

PEACE RIVER REGIONAL DISTRICT

West Peace Official Community Plan
By-law No. 1086, 1997



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**West Peace Official Community Plan
By-law No. 1086, 1997**

WHEREAS the Peace River Regional District Board wishes to replace the Chetwynd Rural Area Official Community Plan By-law No. 505, 1986;

AND WHEREAS the Board has given the public the opportunity to examine and comment on this by-law;

AND WHEREAS this by-law has been referred to the District of Chetwynd, and the District of Hudson's Hope for their review and comments;

AND WHEREAS this by-law has been referred to the Treaty 8 Tribal Association, the West Moberly First Nations and the Saulteau First Nations for their reference;

AND WHEREAS this by-law has been referred to various provincial government agencies and School District No. 59 for their comments;

AND WHEREAS the Peace River Regional District Board may, by by-law, pursuant to Sections 875 and 876 of the Municipal Act adopt an official community plan;

NOW THEREFORE the Board of the Peace River Regional District in open meeting assembled, hereby enacts as follows:

SECTION 1 TITLE

1. This By-law may be cited for all purposes as the "West Peace Official Community Plan By-law No. 1086, 1997".

SECTION 2 REPEAL

2. The "Chetwynd Rural Area Official Community Plan By-law No. 505, 1986" and all amendment by-laws thereto are hereby repealed.

SECTION 3 DEFINITIONS

3. In this By-law;

AGRICULTURE

means the growing, rearing, producing or harvesting of agricultural or speciality crops, poultry, fowl, livestock or game farm animals for commercial purposes;

BOARD

means the Peace River Regional District;

NATURAL RESOURCE EXTRACTION

means any activity required to extract natural resources from the earth's surface or sub-surface. Depending upon the activity and market conditions some semi-processing may take place on site before it is shipped to another area for final processing.

SECTION 4 BACKGROUND INFORMATION

4.1 Demographic Information - Population Trends

Year	Population Estimate
2001 ^[1]	3022 - 3382
1996 ^[1]	2946 - 3306
1991 ^[2]	3191

Note: ^[1] Estimates were prepared using an age-sex cohort analysis.

Note: ^[2] Statistics Canada [1991]

4.2 Demographic Breakdown (1991)

Males	Age-Cohort	Females
158	0 - 4	143
160	5 - 9	143
141	10 - 14	124
128	15 - 19	118
121	20 - 24	114
154	25 - 29	140
166	30 - 34	152
144	35 - 39	130
118	40 - 44	105
93	45 - 49	79
77	50 - 54	63
71	55 - 59	54
59	60 - 64	41
64	65 - 74	57
35	75 +	38

- Source:
1. Statistics Canada 1991 for the base total.
 2. Breakdown based upon an extrapolation method.

4.3 Employment by Economic Sector (1991)

Sector	Workers	% of total
Primary	454	31
Manufacturing	132	9
Construction	119	8
Utilities	21	1
Transportation	115	8
Communications	23	1
Wholesale and Retail Trade	202	14
Finance/Insurance and Real Estate	16	1
Accommodation and Food Services	76	5
Health/Education	176	12
Government	60	4
Other	80	5

Source: Estimates based upon an extrapolation method.

4.4 Building Permits Issued (1991 - 1996)

Year	Residential	Commercial	Garage/Shop	Govt/Int
1996	6			
1995	7	3		1
1994	11	2	3	
1993	10		1	
1992	7	1	3	
1991	6	1	3	1

Source: Peace River Regional District, 1996.

Notes: 1. No statistics or estimates have been prepared for the number of dwellings built, which are located outside of the mandatory building inspection area.

4.5 Housing Stock by Tenure

Year	Total Number of Houses	Tenure	
		Owned	Rentals
1996 ^[1]	1,154	456	698
1991 ^[2]	1,107	409	698

Source: Peace River Regional District, 1996.

Note: [1] Estimate

Note: [2] Statistics Canada [1991]

4.6 Current Land Uses

- A. Residential Lands (See Map #2 for the approximate location of Residential Lands)

The current amount of land designated for residential use is 7,625 acres or approximately 1.15% of the West Peace study region.

- B. Settlement Areas (See Map #2 for the approximate location of Settlement Areas)

The current amount of lands designated for settlement use is 24,123 acres or approximately 3.63 % of the West Peace study region.

- C. Resource - Agricultural Regions (See Map #2 for the approximate location of Resource - Agricultural Regions)

The current amount of land designated for resource - agricultural use is 627,142 acres or approximately 94.28% of the West Peace study region.

- D. Industrial Land (See Map #2 for the approximate location of Industrial Land)

The current amount of land designated for industrial use is 2,836 acres or approximately .43% of the West Peace study region.

- E. Preservation Areas (See Map #2 for the approximate location of Preservation Areas)

The current amount of land designated for preservation use is 3,409 acres or approximately .51 % of the West Peace study region.

[Note: The total area of the West Peace study region is 665,135 acres]

SECTION 5 GOALS and OBJECTIVES

The policies in this Section apply to the areas designated in Map #2 and referenced in Section 9 of this by-law.

5.1 Goals of this Plan

The primary goal of this Official Community Plan is to protect prime agricultural land and to promote and enhance the rural community lifestyle. The secondary goal of this plan is to protect the many unique natural physical features of the West Peace region

5.2 Objectives of this Plan

- A. To protect agricultural land to ensure the continued viability of agriculture.
- B. To promote a settlement and land use pattern that is compatible with the physical and the man-made environment.
- C. To conserve the various unique and sensitive parts of the environment and to safeguard development from natural and man-made hazards.
- D. The preferred development pattern is clustered growth which is to take place on non-agricultural land reserve dedicated areas.

SECTION 6 DEVELOPMENT POLICIES

The policies in this Section apply to the areas designated in Map 2 and referenced in Section 9 of this by-law.

6.1 Resource-Agricultural (R-A) Policies

Preamble

The primary land use in the West Peace region is some form of natural resource extraction. Whereas the dominant resource extraction activity is either oil and gas, mining or forestry on Crown lands, with agriculture as the dominant land use on fee simple lands. The resource-agricultural designation signifies that the predominant use of land is either some sort of resource extraction on Crown lands or some sort of commercial agricultural pursuits on fee simple land. This Official Community Plan deals only with fee simple land.

6.1.1 Development [R-A] Policies

- 1) The Board shall discourage the development of multi-dwellings or high density residential units in areas designated as resource-agricultural. The exception being, if the area is outside of the Agricultural Land Reserve and the soil capability for agriculture has been determined to have a Canada Land Inventory (CLI) rating of 5 or more.
- 2) Extensive or intensive agricultural uses shall have priority on all fee simple lands with the resource-agricultural designation.
- 3) With regards to any residential developments the development of any roads and/or public utilities, shall consume the least amount of agricultural land as possible.
- 4) Passive recreational uses of the natural and man made features are encouraged. The preferred development pattern is one which supports clustered development.
- 5) Economic development activities that serve to complement or enhance the agricultural life style are encouraged. Activities such as, but not limited to the following, may be allowed:
 - a. Eco-tourism Activities
 - b. Farm Bed and Breakfast
 - c. Farm Vacation Sites
 - d. Guest Cabins
 - e. Natural Resource Extraction

6.2 Residential (R) Policies

Preamble

The Residential designation signifies that the predominant land use is for residential purposes. The primary focus of this policy is to ensure that the housing stock available in the West Peace region meets the needs and the requirements of the market place for at least five (5) years. This includes but is not limited to private ownership, special needs housing and affordable housing. The housing stock may or may not be occupied on a full time basis. Home occupations or home industries may be considered as a venue for additional economic development for the individuals situated in an area with a residential designation.

6.2.1 Development (R) Policies

- 1) The development of any residential lots on a Quarter Section or District Lot in an agricultural area may be supported, if they are outside the Agricultural Land Reserve, and;
 - a. the land has a poor capability for agriculture, for example, a Canada Land Inventory (CLI) rating of five (5) or more, and
 - b. the site will not impact the farming operations in the area, and
 - c. the site offers an attractive residential setting, and
 - d. the development of the site supports clustered development.
- 2) The preferred development pattern is low density clustered growth.
- 3) The development must respond to the sites physical constraints.
- 4) The proposed development must reflect market realities.
- 5) The proposed sites should be artfully integrated with the other residential clusters to create a unified land use plan.
- 6) Activities that serve to complement or enhance the rural residential lifestyle may be considered.

6.3 Settlement (S) Policies

Preamble

Due to its unique geographic location, the settlement areas provide a wide range of services which in turn means that a wide range of land uses are required. The focus of areas designated as settlement areas, is upon mixed low order commercial activities and residential activities. With regard to the residential component, the dwellings may or may not be occupied year round. As well, the settlement designation is to ensure that the housing stock available in the West Peace Region meets the needs and the individual requirements of the public who choose to reside there.

6.3.1 Development (S) Policies

1) Residential Policies

- a. the preferred development pattern is low to medium density clustered growth.
- b. the development must respond to market realities.
- c. the development must be artfully integrated with the other settlement clusters to create a unified land use plan.

2) Commercial Development Policies

- a. Mixed commercial/residential development may be considered as a means to increase economic activity in the settlement areas.
- b. A service road may be required for any activity that locates along either a primary or secondary highway.
- c. Each commercial activity shall ensure that adequate on-site parking is available.
- d. The development must respond to the sites physical environment.

6.4 Industrial (I) Policies

Preamble

Land designated for industrial purposes is intended for industrial or manufacturing purposes. This includes, but is not limited to the following;

- a. agri-business
- b. manufacturing and storage
- c. natural resource extraction processing activities

Overall the industrial designation means that the predominant land use will be for industrial purposes.

6.4.1 Development (I) Policies

- 1) Good access to a primary or secondary highway is essential OR access to a railway system is required.
- 2) Adequate on-site parking is required.
- 3) Adequate on-site loading and unloading space is required.
- 4) The development should be on land with grades in the OE to 5E range.
- 5) The site must be able to carry heavy loads and in areas that are well drained. The preferred soil type is well graded, well compacted clayey-sands or gravel.
- 6) Adequate buffering by the use of berms, screens, fences or trees shall be provided where any development is adjacent to any primary or secondary highways or residential areas, as per the Peace River Regional District Screening By-law No. 800, 1992.

6.5 Preservation Areas

Preamble

The preservation designation means the area should be preserved in its natural state. The predominant land use should be of a passive pursuit that works with the natural environment, as opposed to dominating or decimating it. Preservation areas should remain in their natural state.

6.5.1 Development Policies

- 1) Limited to no growth is the preferred development pattern.
- 2) Clustered low density development(s) may be considered.
- 3) The preferred type of development would be one that compliments or enhances the natural environment and recreation activities associated with the preservation designation.

6.6 Parkland and School Site Dedication Policies

6.6.1 Parkland Dedications

The owner of the land being subdivided may at their option provide the following:

- a) Parkland

or pay the Regional District an amount that equals the market value of the land.

6.6.2 School Site Dedications

Subject to an agreement being in place with the local School Board, the owner will be required to provide land for future school sites.

6.7 Roads and Servicing

Preamble

The provision of roads and the servicing of the land plays a major role in shaping the land use patterns in the West Peace region.

6.7.1 Road Development Policies

- 1) The Ministry of Transportation & Highways road standards and requirements shall be adhered to.
- 2) The development of any road in an area designated for agricultural use shall use up the least amount of agricultural land as possible.

6.7.2 Servicing Policies

- 1) The owner, applicant, developer or agent shall follow the development standards as set out in the Peace River Regional District Subdivision Servicing Bylaw.

The Board may consider pursuing Public-Private Partnerships for the provision of services.

6.7.3 Proposed Roads

The only road proposed for the West Peace Official Community Plan region is the extension of a private local resource road referred to as the 1-A Road. This road will tie into the Burbee Road.

6.8 Local Facilities

Refer to Map #3, which is attached to and forms part of this by-law, for the approximate location of the schools, parks and solid waste treatment facilities in the West Peace Official Community Plan area.

6.8.1 Proposed Facilities

No new facilities are proposed for this region.

6.9 Agricultural Land Reserve Policies

- 1) Notwithstanding any of the above mentioned development policies contained in this by-law, land located within the Provincial Agricultural Land Reserve, pursuant to the Agricultural Land Commission Act or Regulations thereunder, shall be subject to the orders or approval of the Provincial Agricultural Land Commission.
- 2) For land located within the Agricultural Land Reserve, the West Peace OCP goals, objectives and development policies are binding insofar as they are not contrary to the Agricultural Land Commission Act Regulations, and Orders of the Provincial Agricultural Land Commission.

SECTION 7 TEMPORARY DESIGNATIONS

- 7.1 All regions within the West Peace Official Community Plan may be utilized for temporary commercial use purposes. A temporary use permit may be issued if the following conditions prevail:
 - a. the site is adjacent to a major road or railway track.
 - b. the impacts to agricultural land, settlement areas, and residential areas are kept to a minimum.
- 7.2 All regions within the West Peace Official Community Plan may be utilized for temporary industrial use purposes. A temporary industrial use permit may be issued if the following conditions prevail:
 - a. the site is adjacent to a major road or railway track.
 - b. the impacts to agricultural land, settlement areas, and residential areas are kept to a minimum.
 - c. all the other development policies for the industrial land use designation have been met, as outlined in Section 6.4 of this by-law.

SECTION 8 DEVELOPMENT PERMIT AREAS

- 8.1 Within the West Peace region there are five (5) areas that will require a development permit. Refer to Map Number 6 of this bylaw to view where the development permit areas are located.

Development Permit Area #1

Description

This Development Permit Area commences at the Salteau Indian Reserve Boundary and runs in a westerly direction towards Le Bleu Creek. This Development Area covers the land lying to the north of Highway #29, between the Saulteau Reserve and Le Bleu Creek.

This includes all lands found within the following District Lots:

District Lot 485
District Lot 486
District Lot 725
District Lot 1890
District Lot 1891
District Lot 2177
District Lot 464
District Lot 487
District Lot 488
District Lot 1449
all lands in District Lot 490, lying north of Highway #29
District Lot 491
District Lot 781

Basis for this designation

The authority for the basis of this designation is found in Section 879(1)(b) of the Municipal Act, which allows for the protection of development from hazardous conditions.

Justification

The topography of this area ranges from a low slope of 9E to a high of 35E. The Regional District requires additional information prior to any development taking place in this area.

Guidelines

Permanent structures and buildings, where permitted, should be located on a site that is protected from possible hazardous conditions.

Development Permit Area #2

Description

This Development Permit Area commences at the intersection of Highway #29 and Jackfish Lake Road and follows the Jackfish Lake Road up to and including District Lot 767. This Development Permit Area only covers the land lying north of the Jackfish Lake Road.

This includes all lands found within the following District Lots:

District Lot 2097

District Lot 2082

District Lot 2556

all lands in District Lot 2685, lying on the north side of Jackfish Lake Road

District Lot 3017

all lands in District Lot 1868, lying on the north side of Jackfish Lake Road

District Lot 3092

District Lot 767

Basis for this designation

The authority for the basis of this designation is found in Section 879(1)(b) of the Municipal Act, which allows for the protection of development from hazardous conditions.

Justification

The topography of this area ranges from a low slope of 9E to a high of 35E. The Regional District requires additional information prior to any development taking place in this area.

Guidelines

Permanent structures and buildings, where permitted, should be located on a site that is protected from possible hazardous conditions.

Development Permit Area #3

Description

This Development Permit Area commences at the intersection of Highway #97 and Highway #29 and heads towards Tumbler Ridge, up to and including District Lot 2068. This Development Permit Area only covers the land lying east of Highway #29 up to and including District Lot 2068.

This includes all lands found within the following District Lots:

District Lot 1815
all lands in District Lot 2639, lying east of Highway #29
District Lot 1291
District Lot 2068
District Lot 2020
all lands in District Lot 280, lying east of Highway #29
District Lot 281

Basis for this designation

The authority for the basis of this designation is found in Section 879(1)(b) of the Municipal Act, which allows for the protection of development from hazardous conditions.

Justification

The topography of this area ranges from a low slope of 9E to a high of 35E. The Regional District requires additional information prior to any development taking place in this area.

Guidelines

Permanent structures and buildings, where permitted, should be located on a site that is protected from possible hazardous conditions.

Development Permit Area #4

Description

This Development Permit Area commences at the municipal boundary of the District of Chetwynd and moves in a westerly direction and ends where Boulder Creek crosses Highway #97. This Development Permit Area only covers the land lying to the north of Highway #97.

This includes all lands found within the following District Lots:

District Lot 2944	District Lot 355
District Lot 980	District Lot 351
District Lot 1907	District Lot 1121
District Lot 2461	District Lot 1125
District Lot 2206	District Lot 1126
District Lot 2706	District Lot 1122
District Lot 2546	
District Lot 2545	
District Lot 1866	
District Lot 2738	
District Lot 2437	
District Lot 2730A	
District Lot 2455	
District Lot 2550	
District Lot 2200	
District Lot 592	
District Lot 2267	
District Lot 2022	
District Lot 2274	
District Lot 2794	
District Lot 2252	

Basis for this designation

The authority for the basis of this designation is found in Section 879(1)(b) of the Municipal Act, which allows for the protection of development from hazardous conditions.

Justification

The topography of this area ranges from a low slope of 0.3E to a high of 35E. This area also has numerous streams and rivers criss-crossing this area. The Regional District requires additional information prior to any development taking place in this area.

Guidelines

Permanent structures and buildings, where permitted, should be located on a site that is protected from possible hazardous conditions.

Development Permit Area #5

Description

This Development Permit Area commences at District Lot 1132 and moves in a westerly direction up to and including the settlement area of Mount Lemoray. This Development Permit Area includes both sides of Highway #97, for approximately .8 kilometres [approximately ½ mile] on each side.

This includes all lands found within the following District Lots:

District Lot 1132
District Lot 1135
District Lot 362
District Lot 363
District Lot 1138
District Lot 367
District Lot 1142
District Lot 370
District Lot 373
District Lot 1149
District Lot 361
District Lot 1136
District Lot 1885
District Lot 1886
District Lot 2209
District Lot 2103
District Lot 2116

Basis for this designation

The authority for the basis of this designation is found in Section 879(1)(b) of the Municipal Act, which allows for the protection of development from hazardous conditions.

Justification

The topography of this area ranges from a low slope of 5E to a high of 35E. This area also has numerous streams and rivers criss-crossing this area. The Regional District requires additional information prior to any development taking place in this area.

Guidelines

Permanent structures and buildings, where permitted, should be located on a site that is protected from possible hazardous conditions.

8.2 Development Permit Applications

Upon an application for a Development Permit in any of the aforementioned areas, the following information shall be required from the applicant, a detailed site plan showing any or all of the following information;

- i) surface water drainage patterns
- ii) any water bodies running through or around the proposed site
- iii) topography
- iv) location of the proposed buildings and any roads

In all of the aforementioned Development Permit areas, when only one lot is being developed an application for a Development Permit is not required.

SECTION 9 LAND USE DESIGNATIONS
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- 9.1 The area that is subject to the West Peace Official Community Plan is shown on Map 2 and is divided into the land use designations shown on Map 2. The name of each designation is set out in Column 1, while the description found in Column 2 is for convenience only.

COLUMN 1	COLUMN 2
R-A	Resource - Agriculture
R	Residential
S	Settlement Areas
I	Industrial
See notation on Map #2 and 7	Preservation Area

9.2 Location of Designations

- a. Where a land use designation boundary is shown on Map 2 as following a highway, rail right-of-way or water course, the centre line of the highway, rail right-of-way or water course shall be the land use designation boundary.
- b. The dashed lines used in Map 2 shall be interpreted as if they were solid lines.

SECTION 10 SEVERABILITY

If any section, subsection, sentence, clause, phrase or map of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this bylaw.

READ A FIRST TIME this 30th day of January, 1997.

READ A SECOND TIME this 30th day of January, 1997.

Public Hearing held the 10th day of February, 1997.

READ A THIRD TIME this _____ day of _____, 1998.

Approved by the Minister of Municipal Affairs this 4th day of February, 1998.

ADOPTED this _____ day of _____, 1998.

CERTIFIED A TRUE AND CORRECT COPY of
"West Peace Official Community Plan By-law
No. 1086, 1997".

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

Moray Stewart, Administrator

Karen Goodings, Chair

Moray Stewart, Administrator

I HEREBY CERTIFY the foregoing to be a true and correct copy of the "West Peace Official Community Plan By-law No. 1086, 1997", as re-read a third time by the Regional Board of the Peace River Regional District on the _____ day of _____, 1998.

Dated at Dawson Creek, B.C. this _____ day of _____, 1998.

Moray Stewart, Administrator