, Elevation = 767

Distances are in metres and decimals thereof

Parcel Dimensions are derived from field survey.

Scale factor is 0.999657

PID: 025-220-811

Title Search: March 30th, 2023

Title No: CA510746

Land Use: R-2A

LEGEND:

- Denotes Subject Property
- - - Denotes Proposed Subdivision Line
- Denotes Right Of Way boundaries

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1022B 7th Avenue, Invermere, BC V0A 1K0
Ph: 250.408.5157 www.globalraymac.ca

MUNICIPAL ADDRESS:
Robin Road
Prince George, BC

Client: Lisa Quigley

Date: April 4th, 2023

Job No.: 231X0021

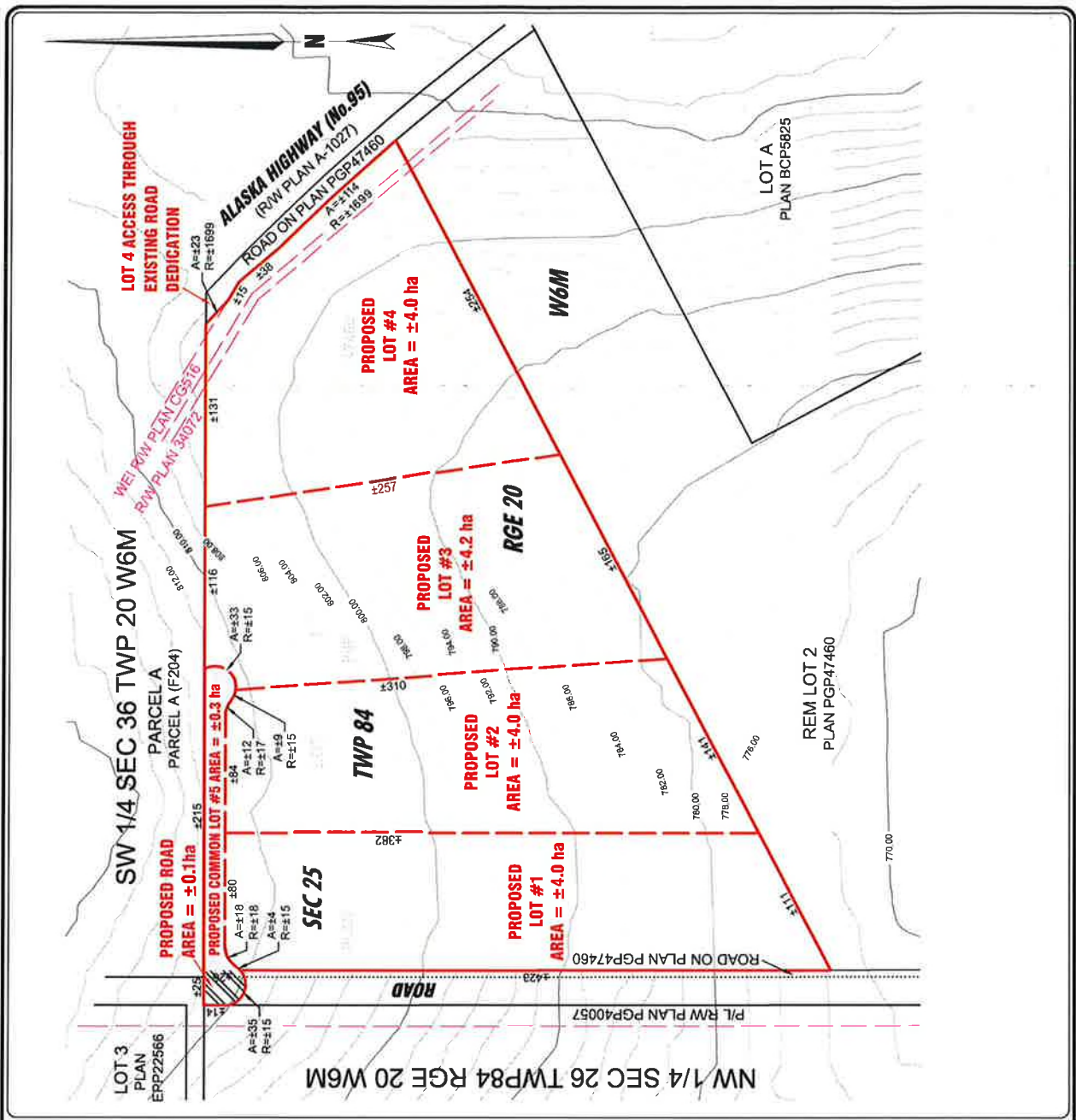
Surveyed: -

Client File No.: #####

GRS File No.: 231X0021_TO.dwg

Checked: EGAB

Drawn: NDW





Peace River Regional District
PO Box 810
1981 Alaska Avenue
Dawson Creek, BC V1G 4H8

Attention: Planning Department

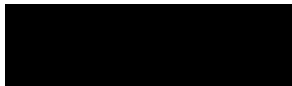
The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral dated May 2, 2023 to rezone property legally described as Lot 1, Plan PGP47460, Section 25, Township 84, Range 20, W6M, PRD (PID 025 220 811) from A-1 to R-5, to facilitate a 4 lot subdivision. The proposal falls within Section 52 of the Transportation Act and will require formal Ministry approval and signature. The Ministry is in support of the proposal and has the following comments:

The Ministry of Transportation & Infrastructure has no objections in principle to the proposed re-zoning of the subject lands.

All other matters related to the subdivision of the lands will be addressed at time of subdivision.

Thank you for the opportunity to comment. If you or the proponent has any questions, please contact Peace District Development Services at (250) 787-3237 or by email at DevApps.FSJ@gov.bc.ca

Sincerely,



Leslie Stephens, Development Services Officer



March 8, 2023

Sent by email

Dear Local Government Planning Staff:

Re: Ministry response for ALC subdivision application referrals

Ministry of Agriculture and Food (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 governments, 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 while 80% of ALC subdivision applications were assessed by Ministry staff as “not beneficial to agriculture” 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 contrary to Ministry staff input, 92% of the time 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 appear to be having on local government decisions on subdivision applications, and current staff workload pressures, the Ministry will be discontinuing parcel-specific review of ALC subdivision applications for a trial period of 6 months. The aim will be to utilize this time to develop alternative outreach and education mechanisms to support land use decisions that benefit agriculture.

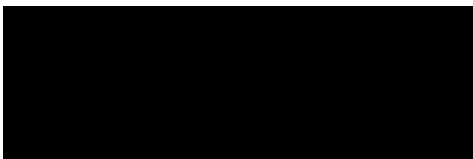
In the absence of a parcel-specific review, we encourage local government planning staff and decision makers to consider the following findings/key messages when reviewing ALC applications for subdivision on the Agricultural Land Reserve (ALR).

- 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.
- Ministry data, through Agricultural Land Use Inventories (ALUI), consistently shows that smaller agricultural lots are less likely to be farmed.

- A recent 2022 Kwantlen Polytechnic University [study](#) exploring the impact of non-farm uses and subdivision on agricultural land found that in regions of B.C. reviewed, “30% of all new parcels created as a result of subdivision ceased to have a farm class status”, and “64% 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,



Mark Raymond
Executive Director
Extension and Support Services Branch
Ministry of Agriculture and Food

**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2526, 2023**

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. 2526, 2023."
2. Schedule A – Map 4 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning Lot 1, Section 25, Township 84, Range 20, W6M, PRD, Plan PGP47460, from A-1 "Small Agricultural Holdings Zone" to R-5 "Residential 5 Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS _____ day of _____, 2023.

READ A SECOND TIME THIS _____ day of _____, 2023.

Public Notification mailed on the _____ day of _____, 2023.

Public Hearing held on the _____ day of _____, 2023.

Ministry of Transportation approved this _____ day of _____, 2023.

READ A THIRD TIME THIS _____ day of _____, 2023.

ADOPTED THIS _____ day of _____, 2023.

(Corporate Seal has been
affixed to the original bylaw)

Chair

Corporate Officer

I hereby certify this to be a true and correct copy of
"PRRD Zoning Amendment Bylaw No. 2526, 2023,
as adopted by the Peace River Regional District
Board on _____, 2023.

Tyra Henderson, Corporate Officer

Schedule A

