



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
ZONING AMENDMENT REPORT
BY-LAW NO. 1877, 2010
3rd & Final Reading
FILE NO. 003/2010**

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

B-4a

OWNER: Chris & Tracy Davis **DATE:** February 2, 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 3rd & Final reading;


OPTIONS

- OPTION 1: THAT the Regional Board approve Zoning Bylaw Amendment No. 1877, 2010, for 3rd & Final reading;
 OPTION 2: Refuse the application.

BACKGROUND

1. SUMMARY OF PROCEDURE

- September 22, 2009** – Regional District receives application for subdivision within the Agricultural Land Reserve.
- December 15, 2009** – Peace River Regional District receives confirmation of Subdivision approval from the Agricultural Land Commission
- January 4, 2010** – Peace River Regional District receives Zoning application
- January 14, 2010** – Peace River Regional District gives Zoning Amendment By-law 1877, 2010 First and Second Reading and authorizes “Public Notification” only
- January 29, 2010** – Public Notification mailed out to adjacent land owners
- February 4 & 5, 2010** – Public Notification published in the Dawson Creek Daily News



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.**
- COMMENTS FROM MUNICIPALITIES AND PROVINCIAL AGENCIES** **City of Fort St John** – Interests unaffected by Bylaw

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)



NOTICE OF PUBLIC NOTICE

B-4a

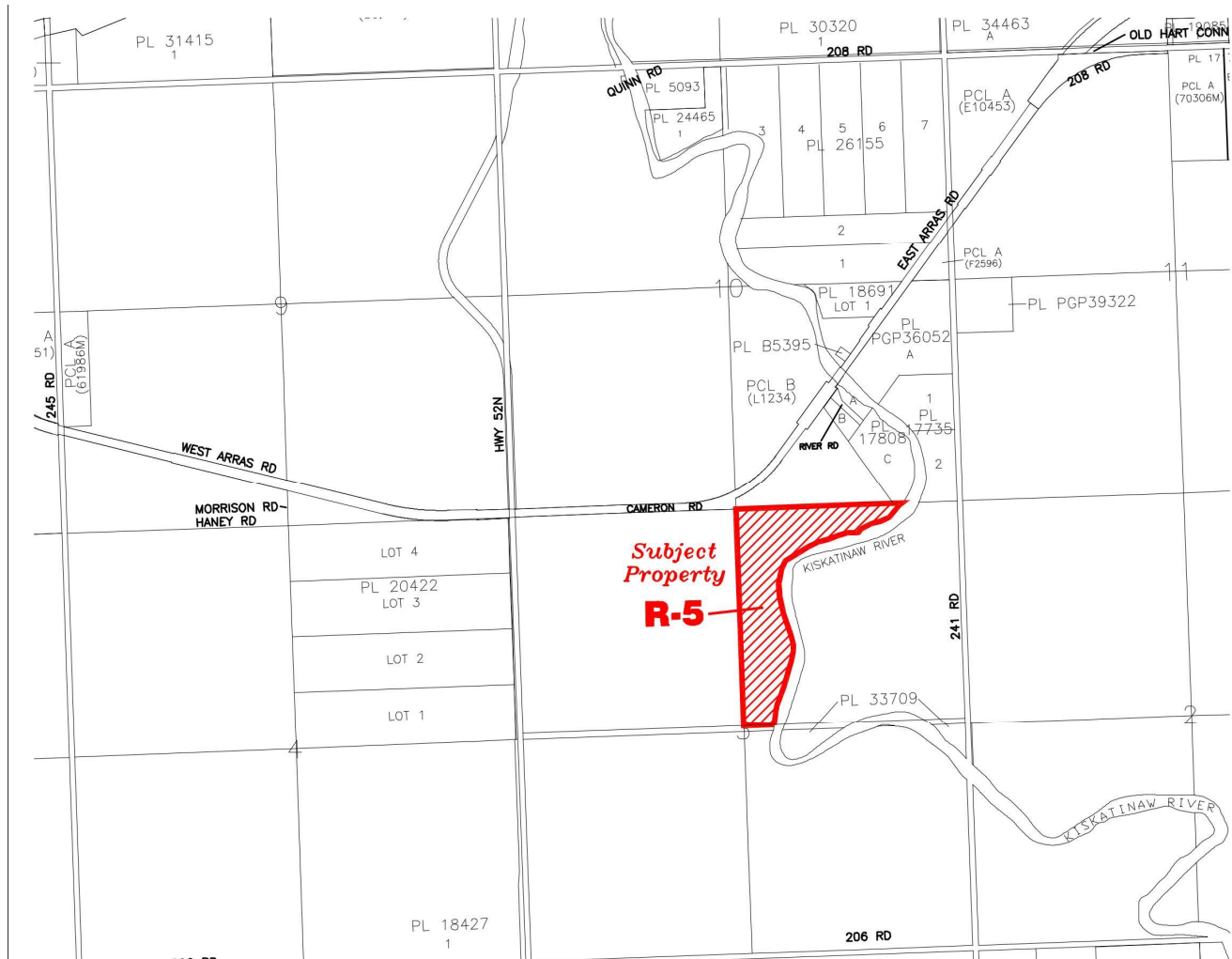
PROPOSED ZONING AMENDMENT

BY-LAW NO. 1877, 2010

4879 Cameron Road, Arras

Notice is hereby given that the Regional Board of the Peace River Regional District intends to consider Zoning Amendment Bylaw No. 1877, 2010, for third and final reading at their Board Meeting on February 11, 2010, to be held at the offices of the Peace River Regional District, located at 1981 Alaska Avenue in Dawson Creek, BC.

Zoning Amendment By-law No. 1877, 2010, proposes to rezone the property described as the Fractional NE ¼ of Section 3, Township 78, Range 17, W6M from A-2(Large Agricultural Holdings Zone) to R-5 (Residential 5 Zone) to accommodate the proposed subdivision of the subject property.



This notice is in general form only. A copy of the proposed amendment bylaw and relevant background documents may be reviewed in detail, between the hours of 8:30 am to 12:00 noon and 1:00 pm to 4:30 pm, Monday through Friday, excluding holidays, at the Peace River Regional District office, located at 1981 Alaska Avenue, Dawson Creek, BC. Any inquiries, comments or concerns should be referred to Owen Bloor in the **Development Services Department**, by calling 784-3200 or 1-800-670-7773, fax: 1-250-784-3201.

Fred Banham, CAO

February 11, 2010

**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 14th day of January, 2010.

READ A SECOND TIME this 14th day of January, 2010.

Public Notification held on the 4th and 5th day of February, 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

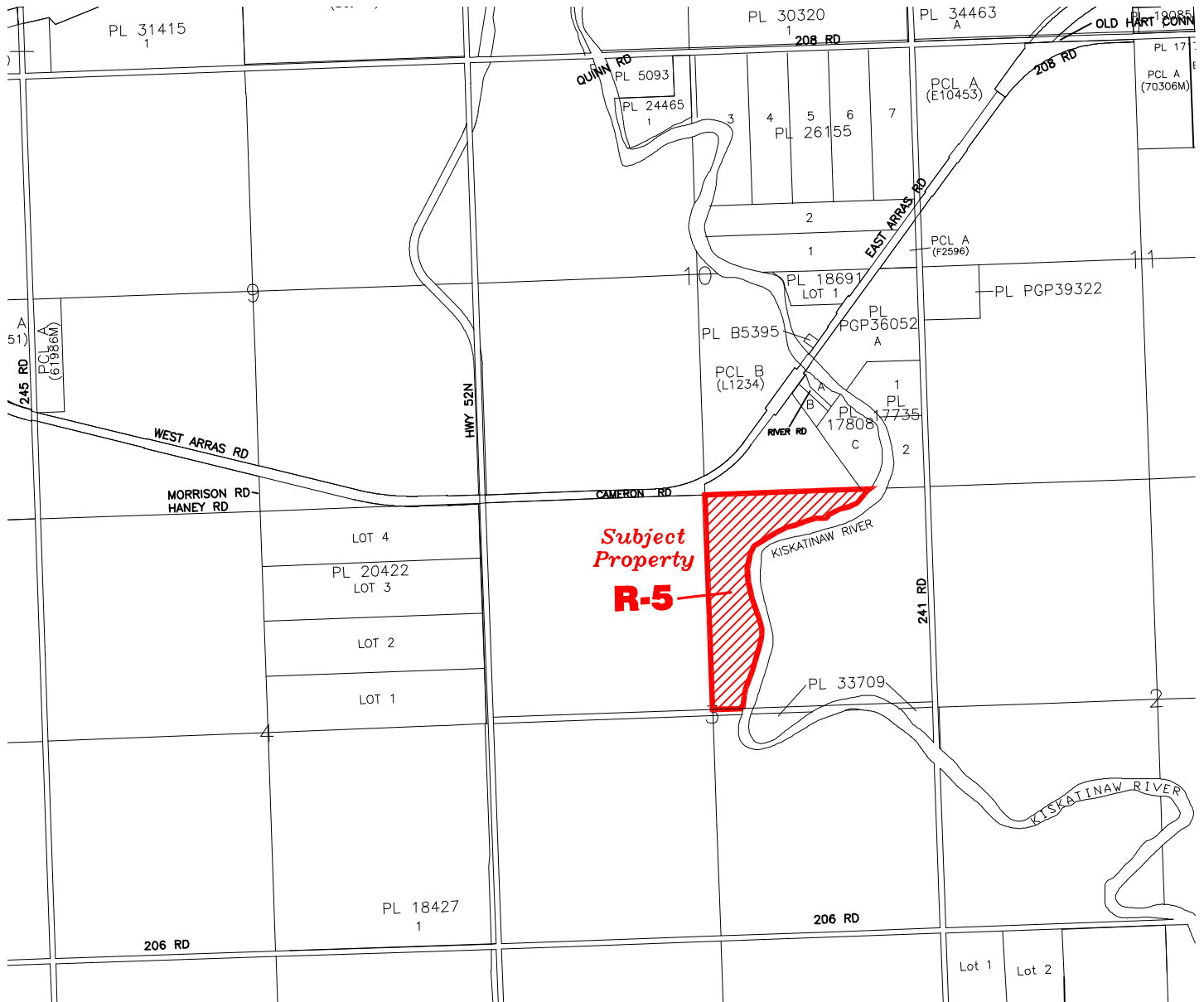
Karen Goodings,
Chair

Fred Banham,
Chief Administrative Officer

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

February 11, 2010