



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
ALR SUBDIVISION REPORT
FILE NO. 156/2009**

**ALL MEMBERS
PARTICIPATE.**

OWNER: Dale and Mavis Sutherland
AGENT: n/a
AREA: Electoral Area B
LEGAL: NE ¼ of Section 12, Township 86, Range 19
LOT SIZE: 64.7 ha (160 ac)
LOCATION: East of Rural Community of Montney

DATE: October 28, 2009

R-13

PROPOSAL

To subdivide 4 ha (10 ac) from the subject property in order to provide a residence for the owner.

RECOMMENDATION: OPTION 1

THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission on the basis that it conforms to the Official Community Plan.

OPTIONS

OPTION 1: THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission on the basis that it conforms to the Official Community Plan.

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

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP): Rural Resource - Agricultural, Bylaw No. 820, 1993
ZONING: A-2 (Large Agricultural Holdings Zone), Bylaw No. 1000, 1996
AGRICULTURAL LAND RESERVE (ALR): Within
BUILDING INSPECTION AREA: Outside
COMPREHENSIVE DEVELOPMENT PLAN: Outside

SITE CONTEXT

The subject property is located 3 km east of the rural community of Montney, which is located about 26 km north of the City of Fort St. John. The property is located along the paved 256 Road and the gravelled 265 Road. The property is mainly surrounded by quarter section farms with home sites and/or cultivated fields or pasture. The area is predominantly a farming area, except for the centre of Montney, where both residences and business are located.

SITE FEATURES

LAND: Partially cleared and cultivated for hay, grain crops, and grazing for horses and cattle.
STRUCTURES: House, shop, barn, two sheds, and two granaries.
ACCESS: The subject property is currently accessed from the gravelled 265 Road. The proposed subdivision would be accessed from the same.
SOIL: The subject property has a CLI soil rating of Class 2C.
FIRE: Not within a fire protection area.

Bruce Simard

Department Head

Jack Boulton

CAO

PREVIOUS APPLICATIONS – SUBJECT PROPERTY

None of file.

R-13**PREVIOUS APPLICATIONS – PROPERTIES WITHIN 100 M**

None of file.

COMMENTS AND OBSERVATIONS

APPLICANT: The applicants have stated the proposed subdivision is to provide a residence for themselves.

ALR: The subject property and proposed subdivision lie within the Agricultural Land Reserve. **Therefore, this proposal requires Agricultural Land Commission approval.**

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: The subject property is currently designated as "Rural Resource - Agricultural" within the North Peace OCP By-law No. 820, 1993. The minimum parcel size is 63 hectares (155 acres). The proposed subdivision does not meet this minimum parcel size requirement. However, this proposal appears to conform to Policy 3(a) of the OCP designation which permits the subdivision of parcels less than 63 hectares (155 acres) in situations where "the creation of a parcel not less than 1.8 ha (4.5 acres) is to meet the residential requirements of the owner, owner's relative, or farm help, where the broader interests of agriculture are not compromised." **Therefore, this proposal will NOT require an OCP amendment.**

ZONING: The subject property is currently designated as A-2 (Large Agricultural Holdings Zone) within Zoning By-law No. 1000, 1996. The minimum parcel size for this designation is 63 hectares (155 acres). The proposed subdivision does not meet this minimum parcel size requirement. However, this proposal appears to meet the requirements of Sec. 946 of the Local Government Act. **Therefore, should the applicant meet the conditions of Sec. 946, this proposal will not require a zoning amendment.**

IMPACT ANALYSIS

AGRICULTURE: This proposal may negatively affect the agricultural potential of the subject property by reducing its size. It may also negatively affect existing or potential agricultural use of surrounding lands. However, the proposed subdivision takes in the existing homesite and yard site does not utilize any areas that are currently under production.

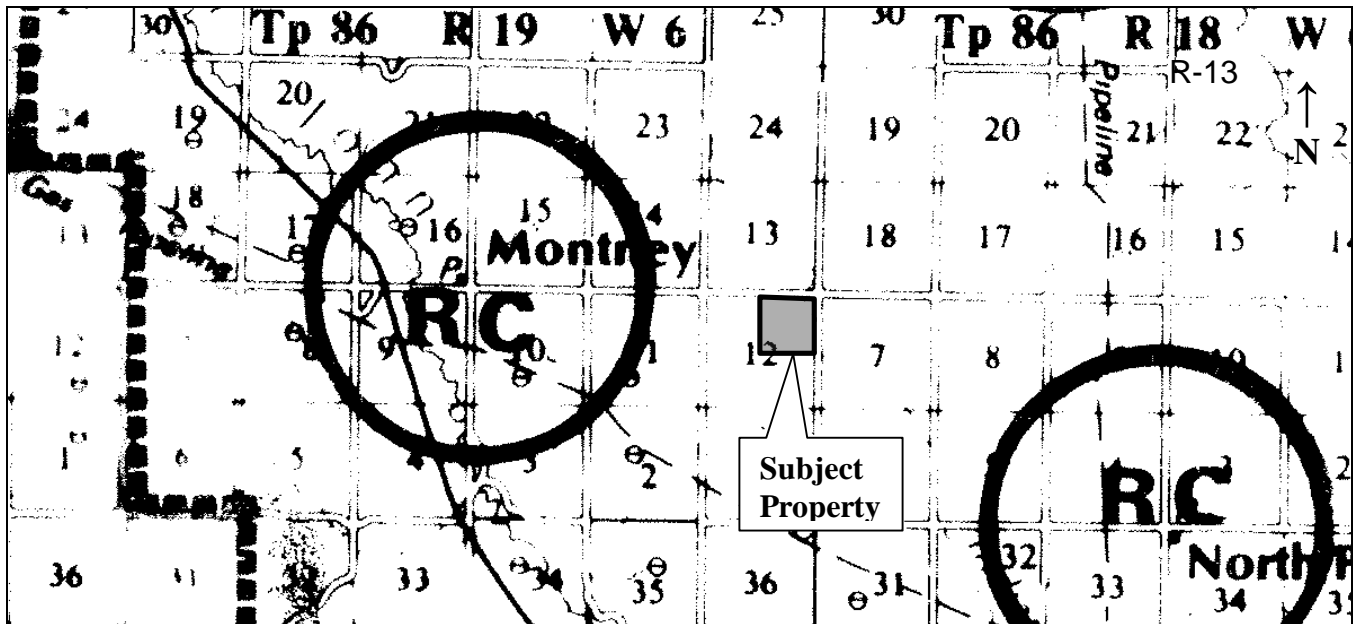
CONTEXT: The proposed subdivision would not be consistent in size and use with the surrounding agricultural lots in the area.

POPULATION: This proposal could increase the local population by 3 persons (BC Stats 2006).

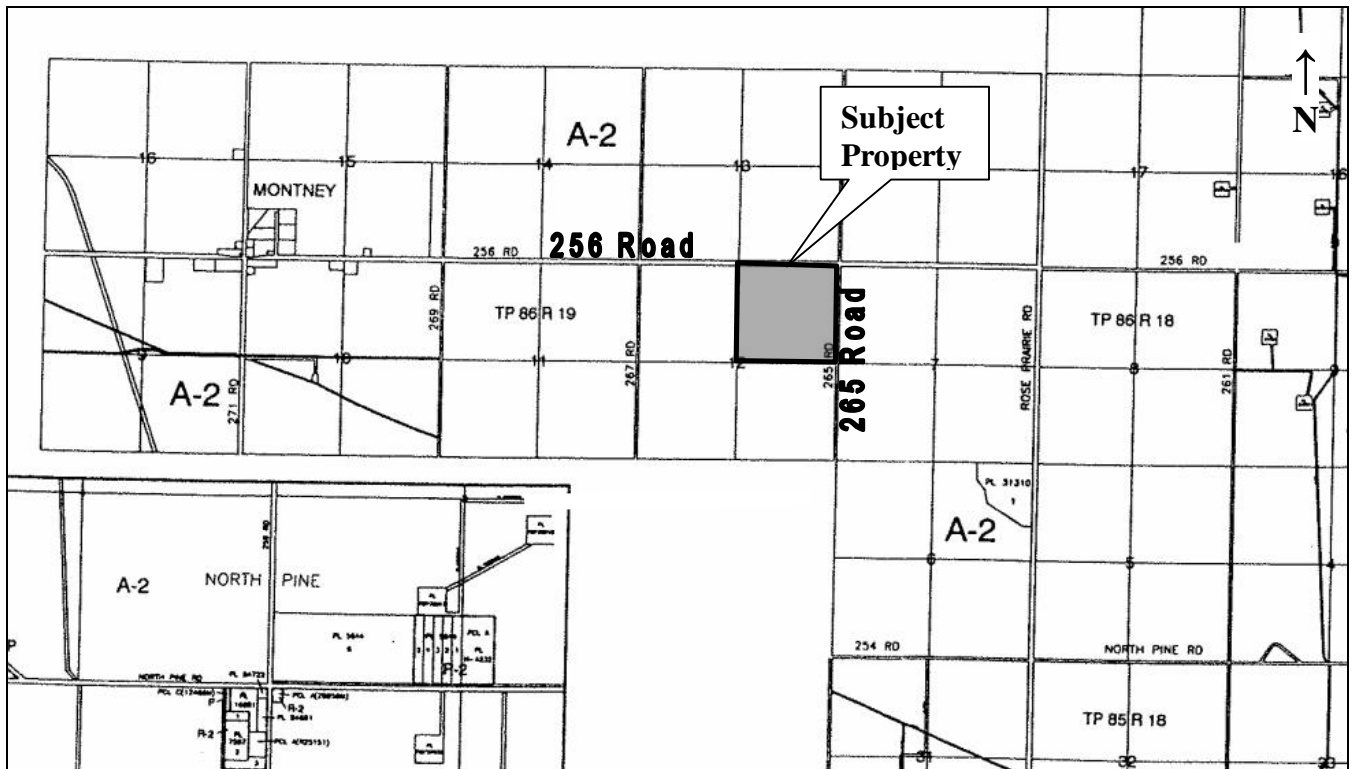
TRAFFIC: This proposal could increase the number of vehicles in the area by 2 (BC Stats 1996).



North Peace Official Community Plan (Map 1)

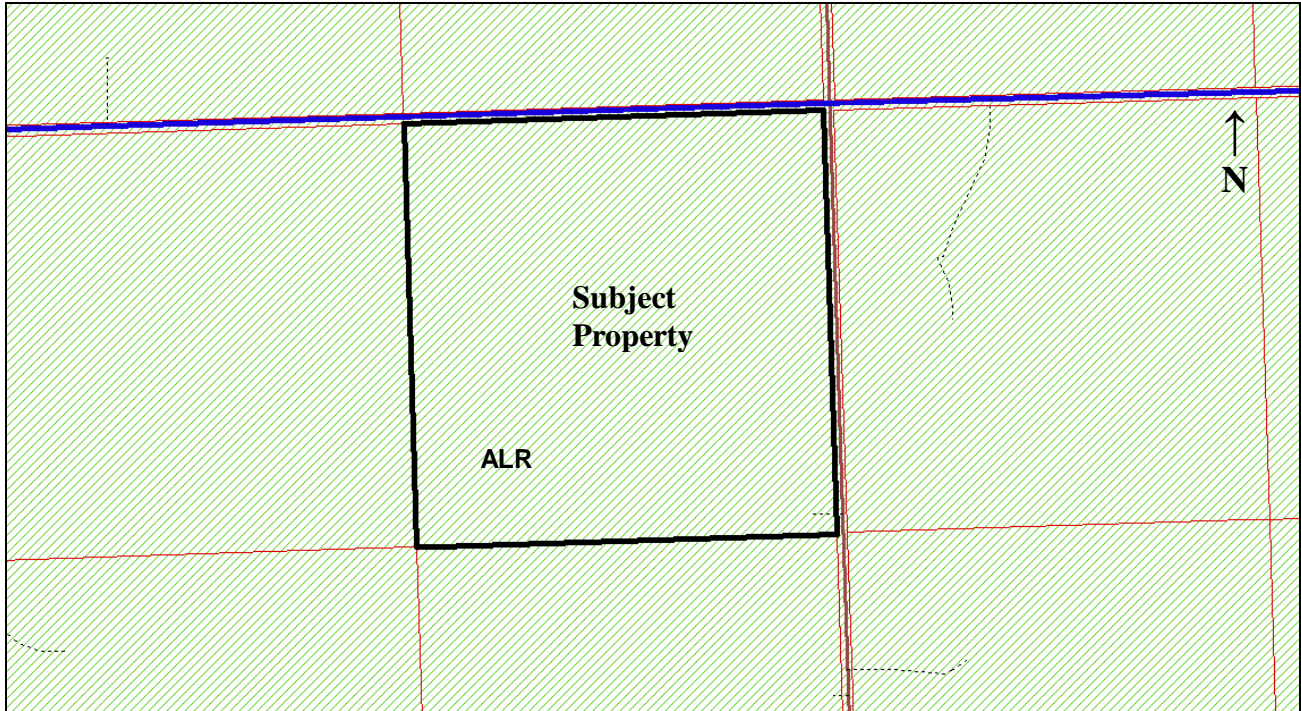


Zoning By-Law 1000, 1996 (Map 10)

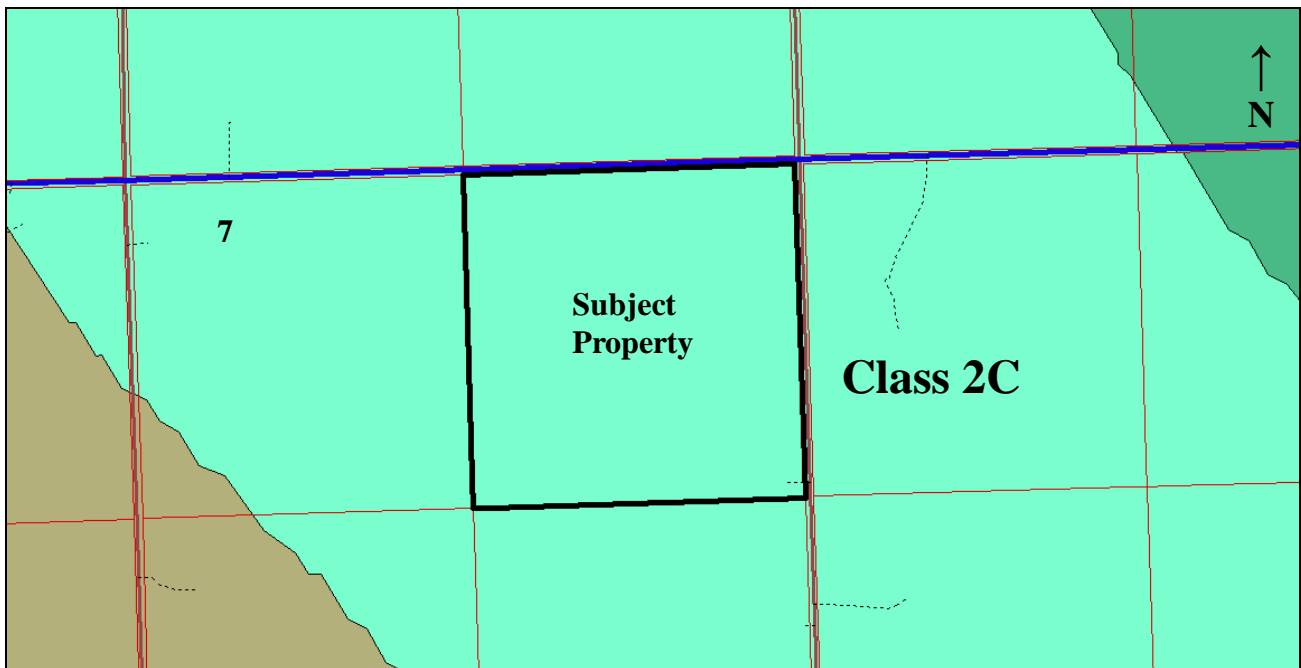




Agricultural Land Reserve (Map #94A.046)



CLI-Soil Classification (Map #94-A-7)



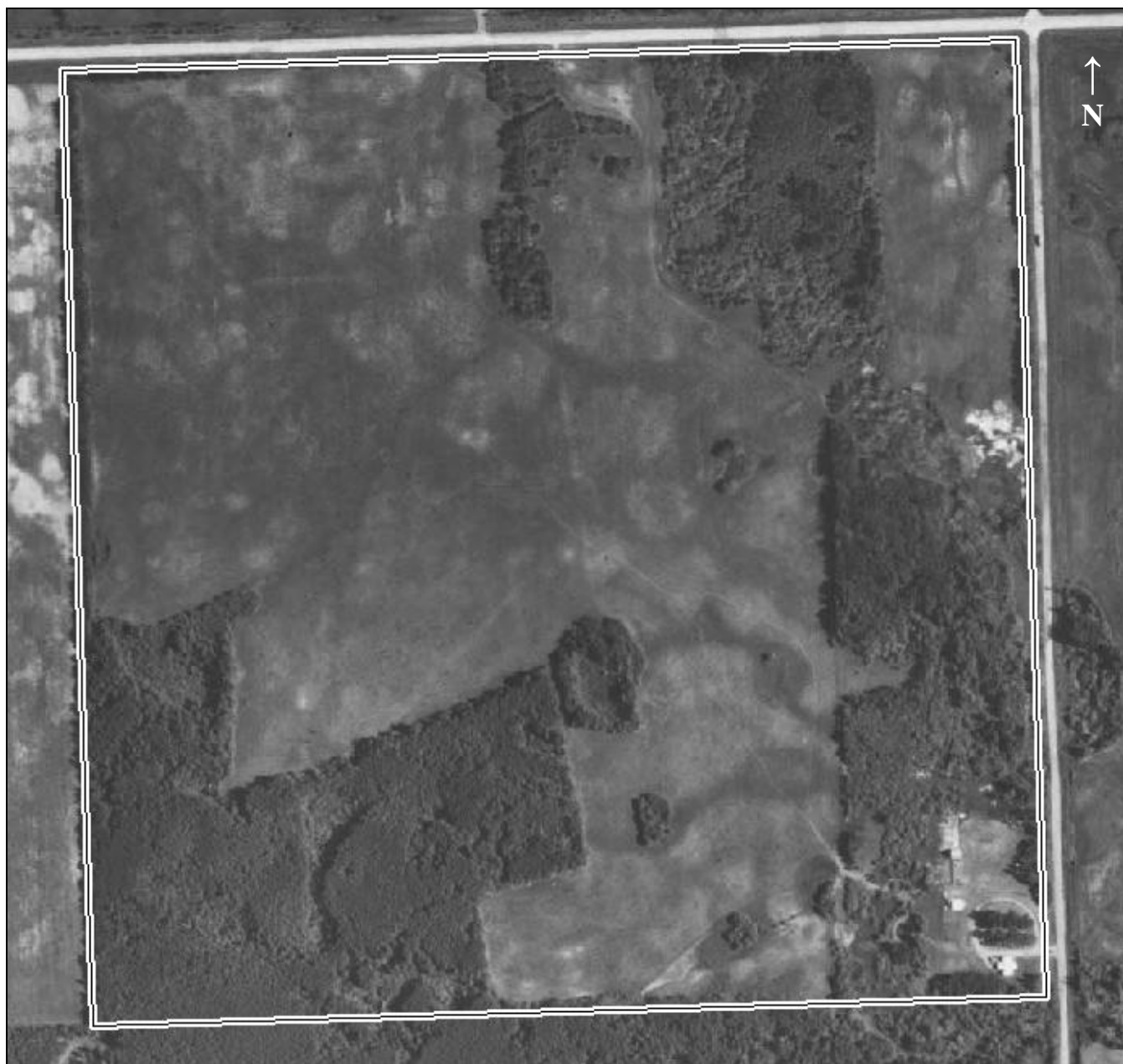


ALR SUBDIVISION REPORT – SUTHERLAND

MAPS

FILE No. 156/2009

Air Photo No. 94A.046





APPLICATION BY LAND OWNER

R-13

A156/200a

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.

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TYPE OF APPLICATION (Check appropriate box)

- EXCLUSION under Sec. 30(1) of the Agricultural Land Commission Act
- INCLUSION under Sec. 17(3) of the Agricultural Land Commission Act

- SUBDIVISION in the ALR under Sec. 21(2) 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: Dale & Mavis Sutherland		Agent:	
Address: RR#1 Site 16 Comp. #42		Address:	
Fort St. John BC			
	Postal Code V1J4M6		Postal Code
Tel. (home) Fax 250-827-3505	(work) 793-3767 263-7825	Tel.	Fax
E-mail mavis@pris.bc.ca		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
PL 41067	160 acres	07	1997

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): n/a

Nov 12 2009

PROPOSAL (Please describe and show on plan or sketch)

We wish to subdivide the non-arable homesite from the remainder of the quarter section. The homesite is an "island" surrounded by public road and Indian Creek and is situated on the southeast corner of the property. We wish to retain the arable land and continue farming it for many years to come.

Planner's note: Applicants have stated they will continue to live on subdivided homesite.

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

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

producing hay and grain crops, grazing for horses and cattle. 4 bdrm home, shop, barn, two sheds, two grainaries.

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

North	forage + residential
East	old fescue inactive - residential
South	forage + residential
West	crops

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.

<u>Oct 13/09</u> Date	<u>M Sutherland</u> Signature of Owner or Agent	<u>MAVIS SUTHERLAND</u> Print Name
<u>Oct 13/09</u> Date	<u>Dale Sutherland</u> Signature of Owner or Agent	<u>DALE SUTHERLAND</u> 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)

crop use

R-13

residential /
forage

Indian Creek

xxx fence

NE 1/4 Section 12
Twp 86 Rng 19 W6M

hayfield / crop

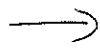
256 Road ← Mantray

forage / hay / residential

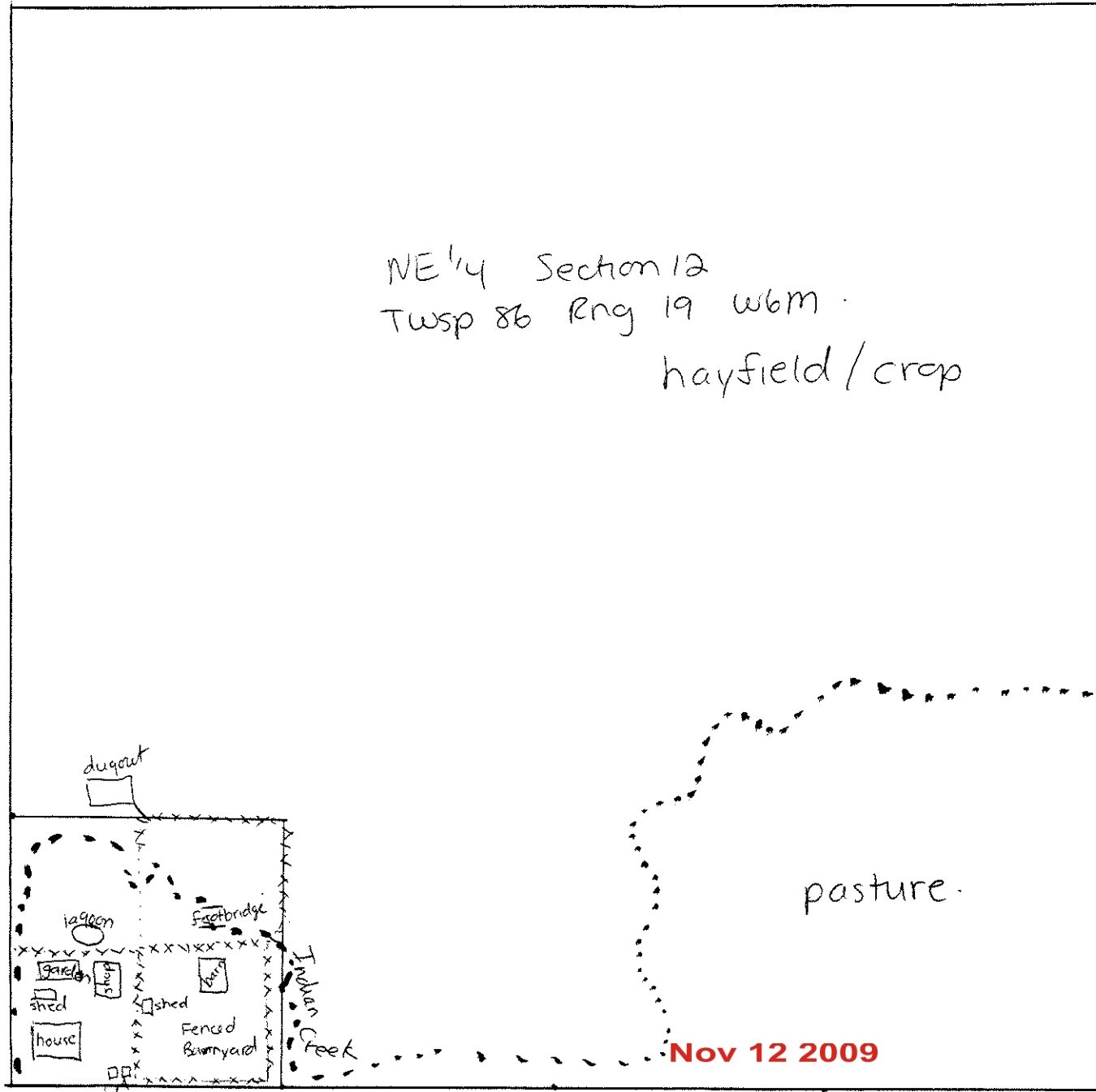
S

N

proposed lot
approx
10 acres



.2 km



Nov 12 2009

old granaries
.2 km

265th Road

Inactive fescue crop / residential

residential / hay
outs