



# REPORT

To: Chair and Directors

Report Number: DS-BRD-201

From: Kathy Suggitt, RPP, General Manager of Development Services

Date: January 13, 2022

**Subject: OCP/Zoning Amendment Bylaw Nos. 2454 and 2457, 2021, PRRD File No. 21-010 OCP ZN**

---

## **RECOMMENDATION: [Corporate Unweighted]**

That the Regional Board respectfully refuse to give OCP Amendment Bylaw No. 2454, 2021 & Zoning Bylaw Amendment No. 2457, 2021, to re-designate and rezone a ±3.9 hectare portion of the subject property identified as PID: 010-020-012 from Agriculture (Ag) to Medium Density Residential (MDR) and from Large Agricultural Holdings Zone (A-2) to Residential 4 Zone (R-4), third reading, as the proposal is not consistent with the intent of the bylaws and the context of the area.

## **BACKGROUND/RATIONALE:**

### **Proposal**

The applicant is seeking to re-designate a ± 3.9 ha portion of the ± 64.5 ha subject property from Agriculture to Medium Density Residential in the South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012, and to rezone the same portion from Large Agricultural Holdings Zone (A-2) to Residential 4 Zone (R-4) in the PRRD Zoning Bylaw No, 1343, 2001, to facilitate a future residential subdivision.

### **Background**

The subject application was first presented to the Board on September 9, 2021, with a recommendation to respectfully refuse to give OCP and Zoning Amendment Bylaws 1st and 2nd Readings. The Board resolved at that time to refuse the proposal. However, on October 7, 2021, the Board authorized reconsideration of that Resolution, defeating it, and gave OCP and Zoning Amendment Bylaws 1st and 2nd Readings.

Staff's recommendation has remained unchanged and continues to recommend that the Board refuse the application as it is not consistent with the OCP or Zoning Bylaws, as outlined below.

### **Rationale**

Pursuant to the OCP designation of Agriculture (Ag) and the provisions of the Large Agricultural Holdings (A-2) zone, the minimum parcel size is 63 ha. The proposed subdivision does not meet the minimum parcel size requirements in either the OCP or Zoning bylaw, nor does it satisfy the exceptions listed under Section 5.1.2 (c) of the South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012 and Section 33.2 (b) of the Zoning Bylaw No. 1343, 2001.

The intent of the Agricultural designation is to recognize agriculture as a primary industry and a major contributor to the local economy, and the policies therein highlight the need to direct subdivisions and non-agricultural uses to appropriate areas, away from the Agricultural area.

The applicant has indicated that the proposed subdivision is not intended to provide a residence for the landowner or a family member. The subject property does not currently have a dwelling on it, and one could be constructed without the need for a subdivision of land. Should the Board decide to approve the proposal, the applicant would be able to develop two permanent dwellings and one additional temporary dwelling on the proposed parcel. Even though there are a few residential lots further to the northeast of the subject property, they were approved many years ago under a different policy regime. As such, the proposed development will not be consistent with the context of the area or the intent of the in-effect bylaws.

**File Details**

Owner: Terratek Geo Testing LTD.  
Area: Electoral Area D  
Location: Pouce Coupe  
Legal: The North West ¼ of Section 24 Township 77 Range 14 W6M  
PID: 010-020-012  
Civic Address: 192 Riverside Rd  
Lot Size: ±64.5 ha (±159.4 ac)

**Site Context**

The property is located in the Pouce Coupe area and has direct access to Riverside Road. It is surrounded by Agriculture and Medium Residential designated lands in the North-East, treed land designated Agriculture in the north and west, and Agriculture designated land in the east and south.

**Summary of Procedure**

OCP Amendment Bylaw No. 2454, 2021 & Zoning Bylaw Amendment No. 2457, 2021 were read for a first and second time on October 7, 2021. The following activities have occurred since then:

November 02, 2021	Public notification mailed to landowners within notification area
November 11 & 18, 2021	Notice of public hearing advertised in the Dawson Creek Mirror Newspaper
November 23, 2021	Public hearing held via Zoom Audio/Video Call

**Comments Received from the Public**

A public hearing was held on November 23, 2021 in accordance with the *Local Government Act*. The meeting was conducted by the Electoral Area Director, Manager (Development Services), and Land Use Planner and attended by the applicant. The Minutes are attached to this report.

The PRRD received one written submission in opposition to the proposal submitted on November 6, 2021, via the PRRD website, which stated concerns related to the erosion of agricultural lands in this area because of industrial and residential developments that have occurred. This comment is attached to, and forms part of the Minutes from the November 23, 2021 Public Hearing, attached to this report.

### **ALTERNATIVE OPTIONS:**

1. That the Regional Board give OCP Amendment No. 2454, 2021, to amend the designation of a ±3.9 ha portion of the property identified as PID 010-020-012, from Agriculture to Medium Density Residential in the PRRD South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012, third reading;

further, that the Regional Board give Zoning Amendment Bylaw No. 2457, 2021, to rezone the same ±3.9 ha portion of the property identified as PID 010-020-012, from Large Agriculture Holdings Zone (A-2) to Residential 4 Zone (R-4), and amend the A-2 Zone to recognize the remainder parcel as being undersized in the PRRD Zoning Bylaw No. 1343, 2001, third reading.

2. That the Regional Board adopt Official Community Plan Amendment Bylaw No. 2454, 2021 and Zoning Amendment Bylaw No. 2457, 2021.
3. 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. Public Notification for Official Community Plan Amendment Bylaw No. 2454,2021 and Zoning Bylaw No. 2457, 2021
2. Section 33 of PRRD Zoning Bylaw No. 1343, 2001 (A-2 permitted uses)  
*\* Please note that attachment no. 6 attached to the 1<sup>st</sup> and 2<sup>nd</sup> reading report was incorrectly uploaded. Please refer to the correct attachment above.\**
3. Official Community Plan Amendment Bylaw No. 2454, 2021
4. Zoning Amendment Bylaw No. 2457, 2021

#### External Links:

1. [Report – OCP & Zoning Amendment Bylaw Nos. 2454, 2021 & 2457, 2021, PRRD File No. 21-010 OCP ZN – \[September 09, 2021\]](#)
2. [Agenda – Public Hearing for OCP & Zoning Amendment Bylaw Nos. 2454, 2021 & 2457, 2021, PRRD File No. 21-010 OCP ZN – \[November 23, 2021\]](#)
3. [Minutes – Public Hearing for OCP & Zoning Amendment Bylaw Nos. 2454, 2021 & 2457, 2021, PRRD File No. 21-010 OCP ZN – November 23, 2021](#)



Residential



Industry

Farm Use



# Notice of Public Hearing

OCP/ZONING AMENDMENT BYLAW NO. 2454, 2021 & 2457, 2021

File No. 21-010 OCP ZN

## Pouce Coupe

**Property Location:** The North West 1/4 of Section 24 Township 77 Range 14 W6M PRD; 192 Riverside Rd

**Proposal:** To redesignate a portion of the subject property from Agriculture (AG) to Medium Density Residential (MDR), and to rezone it from Large Agricultural Holdings (A-2) zone to Residential 4 (R-4) Zone.

## How to Participate

### 1 Get More Information

Contact the Peace River Regional District to get more information about the proposal.

#### Office Locations/Mailing Address

**Dawson Creek Office**

1981 Alaska Avenue/Box 810  
Dawson Creek, BC V1G 4H8  
Tel: 250-784-3200

**Fort St John Office**

9505 100 Street  
Fort St John, BC V1 4N4  
Tel: 250-785-8084

### 2 Send in a Written Comment

Through the development services webpage, e-mail, fax, mail, or in person.

**Website:** [prrd.bc.ca/services/development-services](http://prrd.bc.ca/services/development-services)

**Email:** [planning@prrd.bc.ca](mailto:planning@prrd.bc.ca)

**Tel:** 1-800-670-7773 **Fax :** 250-784-3201

Written comments will be accepted until 4:00 pm on November 23, 2021.

### 3 Participate in the virtual Public Hearing

Presently, public attendance at public hearings is not permitted due to COVID-19. Please check the Peace River Regional District 'Official Page' on Facebook in advance of the public hearing to get the most up-to-date information on participating in the public hearing as per the latest public health guidelines

**When:** Tuesday, November 23, 2021, 6:00 PM

**Where:** Zoom Audio/Video Call.

Join the call by:

**Dialing:** +1 647-374-4685 or +1 647-558-0588 or +1 778-907-2071

**Meeting ID:** 874-4858-2344

**Participant ID:** Please press #

**Password:** 360410

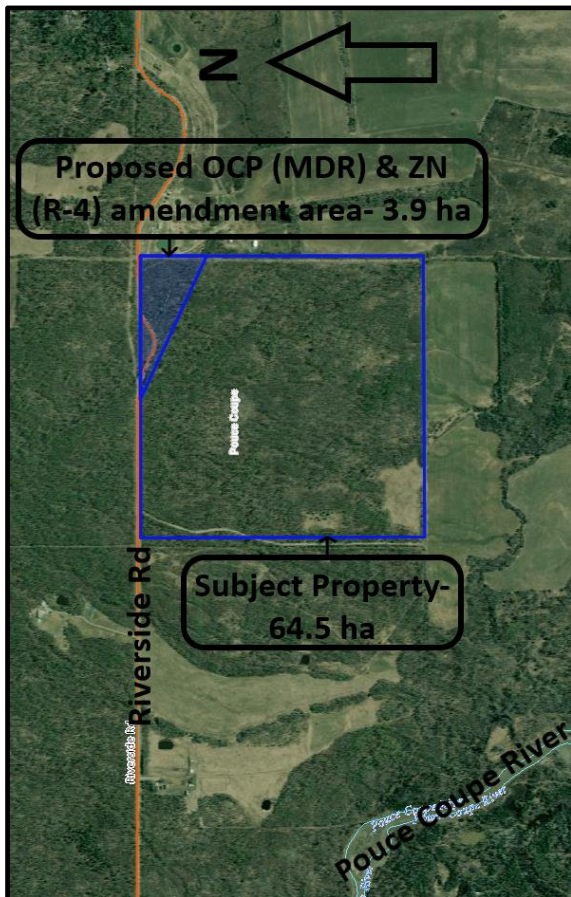


Image 1. An overview of the proposed OCP & Zoning Amendment.



## PEACE RIVER REGIONAL DISTRICT Zoning Bylaw No. 1343, 2001

### SECTION 33 A-2 (Large Agricultural Holdings Zone - 63 ha)

#### 1. Permitted Uses

The following [PRINCIPAL USES](#) and no others are permitted in an A-2 zone subject to Part IV of this bylaw and subject to Sub-Section 2 of this Section 33;

- (a) [AGRICULTURE](#);
- (b) [AGRICULTURE-INTENSIVE](#);
- (c) [AGRICULTURE-DOMESTIC](#);
- (d) Wood harvesting and forestry;
- (e) Mining, including gravel extraction and processing;
- (f) Asphalt plant;
- (g) Oil and gas wells, [PIPELINES](#);
- (h) [PRODUCTION FACILITIES](#);
- (i) [LAND TREATMENT FACILITY, NON-COMMERCIAL](#);
- (j) [KENNEL](#);
- (k) [EQUESTRIAN FACILITY](#);
- (l) Work camps occupied for less than six months, with less than 30 people;
- (m) Trapping, hunting, guiding, outfitting establishments;
- (n) Airstrip;
- (o) [DWELLING UNITS](#);

The following [ACCESSORY](#) uses and no others are permitted in an A-2 zone, subject to Part IV of this bylaw and Sub-Section 2 of this Section 33:

- (p) ACCESSORY buildings and ACCESSORY structure; (See [Section 13](#))
- (q) [BED AND BREAKFAST](#) accommodation; (See [Section 16](#))
- (r) [HOME BASED BUSINESS](#); (See [Section 19](#))
- (s) [SECONDARY SUITE](#); (See [Section 25](#))
- (t) [TEMPORARY ADDITIONAL DWELLING](#); (See [Section 29](#))
- (u) [AGRI-TOURISM](#) activity.

#### 2. Regulations

##### Minimum Parcel Size

- (a) The minimum parcel size is 63 hectares (155 acres) except as noted below.
- (b) Exceptions to the required minimum parcel size area as follows:
  - i) subject to the [Local Services Act](#), the minimum parcel size shall not apply where a parcel is divided by a railway, highway right-of-way or watercourse, provided the parcel is subdivided along any such railway, highway right-of-way or watercourse. [Bylaw 2415, 2020]
  - ii) for subdivision along a quarter section boundary for an incomplete quarter. [Bylaw 2415, 2020]



**PEACE RIVER REGIONAL DISTRICT  
Zoning Bylaw No. 1343, 2001**

**SECTION 33 A-2 (Large Agricultural Holdings Zone - 63 ha) continued**

- iii) SE ¼ of Section 35 Township 83 Range 19 W6M PRD Except Plans B4384, M446, PGP46335 and BCP37320, for which the minimum parcel size is 35.0 hectares

[Bylaw 2355, 2020]

Number and type of DWELLING UNIT(S)

- (c) One [SINGLE FAMILY DWELLING](#) is permitted on a parcel less than 3.6 hectares (9 acres) in size;
- (d) Two SINGLE FAMILY DWELLINGS or one [TWO FAMILY DWELLING](#) is permitted on a parcel 3.6 hectares (9 acres) or larger, but not both;

Setbacks

- (e) Except as otherwise permitted in this bylaw, no building or structure shall be located within:
  - i) 7 metres (23 ft.) of a [FRONT PARCEL LINE](#);
  - ii) 3 metres (10 ft.) of an [INTERIOR SIDE PARCEL LINE](#);
  - iii) 5 metres (17 ft.) of an [EXTERIOR SIDE PARCEL LINE](#);
  - iv) 7 metres (23 ft.) of a [REAR PARCEL LINE](#).

Asphalt Plant

- (f) Asphalt plants may operate on land zoned A-2 “Large Agricultural Holding Zone” for a continuous period of not more than eight (8) months, otherwise an application for rezoning or a temporary industrial use permit will be required

Production Facilities

- (g) The following PRODUCTION FACILITIES are not permitted in the A-2 zone:
  - i) *Battery sites and compressor stations which covers an aggregate building and/or structure floor area of greater than 450 sq. metres (4850 sq. ft.)*
  - ii) *Oil field waste management facility that requires a permit under the Waste Management Act or which covers an aggregate building and/or structure floor area of greater than 450 sq. metres (4850 sq. ft.)*

Land Treatment Facility

- (h) One [LAND TREATMENT FACILITY, NON-COMMERCIAL](#) shall not exceed an area greater than 2 hectares (5 acres) in size.

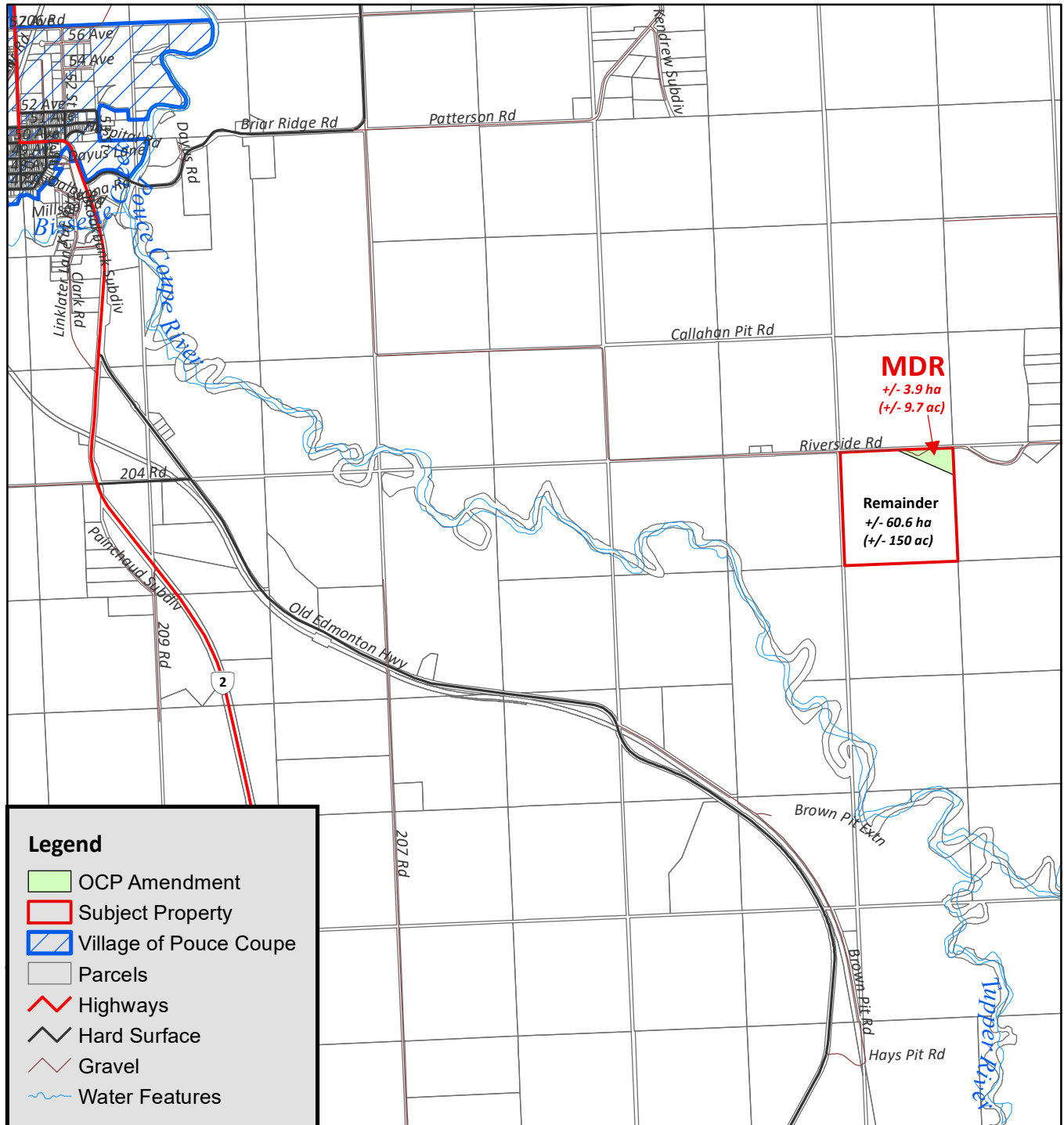




Peace River Regional District  
 Bylaw No. 2454, 2021  
**SCHEDULE "A"**



Schedule B - Map 5 of "South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012" is hereby amended by redesignating a +/- 3.9 ha (+/- 9.7 ac) portion of the Northwest 1/4 of Section 24, Township 77, Range 14, W6M, PRD, **from** AG "Agriculture" **to** MDR "Medium Density Residential" as shown on the drawing below:





**PEACE RIVER REGIONAL DISTRICT**

**Bylaw No. 2457, 2021**

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 may be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2457, 2021."
2. Schedule B – Map 15 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning a ± 3.9 ha (9.7 ac) portion of the Northwest ¼ Section 24, Township 77, Range 14, W6M, PRD, from A-2 "Large Agricultural Holdings Zone" to R-4 "Residential 4 Zone" as shown on Schedule 'A' which is attached to and forms part of this bylaw.
3. By adding the following to Part VI – Zones, Section 33 A-2 "Large Agricultural Holdings Zone", following Section 33(2)(b)

(iv) The remainder of the Northwest ¼, Section 24, Township 77, Range 14, W6M, PRD, as shown on Schedule A to Bylaw 2457, 2021, for which the minimum parcel size is ± 60.6 hectares.

READ A FIRST TIME THIS                    7<sup>th</sup> day of October, 2021.

READ A SECOND TIME THIS                7<sup>th</sup> day of October, 2021.

Public Notification advertised on the 11<sup>th</sup> and 18<sup>th</sup> day of November, 2021.

Public Hearing held on the                23<sup>rd</sup> day of November, 2021.

READ A THIRD TIME THIS                \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED THIS                                \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Chair

(Corporate Seal has been affixed to the original bylaw)

\_\_\_\_\_  
Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD Zoning Amendment Bylaw No. 2457, 2021, as adopted by the Peace River Regional District Board on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Corporate Officer



Peace River Regional District  
Bylaw No. 2457, 2021  
**SCHEDULE "A"**



Schedule B - Map 15 of "Peace River Regional District Zoning Bylaw No.1343, 2001" is hereby amended by rezoning a +/- 3.9 ha (+/- 9.7 ac) portion of the Northwest 1/4 of Section 24, Township 77, Range 14, W6M, PRD, **from** A-2 "Large Agriculture Holdings Zone" **to** R-4 "Residential 4 Zone" as shown on the drawing below:

