



PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES

ALL MEMBERS
PARTICIPATE.

Report on Subdivision within the
Agricultural Land Reserve (ALR)

R-3

FILE NO. 149/2009

OWNER: Chris & Tracy Davis
AREA: Electoral Area D
LEGAL: Fractional NE ¼ Sec 3, Twp78, Rge 17, W6M, PRD
LOT SIZE: 17.86ha (44.1 acres)
LOCATION: Arras, along Cameron Road

DATE: September 22, 2009

PROPOSAL

To subdivide the parent parcel into 2 lots one of which is to be offered for sale to the public.

RECOMMENDATION: 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 adjacent lots in the Arras area.

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 adjacent lots in the Arras area.
- 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): Agriculture – Rural Resource, Bylaw No. 477, 1986
ZONING: A-2 (Large Agricultural Holdings Zone), Bylaw No. 1343, 2001
AGRICULTURAL LAND RESERVE (ALR): Partially Within
BUILDING INSPECTION AREA: Within
COMPREHENSIVE DEVELOPMENT PLAN: Outside

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.

Department Head

CAO

- 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:** Outside all rural fire protection areas.

PREVIOUS APPLICATIONS – SUBJECT PROPERTY

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

Previous Applications – Properties within 100 m ^{aa}

- APPLICANT:** Robert & Pat Morrison
- LEGAL:** SE ¼ Section 3, Township 78, Range 17, W6M, PRD
- PROPOSAL:** To subdivide parcel into 2, one being north of the Kiskatinaw River, the other being on the south
- DECISION:** ALC granted approval pursuant to Resolution # 75/80

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; **Therefore, this proposal requires the approval of the Agricultural Land Commission.**
- 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 **The proposal will require an amendment to the zoning bylaw.**

IMPACT ANALYSIS

- AGRICULTURE:** The subject property is currently unused and remains un-cleared other than the portion on which the landowner’s home sits.
- CONTEXT:** The subject property is surrounded by small holdings and rural residential lots, the proposed subdivision is consistent with land-use practices in the area as within the Dawson Creek Rural OCP By-law No. 477, 1986 the Arras/Devereaux area has been identified an area for creation of “Agriculture – Potential Small Holdings” parcels with a minimum parcel size of 8ha (20 acres). Therefore this proposal is consistent with the expectations of the local OCP.

TRAFFIC AND POPULATION: This subdivision will increase traffic by 2 vehicles and the population will increase by 1.8 persons. (BC Statistics, 2006)

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APPLICATION BY LAND OWNER

R-3

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: Christopher & Tracy Davis
Address: 4879 Cameron Rd.
Arras B.C.
Postal Code: V0C 1B0
Tel. (home): 250-843-1180 (work): 250-795-2029
E-mail: chris.davis3@bp.com

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

Peace River Regional District

LAND UNDER APPLICATION (Show land on plan or sketch)

Table with 4 columns: Title Number, Size of Each Parcel (Ha.), Date of Purchase Month, Date of Purchase Year. Row 1: CA 1173342, 17.86, 08, 08

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):

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PROPOSAL (Please describe and show on plan or sketch)

Subdivide parcel in half to
sell one parcel and keep the
other parcel for homesite.

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

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

Homesite in NW corner, remainder
vacant.

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

North	Rural residential
East	Rural residential
South	Rural residential
West	Rural 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.

Sept 21, 09 
Date Signature of Owner or Agent

Chris Davis
Print Name

Sept 21, 09 Tracy Davis
Date Signature of Owner or Agent

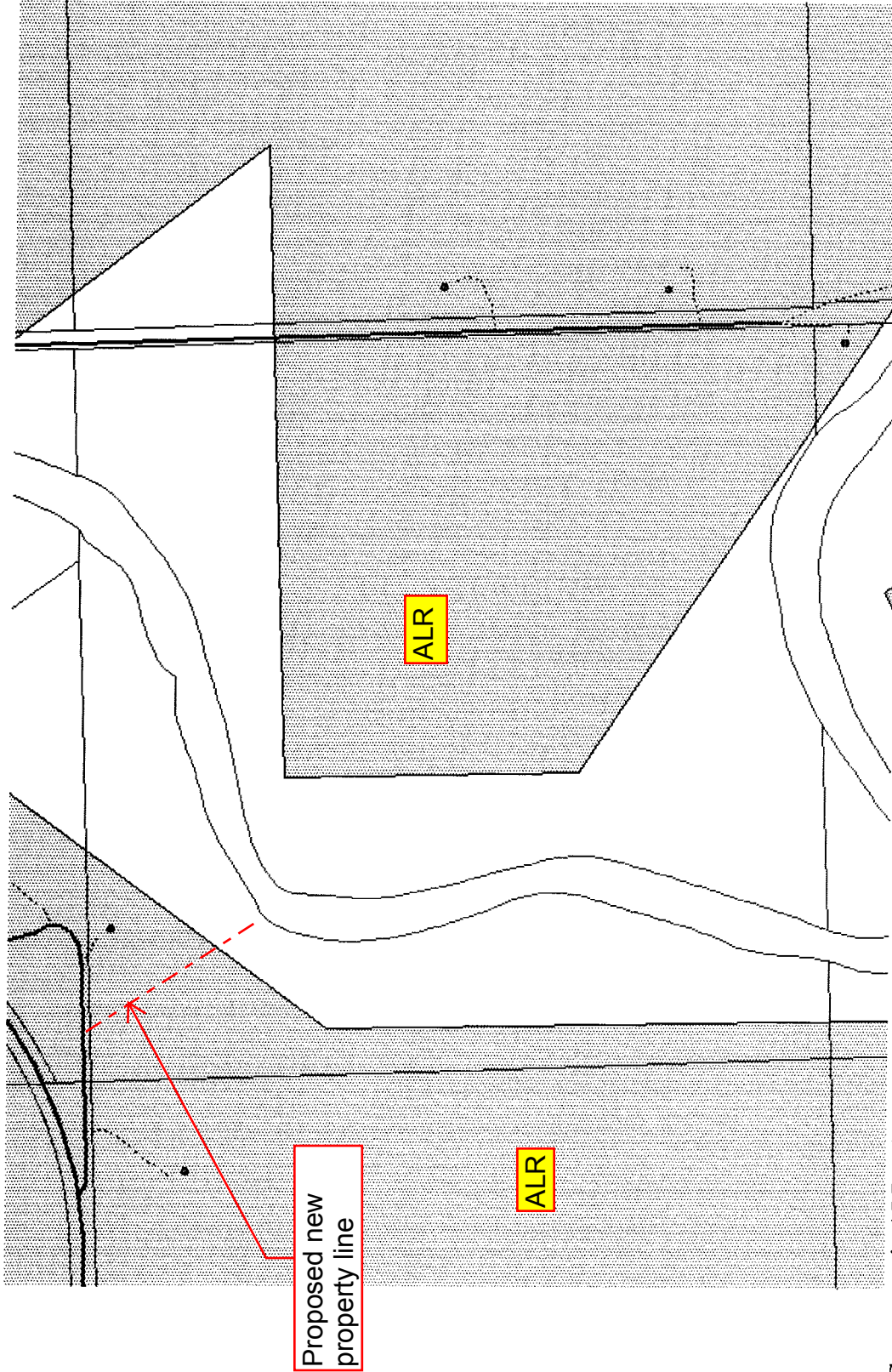
Tracy Davis
Print Name

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)

Oct 8 2009



Proposed new property line

ALR

ALR

Green area is ALR. The red lines are property lines. The dots are houses. Your triangle shaped lot has its eastern boundary as the river. Below is an airphoto of it.

Proposed new property line

Area highlighted in yellow is steep grade to river.

Homesite

portion of property ~ ALR



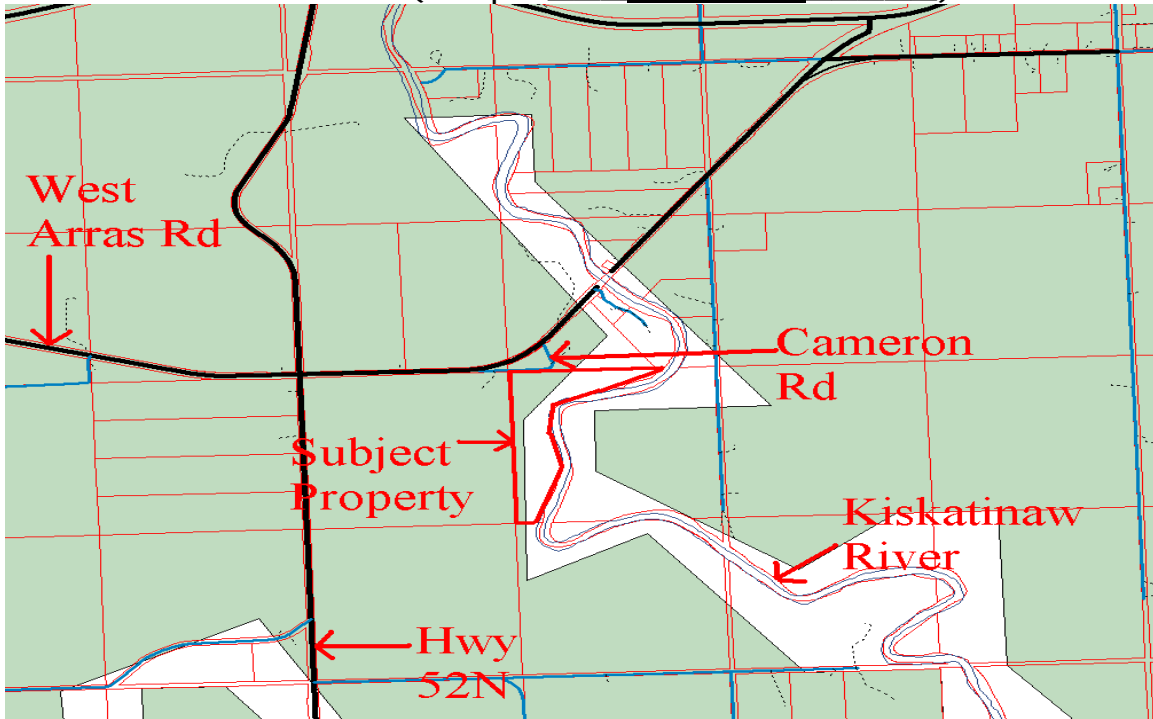
An airphoto (~1996) underneath the ALR (green) and property boundary (red) layers.

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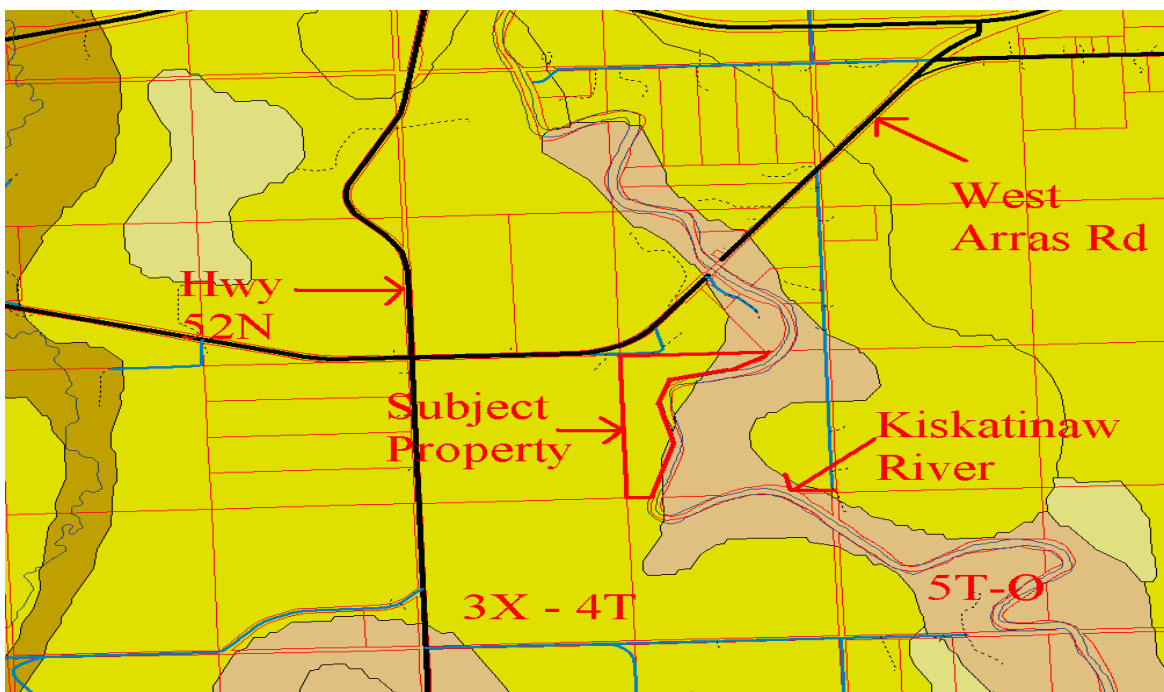


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Agriculture Land Reserve (map# 93P-078)

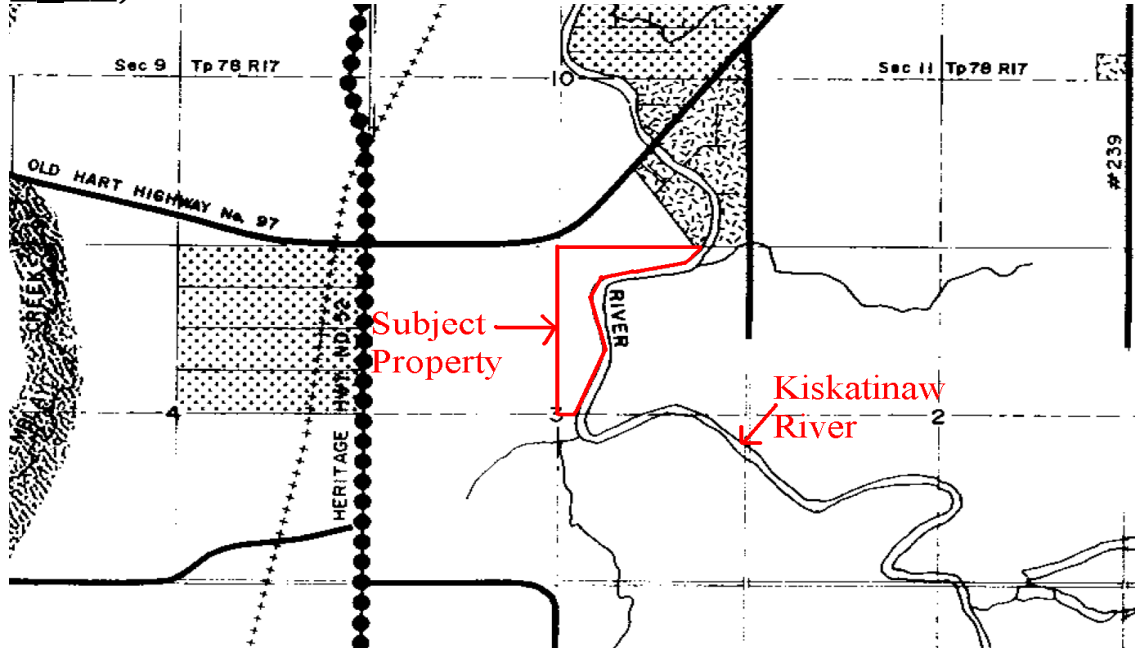


CLI -Soil Classification (map# 93-P- 10)





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)

