



# REPORT

To: Chair and Directors

Date: October 9, 2019

From: Kevan Sumner, General Manager of Development Services

Subject: **OCP & Zoning Amendments – Bylaw No. 2374 & 2375, 2019, PRRD File No. 19-075**

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

That the Regional Board has considered the requirements of s. 475 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 this report; further

That Official Community Plan Amendment Bylaw No. 2374, 2019, to amend the designation of PID 029-241-316 from Medium Density Rural Residential (MDR) to High Density Rural Residential (HDR), be read a first and second time; and further,

That Zoning Amendment Bylaw No. 2375, 2019, to rezone the same property from R-3 (Residential 3 Zone) to R-1 (Residential 1 Zone), be read a first and second time; and finally,

That a public hearing, delegated to the Director of Electoral Area C, be scheduled.

## **BACKGROUND/RATIONALE:**

### **Proposal**

To amend the subject property's Official Community Plan designation from Medium Density Rural Residential (MDR) to High Density Rural Residential (HDR) and rezone it from Residential 3 Zone (R-3) to Residential 1 Zone (R-1). The applicant intends to subdivide the property into 78 lots.

### **File Details**

File No.: 19-075  
 Owners: Wade Development Group Ltd.  
 Agent: Larry Wade  
 Area: Electoral Area C  
 Location: Fort St. John, BC  
 Legal: Lot 8 Section 36 Township 84 Range 20 W6M, Peace River District Plan EPP35284  
 PID: 029-241-316  
 Lot Size: 53.36 ha (131.87 ac)

### **Site Context**

The subject property is west of Charlie Lake, north of the Charlie Lake settlement centre, and east of Highway 97N. Land to the north is designated for agriculture and land to the west, east, and south is designated for residential use.

**Site Features**Land

The land is partially cleared of trees and slopes down toward the east.

Structures

There are no structures on the property.

Access

The subject property could be accessed from Golf Course Road and/or Bluebird Road, but it does not appear any access points have been developed at this time.

CLI Soil Rating

Soil on the property is classified as 5<sup>6</sup>74<sup>4</sup><sub>x</sub>.

- Class 4 soils have severe limitations that restrict the range of crops or require special conservation practices.
- Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible.
- Subclass T denotes topography.
- Subclass X denotes two or more adverse characteristics.

Fire Protection

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

**Comments & Observations**Applicant

The applicant intends to develop 78 rural residential lots, complete with roadways and green spaces.

Agricultural Land Reserve (ALR)

The subject property was excluded from the ALR by ALC Resolution No. 145/2011 on the condition that it was rezoned for medium density residential use within 3 years. All conditions appear to be met and the property is outside the ALR.

Official Community Plan (OCP)

The subject property is designated as Medium Density Rural Residential (MDR) within *PRRD North Peace Fringe Area OCP, Bylaw No. 1870, 2009*. Section 4.3.2 of the OCP states the principal use of land within this designation will generally be limited to residences and home based businesses. Section 4.3.2 also states parcels will not be less than 0.8 ha (2 ac) for lands connected to a community sewage system.

The OCP's housing-related goals and policies aim to protect productive farmland and direct development away from agricultural land. Section 1.4 Goal 2 recognizes the need for a variety of housing options and density alternatives and Section 1.5.2 Policy 9 encourages compact development within areas already designated for residential development, rather than converting new areas.

The proposal appears to align with these goals and policies. However, the proposed scale of residential development and parcel sizes are not consistent with the 0.8 ha (2 ac) minimum parcel size. Therefore, the proponent is applying to amend the property's OCP designation from Medium Density Rural Residential to High Density Rural Residential, where the minimum parcel size is 0.2 ha (0.5 ac) when connected to a community sewage system.

*PRRD North Peace Fringe Area OCP, Bylaw No. 1870, 2009* is currently being reviewed. The most recent draft of the OCP also designates this parcel as Medium Density Rural Residential (MDR), but the Official Community Plan Steering Committee indicated the Regional Board should decide on the subject property's designation. During the most recent public engagement activities, completed in January and February 2018, public opinion about residential development in the Charlie Lake area was generally in favour of higher density residential development, such as the applicant is proposing. The complete public engagement summary document is linked to this report.

#### Land Use Zoning

The subject property is in the Residential 3 Zone (R-3) pursuant to *PRRD Zoning Bylaw No. 1343, 2001*. While a dwelling unit is a permitted land use in the R-3 zone, the applicant intends to subdivide in the future, which would result in 78 lots smaller than the minimum size of 0.9 ha (2.2 ac) set out in Section 36.2. Therefore, the proponent is applying to rezone the property to Residential 1 Zone (R-1), where the minimum parcel size is 0.1 ha (0.25 ac) when connected to a community sewer.

#### Permit & Charge Areas

The subject property is within the School District 60 School Site Acquisition Charge Area and PRRD's Development Cost Charge Area, which will apply upon successful subdivision. It is also within the PRRD's Mandatory Building Permit Area, but outside the Development Permit Areas.

#### **Impact Analysis**

##### Context

The surrounding area is primarily residential, though there is some land designated for agriculture immediately to the north. The property is close to Lakepoint Golf and Country Club, Charlie Lake, and a mix of uses along Highway 97N. While the proposal is for residential development, which would be appropriate for the area, the proposal calls for higher density development than has occurred on nearby properties. This is in keeping with the OCP's policy to encourage compact development but is of concern to some nearby residents.

##### Agriculture

The property is not being used for agriculture and the proposal is not anticipated to affect agricultural operations in the area.

##### Population & Traffic

The applicant intends to subdivide the property into 78 parcels, so an increase in population and traffic is anticipated, should the proposed amendments and subsequent subdivision(s) be approved.

##### Sewage

The subject property is within the Charlie Lake Sewer System Service Area and the applicant intends to connect to the system.

### Fire Service

The Charlie Lake Fire Department has raised concerns related to fire safety.

### **Comments Received from the Public**

The PRRD received 14 comments from the public regarding the proposed bylaws before this report was finalized. Any subsequent comments from the public received before October 24, 2019 will be brought forward at a public hearing, if the recommendation to hold a public hearing is approved. The comments received from the public are attached to this report and the concerns expressed in those comments are summarized below:

- Management of increased storm water runoff, which already impacts properties between the proposed development and the lake.
- Effect of storm water runoff in encouraging weed and algae growth in the lake.
- Impact on traffic safety and the need to upgrade nearby roads and intersections.
- There is a lack of urban infrastructure to support the density of residential lots that would be allowed under the proposed zone.
- Concerns about bylaw enforcement and policing.
- The potential strain of increased enrolment in local schools.
- Provision of fire services.
- Impact on wildlife habitat and the environment.
- Concern that changing the Official Community Plan on a case-by-case basis would set a bad precedent.
- Incompatibility of high density development with the surrounding area.
- Appropriateness of increasing the population density outside of Fort St. John.

PRRD planning staff note the following regarding the most common concerns from the public.

- Strain on Charlie Lake Elementary School. Any residential development in the Charlie Lake area has the potential to increase enrollment at area schools. At present, PRRD staff are not sure how the development might be marketed to the public (i.e., to which demographics). Also note that the PRRD gathers a School Site Acquisition Charge on behalf of School District 60 for every new residential lot within the School District's service area. The School District did not respond to the PRRD's agency referral for this application.
- Concerns about traffic and roads. The applicant is working with MoTI to determine how the development will be accessed, which could include new or upgraded infrastructure at the developer's expense.
- Concerns about storm water runoff. The applicant is proposing to build storm water ponds and transfer ownership to the PRRD to operate and maintain. The PRRD does not currently have a function to administer such a service. PRRD staff are working with the applicant to determine potential cost-recovery mechanism(s) for the ponds.
- Strain on Charlie Lake Fire Department. While CLFD had numerous concerns about infrastructure, there appear to be no concerns about the capacity of the CLFD to serve the area.

**Comments Received from Municipalities & Provincial Agencies**

Chetwynd, Hudson's Hope, Pouce Coupe, Taylor, Tumbler Ridge, MoFLNRORD, Northern Health, SD 60, BC Hydro, and PRRD Department of Environmental Services

No response received.

Fort St John

Approval not recommended due to concerns about lack of water supply and potential impacts to fire services.

Dawson Creek

Interests unaffected.

Charlie Lake Fire Department

CLFD has a number of concerns around fire safety including: road access and design for emergency vehicles/equipment; connectivity to any future subdivisions; and sourcing water for fire suppression.

ALC

The ALC has no objection to the amendments, as they are consistent with past ALC decisions.

MoTI

The zoning bylaw will require formal Ministry approval. The Ministry is in support of the proposal and has several conditions including engineered drawings for deceleration/turning lanes, provision of a covenant to restrict development until road improvements are completed, and application for a Road Works Permit.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board respectfully refuse Official Community Plan Amendment Bylaw No. 2374, 2019, to amend the designation of PID 029-241-316 from Medium Density Rural Residential (MDR) to High Density Rural Residential (HDR); further that the Regional Board refuse Zoning Amendment Bylaw No. 2375, 2019, to rezone the same property from R-3 (Residential 3 Zone) to R-1 (Residential 1 Zone).
2. That the Regional Board defer a decision on Official Community Plan Amendment Bylaw No. 2374, 2019, to amend the designation of PID 029-241-316 from Medium Density Rural Residential (MDR) to High Density Rural Residential (HDR); further that the Regional Board defer a decision on Zoning Amendment Bylaw No. 2375, 2019, to rezone the same property from R-3 (Residential 3 Zone) to R-1 (Residential 1 Zone), until such time as the PRRD has adopted a subdivision development and serving bylaw.
3. That the Regional Board provide further direction.

**STRATEGIC PLAN RELEVANCE:**

Not Applicable to Strategic Plan.

**FINANCIAL CONSIDERATION(S):**

The cost of the proposed storm water management system is unknown. Assent of the electors within the defined service area (referendum) would be required to approve a storm water function for Area

C or a portion of it. The PRRD would incur ongoing operation costs for the administration of the funds, routine maintenance, and third-party review of the fee structure.

A Development Cost Charge Bylaw is may be required to recoup any capital costs incurred by the PRRD as a result of the proposed development.

Creating a Development Cost Charge Bylaw and/or a Subdivision & Development Standards Bylaw may require the expertise of an external consultant.

### **COMMUNICATIONS CONSIDERATION(S):**

### **OTHER CONSIDERATION(S):**

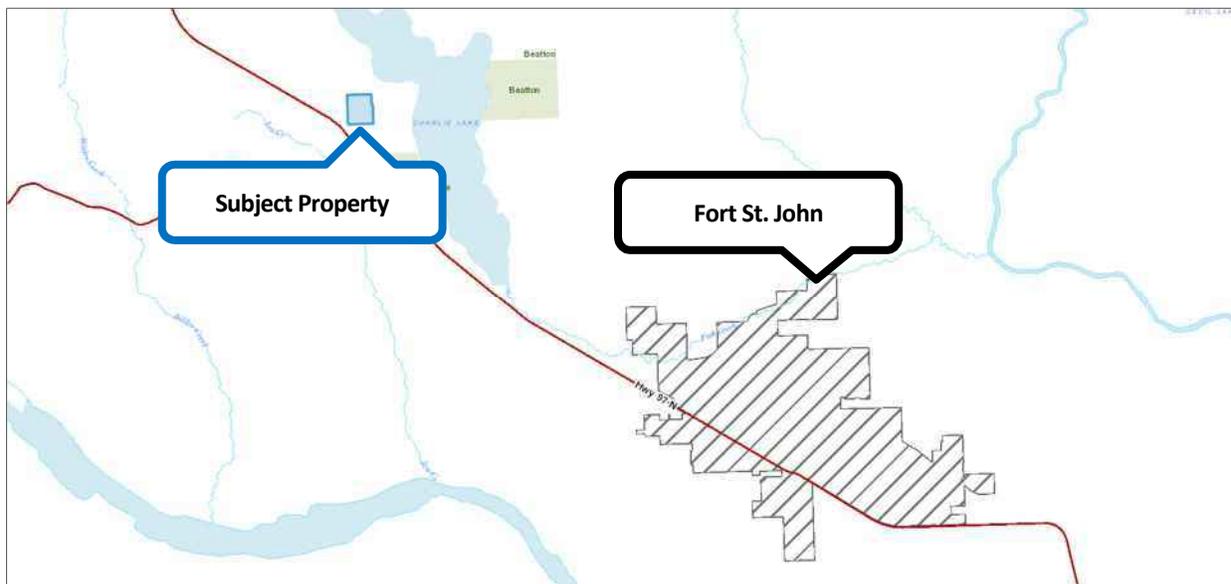
#### **Attachments:**

1. Maps
2. Application
3. Comments received from the public
4. Referral responses from agencies
5. Referral response from Electoral Area Director
6. Section 4.3.1 of *PRRD North Peace Fringe Area Official Community Plan, Bylaw No. 1870, 2009*
7. Section 34 of *PRRD Zoning Bylaw No. 1343, 2001*
8. Draft Official Community Plan Amendment Bylaw No. 2374, 2019
9. Draft Zoning Amendment Bylaw No. 2375, 2019

#### **External Links:**

1. [North Peace Fringe Area Official Community Plan Overview of Public Engagement, August 2018](#)

**Location:** Charlie Lake



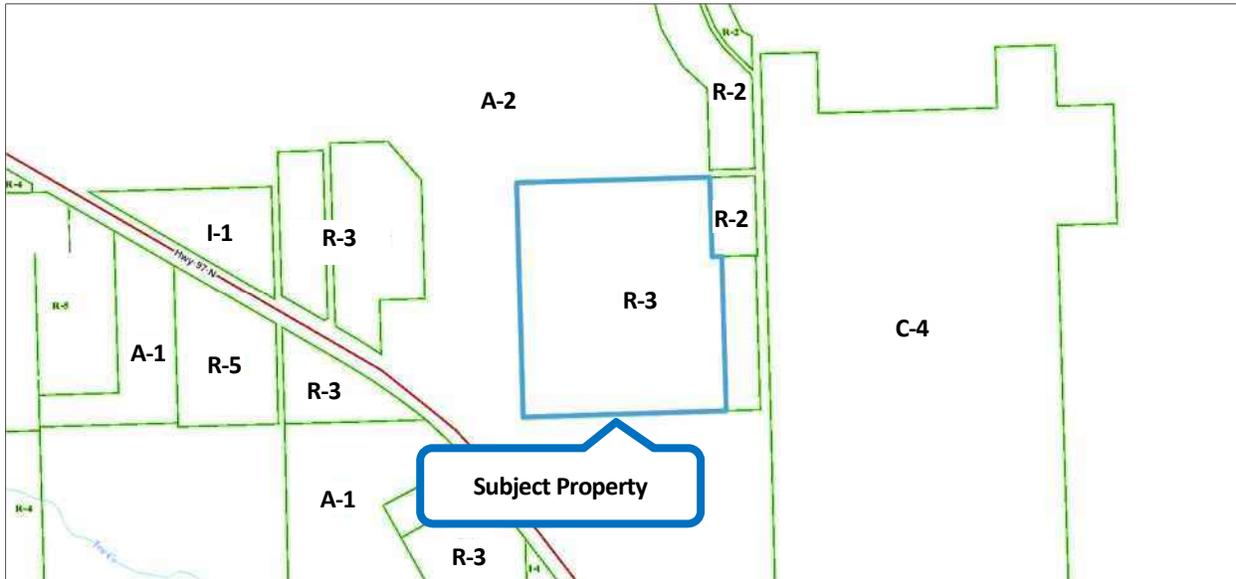
**Aerial imagery**



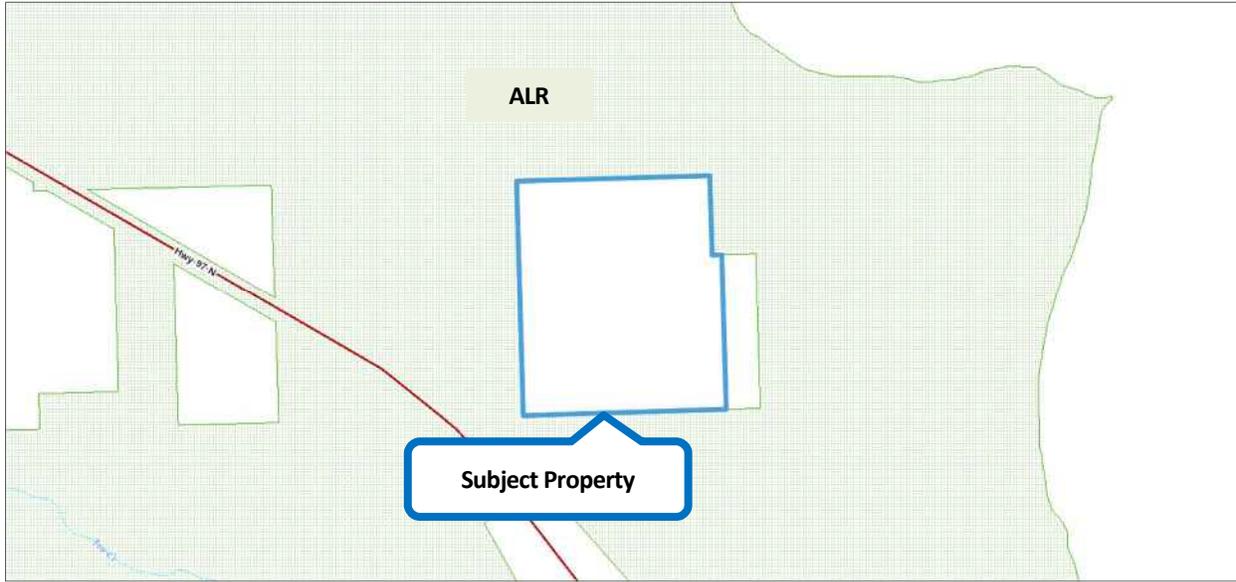
**PRRD North Peace Fringe Area OCP Bylaw No. 1870, 2009: Medium Density Rural Residential**



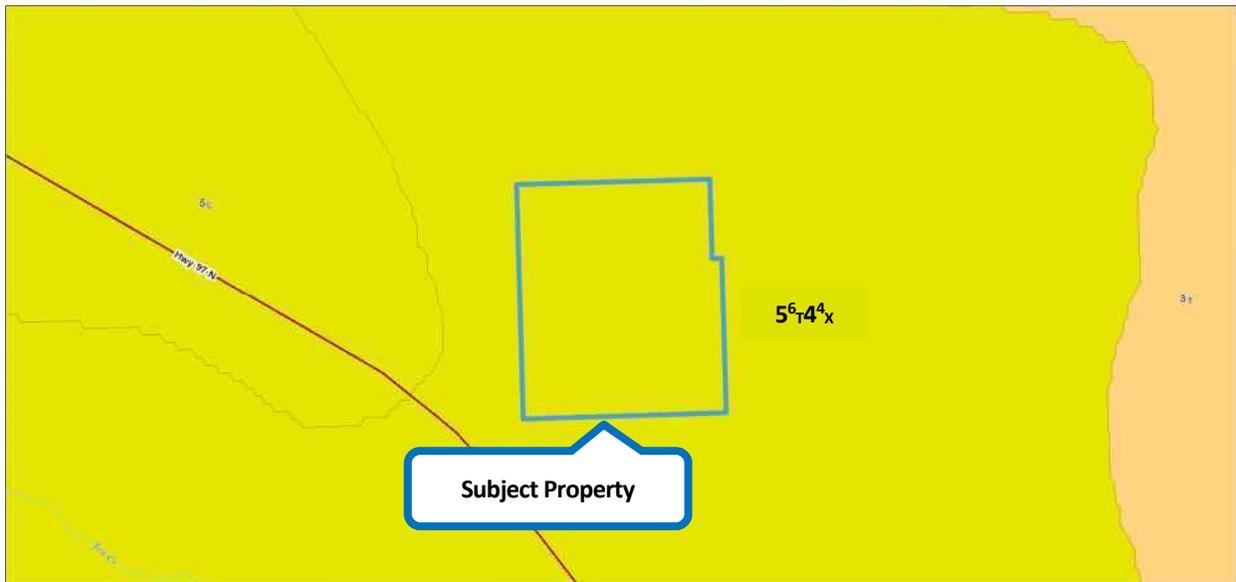
**PRRD Zoning Bylaw No. 1343, 2001: R-3 (Residential 3 Zone)**



**Agricultural Land Reserve: Outside**



**CLI Soil Classification: 5<sup>6</sup>T<sup>4</sup>X**





PEACE RIVER REGIONAL DISTRICT

DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC (T) 250-784-3200..(F) 250-784-3201  
 FORT ST. JOHN 9505 100<sup>TH</sup> Street, Fort St. John, BC V1J 4N4 (T) 250-785-8084 (F) 250-785-1125  
 [Toll Free: 1-800-670-7773]

Receipt # \_\_\_\_\_

Application for Development

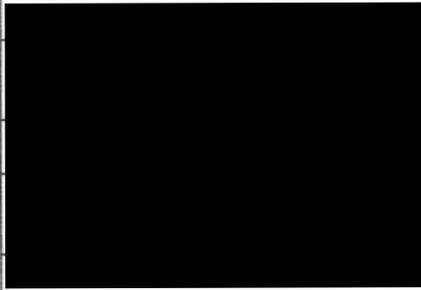
1. TYPE OF APPLICATION	FEE
<input type="checkbox"/> Official Community Plan Bylaw Amendment	\$ 1,000.00
<input type="checkbox"/> Zoning Bylaw Amendment	650.00
<input type="checkbox"/> Official Community Plan / Zoning Bylaw Amendment combined	1,050.00
<input type="checkbox"/> Temporary Use Permit	350.00
<input type="checkbox"/> Development Permit	165.00
<input type="checkbox"/> Development Variance Permit	165.00
<input type="checkbox"/> Sign requirement	150.00

In regard to applications for:

- i) an official community plan and/or zoning bylaw amendment;
- ii) temporary use permit;

Sign provided by the PRRD and sign posted pursuant to Section 8 of Bylaw No. 2165, 2016, **attached**.

**2. PLEASE PRINT**

Property Owner's Name <b>Wade Group Development Ltd</b>	Authorized Agent of Owner (if applicable)
Address of Owner 	Address of Agent
	City/Town/Village
	Postal Code
	Telephone Number:
	Fax Number:
	E-mail:

**3. PROPERTY DESCRIPTION**

Full legal description of each property under application	Area of each lot		
LOT 8, Sec 36, Tp 84, R 20 W6M PLAN EPP35284	53.42/132	ha./acres	
		ha./acres	
		ha./acres	
	<b>TOTAL AREA</b>	53.42/132	ha./acres

**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*.

4. Civic Address or location of property: Golf Course Road, Charlie Lake, BC

**5. PARTICULARS OF PROPOSED AMENDMENT**

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

Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: Medium Density Residential (MDR)

Proposed OCP designation: High Density Residential (HDR)

Text amendment: \_\_\_\_\_

Zoning Bylaw amendment:

Existing zone: Residential 3 Zone (R3)

Proposed zone: Residential 1 Zone (R1)

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:**

There are no buildings on the Subject Property.  
\_\_\_\_\_  
\_\_\_\_\_

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

- (a) North Mostly treed. Some cleared horse pasture.
- (b) East 2 acre Residential houses. East of the Golf Course Rd is Golf Course and Nature Trust.
- (c) South Residential houses with home based business.
- (d) West Residential houses with horse pasture.

**8. Describe the proposed development of the subject property. Attach a separate sheet if necessary:**

The proposed development for the Subject Property is a residential subdivision including roads and green spaces.  
\_\_\_\_\_  
\_\_\_\_\_

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

See attached Sheets. This application conforms to and is supported by the current NPFA OCP 2010, and is supported by the text in the Draft NPFA OCP 2017.  
\_\_\_\_\_  
\_\_\_\_\_

10. Describe the means of sewage disposal for the development:

Charlie Lake Sewer System. The subject property was included into the Sewer Service Boundary Area by the Peace River Regional District.

11. Describe the means of water supply for the development:

Individual Cystems at each lot. Water to be hauled from Rural Water Distribution loading centers in Fort St. John, or Taylor or Area B.

**THE FOLLOWING INFORMATION IS REQUIRED. FAILURE TO PROVIDE MAY DELAY YOUR 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:
  - (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 of existing buildings and structures on the subject property, with distances to property lines;
  - (d) the location 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 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.

  
 \_\_\_\_\_  
 Signature of Owner

March 28, 2019.  
 \_\_\_\_\_  
 Date signed

\_\_\_\_\_  
 Signature of Owner

\_\_\_\_\_  
 Date signed

16. **AGENT'S AUTHORIZATION**

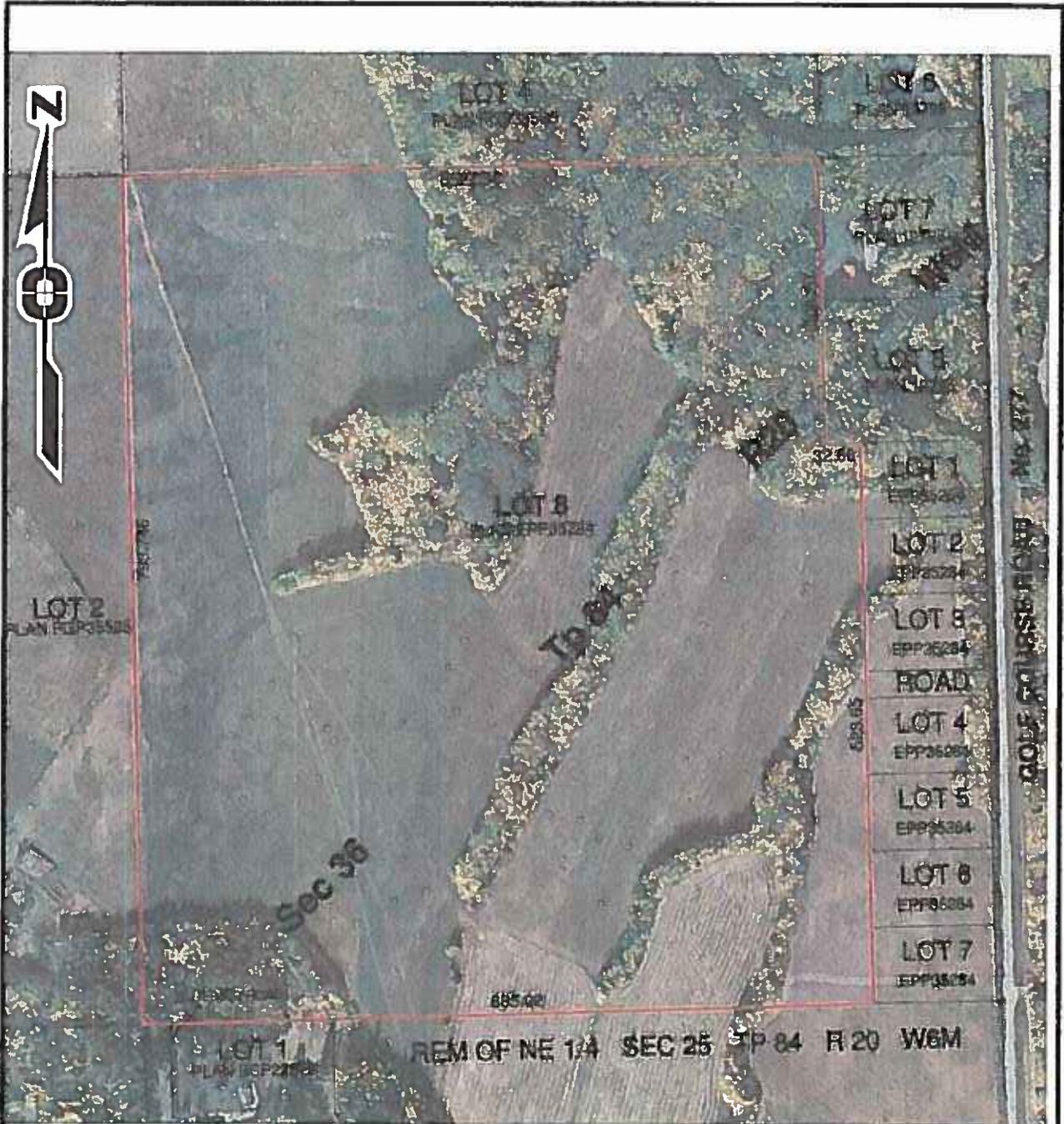
If you have an agent act on your behalf in submission of this application, the following authorization **MUST** be signed by **ALL** property owners.

I / We	and	hereby
authorize		
(name)	to act on my/our behalf regarding this	
application.		
Agent address:		
Telephone:	Fax:	Email:
Signature of Owner:	Date:	
Signature of Owner:	Date:	

9. Reasons and comments in support of the application.				
Pg	Section	The current NPFA OCP 2010 Bylaw fully supports the change from MDR to HDR. From the text of the existing Bylaw the following sections support the change:	HDR	MDR
10	1.4	The following set of broad goals evolved through the public consultation process and provides a foundation for the objectives and policies of the North Peace Fringe Area Official Community Plan	Yes	No
10	1.4.1	1. To retain the rural character and lifestyle offered within the NPFA, including but not limited to values, such as; wide open areas, safe and friendly atmosphere, scenic views, wildlife habitat and rural ambiance.	Yes	No
10	1.4.3	3. To ensure that growth is managed so that land use conflicts are avoided, especially between residential and industrial areas. 6. To plan for services, such as sewer, water, fire protection and solid waste disposal, subject to the limitations of the availability and costs of such services to the rural area.	Yes	No
12	1.5	Growth management is a fundamental component of a well planned community as it enables a community to direct growth in a manner that: protects the quality of life for residents, protects the natural environment, and provides economic opportunities and utilizes infrastructure in an efficient manner. Within the North Peace Fringe Area, the principles of growth management are achieved by: the identification of future lands for residential, commercial and industrial use; a priority to reduce sprawl and encourage compact development; the protection of agriculture from the pressures of non-agriculture development; and protection of the health and wellness of the community and its future generations.	Yes	No
14	1.5.2	Reduce Sprawl and Encourage Compact Development	Yes	No
15	9.	To encourage compact development within designated areas of this Plan, before considering new areas that have not been identified for future growth. This is based on the recognition that sprawl impacts; air quality, health status, traffic patterns, housing affordability, available food lands and infrastructure costs.	Yes	No
15	1.5.2.9	<b>Compact development and infilling in the North Peace Fringe Area is encouraged in order to:</b> - develop a community which efficiently and effectively uses its valuable land base; - lessen overall environmental and community impacts; - enable affordable infrastructure, services, utilities and transportation; - lessen interference to agriculture operations and better protects productive land; - avoid leap-frog, scattered development or spot zoning. <b>Avoid Sprawl in the North Peace Fringe Area to reduce negative impacts that:</b> - create an inefficient use of land where there is no end to scattered development; - result in large blocks of land that become fragmented; - imply false public expectation that multiple services will be provided to all rural areas;	Yes	No
24	4.2.	<b>Infill and direct residential subdivision to areas designated HDR, MDR, LDR and Settlement Centres before considering any new areas not identified in this Plan.</b>	Yes	No
24	4.3.1	<b>Policy 1 Development of HDR that encourages infilling and includes subdivision servicing standards compatible to nearby urban serviced areas, are a priority before supporting subdivision that has no community services.</b>	Yes	No
24	4.3	<b>Policy 3 Subdivision and land use proposals will be examined and considered in areas designated 'High, Medium or Low Density Rural Residential' subject to the factors listed below and in addition to those set out in Section 15.5 i) to xv) Subdivision and Development Guidelines:</b> a) Proposed subdivision demonstrates orderly sequence of development, being on land adjacent to existing subdivision, which clearly promotes compact development and avoids sprawl, as referenced in Sec. 1.5.2, Policy 9.	Yes	No
25	4.3.1	<b>Policy 6 Within the High Density Rural Residential designation and parcels not on a lakeshore the minimum parcel size will not be less than:</b> a) <b>2000 sq. metres (0.50 acre)</b> for lands connected to a community sewage system;	Yes	No
25	4.3.2	<b>Policy 8 High Density Residential subdivision will be directed to those areas having community sewer services to maximize existing sewer capacity or those areas planned to receive sewer service, encouraging compact development, as referenced in Section 11.3.1, Policy No. 10 to to12.</b>	Yes	No

## 9. Reasons and comments in support of the application.

Pg	Section	Designating the Subject Property from MDR to HDR follows the purpose of a land use designation which is to 'match' the lands in the Plan Area to the goals, aims and intentions and policies set out in Sections of this Plan.	HDR	MDR
<b><u>Supports Higher Density</u></b>				
8	2 2)	encourage compact development;	Yes	No
16	3	Given that this land use pattern,(large lot subdivision) is not sustainable from a land supply perspective	Yes	No
16	3	this OCP focuses residential growth within already designated areas, with higher densities in areas that can be serviced with sanitary sewer.	Yes	No
16	3.2 8.	Prioritize the concentration of housing within, or within proximity to, established residential areas to utilize existing infrastructure and proximity to services;	Yes	No
16	3.2 10.	Limit the impact of urban expansion on sensitive environmental features and areas of viable agricultural land by increasing residential densities	Yes	No
16	3.2 12. a.	Ensure that rural residential development adheres to principles of 'rural smart' growth by developing housing that: <b><u>Conserves land;</u></b>	Yes	No
17	3.2 12. c.	Ensure that rural residential development adheres to principles of 'rural smart' growth by developing housing that: <b><u>Uses existing infrastructure;</u></b>	Yes	No
17	3.2 12. d.	Ensure that rural residential development adheres to principles of 'rural smart' growth by developing housing that: <b><u>Encourages infill or redevelopment</u></b>	Yes	No
17	3.2 12. e.	Ensure that rural residential development adheres to principles of 'rural smart' growth by developing housing that: <b><u>Encourages rural compact development;</u></b>	Yes	No
37	8.3.1 3.	Facilitate the establishment of new community sewage and water service systems, and consider expanding existing services on a local service area basis, in order to prevent sprawl and encourage compact, efficient development	Yes	No
51	11.2.2 a.	To reduce sprawl and facilitate efficient compact communities in the rural area, the Regional District will collaborate with Northern Health to: a. identify opportunities and barriers for compact development,	Yes	No
52	11.3.1 f)	Proposal demonstrates orderly and compact development as a priority to avoid sprawl and create an efficient development pattern;	Yes	No
<b><u>Reduces Sprawl</u></b>				
8	2 2)	Prioritizing the reduction of rural sprawl	Yes	No
11	2.3 1. f.	avoid scattered development patterns	Yes	No
16	3.1	minimize rural sprawl	Yes	No
16	3.2 8.	Prioritize the concentration of housing within, or within proximity to, established residential areas to utilize existing infrastructure and proximity to services;	Yes	No
<b><u>Utilizes Infrastructure.</u></b>				
8	2	utilizes infrastructure in an efficient manner.	Yes	No
11	2.3 1. a.	Encourage the efficient use of infrastructure	Yes	No
11	2.3 1. c.	enable financial sustainability of public infrastructure including services, utilities, and transit;	Yes	No
11	2.3.1. f.	avoid scattered development patterns	Yes	No
45	10.3 1.	High Density Rural Residential uses will be directed to those areas having community sewer services to maximize existing sewer capacity,	Yes	No
<b><u>Cost Effective Development</u></b>				
9	2.1.2	the Plan area will need to accommodate an additional 713 to 1,730 dwelling units.	Yes	No
16	3.1	To encourage cost-effective development	Yes	No



SKETCH PLAN SHOWING  
 LOT 8, SECTION 36, TOWNSHIP 84, RANGE 20  
 WEST OF THE 6TH MERIDIAN, PLAN EPP35284  
 PEACE RIVER DISTRICT  
 THIS DRAWING IS NOT TO SCALE

	WSP Surveys (BC) Limited Partnership Fort St John BC (250) 787-0300	DATE: JANUARY 15, 2015 BCGS: 94A.035	WSP File: 141099SK01R0	REV. 0
	1/15/2015 5:51:08 PM			



**ALC**

**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

April 27<sup>th</sup>, 2011

Reply to the attention of Gordon Bednard  
ALC File: 52082

Heather Oland  
L & M Engineering  
1210 Fourth Avenue  
Prince George, BC  
V2L 3J4

Dear Ms. Oland:

**Re: Application to Exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 145/2011 and a sketch plan outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

The Commission will advise the Registrar of Land Titles that the property has been excluded from the ALR when it has received confirmation that the conditions of approval have been met.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact the Peace River Regional District.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Peace River Regional District #91/2005

LS/52082d1

ALC

## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on April 11<sup>th</sup>, 2011 in Fort St. John, B.C.

<b>PRESENT:</b>	Richard Bullock	Chair
	Denise Dowswell	Commissioner
	Martin Collins	Staff

### For Consideration

Application: 52082  
 Applicant: Larry Wade and Mary Wade  
 Agent: Heather Oland  
 Proposal: To exclude 90.3 ha from the ALR, comprising of two adjoining lots of 59.7 and 30.6 ha for the purpose of residential development.  
 Legal: 1) Lot 1 Section 36 Township 84 Range 20 West of the 6th Meridian Peace River District Plan PGP35595  
 2) The North East 1/4 of Section 25 Township 84 Range 20 West of the 6th Meridian Peace River District Except Plans B7601, 16121 and 19837 A1027 and PGP36715  
 Location: Golf Course Road, Charlie Lake

### Site Inspection

A site inspection was conducted on April 11, 2011. Those in attendance were the Commissioners and staff noted above and Larry and Mary Wade.

Larry Wade confirmed that the staff report was received and no errors were identified.

The Wades provided the Commission with information about the historic and current agricultural use of the property, and the OCP planning process which designated the land as suitable for residential uses. The implications of higher densities and the provision of services was also discussed. The Commission was advised that the objections to the proposed development did not arise from the farm community, but instead from nearby rural residents who were concerned about the impacts of increased residential density and demands for services (traffic, sewage disposal, water).

### Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

## **Discussion**

### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system.

The agricultural capability of the soil of the subject property is 6:5T 4:4X;

**Class 4 –** Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

**Class 5 –** Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

The limiting subclasses are topography and other cumulative and minor adverse soil conditions. Some of the land is improved for agriculture (hay production). Some of the land remains forested. However, the applicant indicated that hayfield areas have been abandoned by the farmer who rents the property because of poor productivity.

### **Assessment of Agricultural Suitability**

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission believes that the subject properties are unfavorably located for agricultural development due to encircling rural residential and golf course development. Furthermore these lands are designated for medium density residential uses in the *North Peace Fringe Area OCP (adopted in 2010)*.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believes the proposal would not adversely impact potential agricultural use of surrounding lands because the majority of the adjoining land is not used for agriculture, but rather, golf course and rural residential uses. The Commission did not believe that the impacts on agricultural land to the north would be significant, provided the lands were fenced.

### **Assessment of Other Factors**

The Commission discussed the strong community opposition to the proposed exclusion. The Commission appreciated and acknowledged citizen concerns about potential negative impacts and servicing limitations associated with higher density development. However, overall the Commission concurred with the Regional District's OCP direction. The Commission recalled that the draft OCP had been developed with the advice of the Peace River Regional District Agricultural Advisory Committee, and that the Commission had not objected to the medium density rural residential designation of this ALR area, recognizing that it is appropriate to designate land with limited agricultural capability and suitability, close to services and existing infrastructure, for rural residential purposes to meet demand for residential parcels. If no area is provided for residential development, then rural residential pressure becomes more generalized, and random, potentially negatively affecting very productive farm areas.

Page 3 of 3 Resolution # 145/2011  
Application # 52082

**Conclusions**

1. That the majority of land under application has agricultural capability and is appropriately designated as ALR.
2. That portions of the land under application have challenges for agricultural use.
3. That the proposal will not significantly impact agriculture.
4. That the residential proposal is consistent with the North Peace Fringe OCP which was conditionally endorsed by the Commission as per Resolution # 1105/2009.

**IT WAS**

**MOVED BY:** Commissioner Richard Bullock  
**SECONDED BY:** Commissioner Denise Dowswell

**THAT** the application to exclude 90 ha from the ALR be allowed;

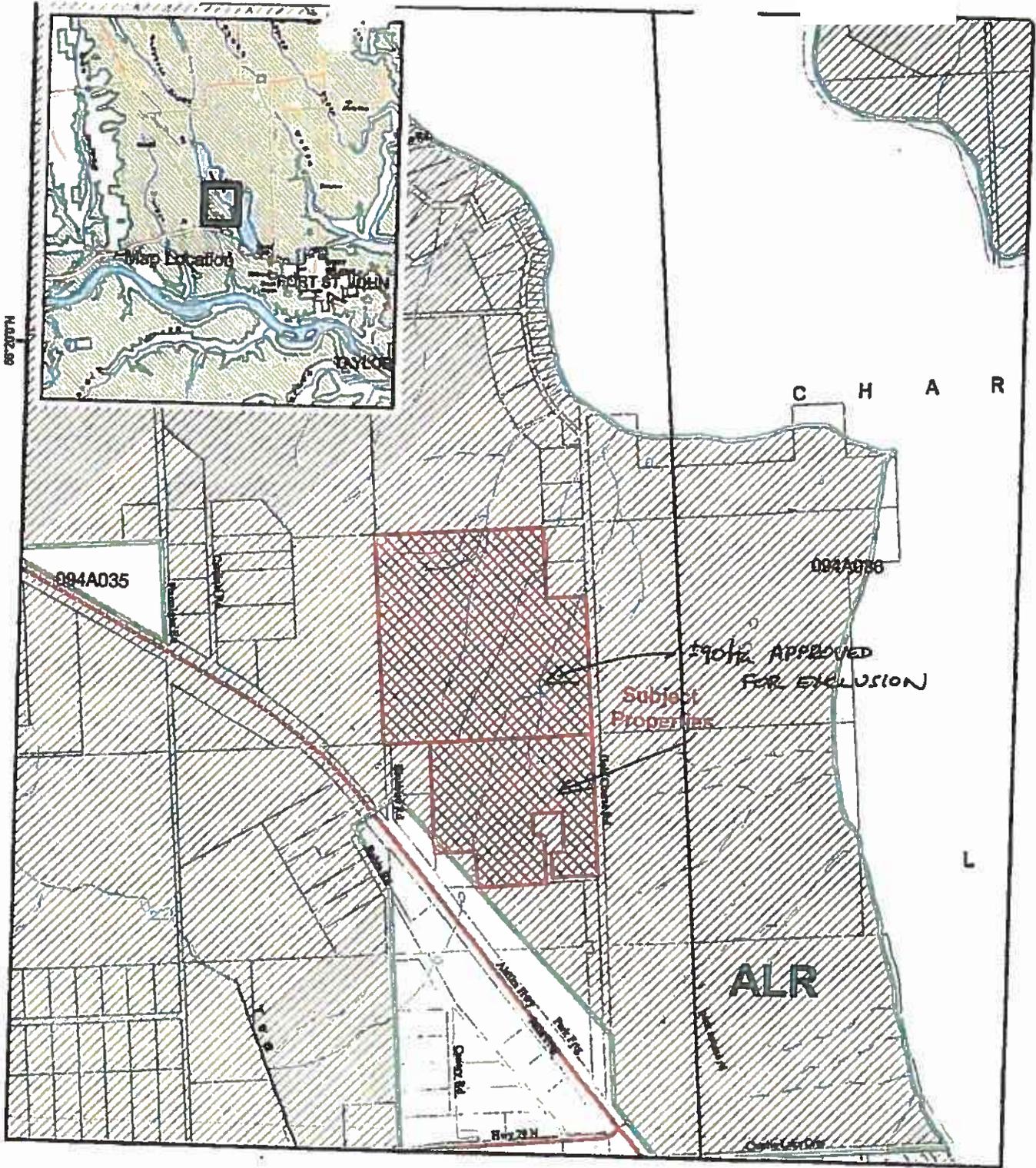
**AND THAT** the approval is subject to the following conditions:

- rezoning of the property for medium density residential uses within 3 years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**

**Resolution # 145/2011**



RESOLUTION # 145/2011



ALC Context Map

Map Scale: 1:20,000



ALC File #:	52082
Mapsheet #:	94A.035
Map Produced:	Jan 6, 2011
Regional District:	Peace River

**PUSHOR MITCHELL**  
LLP  
LAWYERS & TRADE-MARK AGENTS

**Our File:** 56155.002

*Ronald Solmer's Direct Line: (250) 869-1185*

*Lisa's Direct Line: (250) 869-1112*

May 4, 2015

**PEACE RIVER REGIONAL  
DISTRICT**  
9505 - 100 Street  
Fort St. John, BC V1J 4N4

**MINISTRY OF TRANSPORTATION  
& INFRASTRUCTURE**  
300 - 1003 110<sup>th</sup> Avenue  
Fort St. John, BC V1J 6M7

Dear Sirs/Mesdames:

**RE: Wade Group Development Ltd. ("Wade")  
Development Lot 8 Plan EPP35284 ("Lot 8")**

Further to our email to Bailey Chabot on March 18, 2015, we confirm that we are assisting Wade Group Development Ltd. with respect to their proposed staged residential subdivision of Lot 8 Plan EPP35284.

We confirm that we have suggested that Wade create a common lot with a pre-subdivision plan to create the development lands ("Development Lands" and the common lot ("Common Lot")). The purpose of the common lot is for the shared use and ownership of green space that the Peace River Regional District does not wish to have control of.

Creating the Common Lot has similar benefits of common property of a bareland strata plan without the obligations and other restrictions that are contained within the *Strata Property Act*. It has been our experience that on build out of larger rural estate residential developments, the owners attempt to wind up the bareland strata plan as the obligations under the *Strata Property Act* are too onerous and restrictive on the owners.

Unless a government body is prepared to take ownership of the green space, there are no other practical methods to create the green space such that the owners of the Development Lands will have an ownership interest, obligations with respect to maintenance and costs, and benefits associated with the green space.

The benefits to the Common Lot are as follows:

1. Each owner of a lot (the "Lots") created from the Development Lands will have an ownership interest in the Common Lot;
2. The Common Lot will not have a title but it will have legal boundaries;
3. Expenses for the Common Lot will be the responsibility of each owner of a Lot as to their undivided share in the Common Lot;
4. There is no title to the Common Lot, therefore no separate tax assessment should be issued;
5. Wade can grant to PRRD and/or MoTI Section 219 Covenants which will be registered against the Lots over the Common Lot governing the use of the Common Lot.

We have drafted an example of a Section 219 Covenant for your consideration. The Covenant can be tailored as required by PRRD and/or MoTI and registered against title to the Development Lands and/or Lots prior to the sale to the first purchaser.

6. As the Common Lot has specific legal boundaries, it can be rezoned as may be required by either PRRD and/or MoTI to a zone which is different than the Development Lands.

The special considerations are as follows:

1. The Developments Lands must be created and finalized with the Common Lot subdivision. Once a Lot has been transferred to a purchaser it will be logistically improbable to move the boundaries of either the Development Lands or the Common Lot;
2. Covenants and rights of way over the Common Lot must be registered prior to the first sale of a Lot to a purchaser. Again, obtaining the signatures necessary to register any document with respect to the Common Lot will be very difficult, if not impossible, after sales of the Lots commences.

### **Section 219 Covenant**

We ask that you consider the enclosed Section 219 Covenant. As noted above, PRRD and/or MoTI are at liberty to request further permissions or restrictions within the Covenant to govern the use of the Common Lot. The restrictions must affect land, but they may be positive or negative in nature.

We have attempted to satisfy within the draft covenant the inquiries of PRRD as follows:

1. Paragraph 2 sets out the permitted uses for the Common Lot, notwithstanding the zoning of the Common Lot from time to time;
2. Although by virtue of its ownership the costs associated with the Common Lot are the sole responsibility of the owners, we have re-iterated this in paragraph 6;
3. Paragraph 7 (a) prohibits an owner from having exclusive use of a portion of the Common Lot;
4. Paragraph 7 (b) prohibits subdivision of the Common Lot;
5. Paragraph 7(c) prohibits dumping on the Common Lot;
6. Paragraph 7 (d) prohibits construction of improvements on the Common Lot (other than the Permitted Improvements in paragraph 3);
7. Paragraph 7 (g) prohibits the Common Lot from being used for residential, commercial or industrial purposes.

#### **Statutory Right of Way with Section 219 Covenant**

We also enclose a draft Statutory Right of Way permitting PRRD and MoTI to access the Common Lot for emergency response purposes. In paragraph 4 we have included a Section 219 Covenant requiring that the Transferor maintain the Emergency Access Lane and the Works (as defined in the Statutory Right of Way). In paragraph 8, we have included wording that grants rights to the Transferee, but not obligations. In paragraph 8(e), we have permitted the Works to be transferred to the either PRRD or MoTI, without further consent of any owner, upon request by such party.

#### **Zoning of the Common Lot**

We understand that zoning the Common Lot may be problematic. We have reviewed PRRD's zoning bylaws and it appears to us that the Common Lot could be zoned either P1 or R2 and Wade could apply for a text amendment to that zone specific to the Common Lot which would specify that the permitted use (and restriction) of the Common Lot is as private green space for the use of its common owners. Paragraph 2 of the Covenant would support this permitted use under the zoning bylaw amendment.



**TERMS OF INSTRUMENT – PART 2**  
**Common Lot Covenant**

**WHEREAS:**

- A. The Transferor is the registered owner, in fee simple, of the Lands.
- B. Pursuant to Section 219 of the *Land Title Act*, R.S.B.C., 1996 c. 250, there may be registered a covenant against the title to land subject to the covenant, and such covenant is enforceable against the Transferor and the successors in title of the Transferor even if the covenant is not annexed to land owned by the Transferee.
- C. As a condition of approval of subdivision creating the Lands with open space provided by Common Lot, the Transferee has required that this Covenant be registered against title to the Lands pursuant to Section 219 of the *Land Title Act* establishing the conditions and restrictions by which the Common Lot may be used.

In consideration of the promises set forth in this Covenant and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

**Definitions**

1.

- (a) “**Common Lot**” means Lot ^^ Section 36 Township 84 Range 20 West of the 6<sup>th</sup> Meridian Peace River District Plan EPP^^;
- (b) “**Lands**” means collectively the land described in Form C – Part 1, Item 2;
- (c) “**Owner**” means a registered owner, from time to time, of the Lands, and Owners means more than one of them;
- (d) “**Permitted Improvements**” means the improvements permitted within and on the Common Lot as described in paragraphs 3 and 4 herein;
- (e) “**Permitted Uses**” means the uses permitted within and on the Common Lot as described in paragraph 2 herein;
- (f) “**Transferee**” means collectively the party(ies) described as Transferee(s) in Form C – Part 1, Item 6;
- (g) “**Transferor**” means collectively the party(ies) described as Transferor(s) in Form C – Part 1, Item 5.

**Permitted Uses**

2. Hereafter, notwithstanding any use of the Common Lot permitted under the zoning applicable to the Common Lot from time to time, the Common Lot will not be used by the Transferor, as owners in common, the Owners, and their permitted guests and invitees, for any purpose other than for passive or active recreation use consistent with the general purpose of natural forest and wildlife and natural and/or man-made improved green space, including:
- (a) tot-lots;
  - (b) playgrounds;
  - (c) walkways;
  - (d) trails;
  - (e) environmentally sensitive areas;
  - (f) wildlife sanctuary;
  - (g) greenbelts;
  - (h) conservation areas;
  - (i) buffers; and
  - (j) nature interpretation areas,
- together with the construction, maintenance and use of the Permitted Improvements.

**Permitted Improvements**

3. For the purposes described above, there is reserved to the Transferor and the Owners, the following rights within, on, above and under the Common Lot:
- (a) to construct, laydown or install hard surface walkways and trails and to inspect and maintain the trails in the Transferor's sole discretion;
  - (b) to construct, laydown, install, reshape the earth, plant shrubs or trees, preserve the man-made landscaping and natural terrestrial ecosystems, for the purpose of enhancing the visual appearance or safe use of the Common Lot;
  - (c) construct, laydown or install fencing as may be required by the Transferor for the safe use of the Common Lot;
  - (d) construct, laydown or install seasonal and/or permanent playground and children's amenities and facilities.

4. For purpose of servicing and serving the Lands, there is reserved to the Transferor and the Owners, the following rights:
  - (a) to construct, install, maintain and utilize a garbage and recycling transfer station, including the construction of a building necessary to temporarily store garbage and recycling materials of the Transferor, as owners in common, for the common monthly pick up and removal of such garbage and recyclable materials from the Common Lot and the Lands;
  - (b) to construct, install, maintain and utilize an above ground or below ground water reservoir or other means of water containment as may be required by the fire department or the Transferor to store water for fire suppression purposes;
  - (c) to construct, install, inspect and maintain water, sewer, surface or subsurface drainage, electrical, communications, gas or other utility works, including all pipes, valves, fittings, hydrants, wires, conduits, poles, casings, line, meters, appliances, facilities, attachments, devices and other ancillary or incidental things, or any of them, for the purpose of supplying each such utility to the Lands for the use by the Owners or any of them;
  - (d) to construct, install, maintain and utilize hard surface or asphalt surface access roads as may be required by emergency personnel or the Transferor and Owners, as owners in common, and their contractors, to access the Permitted Improvements.
5. Provided however, that the Permitted Improvements must meet or exceed construction and installation specifications required by any federal, provincial, municipal, or regional district for similar installations and improvements in the Peace River Assessment District.
6. In exercising its rights in respect of the Permitted Improvements and common use and ownership of the Common Lot, the Transferor acknowledges and agrees with the Transferee that the Owners, as owners in common, are solely responsible for all costs, regardless of the nature, associated with the Common Lot and the Owners' use thereof.

#### **Restrictions**

7. Save and except for the Permitted Improvements and the Permitted Uses set forth in this Covenant, the following are specifically prohibited within the Common Lot, without the prior written consent of the Transferee, which may be withheld without reason:
  - (a) granting permission to any person to exclusively use a portion of the Common Lot. It being understood and agreed that the Common Lot is for the use and enjoyment of all of the Owners;
  - (b) subdivision of the Common Lot is prohibited;

- (c) except for the purposes set out in paragraph 4(a), transportation of any garbage, refuse or domestic or industrial waste through, over, in or on the Common Lot or the deposit of any of that material in, under the surface of the soil or on the Common Lot;
- (d) no structure or improvement is permitted to be constructed, installed, erected or placed in or on the Common Lot;
- (e) use or occupancy of the Common Lot for the purpose of log storage, mill site, disposal area or waste or any other industrial purpose;
- (f) the exercise of any right under the *Mineral Tenure Act*, the *Coal Act*, or the *Petroleum and Natural Gas Act*;
- (g) to flood any part of the Common Lot, or impound, divert or distribute water in the Common Lot;
- (h) to use, or permit the Common Lot to be used, for residential, commercial or industrial purposes.

#### General

8. The Transferor does remise, release and forever discharge the Transferee and its officers, employees, servants or agents from all loss, damage, costs, actions, suits, debts, accounts, claims and demands which the Transferor or its heirs, executors, administrators, successors and assigns may have against the Transferee and its officers, employees, servants or agents from and by reason of any damage suffered personally or in connection with the Permitted Improvements and/or the Permitted uses of the Common Lot.
9. This Covenant shall be construed as a covenant running with the Lands.
10. The parties agree that nothing contained or implied herein shall in any way prejudice or affect the powers of the Transferee in the exercise of its functions under any statute, bylaw, order or regulation, all of which may be fully exercised in relation to the Lands as if this Covenant had not been executed.
11. This Covenant shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.
12. If any part of this Covenant is found to be illegal or unenforceable, that part will be considered separate and severable from the rest, and the remaining parts will not be affected hereby and will be enforceable to the fullest extent permitted by law.
13. It is understood and agreed that by registration of this Covenant as a charge against title to the Lands, the Transferee assumes no responsibility for enforcement of the terms of this Covenant. It is understood and agreed that at all times the Transferor is responsible for ensuring compliance with this Covenant.

14. The provisions herein contained shall not be modified or discharged except in accordance with the provisions of Section 219 of the *Land Title Act*.
15. Notwithstanding anything else herein contained to the contrary, it is understood and agreed that the terms, covenants and agreements herein contained shall only be personal and binding upon the Transferor with respect to the Lands, only for so long as the Transferor is the owner of such Lands. For greater certainty, neither the Transferor named in this Covenant, nor any future owner(s) from time to time of the Lands, shall be liable under any of the terms, covenants and agreements contained in this Covenant with respect to such Lands and/or Common Lot, where such liability arises by reason of an act or omission occurring after the Transferor, or any future owner(s), ceases to have an ownership interest in such Lands and Common Lot.

**TERMS OF INSTRUMENT – PART 2**  
**Statutory Right of Way and Covenant**  
**(Fire Suppression / Emergency Vehicles)**

**WHEREAS:**

- A. The Transferor is the registered owner, in fee simple, of the Lands.
- B. The Transferor wishes to grant and the Transferee wishes to accept a statutory right of way over the Common Lot for the provision of fire suppression works and emergency vehicle access within the Common Lot.
- C. The Transferor agrees on the terms and conditions herein set forth to grant to the City a statutory right of way over the Common Lot.
- D. This Statutory Right of Way is necessary for the operation and maintenance of the Transferee's undertaking.

In consideration of the promises set forth in this Covenant and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

**Definitions**

1.

- (a) **“Emergency Access Lane”** means a hard or asphalt surface access road as may be required by emergency personnel, the Transferee, or Transferor to access the Works or other areas of the Common Lot for emergency response purposes;
- (b) **“Emergency Response”** means collectively:
  - (i) vehicles designed to assist in fighting fires by transporting firefighters, along with water or other firefighting equipment and apparatus;
  - (ii) vehicles for transportation of sick or injured people or for administering emergency care;
  - (iii) vehicles used by police personnel to assist with their duties; and
  - (iv) associated emergency response personnel,
- (c) **“Common Lot”** means Lot ^^ Section 36 Town hip 84 Range 20 West of the 6<sup>th</sup> Meridian Peace River District Plan EPP^^;
- (d) **“Lands”** means collectively the land described in Form C – Part 1, Item 2;

- (e) **“Owner”** means a registered owner, from time to time, of the Lands, and Owners means more than one of them;
- (f) **“Transferee”** means collectively the party(ies) described as Transferee(s) in Form C – Part 1, Item 6;
- (g) **“Transferor”** means collectively the party(ies) described as Transferor(s) in Form C – Part 1, Item 5;
- (h) **“Works”** means collectively, an above ground and/or below ground water reservoir or other means of water containment to store water as may be required by the fire department, the Transferee or the Transferor for fire suppression purposes, including, without limitation, all pipes, valves, fittings, hydrants, wires, conduits, appliances, facilities, attachments, devices and other ancillary or incidental things, or any of them.

### **Statutory Right of Way**

2. The Transferor grants and conveys in perpetuity and at all times to the Transferee the full, free and uninterrupted right, license, liberty, privilege, easement and right of way in common with the Transferor and Emergency Response, and any other person to whom the Transferor has granted rights to use the Common Lot:
  - (a) to, by its officers, employees, contractors and agents, enter, use, labour, go, return, pass and repass along, over, under and upon the Common Lot for the purpose of developing, installing, operating, maintaining, repairing, constructing, expanding, altering and replacing the Emergency Access Lane and Works for which the Transferee may bring motor vehicles, equipment and machinery onto the Common Lot;
  - (b) to pass over, in and through the Common Lot Emergency Access Lane at their will and pleasure, at any time, day or night;
  - (c) to do all acts which in the opinion of the Transferee are necessary and incidental to the Statutory Right of Way granted herein.
3. The Transferor covenants and agrees with the Transferee that:
  - (a) the Transferee shall and may peaceably hold and enjoy the Statutory Right of Way hereby granted without hindrance, molestation or interruption on the part of the Transferor or of any person, firm or corporation claiming by, through, under or in trust for the Transferor;
  - (b) the Transferor will not make, place, erect or maintain on, over or under the Emergency Access Lane and/or Works any building, structure, foundation or obstruction which may in the reasonable opinion of the Transferee interfere with the use by the Transferee of the Emergency Access Lane or the Works;

- (c) the Transferor will not do or permit to be done any act or thing, which in the reasonable opinion of the Transferee, might interfere with the use of the Emergency Access Lane or Works by the Transferee;
- (d) the Transferor will trim or, if the Transferee requires, permit the Transferee to trim or cut down any tree or other growth on the Emergency Access Lane which in the opinion of the Transferee constitutes or may constitute a danger, impairment or obstruction to the Emergency Access Lane or Works or to those using the Emergency Access Lane or Works;
- (e) upon default by the Transferor of any of its obligations under this Agreement, the Transferee may, but is not obliged to, rectify the default, provided that, except in the case of an emergency, the Transferee must first give 20 days prior notice to the Transferor specifying the default and requiring it to be remedied. The Transferor shall reimburse the Transferee for its reasonable, out of pocket expenses incurred in remedying such a default;
- (f) the Transferor will permit the Transferee to peaceably hold and enjoy the rights hereby granted;

#### **Section 219 Covenant**

4. The Transferor covenants and agrees, pursuant to Section 219 of the *Land Title Act*, that notwithstanding the grant to the Transferee of a right to maintain and undertake work on the Emergency Access Lane and other Works on the Common Lot, the Transferor shall carry out normal and usual maintenance and repair as necessary to maintain the Emergency Access Lane and Works within the Common Lot in substantially the same condition as at the time of construction, subject to normal wear and tear, and as necessary for the intended use of the Emergency Access Lane and Works for fire suppression purposes and other Emergency Response purposes, including but not limited to:
  - (a) maintenance and repair of the Emergency Access Lane surface and any shoulders;
  - (b) maintenance and repair of ditches, culverts, catch basins and associated drainage works, if any;
  - (c) maintenance of natural and man-made landscaping within the Emergency Access Lane and Works areas;
  - (d) removal of snow, garbage and other noxious debris from the Emergency Access Lane and Works areas;
  - (e) mitigation or removal of hazards, including but not limited to, trees, structures and plant material.
5. If the Transferor fails to keep and maintain the Emergency Access Lane and Works in good, safe and sufficient repair to the satisfaction of the Transferee, the Transferee shall be entitled to do such work after giving 20 days prior written notice to the Transferor

(except in the case of an emergency) specifying the default and requiring it to be remedied and the Transferor fails to carry out such work within such 20 day period, or if the work requires longer than 20 days to carry out, the Transferor has failed to commence carrying out the work and to diligently proceed with the work thereafter, and the Transferor shall pay the costs to the Transferee incurred in doing such work forthwith upon receipt of an invoice from the Transferee.

### Indemnities

6. The Transferor covenants to and does hereby indemnify and save harmless the Transferee, its elected officials, officers and employees from all losses, damages, actions, suits, claims, demands, costs, expenses, fees and liabilities of any nature whatsoever by whomsoever brought, made or suffered for which the Transferee is or may become liable, incur or suffer by reason of any injury to person (including death) or loss or damage to property or economic loss arising directly or indirectly from any act, omission, negligence or default of the Grantor in connection with or in consequence of this Agreement, save and except to the extent caused by any act, omission, negligence or default of the Transferee.
7. The Transferee covenants to and does hereby indemnify and save harmless the Transferor, its officers and employees, at all times from all losses, damages, actions, suits, claims, demands, costs, expenses, fees and liabilities of any nature whatsoever by whomsoever brought, made or suffered for which the Transferor is or may become liable, incur or suffer by reason of any injury to person (including death) or loss or damage to property or economic loss arising directly or indirectly from any act, omission, negligence or default of the Transferee in connection with or in consequence of this Agreement, save and except to the extent caused by any act, omission, negligence or default of the Transferor.

### Mutual Agreements

8. It is mutually agreed and declared by and between the parties hereto:
  - (a) that this grant of Statutory Right of Way to the Transferee does not in any way required the Transferee to construct, maintain, replace, repair, clean or clear the Emergency Access Lane or the Works or any other work along, over, under or upon the Emergency Access Lane or the Works;
  - (b) that notwithstanding the grant to the Transferee of a right to construct and maintain the Emergency Access Lane and the Works on the Common Lot, the Transferee has no obligation under this Agreement to do so;
  - (c) that pursuant to section 218 and section 219 of the *Land Title Act* this Agreement and the rights hereby granted are and shall run with the Lands but no part of the fee of the Lands passes to or is vested to the Transferee under or by this Agreement and the Transferor may fully use the Emergency Access Lane and the Works and the Common Lot subject only to the common law and the rights, obligations and restrictions expressly set out in this Agreement;

- (d) that the location of the Emergency Access Lane and the Works on the Common Lot shall be determined by the Transferor and the Transferee, each acting reasonably;
- (e) notwithstanding any rule of law or equity to the contrary, the Works brought on to, set, constructed, laid, erected in, upon or under the Common Lot by the Transferor shall, forthwith upon the written request of the Transferee, transfer to the Transferee, without further consent or authorization by the Transferor, and at all times thereafter remain the property of the Transferee, notwithstanding that the same may be annexed or affixed to the freehold;
- (f) notwithstanding any rule of law or equity to the contrary, all chattels, equipment, supplies, fixtures or other materials comprising the Works or otherwise installed by the Transferee over, on, in or under the Common Lot are and shall remain the property of the Transferee, notwithstanding that the same may be annexed or affixed to the freehold.

### General

- 9. The parties agree that nothing contained or implied herein shall in any way prejudice or affect the powers of the Transferee in the exercise of its functions under any statute, bylaw, order or regulation, all of which may be fully exercised in relation to the Lands as if this Agreement had not been executed.
- 10. This Agreement shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.
- 11. If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable from the rest, and the remaining parts will not be affected hereby and will be enforceable to the fullest extent permitted by law.
- 12. It is understood and agreed that by registration of this Agreement as a charge against title to the Lands, the Transferee assumes no responsibility for enforcement of the terms of this Agreement. It is understood and agreed that at all times the Transferor is responsible for ensuring compliance with this Agreement.
- 13. The provisions herein contained shall not be modified or discharged except in accordance with the provisions of Sections 218 and 219 of the *Land Title Act*.
- 14. Waiver of any default by either party shall not be deemed to be a waiver of any subsequent default by that party.
- 15. Notwithstanding anything else herein contained to the contrary, it is understood and agreed that the terms, covenants and agreements herein contained shall only be personal and binding upon the Transferor with respect to the Lands, only for so long as the Transferor is the owner of such Lands. For greater certainty, neither the Transferor named in this Agreement, nor any future owner(s) from time to time of the Lands, shall be liable under any of the terms, covenants and agreements contained in this Agreement

with respect to such Lands and/or Common Lot, where such liability arises by reason of an act or omission occurring after the Transferor, or any future owner(s), ceases to have an ownership interest in such Lands and Common Lot.

# CHARLIE LAKE SEWER SYSTEM: DCC PLANNING AREA

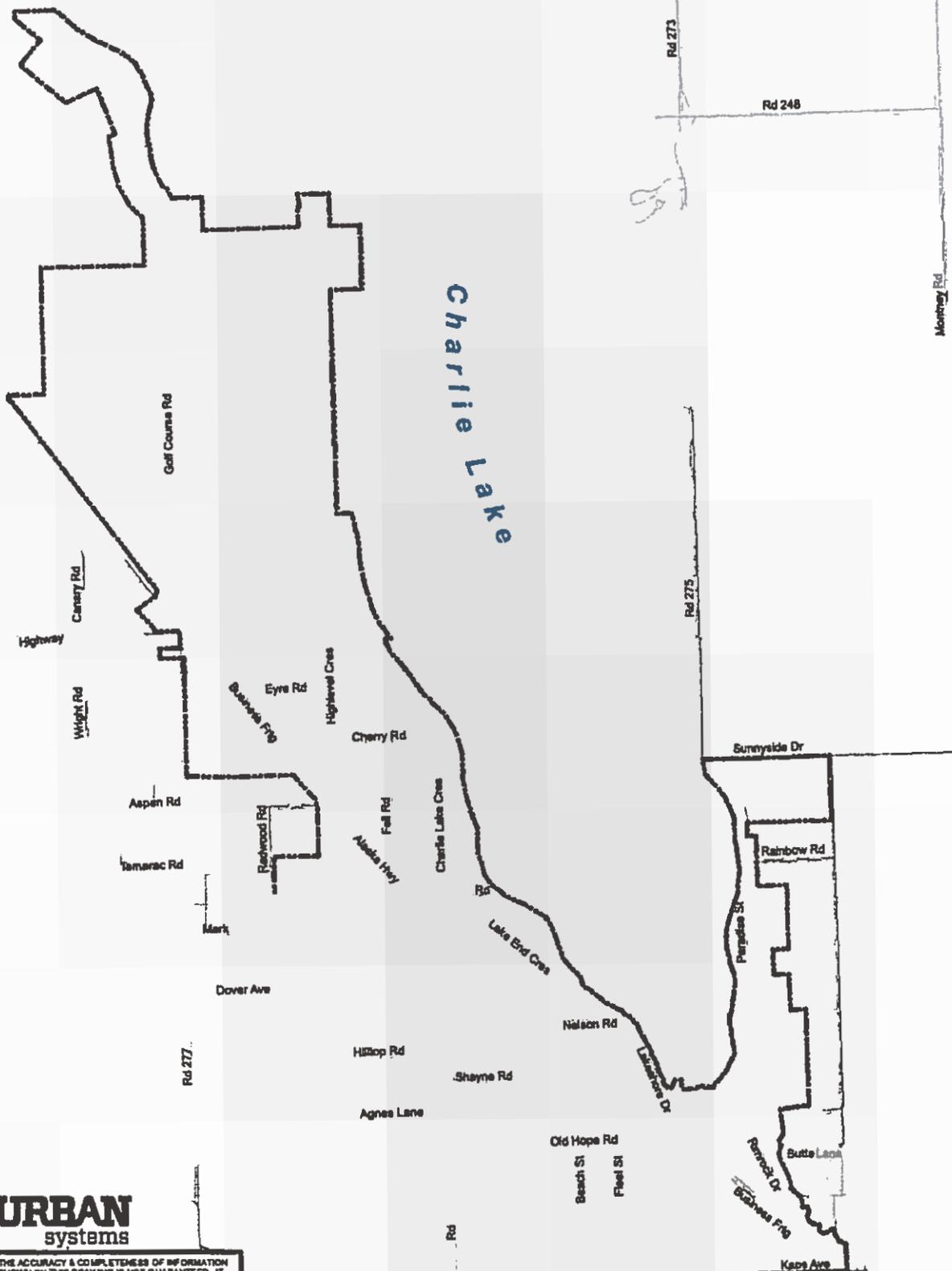
DATE: JULY 2014

PEACE RIVER REGIONAL DISTRICT

1:35,000

Legend

Contributing  
DCC Area



**URBAN**  
systems

THE ACCURACY & COMPLETENESS OF INFORMATION SHOWN ON THIS DRAWING IS NOT GUARANTEED. IT WILL BE THE RESPONSIBILITY OF THE USER OF THE INFORMATION SHOWN ON THIS DRAWING TO LOCATE & ESTABLISH THE PRECISE LOCATION OF ALL EXISTING INFORMATION WHETHER SHOWN OR NOT

MAP

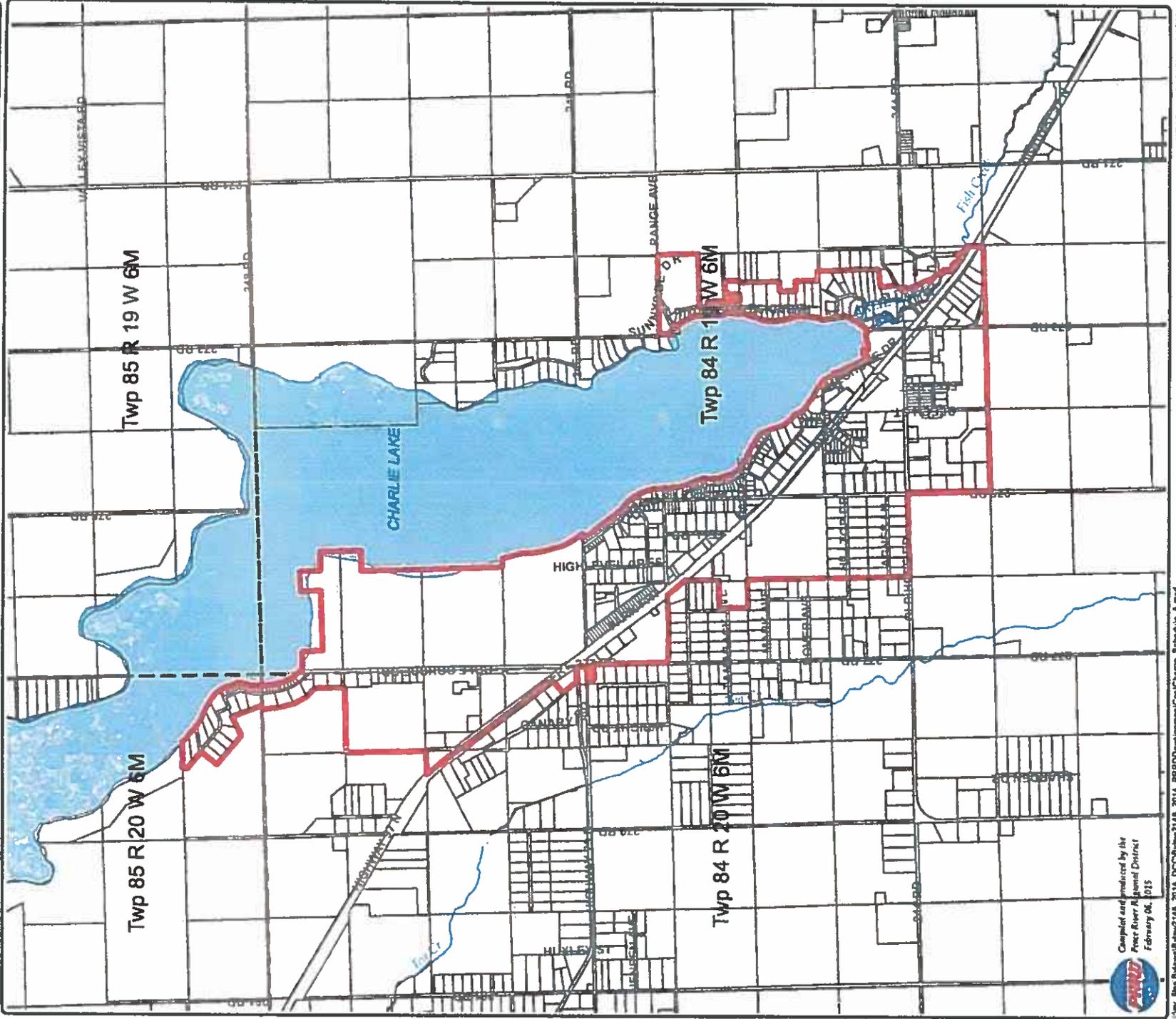
3.1

**SCHEDULE 'A'**  
**Peace River Regional District**  
**Development Cost Charge**  
**Bylaw No. 2146, 2014**



1:50,000

-  Service Area
-  Parcel
-  Township



UTM Zone 10 DATUM - NAD83

\\ar\_bas\bylaw2146\_2014\_DCC\bylaw2146\_2014\_PRRD\Development\CostCharge\_Schedule\_A.mxd

Prepared and produced by the  
Peace River Regional District  
February 06, 2015

August 23 2019

Peace River Regional District

Board of Directors

9505 100 Street

Fort St John, BC

Via email - [brad.sperling@prrd.bc.ca](mailto:brad.sperling@prrd.bc.ca)

Re: Wade Group application for rezoning OCP/ZN 19-075

Dear Mr. Sperling,

For the 4<sup>th</sup> time The Wade Group is applying to have the North Peace Fringe Area OCP amended to rezone the Wade Development lands on Golf Course Road, this time from R3 to R1, and from MDR to HDR.

On every prior application, our Golf Course Rd community has consistently opposed the Wade Group's actions by urging the PRRD Board to respect the extensive work that was performed in the establishment of the North Peace Fringe Area OCP. From the outset of the Wade Group's actions that started in 2010, our community has passionately objected to the applications for a significant list of negative impacts a high density development would have on our community and all residents in the region who enjoy the lake. For the Board's information, I have attached a copy of the letter we submitted in 2015 stating our position and outlining these impacts. These issues are absolutely valid today.

As with the past 3 applications, our group of neighbouring residents and landowners remains passionate in our objection to this application. Nothing has changed in the community that would merit granting an exception to the zoning established in the OCP any more now, than it did for the multiple applications already submitted by the Wade Development Group. In fact, it is our community's position that the reasons for the rejection of this application are even stronger now than they were in the past.

- We consistently maintain in all of our opposition to development around the lake that Charlie Lake is very fragile and suffering environmentally. Currently it is worse than ever with a huge weed problem created from runoff into the lake. The dreaded blue-green algae everyone fears is now a reality around much of the lake and it is getting worse every year.
- Families living on the lake or using the lake for a variety of reasons also now deals with an unpleasant smell the weeds and new algae have created.
- Erosion from run-off has definitely become another big problem causing trenching through properties as it flows to the lake, flooding at a few homes below the development and washout of banks around the lake.

October 24, 2019

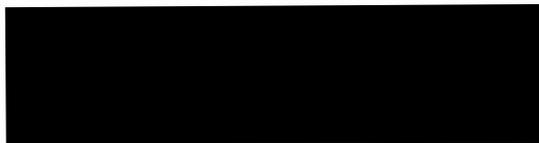
- Added density of development will absolutely diminish the Wade development land's ability to absorb water, increasing the flow through these lower elevation properties and increasing the contaminants it takes with it to the lake.
- Traffic continues to increase on the Alaska Highway and the near future explosion of LNG anticipated activity will make the mile 54 intersection more hazardous.
- An R1 High density classification would then open the Wade Group's door to ¼ acre lots. The Wade Group's history has demonstrated that this is just another step in the pursuit of a high density ¼ acre lot development, not the 1 acre stated in this application.

The OCP designation for land use already brings challenges, but we accept that it is reasonable. Moderate development of this parcel is acceptable. The medium density designation established in the OCP recognized the issues the community has been expressing for any high density development and we urge your PRRD Board to continue your respect for the integrity of the OCP by rejecting this application.

Yours very truly



Ross Bannerman



Julie Bannerman



June 23, 2015

Peace River Regional District  
Board of Directors  
9505 100 St.  
Fort St. John, BC V1J 4N4

Via E-mail – [prrd.fsj@prrd.bc.ca](mailto:prrd.fsj@prrd.bc.ca)  
Subject: Wade Group Application for Land Use Density Amendment

Mme Chair Ackerman and members of the Board,

The second Wade Group application to have the North Peace Fringe Area OCP amended to rezone their land on Golf Course Road to R2 HDR from R3 MDR was again very disappointing news to our community.

To our community it has been clear to us from the outset of this development application that The Wade Group wants nothing short of high density housing on this property. Our community of residents strongly opposes high density because as residents we know that high density will change the entire character of the community and bring with it many detrimental impacts environmentally.

Despite the clear medium density designation in the OCP for this property and the strength of the PRRD Board on two prior occasions in supporting the OCP designation, The Wade Group continues to challenge this decision. Our wish is to reaffirm our opposition to any application to increase density on this property and to join a large number of passionate property owners urging rejection of this application by the PRRD Board.

The opposition from our entire community to the density of development of this property has been clearly documented. The very significant majority of home owners in this community outlined the detrimental impacts a high density development would have on the community. Objections presented were supported by the PRRD Board when the high density application was rejected just a year ago.

Any decision to approve the application and modify the property density as designated on the OCP from medium density to high density would inappropriately contradict the Board's already documented commitment to maintaining the integrity of the established OCP. An approval of this application would challenge the credibility of the PRRD Board and the OCP process that was reinforced with the earlier decisions.

Without elaborating in more detail on all of the negative impacts this application will have on our community, the community collectively fears the following impacts if the density expands in any way over the currently approved plan:

- Run-off impacts on an already environmentally challenged lake as noted by the Charlie Lake Conservation Society
- Damage to recreational and residential property bordering the lake
- Impacts to wildlife
- Sewage treatment still failing to get on track and even support the residences already in the community
- Vehicle traffic and congestion

October 24, 2019

- Noise
- Ground water well contamination and supply risk
- Recreational vehicle use impacts
- Infrastructure – schooling, policing and fire
- Negative impacts on property values

In reviewing the Wade Group application, the Wade Group continues to try and rationalize why their proposal is appropriate for this property. Our community residents applaud the PRRD Board for rejecting the prior application and respecting the substantial work of the PRRD in the development of the OCP and the designation of this property for medium density. This designation appropriately provides property owners the opportunity to develop their land but it also respects the rural nature of the community and the need to protect against permanently damaging this community in a way that cannot be reversed.

We also reject any argument that suggests that higher density is better because it will block congestion in the development from shops being built on lots. Additional housing in a rural community attracts residents who enjoy the outdoors and in many cases the short access to Charlie Lake. They will definitely bring with them all of their toys – boats, RV's, ATV's, snowmobiles, golf carts, trailers, dirt bikes, motorcycles, skid steers and multiple vehicles. The problem with high density is that they will all do just the same but there will be twice as many. We can't criticize people for having these toys because we have them also, but it is all about density. Density of housing, vehicles and recreational power toys will have a significant impact.

This is a rural property that the OCP designated as medium density in its entire view of the district. The application by the Wade Group does not work for this community and therefore application should be rejected. If the Wades did in fact argue for this density during the development of the OCP, then after thorough design and consultation it was rejected and it was rejected in 2014 also. It is our strong view that this Board should again reject the argument for the same reasons it has in the past.

The only reason omitted by the Wade application for moving to high density is to make more profit. We do not oppose anyone making more profit but they must not do so to the detriment of the community and the environment. Development cannot be for development's sake so we therefore must rely on our regional authority to appropriately manage and control development in accordance with the overall community plan.

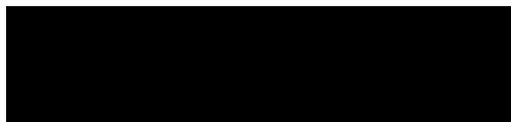
We, along with the rest of our community, urge the PRRD Board to reject this application in favour of maintaining compliance with the guidelines set out in the original OCP.

Thank you again for your consideration.

Yours very truly,



Ross Bannerman



Julie Bannerman

cc. Mr. Bruce Simard

October 24, 2019

August 23 2019

Peace River Regional District  
Board of Directors  
9505 100 Street  
Fort St John, BC

Via email - [brad.sperling@prrd.bc.ca](mailto:brad.sperling@prrd.bc.ca)

Re: Wade Group application for rezoning OCP/ZN 19-075

Dear Mr. Sperling,

The Wade Group has applied to have the North Peace Fringe Area OCP amended to rezone the Wade Development lands on Golf Course Road to R3 to R1, and from MDR to HDR.

The Wade Group's proposed residential development met with significant opposition during its previous presentations due to the issues of land use and community composition.

We respectfully request that the request for rezoning be denied for the following reasons:

- A rezoning to R1 does allow lots sizes as small as .25 acres which could increase the number of homes by 4 times.
- This density of development is effectively an urban subdivision and will require urban infrastructure, by law enforcement, policing and traffic controls.
- A development of this type is non typical for this area
- Charlie Lake elementary school is already at capacity. This development could potentially increase enrollment by 200 children.
- The Charlie Lake Fire Hall and fire service will have to be reviewed.
- Policing will have to be reviewed and increased
- The intersection at the Alaska Highway will require an upgrade and lights.
- The Golf Course road will require widening and upgrading due to an increase in personal vehicles and large water trucks.
- ATV use in the area will have to be policed.
- Lot development will require close permitting and inspection to ensure that runoff and sedimentation into Charlie Lake does not increase.
- This is a significant wildlife corridor and habitat.

As with the past 4 applications, our group of neighbouring residents and landowners remains passionate in our significant objection to this application. Nothing has changed in the community that would merit granting an exception to the zoning established in the OCP any more now, than it did in the multiple applications already submitted by the Wade Development Group.

Respectfully submitted,

Wendy Basisty  


October 24, 2019

PRRD

I am the owner of 13766 Golf Course Rd, Charlie Lake. I am writing you in regards to the ANOTHER density request change applied for by the Wade Development Group "WDG". The original saga of Larry and his families desire to significantly change the rural community of Golf Course Rd began in 2010 for us neighbors. What we subsequently found out was that Larry and Mary Wade had been studiously working behind the scenes to accomplish the goal to create a mini city along this road and significantly change the dynamic of rural living for people in Charlie Lake for many years. This development impacts the residents but also the infrastructure and school system of Charlie Lake to a degree that has never been contemplated in this area before. Charlie Lake, outside of the core is mainly large and medium sized rural properties. The WDG is hell bent on creating a mini city as his legacy, one acre and lower sized lots.

In 2010 when the majority of residents found out about their plans it was already too late to stop them because they had somehow obtained residential designation for their farmland in the original OCP. The original size started out with plot sizes of several acres due to it being not attached to any sewer system. Their next step was to lobby and apply for inclusion to the Charlie Lake sewer system during their expansion. This success allowed them to create even smaller parcels of land to sell.

During a town hall meeting in 2010 that Larry and Mary put on to talk to the immediate residents and those that would be significantly impacted by his legacy desire they both assured the residents that they were not interested in going any less than 4.5 acres that was allowed by the OCP. From 2010 onwards we were in fact shown by their actions that the true desire was to have less than 1acre lots and the creation of their mini city.

The last 9 years have seen the WDG seek smaller and higher density development applications in contrast to what they originally stated as their goal in 2010. Every step of the way the Golf Course Rd community has stood up and fought again their requested change. We have asked that they abide by the allowances that they received in the 2010 OCP of 2acre lots, but since that time they have tried to have the MDR changed to High Density. The WDG has only ever lied and abused the community of Golf Course Rd. They have no interest in the impact that this type of massive development will have on the Lake itself not even considering the fact that the road system and school cannot handle a development of this size.

My belief is that the WDG is purely interested in a legacy project that will bring in millions and millions of dollars to them personally. If the PRRD will not stand for the residence of the entire are the WDG will continue to push for this development for years to come. This push will never end until they reach their goal. Ultimately I believe that that if they were to obtain a HDR land description that this land would go up to the highest bidder, they would sell and walk away from this community that they destroyed. The WDG has never had the support of the community they wish to change and they are hoping that we will get tired of fighting them. The multiple WDG application for a change in designation has been turned down every time because of the impact on the immediate local community and Charlie Lake as a whole.

October 24, 2019

How is it that the WDG is not forced to abide by the regulations as stated in the OCP and be happy with the lot size? How many times does the community have to rally together and once again go in front of the PRRD to fight against this densification of Golf Course Rd.?

I am against the WDG application to increase the density of their land description in the OCP.

Wendy Basisty



August 23 2019

Peace River Regional District  
Board of Directors  
9505 100 Street  
Fort St John, BC

Via email - [brad.sperling@prrd.bc.ca](mailto:brad.sperling@prrd.bc.ca)

Re: Wade Group application for rezoning OCP/ZN 19-075

Dear Mr. Sperling,

The Wade Group has applied to have the North Peace Fringe Area OCP amended to rezone the Wade Development lands on Golf Course Road to R3 to R1, and from MDR to HDR.

The Wade Group's proposed residential development met with significant opposition during it's previous presentations due to the issues of land use and community composition.

We respectfully request that the request for rezoning be denied for the following reasons:

- A rezoning to R1 does allow lots sizes as small as .25 acres which could increase the number of homes by 4 times.
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- The Golf Course road will require widening and upgrading due to an increase in personal vehicles and large water trucks.
- ATV use in the area will have to be policed.
- Lot development will require close permitting and inspection to ensure that runoff and sedimentation into Charlie Lake does not increase.
- This is a significant wildlife corridor and habitat.

As with the past 4 applications, our group of neighbouring residents and landowners remains passionate in our significant objection to this application. Nothing has changed in the community that would merit granting an exception to the zoning established in the OCP any more now, than it did in the multiple applications already submitted by the Wade Development Group.

Respectfully submitted,

*G. BOWLES*

October 24, 2019

August 23 2019

Peace River Regional District  
Board of Directors  
9505 100 Street  
Fort St John, BC



Via email - [brad.sperling@prrd.bc.ca](mailto:brad.sperling@prrd.bc.ca)

Re: Wade Group application for rezoning OCP/ZN 19-075

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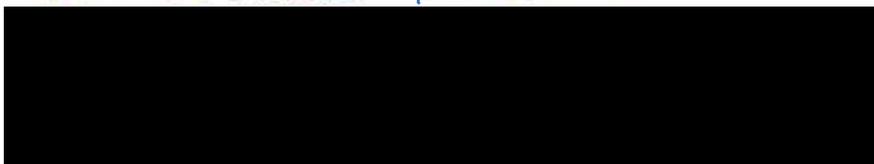
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As with the past 4 applications, our group of neighbouring residents and landowners remains passionate in our significant objection to this application. Nothing has changed in the community that would merit granting an exception to the zoning established in the OCP any more now, than it did in the multiple applications already submitted by the Wade Development Group.

Respectfully submitted,

*Donna Brown*



October 24, 2019

**Michael Blatz**

---

**From:** Chair Brad Sperling  
**Sent:** Monday, August 26, 2019 11:48 AM  
**To:** Michael Blatz  
**Subject:** FW: Wade Group Application for Rezoning OCP/ZN 91-075

I received these directly.

---

**From:** Neilson [REDACTED]  
**Sent:** Saturday, August 24, 2019 9:41 AM  
**To:** Chair Brad Sperling  
**Subject:** Wade Group Application for Rezoning OCP/ZN 91-075

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Peace River Regional District  
Board of Directors  
9505 100 Street  
Fort St John, BC

Via email - [brad.sperling@prrd.bc.ca](mailto:brad.sperling@prrd.bc.ca)

Re: Wade Group application for rezoning OCP/ZN 19-075

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- A development of this type is non typical for this area and belong closer to city limits.
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- Policing will have to be reviewed and increased
- The intersection at the Alaska Highway will require an upgrade and lights.

# B-1 a)

- The Golf Course road will require widening and upgrading due to an increase in personal vehicles and large water trucks.
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- This is a significant wildlife corridor and habitat.

As with the past 4 applications, our group of neighbouring residents and landowners remains passionate in our significant objection to this application. Nothing has changed in the community that would merit granting an exception to the zoning established in the OCP any more now, than it did in the multiple applications already submitted by the Wade Development Group.

Respectfully submitted,

Randy Neilson

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**Michael Blatz**

---

**From:** Chair Brad Sperling  
**Sent:** Monday, August 26, 2019 11:49 AM  
**To:** Michael Blatz  
**Subject:** FW: Wade Group Application for Rezoning OCP/ZN 91-075

---

**From:** Neilson [REDACTED]  
**Sent:** Sunday, August 25, 2019 6:25 AM  
**To:** Chair Brad Sperling  
**Subject:** RE: Wade Group Application for Rezoning OCP/ZN 91-075

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Peace River Regional District  
Board of Directors  
9505 100 Street  
Fort St John, BC

Via email - [brad.sperling@prrd.bc.ca](mailto:brad.sperling@prrd.bc.ca)

Re: Wade Group application for rezoning OCP/ZN 19-075

Dear Mr. Sperling,

The Wade Group has applied to have the North Peace Fringe Area OCP amended to rezone the Wade Development lands on Golf Course Road to R3 to R1, and from MDR to HDR.

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- The intersection at the Alaska Highway will require an upgrade and lights.

# B-1 a)

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- This is a significant wildlife corridor and habitat.

As with the past 4 applications, our group of neighbouring residents and landowners remains passionate in our significant objection to this application. Nothing has changed in the community that would merit granting an exception to the zoning established in the OCP any more now, than it did in the multiple applications already submitted by the Wade Development Group.

Respectfully submitted,

Nathan Neilson

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**Michael Blatz**

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**From:** Chair Brad Sperling  
**Sent:** Tuesday, August 27, 2019 7:23 AM  
**To:** Michael Blatz  
**Subject:** FW: Wade Group. PRRD File 19-075

---

**From:** Richard Moody [REDACTED]  
**Sent:** Monday, August 26, 2019 5:24 PM  
**To:** Chair Brad Sperling  
**Subject:** Wade Group. PRRD File 19-075

**CAUTION:** This email originated from outside of the organization.

Dear Brad,

It is my understanding that the first reading of this application by the Wade Group is to be discussed at a PRRD Board meeting on September 05, 2019. I would like to express my opposition to the application. The subject property is currently zoned for medium density development according to the 2010 OCP. For the zoning to be changed to high density is inappropriate and I would urge the PRRD to reject this application for an amendment, as indeed it has done several times in the past.

The reasons for rejecting this application have not materially changed since it was last turned down in 2015. I am not going to list them in detail in this letter but would like to highlight several issues:

- The Wade Group in item 9 of their application suggests that their proposal is supported by the text of the OCP. The points itemised in Sheet 1 to support their argument are all very subjective and open to debate.
- Irrespective of any discussion about the text, the OCP recommends MDR development for the subject parcel. This OCP was reviewed recently and although it never reached the Board for ratification the intention of the review panel was that the parcel, like all the other parcels around it should remain MDR. To set a precedent and change the zoning of this parcel would put the whole OCP into question and should not be done without extensive review of the complete plan.
- The original letter from the ALC dated April 11, 2011 which can be found in the Wade Group application clearly states that approval of exclusion of this land from the ALR is subject to the following condition:

"rezoning of the property for medium density residential uses..."

I know that the PRRD Board will give this application appropriate consideration but sincerely hope that they will reject the application yet again.

Yours sincerely

Richard  
Moody

**Michael Blatz**

---

**From:** Chair Brad Sperling  
**Sent:** Tuesday, August 27, 2019 7:26 AM  
**To:** Michael Blatz  
**Subject:** FW: Opposition to Wade Group application for rezoning OCP/ZN 19-075

---

**From:** Bruce Kosugi [REDACTED]  
**Sent:** Monday, August 26, 2019 9:08 PM  
**To:** Chair Brad Sperling  
**Subject:** Opposition to Wade Group application for rezoning OCP/ZN 19-075

**CAUTION:** This email originated from outside of the organization.

August 26 2019

Peace River Regional District  
Board of Directors  
9505 100 Street  
Fort St John, BC

Via email - [brad.sperling@prrd.bc.ca](mailto:brad.sperling@prrd.bc.ca)

Re: Opposition to Wade Group application for rezoning OCP/ZN 19-075

Dear Mr. Sperling,

I am opposed to the Wade Group's application to have the North Peace Fringe Area OCP amended to rezone the Wade Development lands on Golf Course Road to R3 to R1, and from MDR to HDR.

The Wade Group's proposed residential development met with significant opposition during it's previous presentations due to the issues of land use and community composition.

I support my many neighbours who respectfully request that the request for rezoning be denied for the following reasons:

- A rezoning to R1 does allow lots sizes as small as .25 acres which could increase the number of homes by 4 times.
- This density of development is effectively an urban subdivision and will require urban infrastructure, by law enforcement, policing and traffic controls.
- A development of this type is non typical for this area
- Charlie Lake elementary school is already at capacity. This development could potentially increase enrollment by 200 children.
- The Charlie Lake Fire Hall and fire service will have to be reviewed.
- Policing will have to be reviewed and increased
- The intersection at the Alaska Highway will require an upgrade and lights.

# B-1 a)

- The Golf Course road will require widening and upgrading due to an increase in personal vehicles and large water trucks. (As a cyclist, the increased traffic is an additional hazard).
- ATV use in the area will have to be policed.
- Lot development will require close permitting and inspection to ensure that runoff and sedimentation into Charlie Lake does not increase.
- Animal use of the area as a significant wildlife corridor and habitat.
- Threat of invasive weeds (thistle has been observed on disturbed soil on access road)

As with the past 4 applications, our group of neighbouring residents and landowners remains passionate in our significant objection to this application. Nothing has changed in the community that would merit granting an exception to the zoning established in the OCP any more now, than it did in the multiple applications already submitted by the Wade Development Group.

Yours truly,

Bruce Kosugi

[Redacted Signature]

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Karen Baker

Box 283

Charlie Lake, BC, V0C 1H0

PRRD

Board of Directors

9505-100 St.

Fort St. John, BC V1J 4N4

July 22, 2014

\* Aug 27/19  
OCP/Zn 19-075 Wade Group.

Dear Board of PRRD:

RE: Wade Application #5368099 2014 for High Density Residential

I would like to present my formal opposition to the proposed and requested Wade application for change of his lands from Medium Density to High Density Residential classification under the OCP 2009.

We own property on the Golf Course Road, beyond the Golf Course, and enjoy the ambiance of the area. My husband was born in Fort St. John, and I have lived here for 40 years, and as a family we appreciate the treasure that Charlie Lake represents.

We all have to realize that our area is ever changing to accommodate our growing population, and this, I believe, is the reasoning behind the 2009 OCP, in order to allow for controlled and organized growth rather than "hodge-podge" inconsistencies. Although we may not always agree with PRRD decisions, we are a democratic society and must consider the common good. It was these points that allowed The Wade Group to originally rezone their ALR property to R3 Residential as OCP had previously deemed this area as Medium Density Residential for proposed growth. Even though the neighbours were largely opposed to this action, it was permitted, and I feel that the community has largely accepted this.

**The current application by Wade, on the other hand, is against the OCP designation of Medium Density, and there is no High Density designation in close proximity to the Wade land. Now PRRD must take a stand, and keep to its original logic of promoting land use in accordance with the OCP. If it does not do this, then the credibility of PRRD is going to be in jeopardy with regards to future planning, and as a result, co-operation in the future by landowners will not be forthcoming.**

October 24, 2019

There are many problems with the Wade proposed plan:

- The application states the property is surrounded by residential, which is truly not the case as evidenced by OCP maps (land is largely agricultural, park, and some residential).
- The large number of proposed lots threatens largely increased contamination of the lake due to runoff from these properties which are mostly open land.
- The increased number of home vehicles and support water/sewer/construction vehicles from these lots will make traffic on the Golf Course Road and at Mile 54/Highway intersection annoying and dangerous. Traffic lights will likely be required at the highway, and some form of traffic control at the entrance to the Wade subdivision. Potentially, accidents will occur as impatient drivers trying to access/egress the subdivision collide with other vehicles that would have the right-of-way.
- The Charlie Lake School is already at capacity, and this large a subdivision would add a great number of elementary school-age children. How is this to be addressed?
- This subdivision would be in the Charlie Lake Fire District, which is mostly manned by volunteers. This large an addition of homes could have a severe impact on this service.

If this development is approved by PRRD by further change in rezoning and reclassification, I feel it is only reasonable that the developer should be responsible for resulting costs incurred by the community due to this subdivision. Such costs would likely include, but not be limited to: installation of traffic lights at Mile 54/Alaska Highway; widening of Golf Course Road at entrance to subdivision for minimally a turn-out lane; some actual employees (not volunteers) and perhaps a fire truck at Charlie Lake Fire Hall; contribution to School District 60 for portables/addition/additional teachers at Charlie Lake Elementary School. Some people may feel that these charges should be the burden of the district at large, but I feel that these costs would not need to be borne at this time without the development of this High Density Area as requested by this application. It would be appropriate if the developers had to deposit an amount of money in-trust with the PRRD at the time of approval of zoning and OCP change, before they could obtain a permit, to show they will be able to be responsible for these costs. These costs should not be borne by the taxpayers of the area as a result of this subdivision.

In conclusion, it is my opinion that this application be refused.

Yours truly,



Karen Baker

October 24, 2019

**Michael Blatz**

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**From:** Chair Brad Sperling  
**Sent:** Tuesday, August 27, 2019 10:42 AM  
**To:** Michael Blatz  
**Subject:** FW: Wade Group application for resining OCP/zN 19-075

---

From: Allan Blair [REDACTED]  
Sent: Tuesday, August 27, 2019 9:51 AM  
To: Chair Brad Sperling  
Subject: Wade Group application for resining OCP/zN 19-075

CAUTION: This email originated from outside of the organization.

Dear Brad,

The Wade Group application to the fringe area OCP has met with significant opposition as a group of neighboring residents and landowners remain passionately opposed to this application.

We respectfully request that this request for rezoning be denied for the following reasons:

- A rezoning to R1 allows for lots as small as .25 acres would allow for an quadrupling of the number of homes.
- This type of development is not typical for this area and is effectively an urban subdivision and would require urban infrastructure, by law enforcement, policing and traffic controls. Charlie Lake school is already at capacity. This development could potentially increase enrolment by 200 students.
- The Charlie Lake Fire Hall and services would have to be reviewed.
- The Golf course road will require widening and upgrading to accommodate increase vehicle traffic including large water trucks.
- Issues related to increase ATV use and dog population will occur.
- Runoff issues will increase.
- This is a significant wildlife habitat area with wildlife human actions already occurring as evident in the accompanying photo.

Allan and Arlene Blair.

Sent from my iPad

--  
BEGIN-ANTISPAM-VOTING-LINKS  
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Teach Cant if this mail (ID 080SgPzL8) is spam:  
Spam: [https://emailfilteringservice.net/c\\_nortech-ca/b.php?c=s&i=080SgPzL8&m=d3267661d9d9&rlm=prrd-bc-ca&t=20190827](https://emailfilteringservice.net/c_nortech-ca/b.php?c=s&i=080SgPzL8&m=d3267661d9d9&rlm=prrd-bc-ca&t=20190827)  
Fraud/Phish: [https://emailfilteringservice.net/c\\_nortech-ca/b.php?c=p&i=080SgPzL8&m=d3267661d9d9&rlm=prrd-bc-ca&t=20190827](https://emailfilteringservice.net/c_nortech-ca/b.php?c=p&i=080SgPzL8&m=d3267661d9d9&rlm=prrd-bc-ca&t=20190827)

Colleen Wandler



PRRD

Board of Directors

9505-100 St.

Fort St. John, BC V1J 4N4

August 29, 2019

Dear Board of PRRD:

RE: Wade Application to rezone Wade Development Lands to R1 and HDR.

I would like to present my formal opposition to the proposed and requested Wade application for change of his lands from Medium Density to High Density Residential classification under the OCP 2009.

We own property on the Golf Course Road, beyond the Golf Course, and enjoy the ambiance of the area. I grew up in Charlie Lake and have lived in the area most of my life.

We all have to realize that our area is ever changing to accommodate our growing population, and this, I believe, is the reasoning behind the 2009 OCP, in order to allow for controlled and organized growth rather than “hodge-podge” inconsistencies. Although we may not always agree with PRRD decisions, we are a democratic society and must consider the common good. It was these points that allowed The Wade Group to originally rezone their ALR property to R3 Residential as OCP had previously deemed this area as Medium Density Residential for proposed growth. Even though the neighbours were largely opposed to this action, it was permitted, and I feel that the community has largely accepted this.

**The current application by Wade, on the other hand, is against the OCP designation of Medium Density, and there is no High Density designation in close proximity to the Wade land. Now PRRD must take a stand, and keep to its original logic of promoting land use in accordance with the OCP. If it does not do this, then the credibility of PRRD is going to be in jeopardy with regards to future planning, and as a result, co-operation in the future by landowners will not be forthcoming.**

October 24, 2019

There are many problems with the Wade proposed plan:

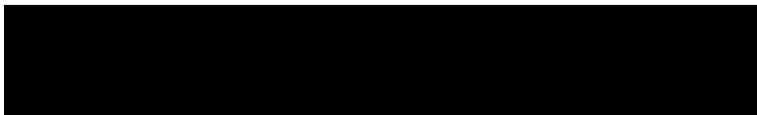
- The application states the property is surrounded by residential, which is truly not the case as evidenced by OCP maps (land is largely agricultural, park, and some residential).
- The large number of proposed lots threatens largely increased contamination of the lake due to runoff from these properties which are mostly open land.
- The increased number of home vehicles and support water/sewer/construction vehicles from these lots will make traffic on the Golf Course Road and at Mile 54/Highway intersection annoying and dangerous. Traffic lights will likely be required at the highway, and some form of traffic control at the entrance to the Wade subdivision. Potentially, accidents will occur as impatient drivers trying to access/egress the subdivision collide with other vehicles that would have the right-of-way.
- The Charlie Lake School is already at capacity, and this large a subdivision would add a great number of elementary school-age children. How is this to be addressed?
- This subdivision would be in the Charlie Lake Fire District, which is mostly manned by volunteers. This large an addition of homes could have a severe impact on this service.

If this development is approved by PRRD by further change in rezoning and reclassification, I feel it is only reasonable that the developer should be responsible for resulting costs incurred by the community due to this subdivision. Such costs would likely include, but not be limited to: installation of traffic lights at Mile 54/Alaska Highway; widening of Golf Course Road at entrance to subdivision for minimally a turn-out lane; some actual employees (not volunteers) and perhaps a fire truck at Charlie Lake Fire Hall; contribution to School District 60 for portables/addition/additional teachers at Charlie Lake Elementary School. Some people may feel that these charges should be the burden of the district at large, but I feel that these costs would not need to be borne at this time without the development of this High Density Area as requested by this application. It would be appropriate if the developers had to deposit an amount of money in-trust with the PRRD at the time of approval of zoning and OCP change, before they could obtain a permit, to show they will be able to be responsible for these costs. These costs should not be borne by the taxpayers of the area as a result of this subdivision.

In conclusion, it is my opinion that this application be refused.

Yours truly,

Colleen Wandler



October 24, 2019

Dear Mr. Sperling,

The Wade Group has applied to have the North Peace Fringe Area OCP to rezone the Wade Development lands on the Golf Course Rd from R3 to R1, which would mean a high-density population in this area.

I live near this region and have grown up in Charlie Lake and I do want this construction rezoning to be approved. It would mean a lot of negative things for the area that I live in. Firstly, the elementary school that I went to many years ago is currently at capacity for children, if more people were to move to the area the school would not be able to sustain the amount of children, either a new school would need to be built or many of the children will have to go elsewhere for school.

Another issue is the fire department, which already has its resources running thin and does not have enough volunteers. With the proposed home increase, this would put large pressure on the fire department, more resources which are already needed would be detrimental if they are not reviewed and implemented.

Unfortunately, Charlie Lake already has a high theft rate, with the influx of many new people to the area it is inevitable that the theft rate will only further increase. We do not have the policing resources to keep this at bay, again further resources are needed.

Lastly, the reason I want to live in Charlie Lake and love it so much is that it is rural and not highly populated. By increasing the population, it would take this value away. Not to mention the issue it would impose on the wildlife population, which currently rely on this area for grazing.

I do not entirely oppose building new homes in the area. My issue is making it into a high-densely populated area. I do not want to see the place I grew up in, turn into something it should never become. I respectfully ask that the proposal be denied again, as those of us that live here do not want this beautiful region to change.

Respectfully submitted,

Katelyn Aulin

October 24, 2019

## Michael Blatz

---

**From:** Chair Brad Sperling  
**Sent:** Monday, September 16, 2019 10:36 AM  
**To:** Michael Blatz  
**Subject:** Fw: Wade Group Development Proposed Changes

---

**From:** Mark Bodner <[REDACTED]>  
**Sent:** Monday, September 16, 2019 9:55 AM  
**To:** Chair Brad Sperling  
**Subject:** Wade Group Development Proposed Changes

**CAUTION:** This email originated from outside of the organization.

Brad,

It was recently brought to my attention information regarding proposed changes by Wade Group for their property situated along Golf Course Road.

It is my understanding that this is not the first time they have applied with amended plans for their proposed development which differs radically from their initial plans for the property (MDR, large multi-acre (2+) lots with a "community plan" aspect to development requirements for homes and outbuildings, to smaller lots with zoning for high occupancy construction (HDR, 0.5 acre lots, multi unit dwellings, temporary dwellings, live/work accommodation).

I feel the proposed changes are not ideal for development of the land and the resulting increase in the number of proposed properties (plus the potential for temporary structures) and will negatively affect the area (in terms of infrastructure requirements, population density, etc). I feel their original proposal is more than adequate and best fits the current development landscape of the surrounding area. There really is no need for a rural high-density subdivision when it makes far more sense to keep that sort of development relegated to the city of Fort St. John, which can grow to accommodate these needs.

I only bring this up as I am a resident of the nearby Ptarmigan Road/Cardinal Road subdivision which was to have consisted of 5 acre lots on the interior and 10 acre lots on exterior of the subdivision. The 10 acre lots were never to have been subdivided...however somehow there appeared a subdivided 10 acre lot a number of years ago which now seems to be nothing but a storage compound for misc. junk for folks to enjoy looking at. These are the kind of "amendments" that negatively affect a subdivision and the surrounding area.

Regards and thanks in advance for taking the time to read.

--

**Mark Bodner**

moderately deep thinker | doodler of pictures and stuff | organizer of words

September 17, 2019

Peace River Regional District  
Board of Directors  
9505 – 100 St,  
Fort St John, BC

Via email – [brad.sperling@prrd.bc.ca](mailto:brad.sperling@prrd.bc.ca)

Re: Wade Group Application for Rezoning OCP/ZN.19-075

Dear Mr. Sperling

We recently purchased and moved into 13640 Golf Course Road in Charlie Lake which was originally part of the Wade Development (Wades) Lands. We are troubled to hear about Wade's most recent application to rezone the remainder of the Lands from R3 Medium Density Residential (MDR) to R1 High Density Residential (HDR). From what I am hearing this Wade's 4<sup>th</sup> attempt to have these lands rezoned, with the ultimate goal of reducing the lot sizes to .25 acres.

Let me first of state that we, in conjunction with the vast majority of the Golf Course Road community, strongly oppose this application. As you can imagine we were attracted to this property by its location in an area of rural character with large open lots. During the process of our purchase we were aware of, and accepted, the plan to further develop the remainder of the lands with lots a minimum of 1 acre in size; however, we consider anything smaller a step too far for this area.

Our opposition to this application is based on the following:

- The access road from Golf Course Road to the proposed development passes directly in front of our gate and a 4 fold increase in future traffic would have a hugely detrimental effect on our quality of life and the safety of children;
- The increased traffic associated with the proposed development will require significant upgrades to Golf Course Road and the Mile 54 intersection to ensure safety, in addition to conflict with traffic from the scales, the Provincial Park and the Lakepoint Golf Course which is only sure to also increase in the coming years;
- The area is an important corridor for wildlife accessing the Provincial Park to the east of Charlie Lake Road;
- HDR development will require significant developments of sanitary and water services to ensure the water quality of Charlie Lake is not further impacted;
- 0.25 acre lots will result in an exponential increase in the amount of paved areas within the development, reducing the soil water absorption capacity on a critical sloped area above Charlie Lake, increasing flooding risk downstream;

October 24, 2019

- Increased density will greatly increase the amounts of contaminants, most significantly hydrocarbons, road salts, and fertilizers, as well as erosion sediment being washed directly into Charlie Lake, further exacerbating ongoing water quality issues. This is a problem I am acutely aware of having worked in the Environmental Consulting Industry for 10 years; and,
- HDR development has its place and that is in towns and suburbs, not in rural communities. Fort St John, a short 15 minute drive, and its ongoing developments more than satisfy the demand for HDR housing in the local area within a town infrastructure that is set up and designed for this level of housing density.

We ask that the PRRD hold true to the values outlined in the North Peace Fringe Area Official Community Plan (OCP), the most relevant being:

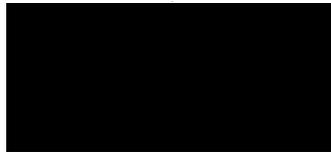
1. Our residents' wants, needs and input;
2. Our rural character and lifestyle; and
3. Our sensitive environmental features and ecological systems.

We urge the PRRD Board to respect the integrity of the OCP by rejecting this application and strongly stating that HDR developments are not in the interest of our community. We look forward to voicing our opposition further in any future meetings held regarding this issue.

Kind regards,



Sean Dignan, P.Ag.



Shirin Dignan



BYLAW AMENDMENT  
REFERRAL FORM

B-1 a)

Peace River Regional District  
Box 810, 1981 Alaska Avenue,  
Dawson Creek, B.C. V1G 4H8  
Telephone: (250) 784-3200  
Fax: (250) 784-3201

Peace River Regional District	OCP & Zoning B/L# 2374 & 2375, 2019	Date: April 10, 2019
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You are requested to comment on the attached zoning bylaw amendment for potential effect on your agency's interests. We would appreciate your response within 21 days (**May 1, 2019**). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF AMENDMENTS: To amend the subject property's Official Community Plan designation from MDR (Medium Density Rural Residential) to HDR (High Density Rural Residential) and rezone from R-3 (Residential 3 Zone) to R-1 (Residential 1 Zone). The applicant intends to subdivide the property into 78 lots.

GENERAL LOCATION: Charlie Lake, BC

LEGAL DESCRIPTION: Lot 8 Section 36 Township 84 Range W6M, Peace River District Plan EPP35284 [PID 029-241-316]

AREA OF PROPERTY 53.36 ha (131.87 acres)	ALR STATUS: Outside	OCP DESIGNATION: Medium Density Rural Res.
---	------------------------	---

Land Owners: Wade Group Development Ltd.

Please fill out the Response Summary on the back of this Form. If your agency's interests are unaffected, no further information is required. In all other cases, we would appreciate receiving additional information to substantiate your position and, if applicable, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this bylaw.

Title: North Peace Land Use Planner

Michael Blatz

This referral has also been forwarded to the following agencies:

- Northern Health
- Ministry of Transportation & Infrastructure via eDAS
- Ministry of Forests, Lands, Natural Resources Operations and Rural Development
- Agricultural Land Commission
- BC Hydro

Other:

- District of Chetwynd
- District of Hudson's Hope
- District of Taylor
- City of Dawson Creek
- Village of Pouce Coupe
- District of Tumbler Ridge
- City of Fort St. John
- School District 60
- Charlie Lake Fire Dept.
- PRRD Enviro. Services

*(As per the Management of Development Function)*

**Michael Blatz**

---

**From:** Aaron Thompson <[REDACTED]>  
**Sent:** Wednesday, April 10, 2019 4:08 PM  
**To:** Michael Blatz  
**Subject:** RE: PRRD File 19-075 | Please comment by May 1

Michael,

The City of Dawson Creek’s interests are unaffected by this application.



Aaron Thompson  
City Planner  
The Corporation of the City of Dawson Creek  
[REDACTED]

[www.dawsoncreek.ca](http://www.dawsoncreek.ca)   
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**From:** Michael Blatz [mailto:Michael.Blatz@prrd.bc.ca]  
**Sent:** April-10-19 3:55 PM  
**To:** PRRD\_Internal  
**Subject:** PRRD File 19-075 | Please comment by May 1

Good day,

Please review the attached application and respond with any comments by **May 1, 2019**.

**Proposal:** To amend the subject property’s Official Community Plan designation from MDR (Medium Density Rural Residential) to HDR (High Density Rural Residential) and rezone from R-3 (Residential 3 Zone) to R-1 (Residential 1 Zone). The applicant intends to subdivide the property into 78 lots.

If you have any questions, don’t hesitate to get in touch.

Best,  
**Michael Blatz** | Land Use Planner  
PEACE RIVER REGIONAL DISTRICT | Direct: 250-785-8084  
[michael.blatz@prrd.bc.ca](mailto:michael.blatz@prrd.bc.ca) | [www.prrd.bc.ca](http://www.prrd.bc.ca)



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City of Fort St. John  
 10631 100 Street | Fort St. John, BC | V1J 3Z5  
 (250) 787 8150 City Hall  
 (250) 787 8181 Facsimile

May 10, 2019

**Re: PRRD Referral 19-075, OCP Amendment Bylaw No. 2374 & Zoning Amendment Bylaw No. 2375, 2019  
 (Wade Group Development Inc.)**

This application proposes a layout with 78 lots; the 2015 application proposed 80 lots.

The City of Fort St. John provides the following comments:

- The report mentions “Rural Water Distribution loading centers” in Fort St. John, Taylor and Area B. The City is concerned with supplying water to customers outside our municipal boundary; the current capacity limits of the City’s water supply; and the possibility that customers may rely on municipal water as their permanent water source solution.
  - It is suggested this concern with a City water source could be discussed through the PRRD OCP update or an alternative way that informs the growth areas identified in the OCP.
- The subject area is outside of the City’s Fire Department response area; and while serviced by the Charlie Lake Fire Department; the City has a mutual aid agreement with Charlie Lake that may be impacted by the development.
- The City supports the OCP in its existing form as medium density (MDR & R3 zone – minimum lot size of 2.2 acres on a community sewer). It is suggested that discussion continue in a holistic approach through the PRRD OCP update.
- Thank you for providing clarity on the proposal; staff understands that the request for an R1 zone is to consider 0.5 acre lots. However the draft subdivision layout shows 1 acre lots and seems to comply with an R2 zone, as per the 2015 application request.
- It is suggested that if the amendments for HDR & R1 zone are approved allowing a minimum lot size of 0.25 acres on a community sewer, that a modified subdivision proposal could include that higher density range which is closer to an urbanized development, and the use of a City water source should be discussed again with the City.

Sincerely,

Renee Jamurat MCIP RPP, Planning Manager  
 Planning & Engineering Department  
 City of Fort St. John

October 24, 2019



## PEACE RIVER REGIONAL DISTRICT



**Office of:** Charlie Lake Fire Department

**Date:** April 29, 2019

**Ref:** Lot 8 Section 36 Township 84 Range W6M, Peace River District Plan EPP35284  
[PID 029-241-316]

Hello Michael,

With review of above property, Charlie Lake Fire Department does have a number of concerns that we would like to have addressed. With this I would request that we have a meeting with the applicant to discuss fire department concerns.

Some items of concern are mentioned with in the application but we request further information and some not being addressed or listed with in application. We would like to see considerations to our concerns addressed

- Fire Safety Plan for construct phase
- Access for Emergency Vehicles on Road Ways & Turn Around Areas which will support our largest apparatus (as to NFPA)
- Turn around on all roads with no exit as to site plan/map
- That road ways will support fire apparatus during construction phase prier building construction taking place
- Road Ways to support fire apparatus when completed with hard top as to NFPA recommendations, width of road ways when residence are in place (After Parked on road side) to allow for fire apparatus travel
- Map description/plan shows other road ways (North & South) coming into the property, What is the future plan for expansion with these road ways
- Water storage/system for fire suppression
- If an expansion is in the future plan, North & South how will fire water be addressed
- Water for fire protection, storage, placement, distances, etc.
- Water – fire flow plan for stated property plan as to NFPA

October 24, 2019

CLFD Fire Chief requests further information as to this application. Applicant can request a meeting with the Fire Chief and Michael Blatz of the PRRD.

Regards,



Edward Albury  
Charlie Lake Fire Department



**Agricultural Land Commission**

201 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000 | Fax: 604 660-7033  
www.alc.gov.bc.ca

April 25, 2019

Reply to the attention of Sara Huber  
ALC Inquiry: 51374  
Local Government File: 19-075

Michael Blatz  
Land Use Planner  
Peace River Regional District  
**Delivered Electronically**

**Re: OCP and Zoning Amendment Bylaw Nos. 2374 and 2375**

Thank you for forwarding a draft copy of Peace River Regional District (PRRD) Official Community Plan (OCP) and Zoning Amendment Bylaw Nos. 2374 and 2375 for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaws are consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve (ALR) regulations (the "Regulations"), and any decisions of the ALC.

The ALC has determined that Bylaw Nos. 2374 and 2375 are related to ALC Application 52082, Resolution #145/2011, and more specifically, PID: 029-241-316 (the "Property"). By Resolution #145/2011, the ALC approved the exclusion of ~90 ha from the ALR in the Charlie Lake area, including the Property, conditional upon rezoning the area to a medium density residential zone within three (3) years of the release of the decision (dated April 27, 2011). In making its decision, the ALC recognized that the proposal was consistent with the North Peace Fringe Area OCP, which was conditionally endorsed by ALC Resolution #1105/2009.

In 2012, the PRRD Regional Board adopted Zoning Amendment Bylaw No. 1947, 2011 which rezoned the Property from the Large Agricultural Holdings Zone (A-2) to Residential 3 (R-3). This rezoning fulfilled the condition of Resolution #145/2011. At this time, the applicant intended to subdivide the Property into 46 residential lots ranging from 0.8 ha to 1.3 ha; however, this subdivision was never completed.

In 2014, the Property was formally excluded from the ALR.

In 2018, the ALC reviewed the draft North Peace Fringe Area OCP update which designated the Property as Medium Density Rural Residential, as well as the surrounding lands. In its review, the ALC had no objection to the designation.

Bylaw Nos. 2374 and 2375 now seek to amend the OCP designation of the Property from Medium Density Rural Residential (MDR) to High Density Rural Residential (HR) and rezone the Property from Residential 3 (R-3) to Residential 1 (R-1). The applicant intends to subdivide the Property into 78 lots.

The ALC has no objection to High Density Rural Residential designation and the Residential 1 zone as it remains consistent with previous approvals of the ALC.

\*\*\*\*\*

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

If you have any questions about the above comments, please contact the undersigned at [REDACTED] or by e-mail ([REDACTED]).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: PRRD OCP and Zoning Amendment Bylaw Nos. 2374 and 2375  
ALC Resolution #145/2011

CC: Ministry of Agriculture – Attention: Greg Bartle

51374m1



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

Attention: Michael Blatz, North Peace Land Use Planner

RE: PID 029-241-316: Lot 8, Section 36, Township 84, Range 20, W6M, Peace River District, Plan EPP35284

The Ministry of Transportation and Infrastructure (Ministry) has received and reviewed your referral dated April 10, 2019 to amend the subject property's Official Community Plan designation from MDR (Medium Density Rural Residential) to HDR (High Density Rural Residential) and rezone from R-3 (Residential 3 Zone) to R-1 (Residential 1 Zone). The proposal falls within Section 52 of the Transportation Act and will require formal Ministry approval.

The Ministry is in support of the proposal however we have the following conditions that must be satisfied prior to final approval:

1. Because of the increased density of this proposed rezoning and OCP amendment, the Ministry requires engineered design drawings for a left turn bay into the proposed road off of Golf Course Road and a right deceleration lane into Bluebird Road off of the Alaska Highway 97N. The drawings must be reviewed and accepted by the Ministry.
2. Provision of a suitably worded covenant is required to restrict any development or occupation on the land, including further subdivision, until the improvements at Golf Course Road and Bluebird Road are constructed to the satisfaction of the Ministry, registerable under Section 219 of the Land Title Act in favour of Her Majesty The Queen in right of the Province of British Columbia as represented by the Minister of Transportation and Infrastructure, Parliament Buildings, Victoria, BC, V8V 1X4, Canada. Covenant to be registered with priority over any financial charges.

If the development is phased (ie. Phase 1 will access Golf Course Road and Phase 4 will access Bluebird Road), the owner is encouraged to contact the Ministry to discuss the terms of the covenant for a phased development.

---

Ministry of  
Transportation and  
Infrastructure

Peace District

Mailing Address:  
**District Office Address:**  
#300, 10003 - 110<sup>th</sup> Avenue  
Fort St John, BC V1J 6M7  
Telephone: (250) 787-3237  
Facsimile: (250) 787-3279

**Area Office Locations:**  
1201 103 Ave, 3rd floor  
Dawson Creek, BC  
4744 – 52 Street  
Chetwynd, BC V0C 1J0

October 24, 2019



Ministry of  
Transportation  
and Infrastructure

If the land owner chooses to design and construct the two improvements prior to formal approval of the rezoning and OCP amendment, a covenant on the land will not be required and the proposal can be approved by the Ministry.

3. Regardless of whether or not the proposal is phased, the owner is to apply online for a Works: Road Works permit to the Ministry of Transportation and Infrastructure for any proposed construction within the already dedicated portions of public road right of way. Road Works permits can be applied for online here: <http://www.th.gov.bc.ca/permits/Apply.asp>.

Please note, the Ministry has received a conventional subdivision application for this property (2015-01456) and there have been a number of revisions to the proposal. The proposed subdivision lot layout as submitted in this referral package is not guaranteed as it is dependent on review and approval by the Provincial Approving Officer – conditions of subdivision have not been determined.

Thank you for the opportunity to comment. If you or the applicant has any questions or concerns; I encourage you to contact me at [REDACTED] or by email at [REDACTED].

Sincerely,



Beth Bahm  
District Development Technician



PEACE RIVER REGIONAL DISTRICT

Memorandum

TO: Brad Sperling, Director of Electoral Area C  
 FROM: Michael Blatz, North Peace Land Use Planner  
 DATE: August 14, 2019  
 RE: **Application for Official Community Plan & Zoning Bylaw Amendments**

Pursuant to the following resolution:

RD/15/04/26 (23)

That a two-week period be added to the development application review process to allow time for the appropriate Electoral Area Director to review applications prior to them going to the Regional Board for consideration.

The application and report are provided for your review.

Please find attached a copy of the OCP and zoning bylaw amendments application (**File # 19-075**) concerning Wade Development Group Ltd.

**COMMENTS**

Response requested by August 28, 2019

No comment

Director/Municipality
Date

diverse. vast. abundant.

PLEASE REPLY TO:

Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H8 Tel: (250) 784-3200 or (800) 670-7773 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca  
 9505 100 St, Fort St. John, BC V1J 4N4 Tel: (250) 785-8086 Fax: (250) 785-1125 Email: prrd.fsj@prrd.bc.ca

October 24, 2019

**Michael Blatz**

---

**From:** Chair Brad Sperling  
**Sent:** Tuesday, August 20, 2019 8:46 AM  
**To:** Michael Blatz  
**Cc:** PRRD\_Internal  
**Subject:** RE: PRRD File No. 19-075 | OCP & Zoning Amendments

Ok to go to the board

---

**From:** Michael Blatz  
**Sent:** Wednesday, August 14, 2019 3:48 PM  
**To:** Chair Brad Sperling  
**Cc:** PRRD\_Internal  
**Subject:** PRRD File No. 19-075 | OCP & Zoning Amendments

Good afternoon Chair Sperling,

Please review the attached report regarding proposed OCP and zoning bylaw amendments near Charlie Lake. If you have any questions or comments about the application, please forward them to me by August 28.

Best,

[Michael Blatz](#) | Land Use Planner

PEACE RIVER REGIONAL DISTRICT | Direct: 250-785-8084

[michael.blatz@prrd.bc.ca](mailto:michael.blatz@prrd.bc.ca) | [www.prrd.bc.ca](http://www.prrd.bc.ca)



PEACE RIVER REGIONAL DISTRICT



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#### 4.3.1 High Density Rural Residential (HDR)

- Policy 5** Within the High Density Rural Residential designation the principal use of land will generally be limited to; residential and home based business subject to zoning regulations.
- Policy 6** Within the High Density Rural Residential designation and parcels not on a lakeshore the minimum parcel size will not be less than:
- a) **2000 sq. metres (0.50 acre)** for lands connected to a community sewage system;
  - b) **8 ha (20 acres)** for lands not connected to a community sewage system;
  - c) **0.4 ha (1 acre)** for land described as District Lot 418, except Plan 18222, W6M., which recognizes the existing approvals on this property.
- Policy 7** The purpose of setting a large 8 ha (20 acres) minimum parcel size for lands not connected to a community sewage system, is to re-enforce the priority of first supporting subdivision having a community sewage system that are compatible to nearby rural or urban serviced areas, to promote infilling and compact development.
- Policy 8** High Density Residential subdivision will be directed to those areas having community sewer services to maximize existing sewer capacity or those areas planned to receive sewer service, encouraging compact development, as referenced in Section 11.3.1, Policy No. 10 to to12.

#### 4.3.2 Medium Density Rural Residential (MDR)

- Policy 8** Within the Medium Density Rural Residential designation the principal use of land will generally be limited to; residential and home based business, subject to zoning regulations.
- Policy 9** Within the Medium Density Rural Residential designation the minimum parcel will not be less than:
- a) **0.8 ha (2 acres)** for lands;
    - i) connected to a community sewage system, or;
    - ii) where soil conditions are suitable for on-site sewage disposal and a system authorized by the agency having jurisdiction regarding sewage disposal;
  - b) **1.6 ha (4 acres)** for lands not connected to a community sewage system.
  - c) **0.3 ha (0.74 acre)** for land described as a portion of the Northwest ¼ of Section 1, Township 84, Range 18, W6M, PRD [Bylaw No. 2115, 2014]
- Policy 10** For parcels designated Medium Density Rural Residential lying within Electoral Area 'B' the minimum parcel size will not be less than **1.6 ha (4 acres)** as shown on Schedule B, Map No.'s 1 and 2.



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

SECTION 34 R-1 (Residential 1 Zone - 1000 sq. metres/1.8 ha)

1. Permitted Uses

The following PRINCIPAL USES and no others are permitted in a R-1 zone subject to Part IV of this bylaw and subject to Sub-Section 2 of this Section 34;

- (a) DWELLING UNIT;
- (b) Market garden;
- (c) AGRICULTURE;

The following ACCESSORY uses and no others are permitted in a R-1 zone, subject to Part IV of this bylaw and Sub-Section 2 of this Section 34:

- (d) ACCESSORY buildings and ACCESSORY structure; (See Section 13)
- (e) AGRICULTURE-DOMESTIC;
- (f) BED AND BREAKFAST accommodation; (See Section 16)
- (g) HOME BASED BUSINESS; (See Section 19)
- (h) SECONDARY SUITE; (See Section 25)
- (i) TEMPORARY ADDITIONAL DWELLING. (See Section 29)

2. Regulations

Minimum Parcel Size

- (a) The minimum parcel size is 1.8 hectares (4.5 acres) where there is no COMMUNITY SEWAGE SYSTEM (Electoral Areas B,D and E only); [Bylaw No. 2249, 2016]
- (aa) The minimum parcel size is 1.8 hectares (4.5 acres) where there is no COMMUNITY SEWER (Electoral Area C only); [Bylaw No. 2249, 2016]
- (b) The minimum parcel size is 1000 sq. metres (0.25 acre) when the parcel is connected to a COMMUNITY SEWAGE SYSTEM (Electoral Areas B,D and E only) [Bylaw No. 2249, 2016]
- (bb) The minimum parcel size is 1000 sq. metres (0.25 acre) when the parcel is connected to a COMMUNITY SEWER (Electoral Area C only);[Bylaw No. 2249, 2016]

Exceptions to the minimum parcel size as follows:

- i) District Lot 418, except Plan 18222, for which the minimum parcel size is 1,000 sq. metres (0.25 acres) where the parcel is connected to a COMMUNITY SEWER or where the parcel has a sewage system approved by the agency having jurisdiction regarding sewage disposal in the area covered by this bylaw; [Bylaw No. 2249, 2016] [Bylaw No. 1829, 2008]



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

SECTION 34 R-1 (Residential 1 Zone - 1000 sq. metres/1.8 ha) Continued

Number and type of DWELLING UNIT(S)

- (c) One SINGLE FAMILY DWELLING is permitted on a parcel;
- (d) One TEMPORARY ADDITIONAL DWELLING, is permitted on a parcel 0.9 hectares (2.2 acres) and larger where there is no COMMUNITY SEWAGE SYSTEM (Electoral Areas B, D and E only); [Bylaw No. 2249, 2016]
- (dd) One TEMPORARY ADDITIONAL DWELLING, is permitted on a parcel 0.9 hectares (2.2 acres) and larger where there is no COMMUNITY SEWER (Electoral Area C only); [Bylaw No. 2249, 2016]
- (e) One TEMPORARY ADDITIONAL DWELLING, is permitted on a parcel 0.4 hectares (1 acre) and larger when the parcel is connected to a COMMUNITY SEWAGE SYSTEM (Electoral Areas B, D and E only); [Bylaw No. 2249, 2016]
- (ee) One TEMPORARY ADDITIONAL DWELLING, is permitted on a parcel 0.4 hectares (1 acre) and larger when the parcel is connected to a COMMUNITY SEWER (Electoral Areas B, D and E only); [Bylaw No. 2249, 2016]

Height

- (f) No building or structure shall exceed 10 metres (32.8 ft.) HEIGHT

Setbacks

- (g) Except as otherwise permitted in this bylaw, no PRINCIPAL 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) 5 metres (17 ft.) of a REAR PARCEL LINE.
- (h) Except as otherwise specifically permitted in this bylaw, no ACCESSORY building or structure shall be located within:
  - i) 7 metres (23 ft.) of a FRONT PARCEL LINE;
  - (ii) 1.5 metres (5 ft.) of an INTERIOR SIDE PARCEL LINE;
  - (iii) 5 metres (17 ft.) of an EXTERIOR SIDE PARCEL LINE;
  - (iv) 3 metres (10 ft.) of a REAR PARCEL LINE.

Agriculture

- (i) AGRICULTURE, use is permitted on parcels 4 hectares (10 acres) and larger;
- (j) AGRICULTURE DOMESTIC, is permitted on parcels 0.4 hectares (1 acre) and larger; -



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

SECTION 34 R-1 (Residential 1 Zone - 1000 sq. metres/1.8 ha) Continued

Where AGRICULTURE or AGRICULTURE-DOMESTIC are permitted the following regulations shall apply;

(i) Maximum LOT COVERAGE for each commodity group is limited to the following:

<b>COMMODITY GROUPS</b>			
<b>Apiculture (bees)</b>	<b>Greenhouse, Nursery, Speciality wood &amp; Turf Crops</b>	<b>Livestock,* Poultry, Game and Fur</b>	<b>Mushroom growing facility</b>
20%	Greenhouse: 75% Nurseries, Speciality Wood Crops & Turf Farms: 35%	35%	35%

\*CONFINED LIVESTOCK AREAS are included in the LOT COVERAGE restriction.

The following structures do not fall under the LOT COVERAGE restrictions:

- detention ponds
- support structures used for the shading, frost and wind protection of plants and animals.

PEACE RIVER REGIONAL DISTRICT  
Bylaw No. 2374, 2019

A bylaw to amend the "North Peace Fringe Area  
Official Community Plan Bylaw No. 1870, 2009"

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt the "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009";

AND WHEREAS, an application has been made to amend "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009" to facilitate an associated zoning affecting Lot 8, Section 36, Township 84, Range 20, W6M, PRD, Plan EPP35284;

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 "North Peace Fringe Area Official Community Plan Amendment Bylaw No. 2374, 2019."
2. Schedule B – Map 4 of "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009" is hereby amended by redesignating Lot 8 Section 36 Township 84 Range 20 W6M PRD, Plan EPP35284, from MDR "Medium Density Rural Residential" to HDR "High Density Rural Residential" as shown on Schedule "A" which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ A SECOND TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ A SECOND TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Public Hearing held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019

Notification mailed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019

READ A THIRD TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Chair

(Corporate Seal has been affixed  
to the original bylaw)

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

I hereby certify this to be a true and correct copy of  
Bylaw No. 2374, 2019", as adopted by the  
Peace River Regional District Board  
on \_\_\_\_\_, 20\_\_\_\_.

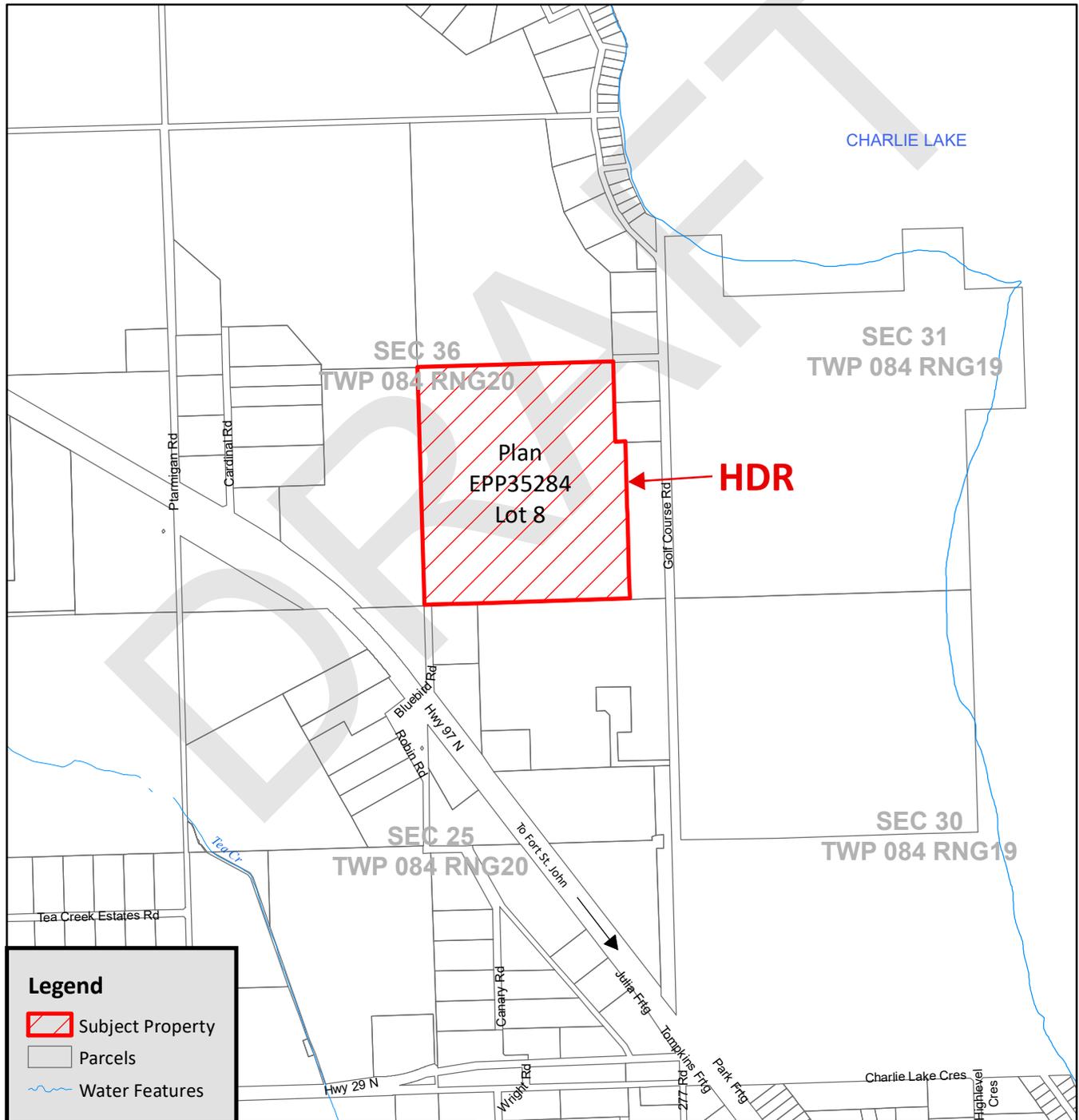
\_\_\_\_\_  
Corporate Officer



Peace River Regional District  
Bylaw No. 2374, 2019  
**SCHEDULE "A"**



Map No. 4 - Schedule B of "North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009" is hereby amended by redesignating Lot 8, Plan EPP35284, Section 36, Township 84, Range 20, W6M, PRD **from** MDR "Medium Density Rural Residential" **to** HDR "High Density Rural Residential" as shown shaded on the drawing below:



**Legend**

-  Subject Property
-  Parcels
-  Water Features

PEACE RIVER REGIONAL DISTRICT  
Bylaw No. 2375, 2019

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. 2375, 2019."
2. Schedule A – Map 4 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning Lot 8 Section 36 Township 84 Range 20 W6M PRD, Plan EPP35284, from R-3 "Residential 3 Zone" to R-1 "Residential 1 Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
 READ A SECOND TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
 Public Hearing held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
 Notification mailed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
 Ministry of Transportation approval received this \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
 READ A THIRD TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019  
 ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(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. 2375, 2019, as adopted by the Peace River Regional District Board on \_\_\_\_\_, 20\_\_.

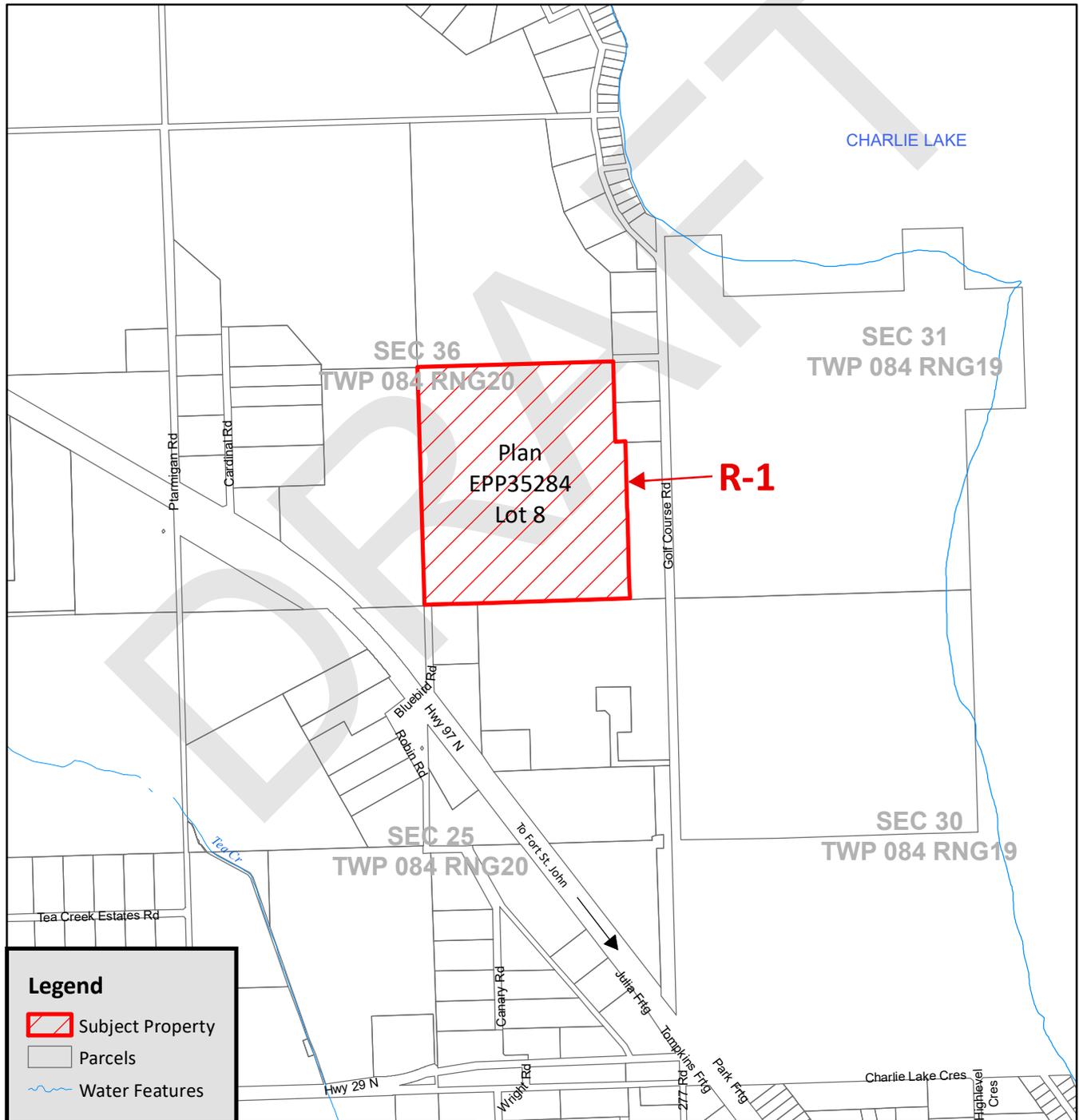
\_\_\_\_\_  
Corporate Officer



Peace River Regional District  
Bylaw No. 2375, 2019  
**SCHEDULE "A"**



Map No. 4 - Schedule A of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning Lot 8, Plan EPP35284, Section 36, Township 84, Range 20, W6M, PRD from R-3 "Residential 3 Zone" to R-1 "Residential 1 Zone" as shown shaded on the drawing below:



**Legend**

-  Subject Property
-  Parcels
-  Water Features