



PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES

ALL MEMBERS
PARTICIPATE.

Report on Subdivision within the
Agricultural Land Reserve (ALR)

R-2

FILE NO. 61/2009

OWNER: Fyal & Charlene Devine
AREA: Electoral Area C
LEGAL: Lot 3, Plan 20818, Section 23, Township 84, Range 20, W6M, PRD
LOT SIZE: 4 ha (9.6 acres)
LOCATION: Tea Creek

DATE: April 30, 2009

PROPOSAL

To subdivide the rural residential lot in half.

RECOMMENDATION: OPTION 1

THAT the Regional Board support and authorize the application, as submitted, to proceed to the Agricultural Land Commission on the basis that the proposal is consistent with the Official Community Plan policies and zoning regulations.

OPTIONS

OPTION 1: THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission on the basis that the proposal is consistent with the Official Community Plan policies and zoning regulations.

OPTION 2: THAT the Regional Board refuse authorization for the application, as submitted, to proceed to the Agricultural Land Commission.

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP): Rural Residential, Bylaw No. 820, 1993
ZONING: R-3 (Residential 3 Zone), Bylaw No. 1343, 2001
AGRICULTURAL LAND RESERVE (ALR): Within
BUILDING INSPECTION AREA: Within
COMPREHENSIVE DEVELOPMENT PLAN: Area 1

SITE CONTEXT

The subject property is located in the Tea Creek area, about a 16 km (10 mile) drive northwest of the City of Fort St. John. The subject property is situated along 281 Road, south of Highway 29N. It is west of Charlie Lake and the Alaska Highway. The lot is at the southern end of a rural residential subdivision. To the north are residential lots ranging in size between 5 and 20 acres. To the south are quarter-section parcels. The entire area is within the Agricultural Land Reserve with a mixture of areas that are forested and areas that are cultivated.

SITE FEATURES

LAND: The subject property is mostly forested.
STRUCTURES: There is a house and a powershed on the subject property. There is also an un-used trailer on the lot

Department Head

CAO

which the landowner plans to dispose of.

- ACCESS:** The subject property has access off the gravelled 281 Road.
- CLI SOIL:** Class 5C – very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible, with subclass C denoting limitations due to adverse climate.
- RATING:**
- FIRE:** Within Charlie Lake Rural Fire Protection Area.

PREVIOUS APPLICATIONS – SUBJECT PROPERTY

There have been no ALR-related applications on the subject property.

PREVIOUS APPLICATIONS – NEARBY PROPERTIES

- APPLICANT:** Bradley & Jocelyn Wild (PRRD File #23/2003; ALC File # W-34819)
- LEGAL:** Lot 3 Plan 18955, Section 23, Township 84, Range 20 (north of subject property)
- PROPOSAL:** To **subdivide** the 10 acre into two 5 acre lots.
- DECISION:** PRRD **supported** application, March 2003
ALC **approved** application by Resolution #224/2003, June 2003

created Plan BCP37012

COMMENTS AND OBSERVATIONS

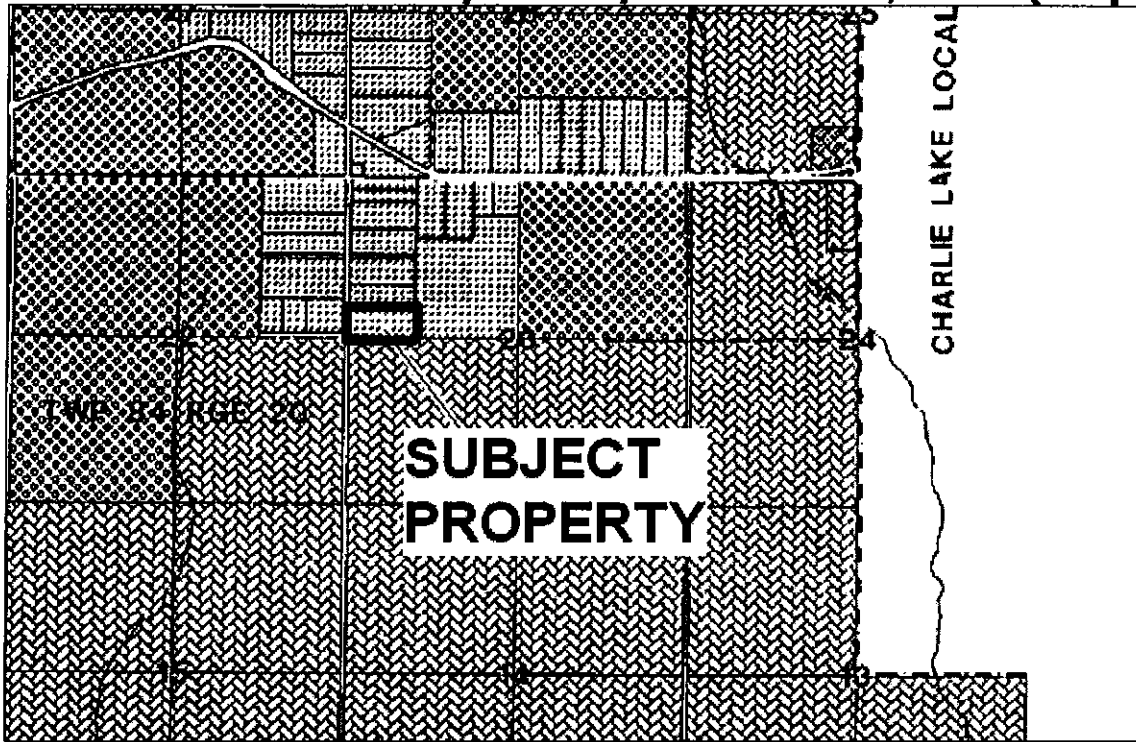
- APPLICANT:** It is the intent of the applicant to subdivide the 3.9 ha (9.65 acre) in order to sell or potentially build a new home upon.
- ALR:** The subject property and proposed subdivision lie within the Agricultural Land Reserve. **Therefore, this proposal requires the approval of the Agricultural Land Commission.**
- Note: Pursuant to the *Agricultural Land Commission Act*, an application may not be considered by the ALC unless the Regional Board authorizes the proposal to proceed to the ALC. This is intended to provide local governments with latitude to consider and weigh the local community interests of each application, in addition to its zoning and official community plan. Should the Regional District forward the application to the ALC, the information and recommendation offered by the Regional District is taken into consideration by the Commission but should not be construed as being binding on the Commission's opinions or decisions.
- OCP:** Pursuant to the North Peace Official Community Plan Bylaw No. 820, 1993, the subject property is designated "Rural Residential". The minimum parcel size of this designation is 1.8 ha (4.5 acres). **The proposal is consistent with the OCP.**
- ZONING:** The subject property is zoned R-3 (Residential 3) pursuant to PRRD Zoning Bylaw No. 1343, 2001. The minimum parcel size of this zone is 1.8 ha (4.5 acres). **The proposal is consistent with the zoning regulations.**
- CDP:** In the Fort St. John and Area Comprehensive Development Plan, the subject property was placed in Area 1, Phase I-II. This area was identified for rural residential development to a minimum parcel size of 1.8 ha (4.5 acres). **The proposal is consistent with the CDP recommendations.**

IMPACT ANALYSIS

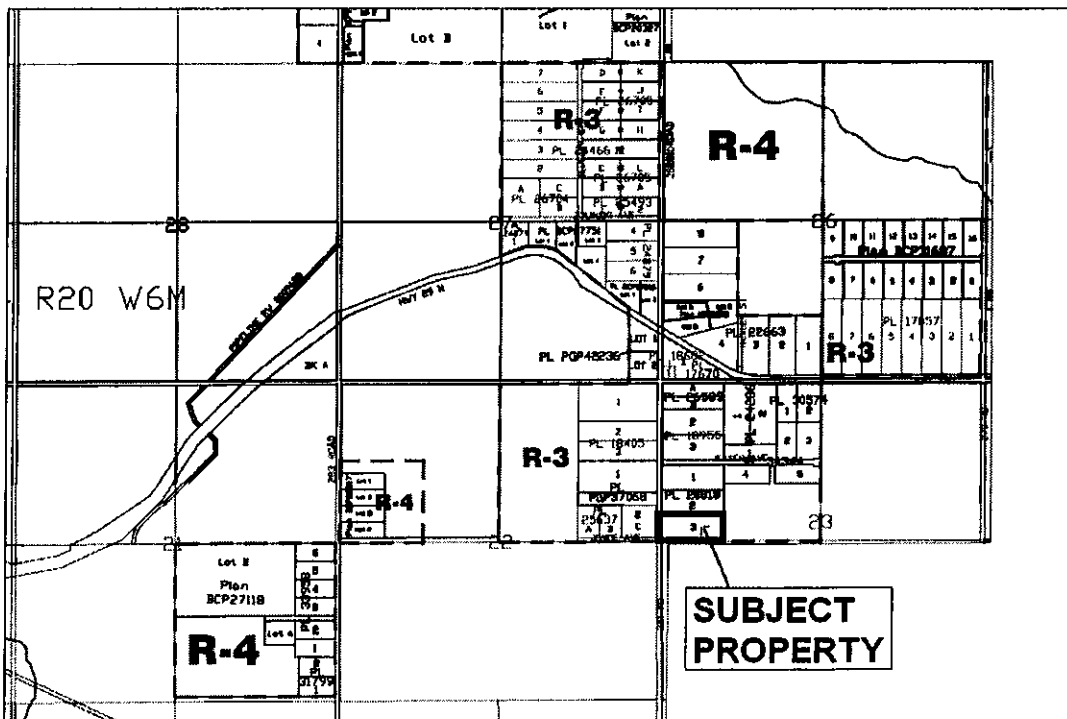
- AGRICULTURE:** The 10 acre parcel is not cultivated and subdividing it in half may have little impact on agriculture.
- CONTEXT:** The lot is located at the end of a rural residential subdivision.
- POPULATION:** This subdivision could potentially increase the local population by 3 persons (BC Statistics, 2006).
- TRAFFIC:** This subdivision could increase the number of vehicles in the area by 2 (BC Statistics, 1996).



North Peace Official Community Plan By-law No. 820, 1993 (map# 3)

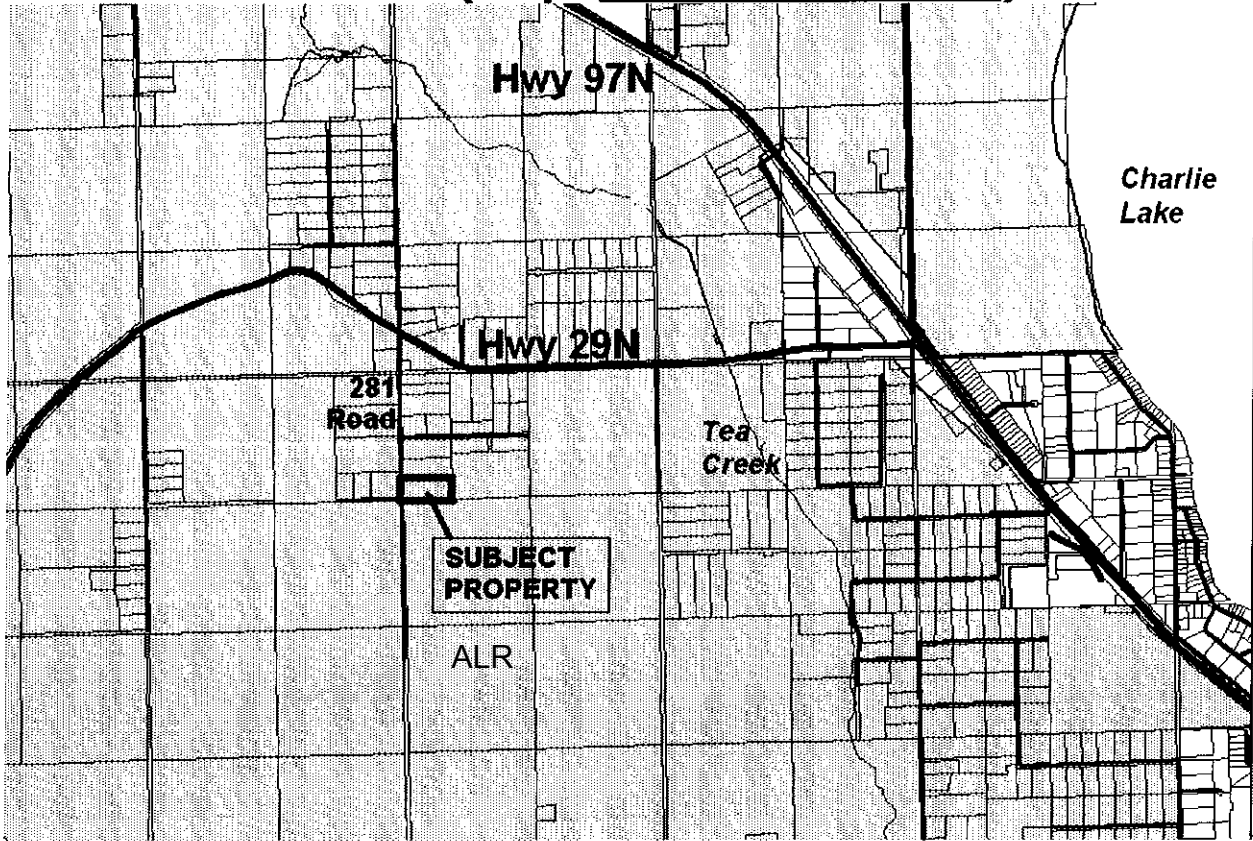


PRRD Zoning By-Law No. 1343, 2001 (map#2-A)

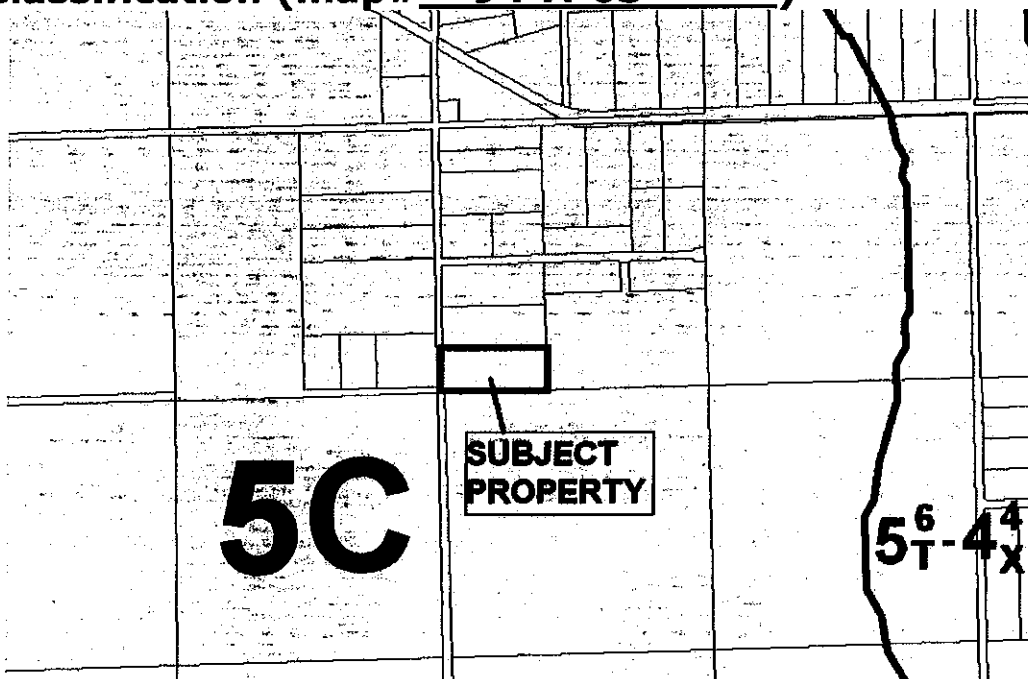




Agriculture Land Reserve (map# 94A/025)



CLI-Soil Classification (map# 94-A-03)

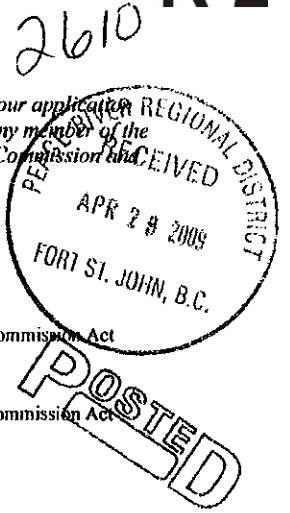




APPLICATION BY LAND OWNER

#61/2009

R-2



NOTE: The information required by this form and the documents you provide with it are collected to process your application under the Agricultural Land Commission Act and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Agricultural Land Commission and ask for the staff member who will be handling your application.

TYPE OF APPLICATION (Check appropriate box)

- EXCLUSION under Sec. 30(1) of the Agricultural Land Commission Act
- SUBDIVISION in the ALR under Sec. 21(2) of the Agricultural Land Commission Act
- INCLUSION under Sec. 17(3) of the Agricultural Land Commission Act
- Non-farm USE in the ALR under Sec. 20(3) of the Agricultural Land Commission Act

APPLICANT

| | | | |
|--|-------------------------------|----------|-------------|
| Registered Owner: FYAL AVERY DEVINE CHARLENE THERESA DEVINE | | Agent: | |
| Address: 13315 2815 RD | | Address: | |
| CHARLIE LAKE B.C. | | | |
| | Postal Code VOC 1H0 | | Postal Code |
| Tel. (home) (250) 787 9479 (work) (250) 263-8534 | | Tel. | |
| Fax (250) 785-9270 | | Fax | |
| E-mail devinewelding@xplornet.com | | E-mail | |

LOCAL GOVERNMENT JURISDICTION (Indicate name of Regional District or Municipality)

PEACE RIVER REGIONAL DISTRICT

LAND UNDER APPLICATION (Show land on plan or sketch)

| Title Number | Size of Each Parcel (Ha.) | Date of Purchase | |
|-----------------|---------------------------|------------------|-------------|
| | | Month | Year |
| <u>BB269285</u> | <u>3.91</u> | <u>06</u> | <u>2007</u> |
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OWNERSHIP OR INTERESTS IN OTHER LANDS WITHIN THIS COMMUNITY (Show information on plan or sketch)

If you have interests in other lands within this community complete the following:

Title Number(s): _____

PROPOSAL (Please describe and show on plan or sketch)

We Fyal and Charlene the registered owners of Lot 3 Plan 20818 are proposing to subdivide our 3.91 hectare lot into two 1.96 hectare parcels for residential purposes. There is a road easement at the south end of the property which we intend to use for an access to the proposed parcel at the east side of the property.

CURRENT USE OF LAND (Show information on plan or sketch)

List all existing uses on the parcel(s) and describe all buildings

We currently have a house, power shed, and an old trailer on the parcel. The property is used for residential purposes.

USES ON ADJACENT LOTS (Show information on plan or sketch)

North Residential
East Residential
South Farming
West Residential

DECLARATION.

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the Agricultural Land Commission Act and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

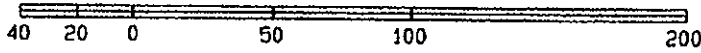
April 17/2009 Fyal Devine Fyal Devine
Date Signature of Owner or Agent Print Name
April 17/2009 Charlene Devine Charlene Devine
Date Signature of Owner or Agent Print Name

Please ensure the following documents are enclosed with your application:

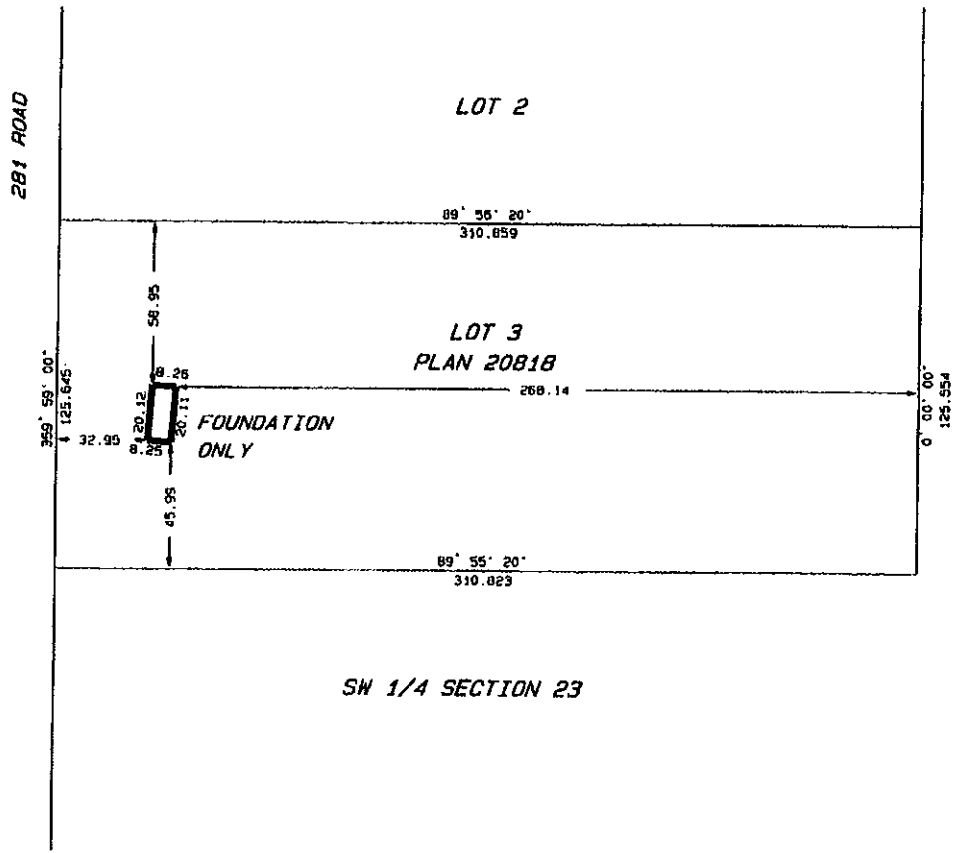
- Application fee payable to the Local Government
Certificate of Title or Title Search Print
Agent authorization (if using agent)
Map or sketch showing proposal & adjacent uses
Proof of Notice of Application *(See instructions)
Photographs (optional)

**B. C. LAND SURVEYOR'S CERTIFICATE OF LOCATION
 LOT 3, PLAN 20818
 SECTION 23, TOWNSHIP 84, RANGE 20, W6M
 PEACE RIVER DISTRICT**


Scale 1:2000



All distances are in Metres.



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|--|--|--|
| <p>T. J. TRYON LAND SURVEYING B.C. & CANADA LAND SURVEYOR DAWSON CREEK B.C.</p> <p>FILE No. 2007-358</p> | <p>This Document is Not Valid Unless Originally Signed and Sealed. This Document is for Mortgage purposes only and is not to be used for boundary relocation. Offsets are to outside of finished wall.</p> | <p>Surveyed This <u>27</u> Day of August 2007.</p>  © 2007 T. J. TRYON B. C. L. S. |
|--|--|--|

LOT 1 PLAN 20818
RESIDENTIAL

R-2

LOT 2 PLAN 20818
RESIDENTIAL

RESIDENTIAL

281 S ROAD

RESIDENTIAL

RESIDENTIAL

House

DRIVEWAY

DRIVEWAY

I.P.

PROPOSED SURVEY PIN

I.P.

POWER SHED + WATER WELL

LOT 3, PLAN 20818
SECTION 23, TOWNSHIP 84, RANGE 20, W6M
PEACE RIVER DISTRICT
3.91 Ha. LOT

JUNK
OLD TRAILER

PROPOSED PARCEL
1.96 Ha.

RESIDENTIAL

DRIVEWAY
DEVIAS RESIDENCE

LAGOON

* I.P. means
Iron Pin

BOYCE AVE.

I.P.

PROPOSED SURVEY PIN

I.P.

PROPOSED ACCESS TO 1.96 Ha. Parcel

ROAD EASEMENT

FARMING
HAY FIELD
1/4 SECTION



May 14 2009

NOTE:
* SKETCH PROPOSAL
NOT TO SCALE

DRAWN APRIL 17 2009