



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
OCP and Zoning Amendment Report – Final Reading
By-law No.’s 1849 and 1850, 2009
FILE NO. 33/2009**

Part 26 Participants.
Includes all except
Districts of Tumbler
Ridge and Taylor.

B-1a

OWNER: Harry & Shelley Hawryluk
AREA: Electoral Area D
LEGAL: NE¼, Section 9, Township 77, Range 17, W6M, PRD
LOT SIZE: 64 ha (159 acres)
LOCATION: Arras – Fellers Heights

DATE: October 13, 2009

PROPOSAL

To re-designate a 21 ha (52 acre) portion **from** “Agriculture – Rural Resource” **to** “Small Holdings” and re-zone the same **from** A-2 “Large Agricultural Holdings” **to** RR-4 “Small Holdings” so 2 lots may be subdivided off the quarter.

RECOMMENDATION: OPTION 1

THAT the Regional Board consider Official Community Plan Amendment By-law No.1849, 2009, and Zoning Amendment By-law No. 1850, 2009, for Final Reading.

OPTIONS

OPTION 1: THAT the Regional Board consider Official Community Plan Amendment By-law No.1849, 2009, and Zoning Amendment By-law No. 1850, 2009, for Final Reading.

OPTION 2: Refuse the application.

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP): Agriculture – Rural Resource, Bylaw No.477, 1986
ZONING: A-2 (Large Agricultural Holdings), Bylaw No. 1343, 2001
AGRICULTURAL LAND RESERVE (ALR): Partly Within
BUILDING INSPECTION AREA: Outside

SITE CONTEXT

The subject property is located along the western side of the Highway 52, about 11 km (7 miles) south of Highway 97 and a 20 km (12 mile) drive to the City of Dawson Creek. The general rural area has a rolling topography with certain parts that are generally flat. Most of the land is within the Agricultural Land Reserve except for those portions identified with topographical constraints. The surrounding area is dominated by quarter-section parcels but there are about a half dozen smaller lots.

SITE FEATURES

LAND: A portion of the subject property is cleared, mostly along the north and east sides. The remainder is forested and there is a creek running southwest-to-northeast through the quarter-section
STRUCTURES: There is a home-site in the northeastern corner of the quarter-section.
ACCESS: The subject property has road access from 202 Road and Highway 52.

Department Head

CAO

CLI SOIL RATING: The eastern end of the subject property has a CLI Soil Classification of Class 3⁶₈-4⁴₇ which has moderately severe to severe limitations (in a 6:4 proportion) that restrict the range of crops or require special conservation practices. Subclass X refers to soils having a limitation resulting from the cumulative effect of two or more adverse characteristics. Subclass T refers to topographical constraints.

The northwestern corner of the subject property has a CLI Soil Classification of Class 5C and the remainder is Class 5T. Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Subclass C refers to an adverse climate and subclass T refers to topographical constraints.

FIRE: The subject property is situated within the Arras Rural Fire Protection Area.

COMMENTS AND OBSERVATIONS

APPLICANT: It is the intent of the applicant to subdivide 2 new lots from the quarter for his 2 children and their spouses.

ALR: The subject property is located partly within the Agricultural Land Reserve. The proposal does not require an application to the ALC because it creates a new parcel line along the boundary of the ALR.

OCP: The subject property is currently designated “Agriculture – Rural Resource” pursuant to the Dawson Creek Rural Area Official Community Plan Bylaw No. 477, 1986. Because this zone has a minimum parcel size of 63 ha (155 acres), the proposed subdivision requires this OCP amendment.

ZONING: The subject property is currently zoned A-2 “Large Agricultural Holding zone”, pursuant to the Peace River Regional District Zoning Bylaw No. 1343, 2001. Because this zone has a minimum parcel size of 63 ha (155 acres), the proposed subdivision requires this zoning amendment.

COMMENTS FROM MUNICIPALITIES AND PROVINCIAL AGENCIES	City of Dawson Creek	– Interests unaffected by Bylaw.
	City of Fort St. John	– Interests unaffected by Bylaw.
	District of Hudson’s Hope	– Interests unaffected by Bylaw.
	Village of Pouce Coupe	– Interests unaffected by Bylaw.
	Northern Health Authority	– No objection as long as there are appropriate sewage facilities to accommodate the new residence.
	Agricultural Land Commission	– The Agricultural Land Commission confirms that the two lots proposed for subdivision from the NE¼, Sec 9, Twp 77, Range 17, W6M, PRD, do not lie within the ALR. Therefore the Commission’s interests are unaffected.
	Ministry of Transportation	– Ministry of Transportation has no objection regarding the proposal to rezone NW Sec9-77-17, PRD from A2 Large Agricultural Holdings to RR4 Small Holdings. The client would have to submit a subdivision application to our office for review of proposal to complete the subdivision.

IMPACT ANALYSIS

AGRICULTURE: Portions of the subject property are cleared for agricultural use. This proposed subdivision would create parcel lines and residential uses on some of that agricultural area.

CONTEXT: There are a couple of similar sized lots across the highway.

POPULATION: The creation of 2 new lots could increase the population of the area by 6 people and 4 vehicles.
(from StatsCan 2006 and BC Stats 1996).

PEACE RIVER REGIONAL DISTRICT
By-law No. 1849, 2009

B-1b

A by-law to amend the "Dawson Creek Official
Community Plan By-law No. 477, 1986."

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia Local Government Act, adopt the "Dawson Creek Official Community Plan By-law No. 477, 1986;

AND WHEREAS an application has been made to amend the "Dawson Creek Official Community Plan By-law No. 477, 1986" to facilitate an associated rezoning affecting a 21 ha. (52 acre) portion of the Northeast ¼ of Section 9, Township 77, Range 17, W6M, PRD;

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 the "Dawson Creek Official Community Plan Amendment By-law No. 1849, 2009."
2. The "Dawson Creek Official Community Plan By-law No. 477, 1986" is hereby amended in the following manner:

Map No. 2 is hereby amended by redesignating a 21 ha. (52 acre) portion of the Northeast ¼ of Section 9, Township 77, Range 17, W6M, PRD, from "Agriculture - Rural Resource" to "Small Holdings", as shown shaded grey on Schedule "A" which is attached to and forms part of this By-law.

READ A FIRST TIME this 26th day of March, 2009.

READ A SECOND TIME this 26th day of March, 2009.

Public Hearing held on the 7th day of April, 2009.

READ A THIRD TIME this 9th day of April, 2009.

Approved by the Minister of Community Development this 7th day of October, 2009.

ADOPTED this _____ day of _____, 2009.

CERTIFIED a true and correct copy of
"Dawson Creek Official Community Plan
Amendment By-law No. 1849, 2009."

THE CORPORATE SEAL of the Peace
River Regional District was hereto affixed
in the presence of:

Fred Banham,
Chief Administrative Officer

Karen Goodings, Chair

Fred Banham,
Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true and correct copy of "Dawson Creek Rural Official Community Plan Amendment By-law No. 1849, 2009" as read a third time by the Regional Board of the Peace River Regional District on this 9th day of April, 2009.

Dated at Dawson Creek, B.C. this 9th day of April, 2009.



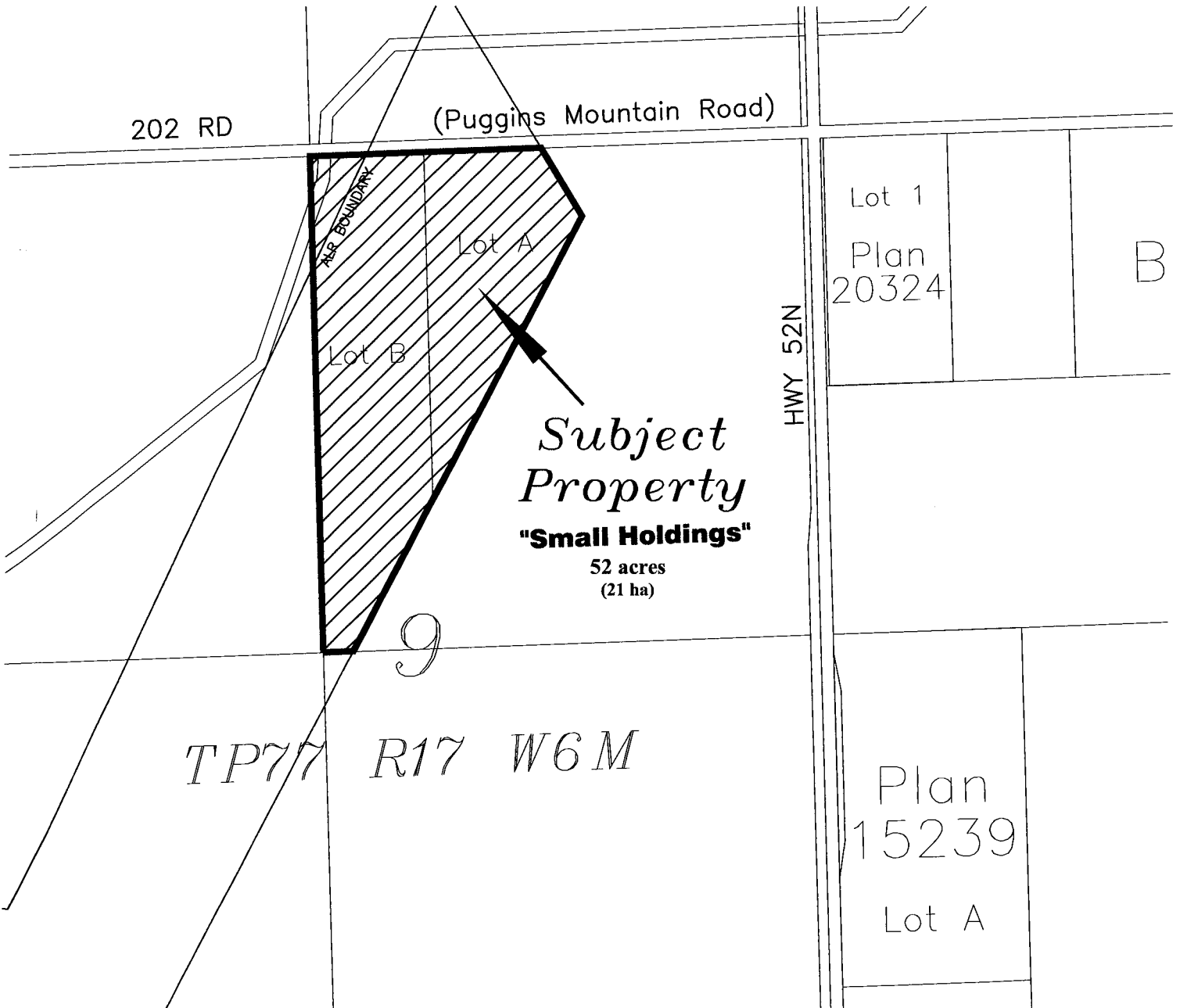
Fred Banham, Chief Administrative Officer

Oct 22 2009

SCHEDULE "A"



Map No. 2 - Schedule A of "Dawson Creek Official Community Plan By-law No. 477, 1986" is hereby amended by redesignating a 21 ha (52 acres) portion of the Northeast 1/4 of Section 9, Township 77, Range 17, W6M, PRD from "Agriculture - Rural Resource" to "Small Holdings" as shown shaded on the drawing below:



CERTIFIED a true and correct copy of
Schedule "A" to "Dawson Creek Official
Community Plan Amendment
By-law No. 1849, 2009."


Fred Banham, CAO

Oct 22 2009



B-1b

No. 2009063

Statutory Approval

Under the provisions of section 882
of the Local Government Act

I hereby approve Bylaw No. 1849
Peace River Regional District,

a copy of which is attached hereto.

Dated this 7th day
of October, 2009

Bill Bennett
Bill Bennett
Minister of Community and Rural
Development

Oct 22 2009

PEACE RIVER REGIONAL DISTRICT
By-Law No. 1850, 2009

A by-law to amend the "Dawson Creek Rural Area
Zoning Amendment By-Law No. 479, 1986"

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia Local Government Act, adopt the "Dawson Creek Rural Area Zoning Amendment By-Law No. 479, 1986";

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 By-Law No. 1850, 2009."
2. The "Dawson Creek Rural Area Zoning Amendment By-Law No. 479, 1986" is hereby amended in the following manner:
 - i) Schedule 'B' – Map 1-A is hereby amended by rezoning a 21 ha. (52 acre) portion of the Northeast ¼ of Section 9, Township 77, Range 17, W6M, PRD, from A-2 "Large Agricultural Holdings Zone" to RR-4 "Small Holdings Zone", as shown shaded grey on Schedule "A" which is attached to and forms part of this by-law.

READ A FIRST TIME this 26th day of March, 2009.

READ A SECOND TIME this 26th day of March, 2009.

Public Hearing held on the 7th day of April, 2009.

READ A THIRD TIME this 9th day of April, 2009.

APPROVED by the Ministry of Transportation this 21 day of April, 2009.

L. Norman
District Highways Manager

ADOPTED this _____ day of _____, 2009.

CERTIFIED a true and correct copy of "Peace River Regional District Zoning Amendment By-law No. 1850, 2009."

THE CORPORATE SEAL of the Peace River Regional District was hereto affixed in the presence of:

Fred Banham,
Chief Administrative Officer

Karen Goodings, Chair

Fred Banham, Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true and correct copy of "Peace River Regional District Zoning Amendment By-law No. 1850, 2009" as read a third time by the Regional Board of the Peace River Regional District on this 9th day of April, 2009.. Dated at Dawson Creek, B.C. this 9th day of April, 2009.

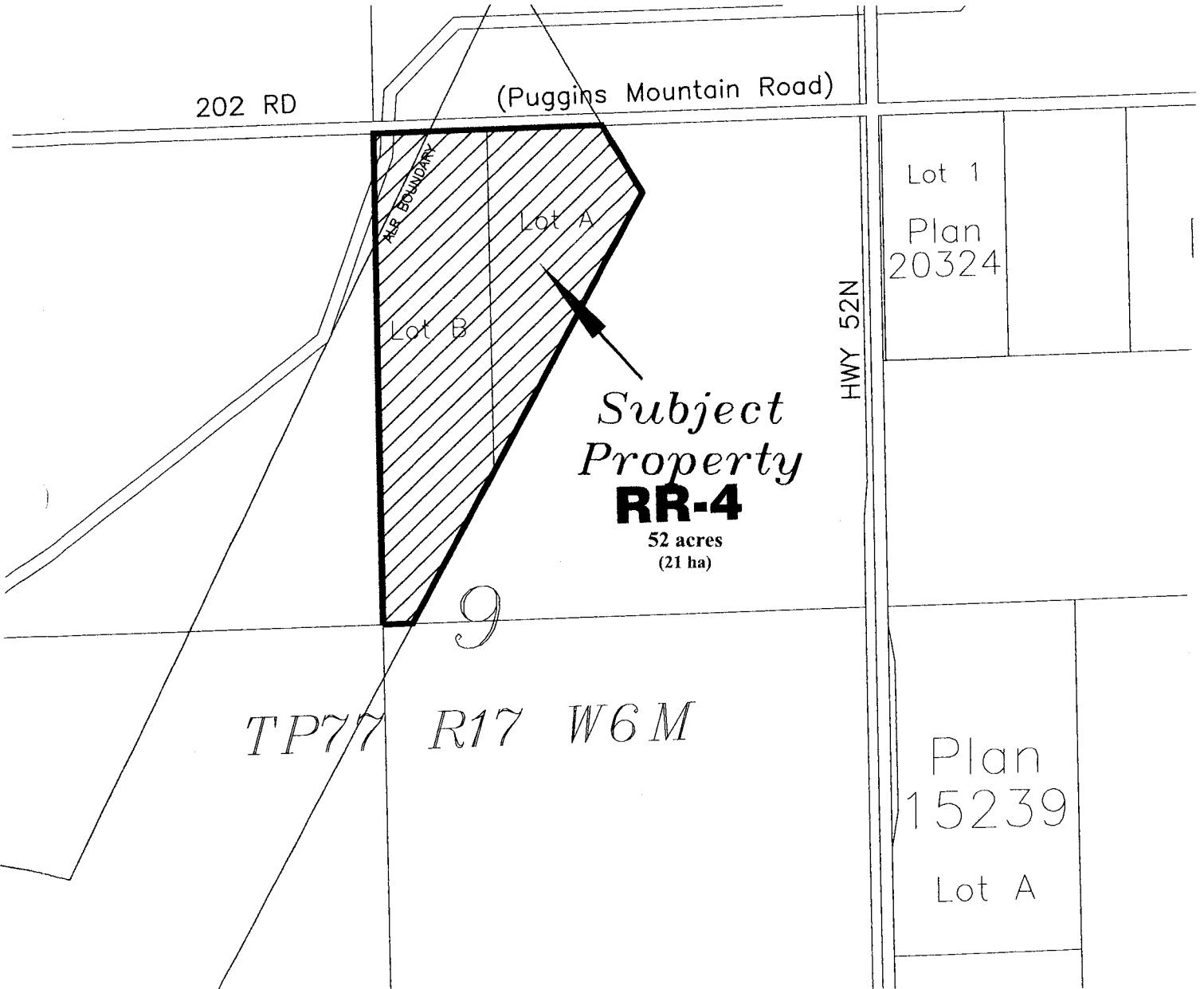
Fred Banham
Fred Banham, Chief Administrative Officer

Peace River Regional District
By-law No. 1850, 2009

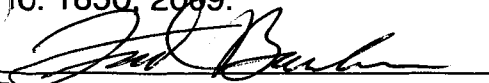
SCHEDULE "A"



Map. No. 1-A - Schedule B of "Dawson Creek Rural Area Zoning Amendment By-law No. 479, 1986" is hereby amended by rezoning a 21 ha (52 acres) portion of the Northeast 1/4 of Section 9, Township 77, Range 16, W6M, PRD from A-2 "Large Agricultural Holdings Zone" to RR-4 "Small Holdings Zone" as shown shaded on the drawing below:



CERTIFIED a true and correct copy of
Schedule "A" to "Peace River Regional
District Zoning Amendment By-law
No. 1850, 2009."


Fred Banham, CAO

Oct 22 2009