



# REPORT

To: Chair and Directors

Report Number: DS-BRD-042

From: Tyra Henderson, Corporate Officer

Date: July 31, 2020

**Subject: Zoning Amendment Bylaw No. 2355, 2020, PRRD File No. 20-008-ZN**

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

That the Regional Board give Zoning Amendment Bylaw No. 2355, 2020, to allow the property identified as PID 014-590-689 to have a minimum parcel size of 35 ha, first and second readings; further,

that the public hearing be waived pursuant to *Local Government Act* Section 464(2) and that public notification be authorized pursuant to *Local Government Act* Section 467.

## **BACKGROUND/RATIONALE:**

### **Proposal**

To amend Section 33.2(b) of *PRRD Zoning Bylaw No. 1343, 2001* by adding the following text:

- iii. *The minimum parcel size for SE 1/4 of Section 35 Township 83 Range 19 W6M Peace River District, Except Plans B4384, M446, PGP46335 and BCP37320 is 35.0 hectares*

Portions of the subject property were rezoned in April 2020 from A-2 to I-1 to facilitate a subdivision (PRRD Zoning Amendment Bylaw No. 2376, 2020, PRRD File No. 19-076) into three lots sized  $\pm 4.35$  ha (10.75 ac),  $\pm 5.45$  ha (13.47 ac), and  $\pm 36.27$  ha (89.62 ac). Afterward, MoTI indicated it would not approve the subdivision unless a zoning amendment legitimized the remainder property's existing sub-minimum A-2 parcel size.

This amendment would facilitate the subdivision of the property, which was already endorsed by the PRRD Board by way of the adoption of the previous zoning amendment bylaw. This property, which is a remainder parcel, is already undersized for its current zoning, and has been for some time. This amendment would bring the parcel into compliance by making it exempt from the minimum parcel size of 63 ha and instead specifying that for this A-2 parcel only, a parcel size of 35 ha is permitted. This will prevent future subdivision of the parcel unless it is rezoned. Both the owner and the PRRD planning staff feel that this approach to the current subdivision application is preferred, as the alternative would be to rezone the remainder parcel to either A-1 or I-1, to be congruent with surrounding parcels and in compliance with the OCP (designated Light/Service Industrial), as both of those zones allow for much smaller minimum parcel sizes (A-1, 15 ha, and I-11.8 ha).

### **File Details**

Owner: Truman Creek Holdings Ltd.

Agent: Jim Little

Area: Electoral Area C

Location: Fort St. John, BC

Legal: SE ¼ of Section 35 Township 83 Range 19 W6M Peace River District, Except Plans B4384, M446, PGP46335 and BCP37320  
PID: 014-590-689  
Lot Size: 42.03 ha (103.85 ac)

### **Site Context**

The property is located on the west side of Old Fort Road, southwest of Fort St. John. The surrounding area has a mix of land uses, included commercial development within the City of Fort St. John to the north, industrial and residential uses along Old Fort Road, and agricultural and residential uses to the south and west.

### **Site Features**

#### Land

The property slopes down to the south. Approximately 24 ha is cleared for agricultural use, with the rest covered with bush.

#### Structures

There are no structures on the property, though there is a decommissioned oil well near the northern property line.

#### Access

The property is accessed by an existing driveway from Old Fort Road to the decommissioned oil well and from the end of MacLean Road. The property appears to have undeveloped rights-of-way on its southern, western, and northern edges.

#### Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as 2<sub>c</sub>. Class 2 soils have moderate limitations that restrict the range of crops or require moderate conservation practices. Subclass C denotes adverse climate.

### **Comments & Observations**

#### Agricultural Land Reserve (ALR)

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

#### Official Community Plan (OCP)

Pursuant to *PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009*, the subject property is designated Light/Service Industrial (Serviced) and is within the Industrial Development Permit Area. Section 8.3.2 Policy 7 of the OCP states the purpose of this designation is to encourage future industrial development with a priority for connection to a community sewage system.

According to Section 8.3.2 of the OCP, the minimum parcel size for properties with this designation is 0.4 ha (1 ac) when connected to a community sewage system or 8 ha (20 ac) otherwise. The subject property is not connected to community sewage system, so the minimum parcel size is 8 ha (20 ac).

Therefore, the proposed amendment to allow a minimum parcel size of 35 ha is consistent with the OCP.

#### Land Use Zoning

Pursuant to *PRRD Zoning Bylaw No. 1343, 2001*, the subject property is zoned A-2 (Large Agricultural Holdings Zone). Land within this zone can generally be used for agricultural purposes. The minimum parcel size in the A-2 Zone is 63 ha (155 ac).

Therefore, the current agricultural land use complies with the Zoning Bylaw, but a zoning amendment to allow a minimum parcel size of 35 ha is required.

#### Fire Protection Area

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

#### Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area.

#### Development Permit Area

The subject property is within the Industrial Development Permit Area pursuant to the *North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009*. A Development Permit would be required prior to subdivision and/or development.

#### Development Cost Charge Area

The subject property is outside the Development Cost Charge Area.

#### School District 60 School Site Acquisition Charge Area

The subject property is within the School District 60 School Site Acquisition Charge Area. However, the charge is not applicable at this time because no new residential lots are proposed.

### **Impact Analysis**

#### Context

Historically, the property has been undersized for its A-2 zoning. MoTI has requested that this parcel size be brought into compliance with appropriate zoning. This proposed zoning amendment would legitimize the property's existing sub-minimum A-2 parcel size.

#### Population & Traffic

An increase in industrial traffic is anticipated if this bylaw is passed as it will enable the subdivision of the adjacent parcels which were initiated to expand existing operations.

#### Sewage & Water

No changes to sewage and water servicing are proposed.

### **Comments Received from Municipalities & Provincial Agencies**

#### Charlie Lake Fire Department

The Charlie Lake Fire Department requests a meeting to discuss fire protection plans for the property.

Fort St. John

No comments.

Ministry of Transportation & Infrastructure

Ministry approval is required. MoTI has no objections.

Northern Health

Must not cause a health hazard or contaminate water sources. Must follow public health legislation.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board respectfully refuse Zoning Amendment Bylaw No. 2355, 2020, to allow the property identified as PID 014-590-689 to have a minimum parcel size of 35 ha.
2. That the Regional Board provide further direction.

**STRATEGIC PLAN RELEVANCE:**

- Not Applicable to Strategic Plan.

**FINANCIAL CONSIDERATION(S):**

None at this time.

**COMMUNICATIONS CONSIDERATION(S):**

The Regional Board’s decision will be communicated to the applicant.

**OTHER CONSIDERATION(S):**

None at this time.

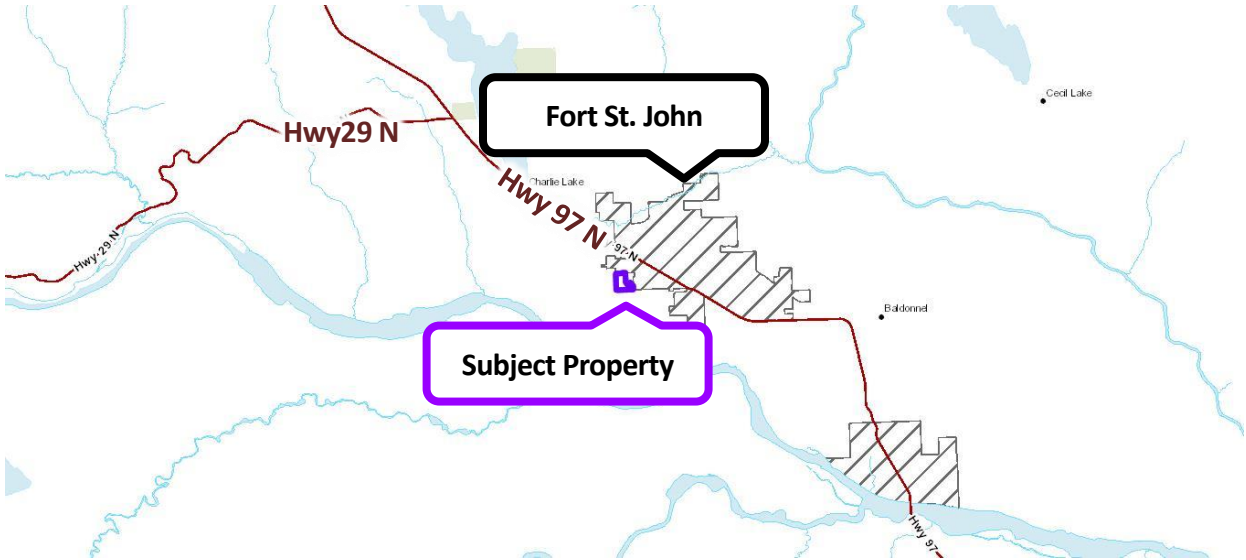
Attachments:

1. Maps
2. Application
3. Comments Received from Municipalities & Provincial Agencies
4. Comments Received from Electoral Area Director
5. Section 33 of PRRD Zoning Bylaw No. 1343, 2001
6. Draft Zoning Bylaw No. 2355, 2020

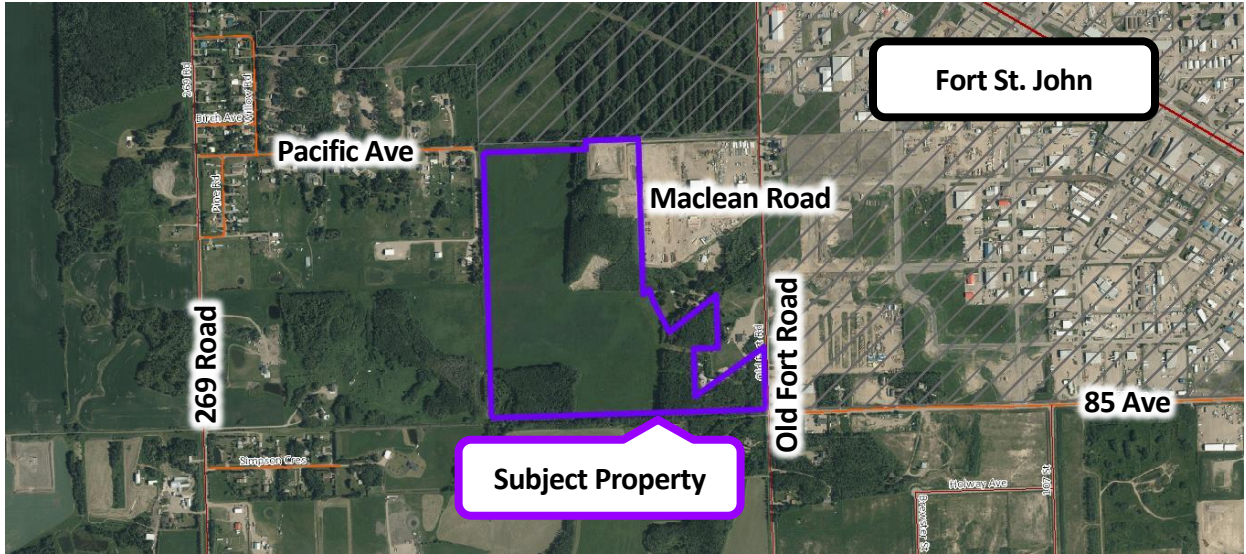
External Links:

1. [Zoning Amendment Bylaw No. 2376, 2020, PRRD File No. 19-076, DS-BRD-014 – previous rezoning application\) from April 23, 2020 Board meeting](#)

Location: Fort St. John area

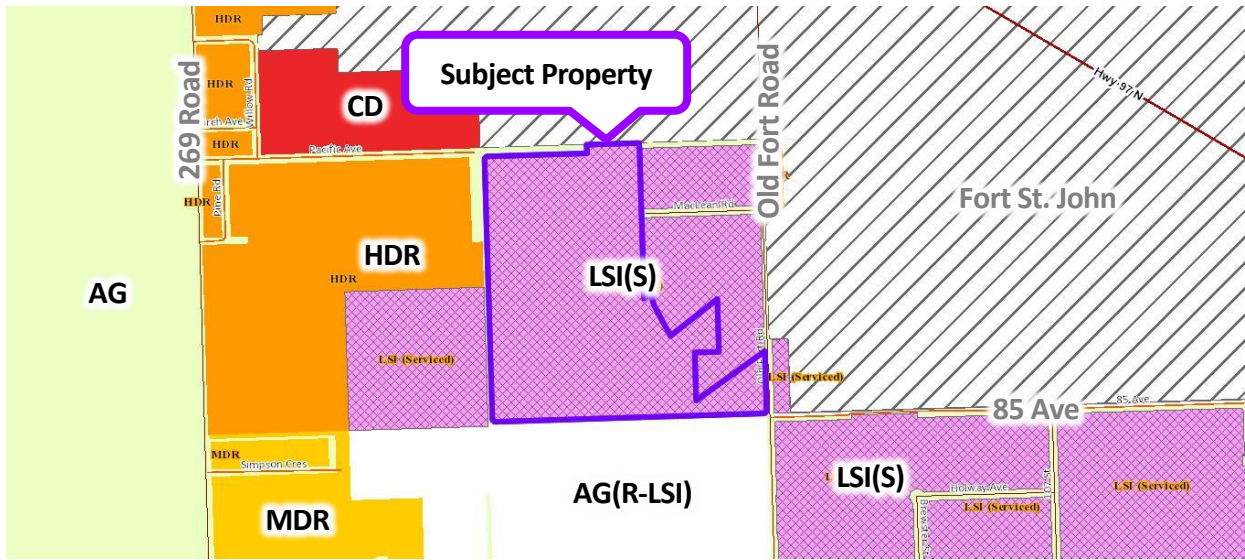


Aerial imagery

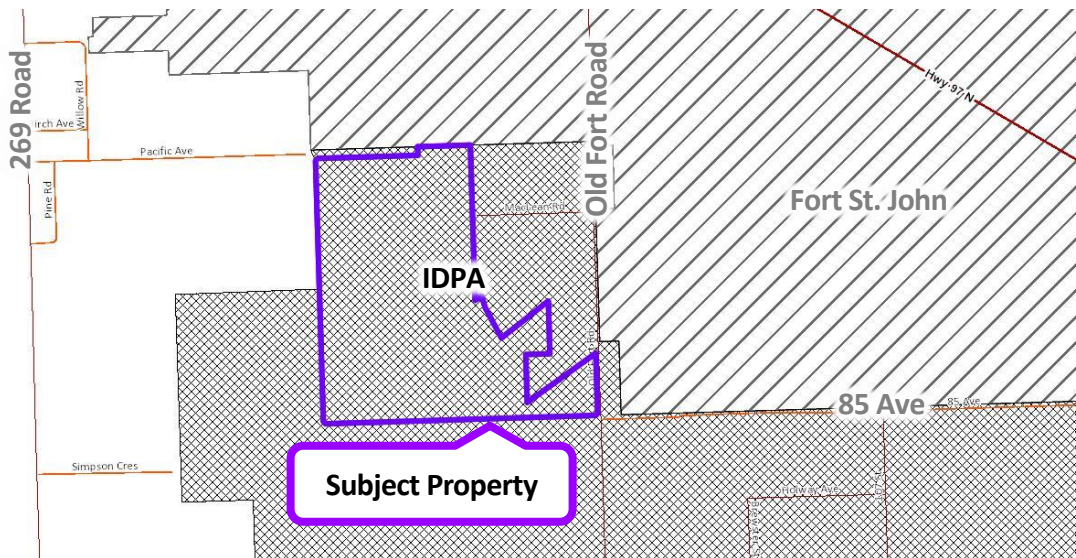


**PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009:**

Light/Service Industrial (Served)

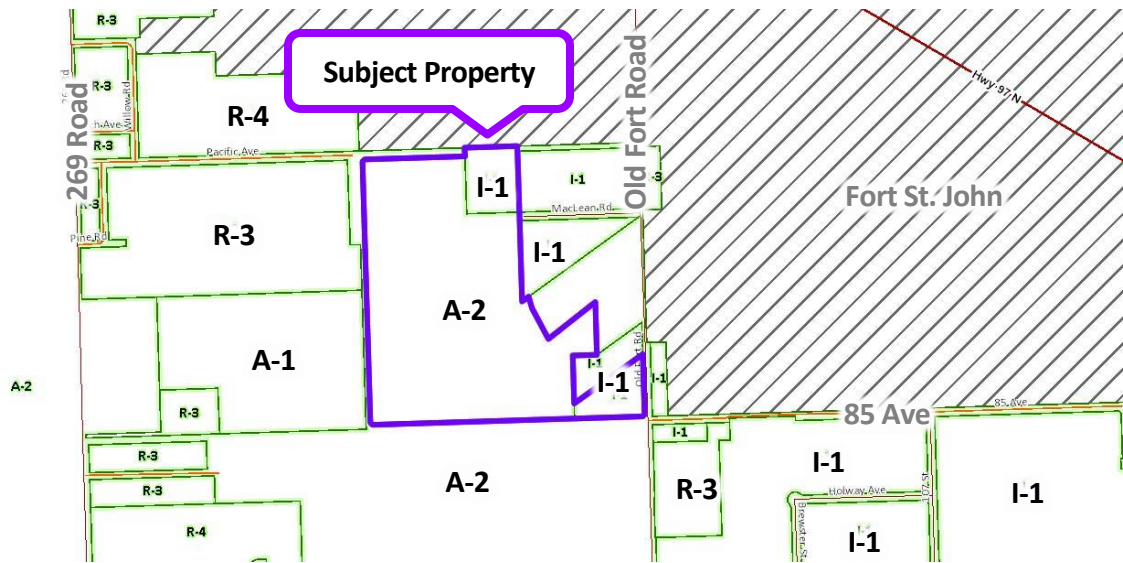


Industrial Development Permit Area

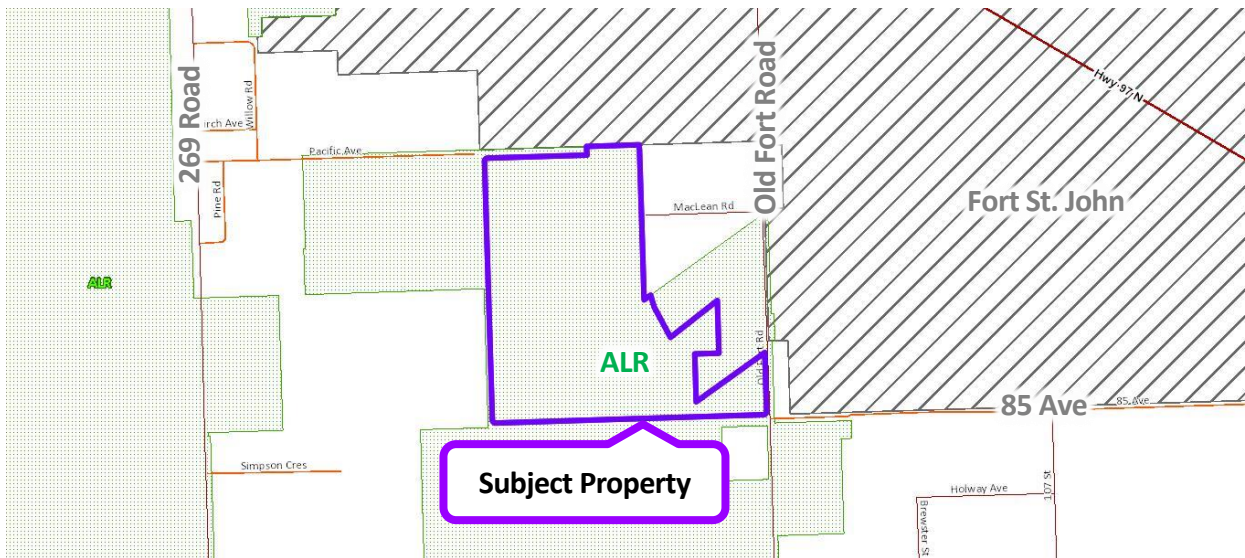


**PRRD Zoning Bylaw No. 1343, 2001:**

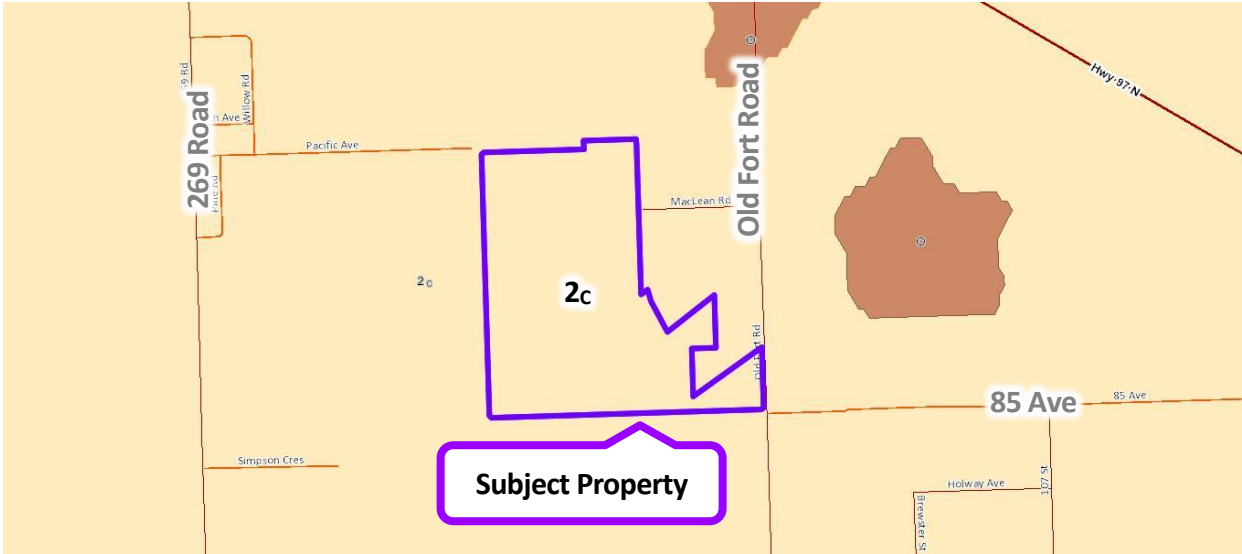
A-2 (Large Agricultural Holdings Zone) & I-1 (Light Industrial Zone)



**Agricultural Land Reserve: Within**



**CLI Soil Classification: 2<sub>c</sub>**





**PEACE RIVER REGIONAL DISTRICT**

**Bylaw No. 2355, 2020**

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 by-law may be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2355, 2020."
- 2. "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by adding the following text amendment to Part VI Zones, Section 33 A-2 (Large Agricultural Holdings Zone – 63 ha.), 2 Regulations, Minimum Parcel Size, (b) Exceptions to the required minimum parcel size area as follows:
  - iii) SE 1/4 of Section 35 Township 83 Range 19 W6M PRD Except Plans B4384, M446, PGP46335 and BCP37320, for which the minimum parcel size is 35.0 hectares.

READ A FIRST TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020.

READ A SECOND TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Notification mailed on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Public Notification published on \_\_\_\_\_ day of \_\_\_\_\_, 2020.

READ A THIRD TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Ministry of Transportation approval received this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Chair

(Corporate Seal has been affixed to the original bylaw)

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

I hereby certify this to be a true and correct copy of "PRRD Zoning Amendment Bylaw No. 2355, 2020, as adopted by the Peace River Regional District Board on \_\_\_\_\_, 20\_\_.

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



From: Michael Blatz, North Peace Land Use Planner

Date: June 30, 2020

Subject: **Zoning Bylaw No. 1343, 2001 Text Amendment, PRRD File 20-008-ZN**

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**Proponent:**

Peace River Regional District (PRRD)

**Proposal:**

To amend *PRRD Zoning Bylaw No. 1343, 2001* by adding the following text amendment to Part VI Zones, Section 33 A-2 (Large Agricultural Holdings Zone – 63 ha.), 2 Regulations, Minimum Parcel Size, (b) Exceptions to the required minimum parcel size area as follows:

- iii) SE 1/4 of Section 35 Township 83 Range 19 W6M PRD Except Plans B4384, M446, PGP46335 and BCP37320, for which the minimum parcel size is 35.0 hectares.

**Comments:**

Portions of the subject property were rezoned in April 2020 from A-2 to I-1 to facilitate a subdivision (PRRD Zoning Amendment Bylaw No. 2376, 2020, PRRD File No. 19-076). Afterward, MoTI indicated it would not approve the subdivision unless a zoning amendment legitimized the property's existing sub-minimum size.

This amendment would facilitate the subdivision of the property, which was already endorsed by the PRRD Board by way of the adoption of the previous rezoning bylaw. Further, this approach would allow the PRRD to retain some say over future subdivision of the property, as compared to rezoning the property to A-1 or I-1.



## PEACE RIVER REGIONAL DISTRICT

CHARLIE LAKE FIRE DEPARTMENT  
13065 FIRE HALL ROAD  
BOX 250, CHARLIE LAKE, BC, V0C-1H0  
250-785-1424



**From:** Office of the Fire Chief, Charlie Lake Fire Department

**Date:** July 7, 2020

**Re:** Zoning Bylaw No. 2355, 2020, PRRD File NO. 20-008-ZN

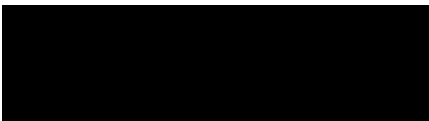
Hello Michael,

Regards to the permit for re-zoning, the fire department does have a number of questions.

With any subdivision within our protection area it is encouraged of the property owner/permit holder to involve the Fire Department in the planning stages for emergency services, we have a number of items (Caveats) for consideration which will need to be addressed.

I would advise that we set up a meeting with the owner/permit holder to learn what's being planned with respect to fire protection.

Regards,



Fire Chief Edward Albury  
Charlie Lake Fire Department



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

July -24-2020

Michael Blatz  
c/o Peace River Regional District  
9505 100 Street  
Fort St. John, BC V1J 4N4

Dear Sir/Madam:

**RE: Development Application Referral for Zoning Bylaw No. 2355, 2020, PRRD File No. 20-008-ZN**

The City of Fort St. John has no comments in regards to this development application.

Kind Regards,

  
Renée Jamurat  
Planning Manager



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

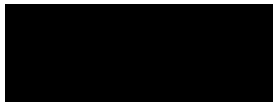
Attn: Michael Blatz - North Peace Land Use Planner,

The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral dated July 07, 2020, to amend PRRD Zoning Bylaw No. 1343, 2001 by adding the following text amendment to Part VI Zones, Section 33 A-2 (Large Agricultural Holdings Zone – 63 ha.), 2 Regulations, Minimum Parcel Size, (b) Exceptions to the required minimum parcel size area as follows: iii) SE 1/4 of Section 35 Township 83 Range 19 W6M PRD Except Plans B4384, M446, PGP46335 and BCP37320, for which the minimum parcel size is 35.0 hectares.

The property falls within Section 52 of the Transportation Act and will require Ministry of Transportation and Infrastructure formal approval. MoTI has no objections to the proposal as submitted and has no further comments at this time.

Thank you for the opportunity to comment. If you or the proponent has any questions, please contact Raj Chopra at (778) 576-1100.

Sincerely,



Raj Chopra  
Development Technician

## Michael Blatz

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**From:** Gu, Kang Min (Justin) <[REDACTED]>  
**Sent:** Wednesday, July 8, 2020 9:02 AM  
**To:** Michael Blatz  
**Subject:** RE: PRRD File No. 20-008-ZN | Zoning Amendment Bylaw No. 2355, 2020  
**Attachments:** subdivision-guidelines.pdf

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

Good Morning Michael,

The following is the comments from Northern Health regarding Zoning Amendment Bylaw No., 2355 regarding a proposed rezoning:

- Must not cause a health hazard and or must not contaminate or cause to contaminate any drinking water sources, wells, any water bodies
- Must follow Public Health Act, Drinking Water Protection Act and its applicable regulations, Sewerage System Regulation and Groundwater Protection Regulation as applicable
- Must have appropriate sewerage system installed and all the requirements met as applicable
- Proper subdivision protocol be followed for subdividing this property. Please refer to Northern Health's 'Guidelines for Subdivision' for more information.

Please see attached subdivision guideline for your reference. Should you have any questions, please contact the undersigned.

Best regards,

Justin Gu, CPHI(C), B. Tech,  
Environmental Health Officer

**Northern Health – Fort St. John Health Unit**

10115 110 Ave Fort St John, BC V1J 6M9

TEL: (250) 263 – 6000

FAX: (250) 263 – 6086



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**From:** Vokurka, Stephanie <[REDACTED]>  
**Sent:** Tuesday, July 07, 2020 9:31 AM  
**To:** Gu, Kang Min (Justin) <[REDACTED]>  
**Subject:** FW: PRRD File No. 20-008-ZN | Zoning Amendment Bylaw No. 2355, 2020

## Michael Blatz

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**From:** Chair Brad Sperling  
**Sent:** Tuesday, July 7, 2020 12:16 PM  
**To:** Planning Department  
**Cc:** PRRD\_Internal  
**Subject:** Re: PRRD File No. 20-008-ZN | Comments due July 21

Ok to proceed

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**From:** Planning Department  
**Sent:** Tuesday, July 7, 2020 9:21:46 AM  
**To:** Chair Brad Sperling  
**Cc:** PRRD\_Internal  
**Subject:** PRRD File No. 20-008-ZN | Comments due July 21

Good morning Chair Sperling,

Please review the attached documents regarding a rezoning application for Truman Creek in the Fort St. John area. If you have any comments, please submit them by July 21, 2020.

Best,

**Development Services**

PEACE RIVER REGIONAL DISTRICT | Direct: 250-784-3200

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



PEACE RIVER REGIONAL DISTRICT



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

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

**1. Permitted Uses**

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

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

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

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

**2. Regulations**

**Minimum Parcel Size**

- (a) The minimum parcel size is 63 hectares (155 acres) except as noted below.
- (b) Exceptions to the required minimum parcel size area as follows:
  - i) subject to the Local Services Act, the minimum parcel size shall not apply where a parcel is divided by a railway, highway right-of-way or watercourse, provide the parcel is subdivided along any such railway, highway right-of-way or watercourse, and the remainder of the parcel for which a subdivision is proposed is not less than 50 hectares (124 acres);
  - ii) for subdivision along a quarter section boundary for an incomplete quarter the minimum parcel size shall be not less than 50 hectares (124 acres);





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

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

Number and type of DWELLING UNIT(S)

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

Setbacks

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

Asphalt Plant

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

Production Facilities

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

Land Treatment Facility

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