



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
ZONING AMENDMENT REPORT
BY-LAW NO. 1877, 2010
1st and 2nd Reading
FILE NO. 003/2010**

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

B-3a

OWNER: Chris & Tracy Davis **DATE:** January 4, 2010
AREA: Electoral Area D
LEGAL: Fractional NE ¼ Section 3, Township 78, Range 17, W6M
LOT SIZE: 16.6 ha (41 acres)
LOCATION: Arras, along Cameron Road

PROPOSAL

To rezone the subject property to a residential status to accommodate the proposed subdivision.

RECOMMENDATION: OPTION 1

THAT the Regional Board approve Zoning Bylaw Amendment No. 1877, 2010, for 1st and 2nd reading;

THAT the Regional Board waive holding of a public hearing pursuant to s. 890(4) of the Local Government Act, and authorize public notification pursuant to s. 893 of the Local Government Act.

OPTIONS

OPTION 1: THAT the Regional Board approve Zoning Bylaw Amendment No. 1877, 2010, for 1st and 2nd reading;

THAT the Regional Board waive holding of a public hearing pursuant to s. 890(4) of the Local Government Act, and authorize public notification pursuant to s. 893 of the Local Government Act.

OPTION 2: THAT the Regional Board approve Zoning Amendment By-law No. 1877, 2009 for First and Second Reading to rezone the Northeast ¼ of Section 3, Township 78, Range 17, W6M, PRD; and

THAT a public hearing be scheduled for January 26, 2010 at 7:00 pm at the Upper Cutbank Community Hall; and

THAT the holding of the public hearing be delegated to Director Hiebert.

OPTION 3: 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): Within
BUILDING INSPECTION AREA: Within

Department Head

CAO

SITE CONTEXT

The subject property is located 22 km (14 miles) west of Dawson Creek, is located along the Old Hart Connector on the northern border and the eastern boundary runs adjacent to the Kiskatinaw River. The area consists of various sized parcels ranging from 2 acres up to quarter-sections divided by road right-of-ways and watercourses. Except for areas straddling the deeply-incised Kiskatinaw River and Tremblay Creek, most of the land is within the Agricultural Land Reserve and much of it is under cultivation

SITE FEATURES

- LAND:** The subject property is partially cleared in order to accommodate the applicant's home site, while the remainder has been left unaltered
- STRUCTURES:** The applicant's home-site is located in the north-western corner of the subject property
- ACCESS:** The gravel Cameron Road runs adjacent to the northern boundary of the subject property.
- CLI SOIL RATING:** Predominantly Class 3X- 4T; Soils in these classes have moderately severe (Class 3) to severe (Class 4) limitations that restrict the range of crops or require special conservation practices. Subclass X indicates soils having a limitation resulting from the cumulative effect of two or more adverse characteristics. There is a small portion of the subject property with Class 5T – O; Soils in class 5 have very severe limitations that restrict the range of crops and special conservation practices are feasible. Class O soils are denoted as "Organic Soils" and are not placed in capability classes. Subclass T refers to topographical constraints.
- FIRE:** The subject property is outside all fire protection areas

COMMENTS AND OBSERVATIONS

- APPLICANT:** It is the intent of the landowner to subdivide the parcel into 2 lots whereby one lot could be offered for sale to the public.
- ALR:** The subject property lies within the Agricultural Land Reserve and the applicant has been granted permission to subdivide within the ALR by way of Resolution 1674/2009 dated December 15, 2009.
- OCP:** Pursuant to the Dawson Creek Rural Area Official Community Plan Bylaw No. 477, 1986, the subject property is designated "Agriculture – Rural Resource" whereby according to Policy 2.2, "minimum parcel size shall be 63 ha (155 acres)" however the subject property is currently existing non-conforming as it is only 17.86ha in size and because a portion of the subject property is actually outside the ALR with Class 5 soils, Policy 2.3 states " For lands designated Agriculture – Rural Resource not within the ALR the minimum parcel size shall be 63ha (155 acres); subdivision of land to smaller parcel sizes may be permitted in the following situations: paragraph iii) states: "creation of a small holding parcel (minimum parcel size being 8ha or 20 acres) in areas deemed to have lower agricultural capability being a Canada Land Inventory Agricultural Capability rating of Class 5, 6 or 7: based on these factors, **The proposal will not require an amendment to the OCP.**
- ZONING:** The subject property is zoned A-2 (Large Agricultural Holdings) pursuant to PRRD Zoning Bylaw No. 1343, 2001 in which section (viii) states "minimum parcel size is 63ha (155 acres)" neither the newly created lot nor the remainder will meet these requirements, therefore **this rezoning application is required.**

IMPACT ANALYSIS

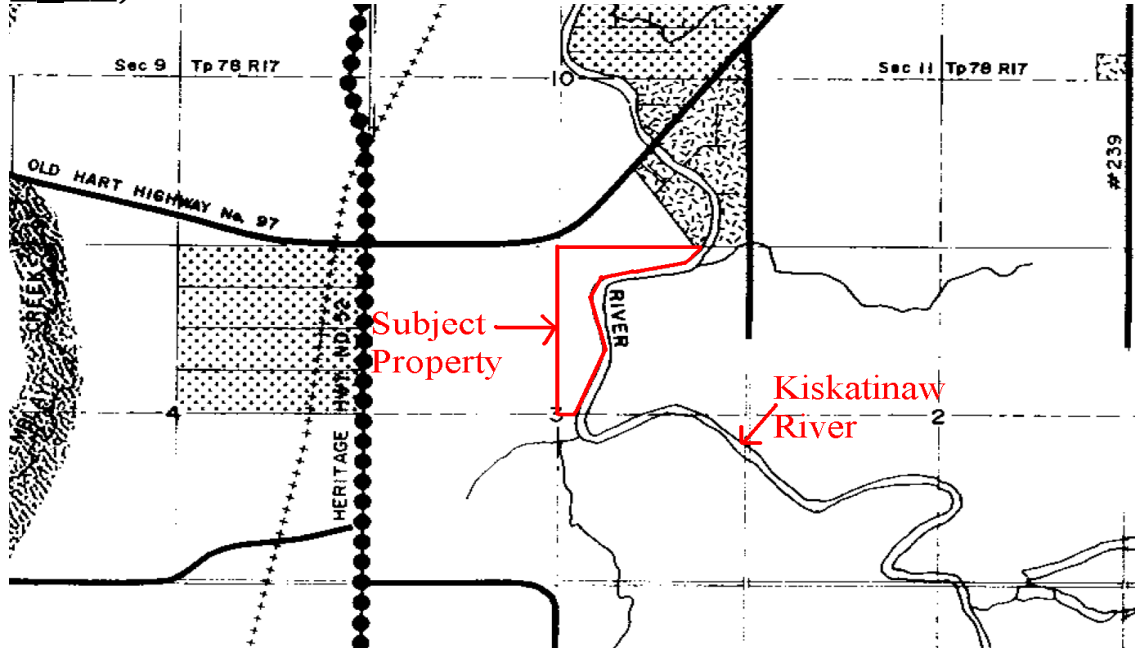
- AGRICULTURE:** This proposal will have little effect on agriculture in the area due to this properties proximity to the Kiskatinaw valley.
- CONTEXT:** There are several small to medium sized land parcels in the area therefore this proposed subdivision is consistent with surrounding land uses.

POPULATION: This proposal will increase the population by 3 (BC Statistics, 2006) and the number of vehicles in the area by 2. (BC Statistics, 1996)

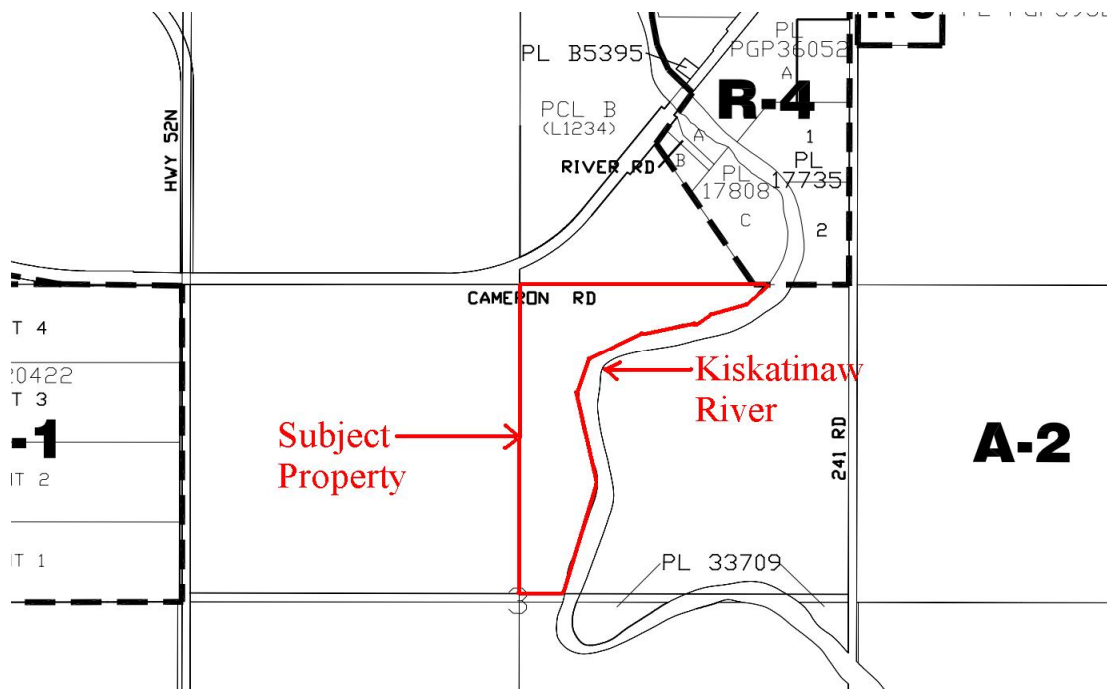
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Dawson Creek Rural Official Community Plan By-law No. 477, 1986
(map# 5)



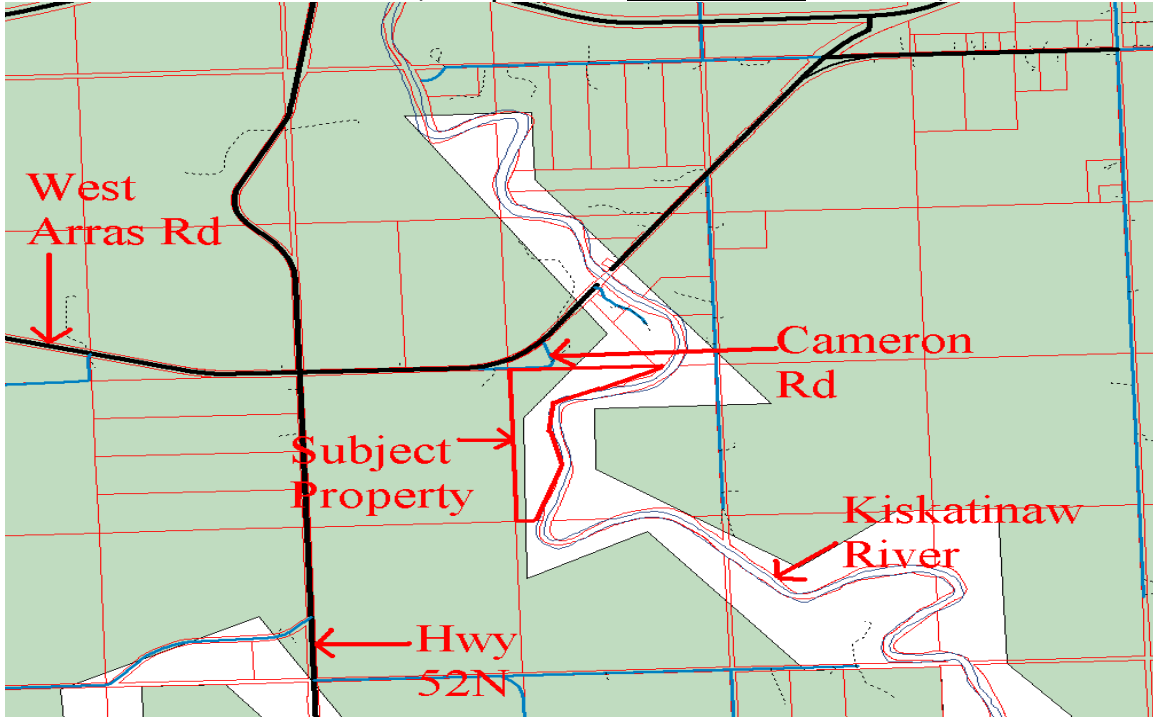
Peace River Regional District Zoning By-Law No. 1343, 2001
(Schedule B map# 6)



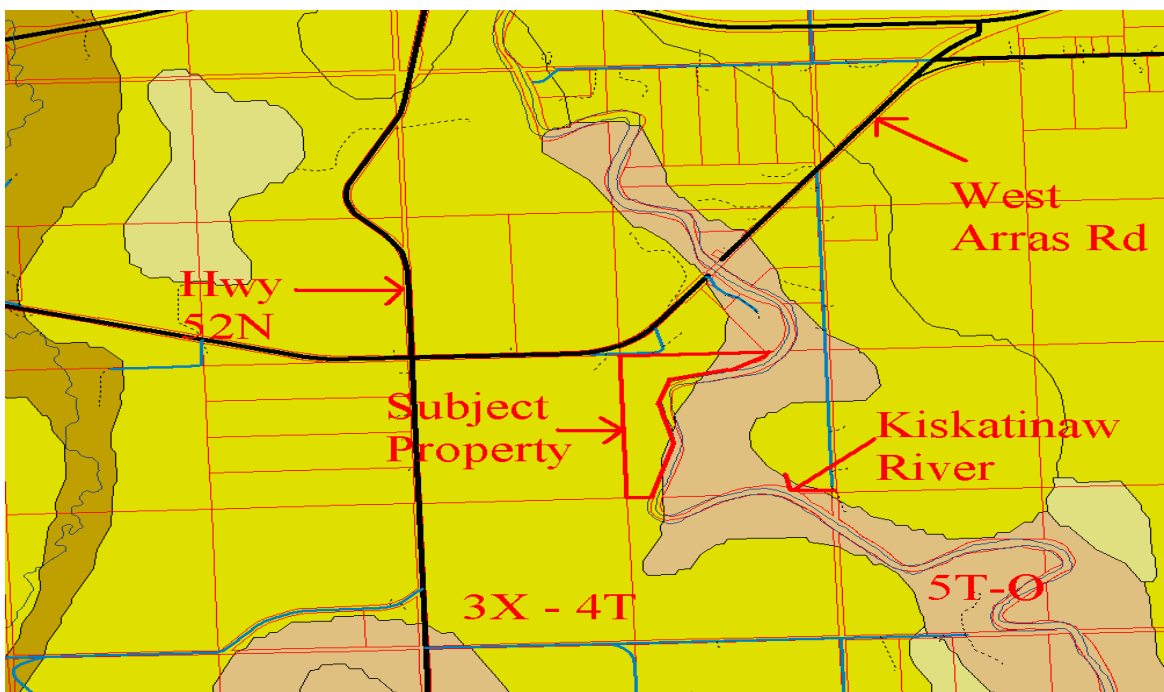


Application # 149/2009

Agriculture Land Reserve (map# 93P-078)



CLI - Soil Classification (map# 93-P- 10)





Box 810, 1981 Alaska Avenue, Dawson Creek, BC V1G 4H8 Telephone: (250) 784.3200 Fax: (250) 784.3201

Toll Free: 1.800.670.7773

9912 - 106th Avenue, Fort St. John, BC V1J 2N9 Telephone: (250) 785.8084 Fax: (250) 785.1125

Receipt #: _____

Application for Development

- | | | |
|-------------------------------------|--|-------------|
| 1. | | FEES |
| <input type="checkbox"/> | Official Community Plan Amendment | \$1,000.00 |
| <input checked="" type="checkbox"/> | Zoning Amendment | \$ 650.00 |
| <input type="checkbox"/> | Official Community Plan and Zoning Amendment combined | \$1,050.00 |
| <input type="checkbox"/> | Temporary Commercial Use / Temporary Industrial Use Permit | \$ 350.00 |
| <input type="checkbox"/> | Development Permit | \$ 165.00 |
| <input type="checkbox"/> | Development Variance Permit | \$ 165.00 |

2. Please print

Property Owner's Name <i>Chris Davis</i>	Authorized Agent of Owner (if applicable):
Address of Owner <i>Box 84 Arras B.C</i>	Address of Agent
City / Town / Village <i>Arras</i>	City / Town / Village
Postal Code <i>VOC 1B0</i>	Postal Code
Telephone Number: <i>250-843-1180</i>	Telephone Number:
Fax Number:	Fax Number:
e-mail address: <i>cdavis@mibzeromarket.com</i>	e-mail address:

3.

Full legal description of each property under application	Area of each lot
<i>Part NE Quarter section 3, Town-</i>	<i>4/</i> ha./ acres
<i>-ship 78, range 17, W6M,</i>	ha. / acres
	ha. / acres
	Total area ha. / acres

4. Civic address or location of property: 4879 Cameron Rd. Arras B.C.

5. Particulars of proposed amendment

Please "check" the box(es) that apply(ies) to your proposal.

Official Community Plan (OCP) amendment:
Existing OCP designation: _____
Proposed OCP designation _____
Text amendment: _____

For a Zoning amendment:
Existing zone: A-2
Proposed zone R-5
Text amendment: _____

Development Variance Permit: - describe proposed variance request:

Temporary Commercial Use Permit (describe proposed use):

Temporary Industrial Use Permit: (describe proposed use):

For a Development Permit: By-law No. _____ Section: _____

6. Describe the existing use and buildings on the subject property:
Rural residential. Home site on NW corner.

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

a) North Rural Residential
b) East Rural Residential
c) South Rural Residential
d) West Rural Residential

8. Describe the proposed development of the subject property, attach a separate sheet if necessary:

Subdivide into two lots of equal size

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


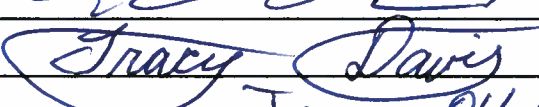
Not able to use all the land and would like to make other parcel available for another family for rural residential.

The following information is required. Failure to provide any of the following may delay the application.

1. A copy of the **proof of ownership**. [For example: Certificate of Title or recent Tax Assessment] for the subject property or properties.
2. A **Sketch Plan** of the subject property, showing:
 - the legal boundaries and dimensions of the subject property;
 - boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - the location of permanent buildings and structures on the subject property, with distances to property lines;
 - the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - the location of any existing sewage disposal systems;
 - the location of any existing or proposed water source; and
3. Additional or more detailed information may be requested by the Regional District following review of your application.

If the Regional District believes it to be 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.

I / We hereby declare that the information provided in this application is, to the best of my / our knowledge, true and correct in all respects, and I / we enclose the required fee with this application.

Signature of Owner/s:	
Signature of Owner/s:	
Date:	Jan 04/10

Agent's Authorization

Should the property owners elect to have someone act on their behalf in submission of this application, the following must be signed by all property owners.

I / We	and	hereby authorize
(name)	to act on my/our behalf in respect of this application.	
Address of agent:		
Telephone:	Fax:	Email:

Signature of Owner/s

Date

Signature of Owner/s

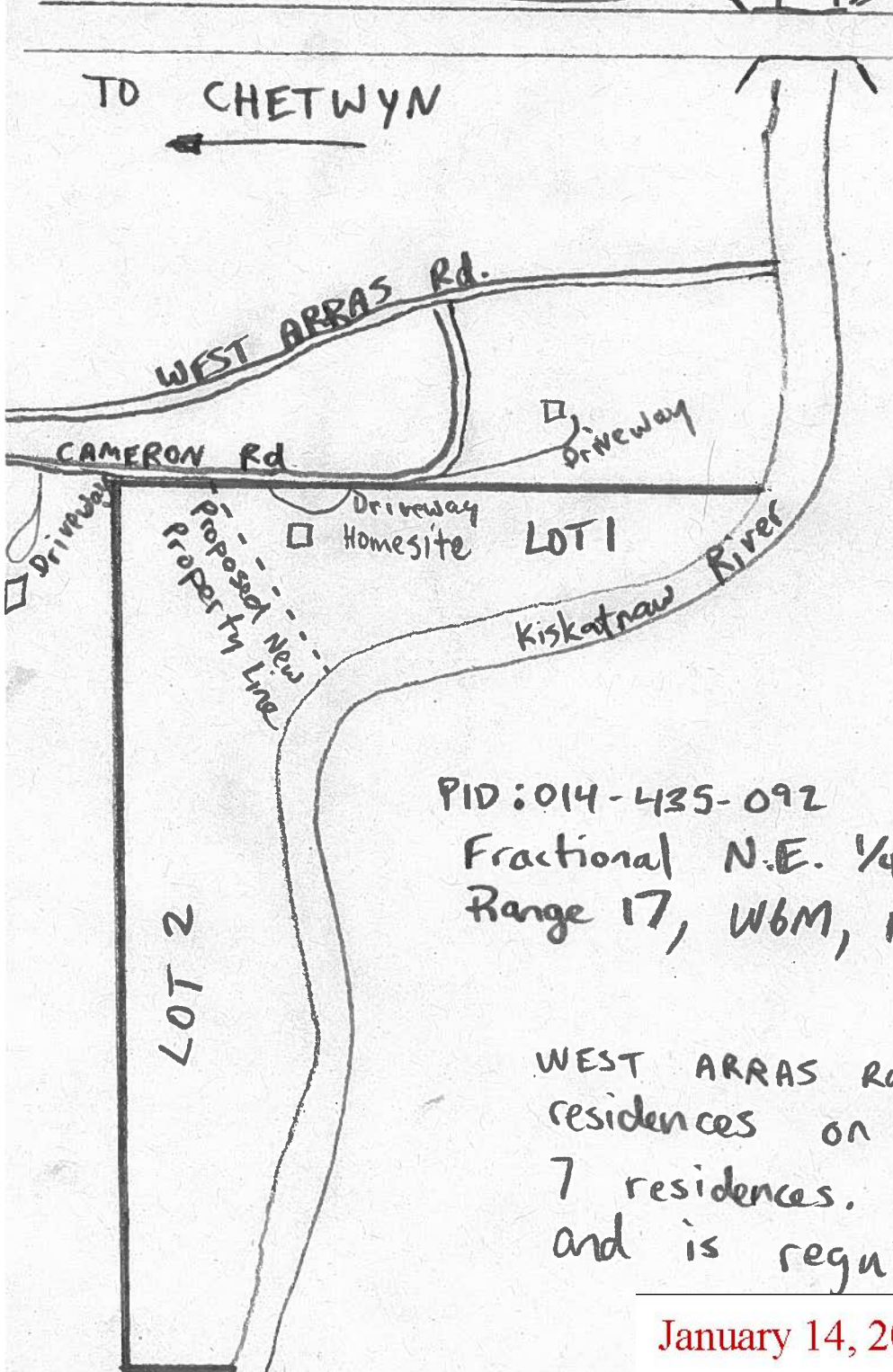
Date

January 14, 2010

(ORIGINAL)

Jan 02/10

B-3a



LOT 1 & LOT 2 have frontage on Cameron Rd. for access. Hydro and natural gas are near property lines. Two other residences are serviced by Cameron Rd.

PID: 014-435-092
 Fractional N.E. 1/4 of section 3, Township 78,
 Range 17, W6M, Peace River District, W of river

WEST ARRAS Rd services 4 residences, plus the 3 residences on Cameron Rd. for a total of 7 residences. It is an established bus route and is regularly maintained.

January 14, 2010

NOT TO SCALE

**PEACE RIVER REGIONAL DISTRICT
By-Law No. 1877, 2010**

A by-law to amend the "Peace River Regional District Zoning By-Law 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 the "Peace River Regional District Zoning By-Law 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 By-Law No. 1877, 2010."
2. The "Peace River Regional District Zoning By-Law No. 1343, 2001" is hereby amended by rezoning the fractional NE ¼, Section 3, Township 78, Range 17, W6M, PRD from A-2 "Large Agricultural Zone" to R-5 "Residential 5 Zone", as shown on Schedule A, which is attached to and forms part of this By-law.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

Public Hearing held on the _____ day of _____, 2010.

READ FOR A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

CERTIFIED a true and correct copy of "Peace River Regional District Zoning Amendment By-law No. 1877, 2010."

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

Fred Banham,
Chief Administrative Officer

Karen Goodings,
Chair

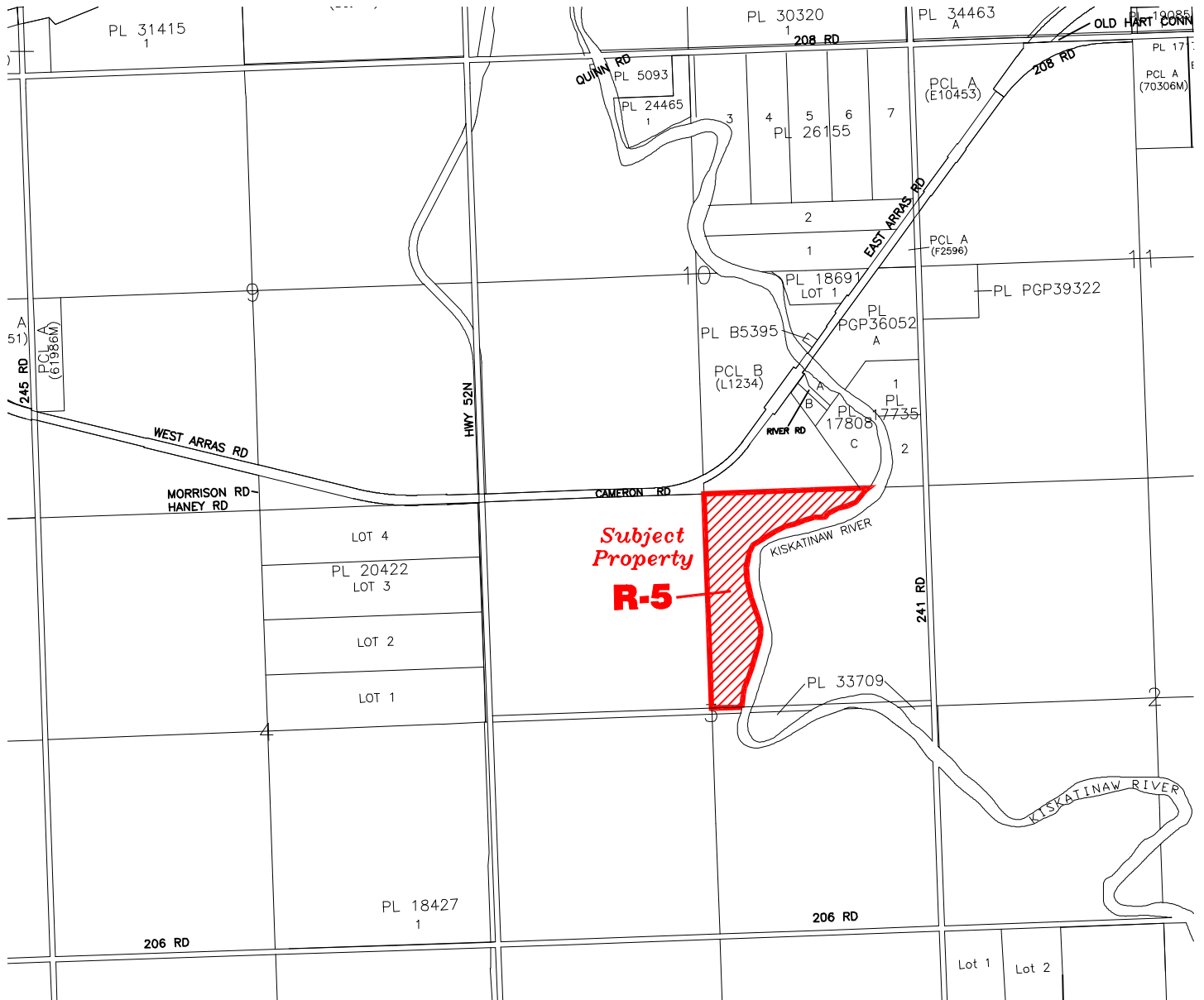
Fred Banham,
Chief Administrative Officer

January 14, 2010



Peace River Regional District
By-law No. 1877, 2010
SCHEDULE "A"

Map. No. 6 - Schedule B of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning the Fractional NE1/4 Section 3, Township 78, Range 17, W6M, PRD **from A-2 "Large Agricultural Zone" to R-5 "Residential 5 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. 1877, 2010."

Fred Banham, CAO

January 14, 2010