



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
OCP/Zoning Amendment Report
By-law No. 1875 & 1876
1st and 2nd Reading
FILE NO. 002/2010**

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

B-6a

OWNER: Loïselle Investments Ltd. **DATE:** January 6, 2010
AGENT: Gary Loïselle
AREA: Electoral Area E
LEGAL: Blocks A & B of District Lots 381, 382, 383 & 384
LOT SIZE: Total area of land of all Blocks combined equals ±218ha
LOCATION: Along Hwy 97S west of the District of Chetwynd, east of Mt. Lamoray

PROPOSAL

To amend the West Peace OCP by re-designating Blocks A & B of District Lots 381, 382, 383 & 384 **from** Agriculture – Rural Resource **to** Industrial and;
 To rezone Blocks A & B of District Lots 381, 382, 383 & 384 **from** A-2 (Large Agricultural Holdings) **to** M2 (General Industrial)

RECOMMENDATION: OPTION 1

THAT the Regional Board has considered the requirements of s. 879 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 the Development Services report dated January 6, 2010;

THAT the Regional Board approve Official Community Plan Amendment By-law No. 1875 and Zoning Amendment By-law No. 1876, 2010 for First and Second Readings to amend the West Peace Official Community Plan No. 1086, 1997 by re-designating Blocks A & B of District Lots 381, 382, 383 and 384 **from** “Agriculture – Rural Resource” **to** “Industrial” and to amend Chetwynd Rural Area Zoning By-law No. 506, 1986 **from** A-2 “Large Agricultural Holdings” **to** M-2 “General Industrial”

THAT a public hearing be scheduled for February 12, 2010 at 7:00 pm at the Chetwynd Recreation Center; and

THAT the holding of the public hearing be delegated to Director Caton

OPTIONS

OPTION 1: THAT the Regional Board has considered the requirements of s. 879 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 the Development Services report dated January 6, 2010;

THAT the Regional Board approve Official Community Plan Amendment By-law No. 1875 and Zoning Amendment By-law No. 1876, 2010 for First and Second Readings to amend the West Peace Official Community Plan No. 1086, 1997 by re-designating Blocks A & B of District Lots 381, 382, 383 and 384 **from** “Agriculture – Rural Resource” **to** “Industrial” and to amend

Bruce Simard

Department Head

John Baulon

CAO

Chetwynd Rural Area Zoning By-law No. 506, 1986 from A-2 “Large Agricultural Holdings” to M-2 “General Industrial”

B-6a

THAT a public hearing be scheduled for February 12, 2010 at 7:00 pm at the Chetwynd Recreation Center; and

THAT the holding of the public hearing be delegated to Director Caton

OPTION 2: THAT the Regional Board refuse the application

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP):	Agriculture – Rural Resource, Bylaw No. 1086, 1997
ZONING:	A-2 (Large Agricultural Holdings), Bylaw No. 506, 1986
AGRICULTURAL LAND RESERVE (ALR):	Excluded conditional to rezoning and re-designating
BUILDING INSPECTION AREA:	Within

SITE CONTEXT

The subject property is located ~ 60 km west of the district of Chetwynd on Highway 97 and is adjacent to the undeveloped Western Coal Load out Facility. The subject properties are accessed from Highway 97S to the north and un-named logging and mining roads to the south while the CN Rail line runs diagonally through the properties. This is a non-farming area of predominantly large scale District Lots with some smaller parcels nearby. It should be noted that the parcels also run adjacent to the Pine River and in order to access any of the Blocks from the highway, one needs to cross the Pine.

SITE FEATURES

LAND:	Although a site inspection has not been conducted, it appears through the use of aerial photographs that small portions of the subject properties near the rail line have been cleared in the past but the majority of the properties remain untouched.
STRUCTURES:	There currently is an unused 100 man camp on a portion of DL 384 as indicated on the attached map entitled Schedule A Temporary Industrial Use Permit # 123/2008 on page 12 of this report, but there are no buildings on any of the other lots.
ACCESS:	According to the application, access will be gained by way of an un-named forestry road to the southwest of DL 383
CLI SOIL RATING:	Predominantly Class 7TP - Soils in this class have no capacity for arable culture or permanent pasture, there is a small portion of Class 5PT. Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Subclass T indicates soils having topographical constraints, while sub-class P indicates stoniness. There is also a small portion of Class 7T.
FIRE:	Outside all rural fire protection areas.

CONSULTATION DURING OCP DEVELOPMENT, LGA s. 879

For the purposes of s. 879 of the Local Government Act, the following table summarizes recommended consultation:

	Description	Affected	Consultation		
			Type	Timing	Frequency
Persons	Local residents	N	NA		
Organizations	None identified	N	NA		
Authorities	Participant Municipalities	Y	Referral	Before 1 st reading	1
	First Nations	Y	Referral	Before & After 1 st reading(30 days total)	2
	Saulteau				
	McLeod Lake				
	Halfway River				
	West Moberly				
	School District #59	N			
	Min. of Community Develop.	Y	Referral	After 3 rd reading	1
	Min. of Transportation	Y	Referral	Before 1 st reading and after 3 rd	2
	Min. of Environment	Y	Referral	Before 1 st reading	1
	Min. of Agriculture & Lands	N			
	Min. of Forests & Range	Y	Referral	Before 1 st reading	1
	Min. of Energy & Mines	Y	Referral	Before 1 st reading	1
Northern Health Authority	Y	Referral	Before 1 st reading	1	
OGC	N				
ALC	Y	Referral	Before 1 st reading	1	
Federal government	N				

COMMENTS AND OBSERVATIONS

- APPLICANT:** It is the intent of the landowner to develop a “Coal Load-out Facility” which will operate in conjunction with a mine operated by First Coal south of the proposed load-out site.
- ALR:** The subject properties have been granted conditional exclusion from the Land Reserve By way of Resolution # 1626/2009 dated December 8, 2009. This rezoning and re-designation are conditions which are required to be satisfied in order to complete the exclusion process.
- OCP:** Pursuant to the West Peace Community Plan Bylaw No. 1086, 1997, the subject properties are designated “Agriculture – Rural Resource”. This designation does not permit the proposed type of development **Therefore this proposal requires an OCP amendment.**
- ZONING:** The subject properties are zoned A-2 (Large Agricultural Holdings) pursuant to Chetwynd Rural Area Zoning Bylaw No. 506, 1986 the proposed uses are not permitted in this zone. **Therefore this proposal requires a re-zoning.**
- PUBLIC CONSULTATION:** The re-zoning and re-designating process requires that the Regional District issue a public notification on the proposed changes to the zoning bylaw and Official Community Plan. This is accomplished by advertising the Public Hearing that can be held at a time and place of the Board’s choosing. The advertisements must reach at least every landowner within 100 meters of the subject property and be published twice in a local newspaper. However, the limits to the notification parameters may be altered if more people or areas are deemed affected by the proposal.

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IMPACT ANALYSIS

- AGRICULTURE:** The impacts to agriculture will be minimal as the soil quality on the subject properties is very poor, soil ratings of 6 or 7 indicate that at best these properties could be utilized for grazing

purposes.

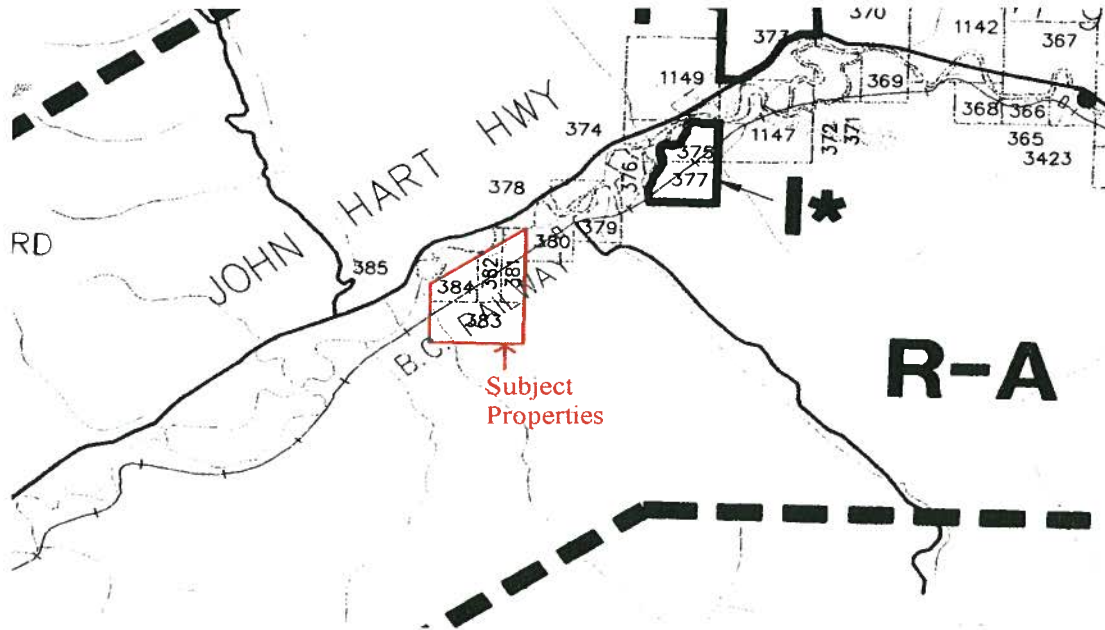
- CONTEXT:** There is a General industrial development in close proximity that was to be used as a “coal load-out facility” intended for use by Western Coal which has never been developed, because Western Coal bought Pine Valley Coal and is utilizing the load-out facility obtained in the purchase, however the zoning and OCP designation are in place. There will be little impact to any people as there are no inhabited lots within a 5km radius of the subject properties.
- ENVIRONMENTAL:** It should be noted that the Development Services Department has been in contact with Gerry Hamblin at the Environmental Assessment Office and through these talks we have learned that the “Load-Out Facility” itself would not require an Environmental Assessment, however First Coal has announced that it has applied for the entire project, the mine, road construction and load-out facility will all undergo the Environmental Assessment procedure. This will allow greater production flexibility in that First Coal has indicated it would be producing 245,000 tons per year but the Environmental Assessment of the project will enable First Coal to produce greater than 250,000 tons per year if demand requires the increased production.
- TRAFFIC:** As the subject properties are located along the Provincial Highway # 97 and the proposed development includes the construction of a “coal load-out facility” there will certainly be an increase in vehicular activity in the area however in the overall picture it will have very little impact on the area as transporting the coal from the mine to the load-out will all take place on off-highway roads. It is the intention of First Coal to build the 16km long “North Access” road to connect existing forestry roads as shown in the attached Central South Project Site Layout.



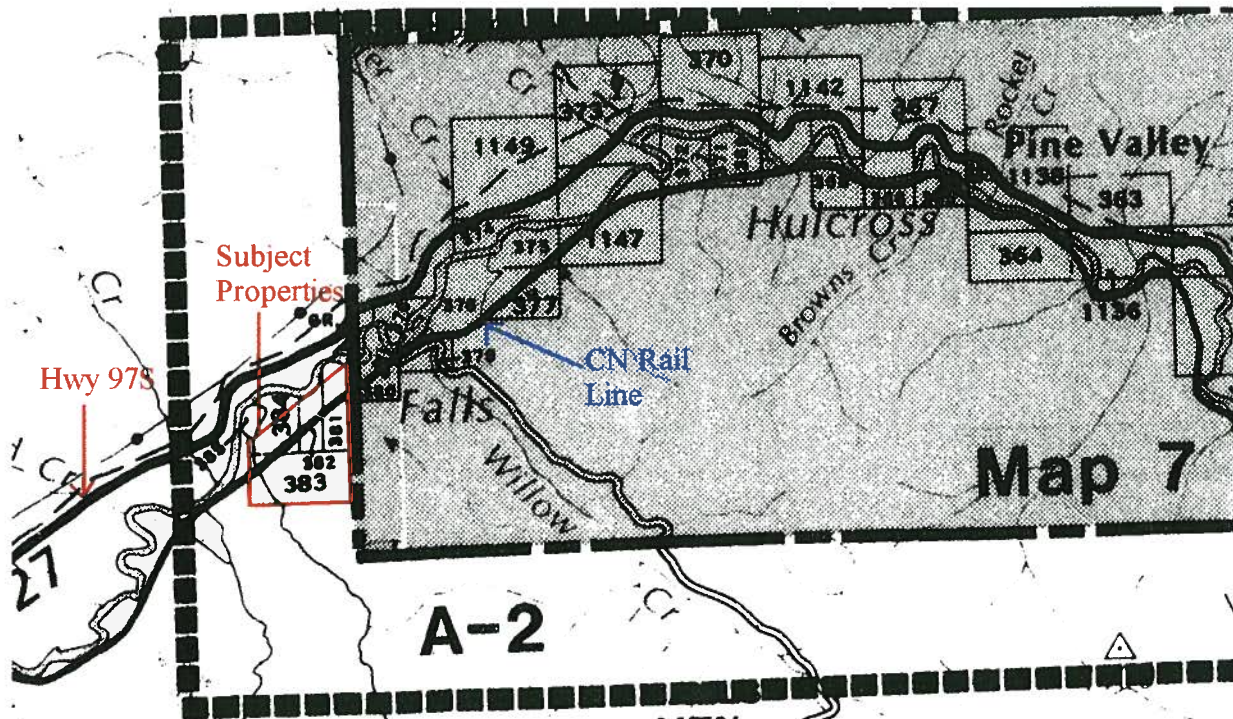
Peace River Regional District

Application # 146/2009

West Peace Official Community Plan By-law No. 1086, 1997 (map# 2)



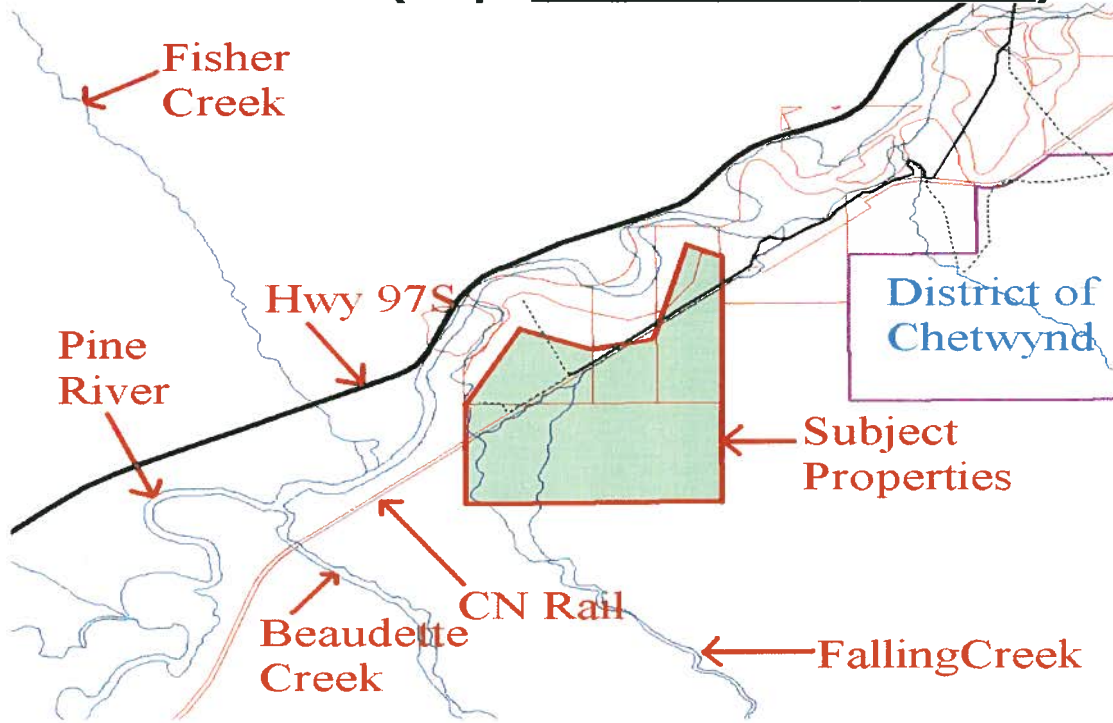
Chetwynd Rural Area Zoning By-Law No. 506, 1986 (map#1)



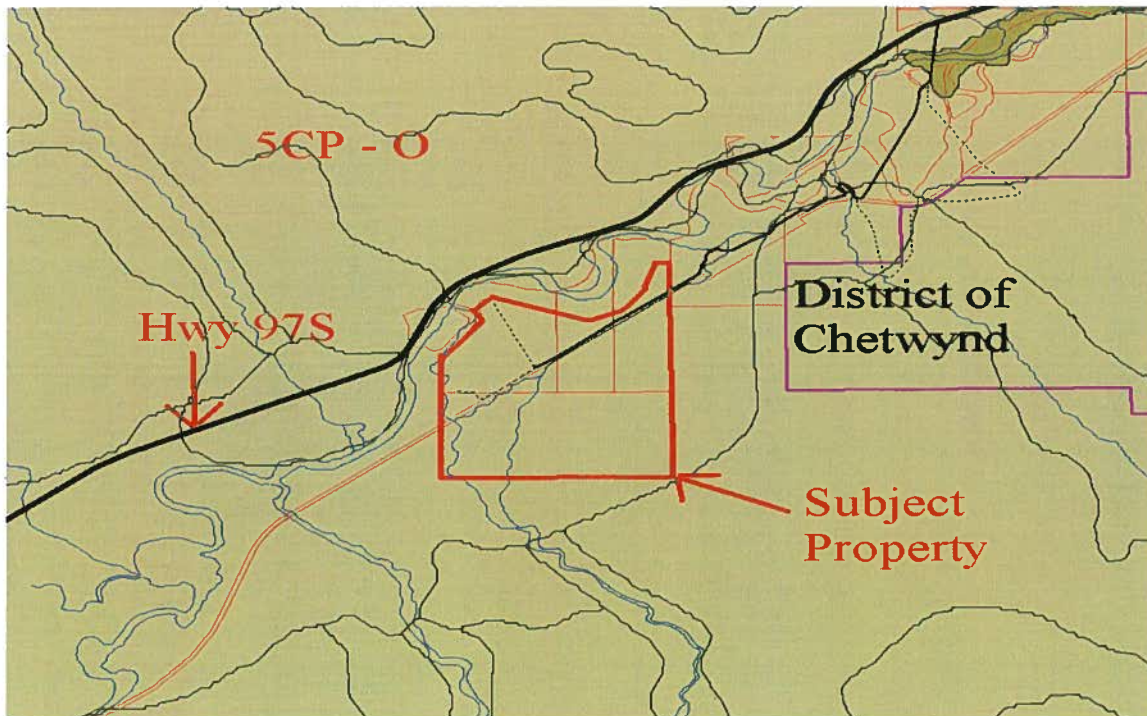


Application # 002/2010

Agriculture Land Reserve (map# 930-059/069)



CLI-Soil Classification (map# 93-0-09)



January 28, 2010



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 type="checkbox"/> | Zoning Amendment | \$ 650.00 |
| <input checked="" 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>LOISELLE INVESTMENTS LTD.</i>	Authorized Agent of Owner (if applicable): <i>LOISELLE INVESTMENTS LTD.</i>
Address of Owner <i>P.O. BOX 2036</i>	Address of Agent
City / Town / Village <i>DAWSON CREEK</i>	City / Town / Village <i>B.C.</i>
Postal Code	Postal Code
Telephone Number: <i>250-784-8333</i>	Telephone Number: <i>250-782-2331</i>
Fax Number: <i>250-782-4382</i>	Fax Number:
e-mail address:	e-mail address:

3.

Full legal description of each property under application	Area of each lot
<i>Block A+B 381</i>	ha./ acres
<i>" " AB 382</i>	ha. / acres
<i>" " AB 383</i>	ha./ acres
<i>" " AB. 34</i>	Total area ha./ acres

B-6a

4. Civic address or location of property: PINE PASS

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: _____
Proposed zone _____
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:
VACANT

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

- a) North VACANT
- b) East _____
- c) South _____
- d) West _____

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

COAL LOAD OUT

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

CONDITION OF ALR
EXCLUSION.

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:	<i>Garry Lovell</i>
Signature of Owner/s:	
Date:	<i>Dec 21/2009</i>

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

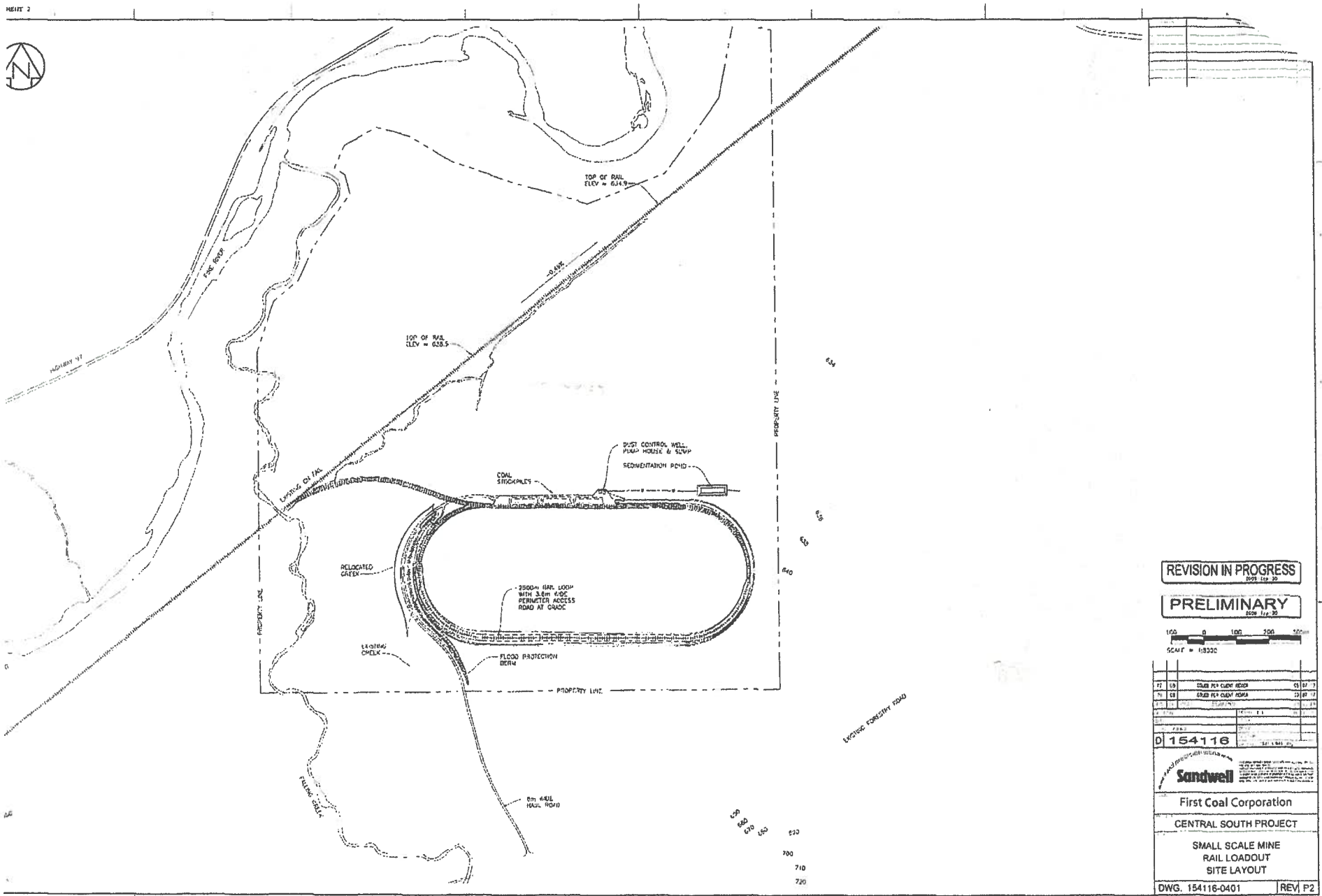
Date

Signature of Owner/s

Date

January 28, 2010

HEAT 2



REVISION IN PROGRESS
2009 1st 30

PRELIMINARY
2009 1st 30



NO.	DATE	BY	DESCRIPTION
01	01/27/09
02	01/27/09

D 154116



First Coal Corporation
CENTRAL SOUTH PROJECT

SMALL SCALE MINE
RAIL LOADOUT
SITE LAYOUT

DWG. 154116-0401 REV. P2

January 28, 2010

**PEACE RIVER REGIONAL DISTRICT
By-Law No. 1875, 2010**

A by-law to amend the "West Peace Official
Community Plan By-law No. 1086, 1997"

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia Local Government Act, adopt the "West Peace Official Community Plan By-law No. 1086, 1997";

AND WHEREAS an application has been made to amend the "West Peace Official Community Plan By-law No. 1086, 1997" to facilitate an associated zoning affecting Block A and B, District Lots 381, 382, 383, and 384, 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 "West Peace Official Community Plan Amendment By-law No. 1875, 2010."
2. The West Peace Official Community Plan By-law No. 1086, 1997 is hereby amended in the following manner:

Map No. 2 "Land Use Designations" is hereby amended by redesignating Block A and B, District Lots 381, 382, 383, and 384, PRD from "Agricultural-Rural Resource" to "Industrial" as shown shaded grey 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.

Approved by the Minister of Community Development this ____ day of _____, 2010.

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

ADOPTED this ____ day of _____, 2010.

CERTIFIED a true and correct copy of
"West Peace Official Community Plan
Amendment By-law No. 1875, 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

I HEREBY CERTIFY the foregoing to be a true and correct copy of "Dawson Creek Rural Official Community Plan Amendment By-law No. 1875, 2010" as read a third time by the Regional Board of the Peace River Regional District on this ____ day of _____, 2010.
Dated at Dawson Creek, B.C. this ____ day of _____, 2010.

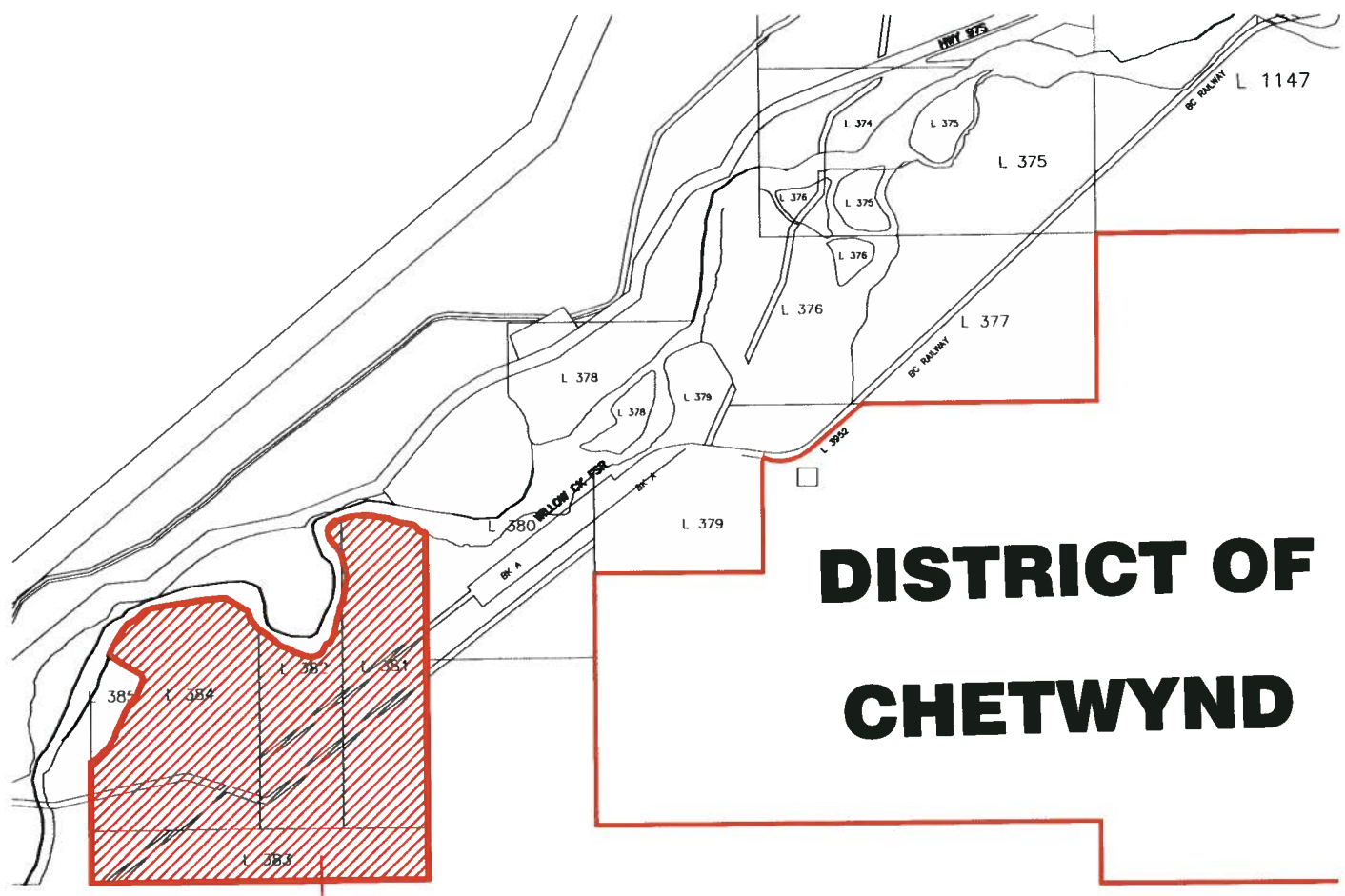
Fred Banham, Chief Administrative Officer

January 28, 2010

Peace River Regional District
By-law No. 1875, 2010
SCHEDULE "A"



Map No. 2 - Schedule A of "West Peace Official Community Plan Bylaw No. 1086, 1997" is hereby amended by re-designating Blocks A & B of District Lots 381, 382, 383 and 384, PRD from "Agriculture - Rural Resource" to "Industrial" as shown shaded on the drawing below:



**DISTRICT OF
CHETWYND**

Subject Properties
Industrial

CERTIFIED a true and correct copy of
Schedule "A" to "Peace River Regional
District Official Community Plan Amendment
By-law No. 1875, 2010."

Fred Banham, CAO

January 28, 2010

**PEACE RIVER REGIONAL DISTRICT
By-Law No. 1876, 2010**

A by-law to amend the "Chetwynd Rural Area
Zoning By-law No. 506, 1986"

WHEREAS the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia Local Government Act, adopt the "Chetwynd Rural Area Zoning By-law No. 506, 1986";

NOW THEREFORE the Regional Board of the Peace River Regional District is 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. 1876, 2010."
2. Schedule 'B' – Map No. 1 – in the "Chetwynd Rural Area Zoning By-law No. 506, 1986" is hereby amended by rezoning Block A and B, District Lots 381, 382, 383 and 384, PRD, from A-2 "Large Agricultural Holdings Zone" to M-2 "General Industrial Zone" as shown shaded grey 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 on the _____ day of _____, 2010.
 READ FOR A THIRD TIME this _____ day of _____, 2010.

APPROVED by the Ministry of Transportation this ____ day of _____, 2010.

District Highways Manager

ADOPTED this _____ day of _____, 2010.

CERTIFIED a true and correct copy of "Peace River Regional District Zoning Amendment By-law No. 1876, 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

I HEREBY CERTIFY the foregoing to be a true and correct copy of "Peace River Regional District Zoning Amendment By-law No. 1876, 2010" as read a third time by the Regional Board of the Peace River Regional District on this ___ day of _____, 2010. Dated at Dawson Creek, B.C. this ___ day of _____, 2010.

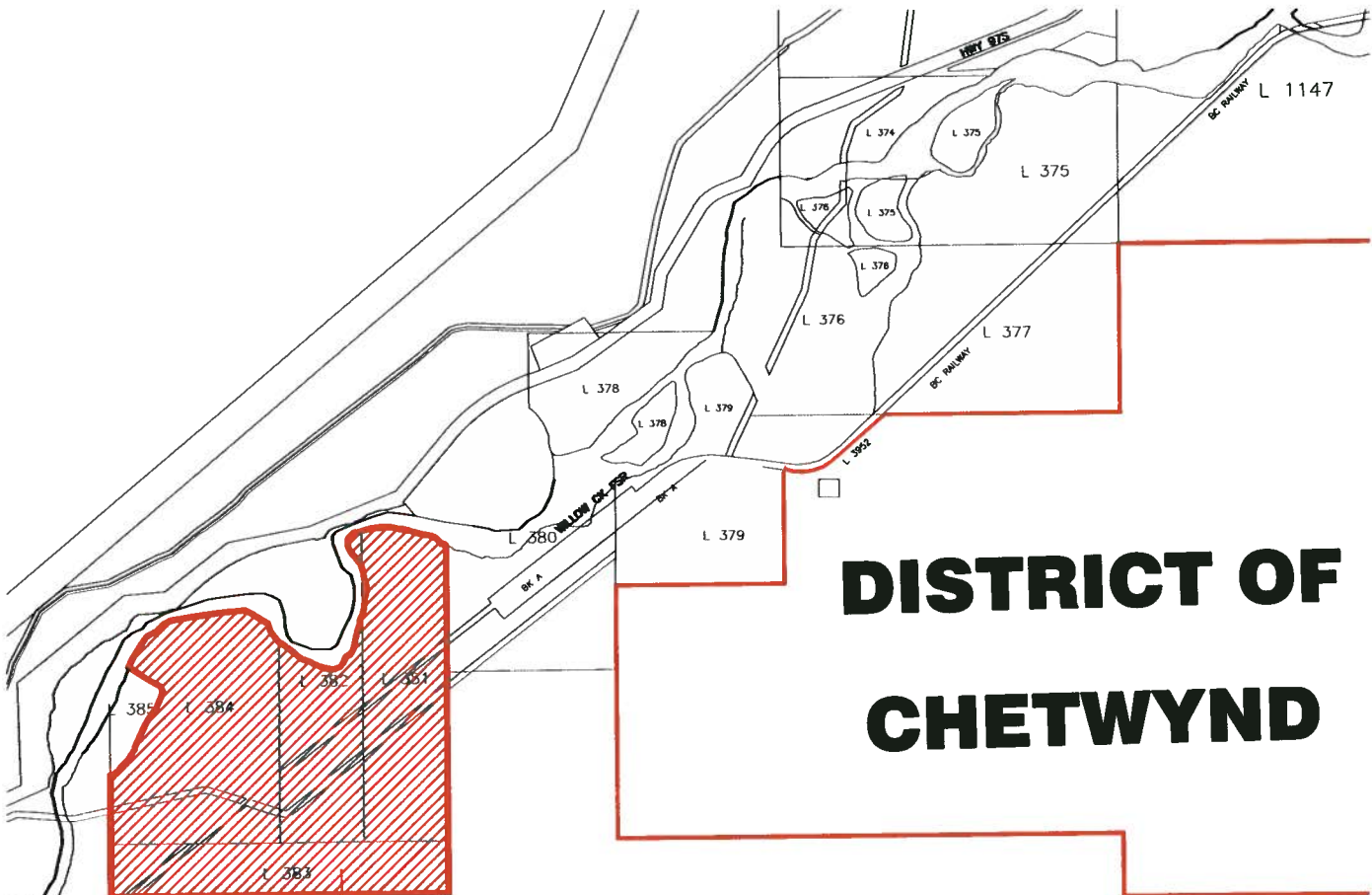
Fred Banham, Chief Administrative Officer

January 28, 2010

Peace River Regional District
By-law No. 1876, 2010
SCHEDULE "A"



Map. No. 1 - Schedule A of "Chetwynd Rural Area Zoning Bylaw No. 506, 1986" is hereby amended by rezoning Blocks A & B of District Lots 381, 382, 383 and 384, PRD from A-2 "Large Agricultural Zone" to M-2 "General Industrial Zone" as shown shaded on the drawing below:



**DISTRICT OF
CHETWYND**

Subject Properties
M-2

CERTIFIED a true and correct copy of
Schedule "A" to "Peace River Regional
District Zoning Amendment By-law
No. 1876, 2010."

Fred Banham, CAO

January 28, 2010