



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
ALR NON-FARM USE REPORT
FILE NO. 165/2009**

**ALL MEMBERS
PARTICIPATE.**

OWNER: Darryle King
AREA: Electoral Area D
LEGAL: NW ¼ Section 12, Township 26, PRD
LOT SIZE: 57.41 ha (141.86 ac)
LOCATION: South of Swan Lake

DATE: October 30, 2009

R-18

PROPOSAL

The applicant is applying for this Non-farm use permit to facilitate the storage of a drilling rig already present on the property

RECOMMENDATION

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

OPTIONS

- OPTION 1:** THAT the Regional Board refuse authorization for the application to proceed to the Agricultural Land Commission as submitted.
- OPTION 2:** THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission on the basis that the subject property is adjacent to an I-1 zoned property and approval of this application could lead to this property being brought into compliance with both the zoning and Agricultural Land Commission Act Regulations

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. 143, 2001
AGRICULTURAL LAND RESERVE (ALR): Within
BUILDING INSPECTION AREA: Within
COMPREHENSIVE DEVELOPMENT PLAN: Outside

SITE CONTEXT



This area is predominately a farming area with most parcels being of the Quarter Section size however there is a great deal of oil and gas exploration and production activity in this region as well.

SITE FEATURES

LAND: The subject property is partially cleared while a portion remains covered by trees; the cleared portions of the property are used for the production of hay.

STRUCTURES: The applicant's home-site is situated in the south eastern corner of the parcel

ACCESS: The subject property is accessible by Highway 2, the 203 Rd and/or the old Edmonton Highway.



 _____ Department Head _____ CAO

CLI SOIL RATING: The entire subject property consists of class 4X-4W soils, soils in the class have severe limitations that restrict the range of crops or require special conservation practices. Subclass X denotes soils having limitations resulting from the cumulative effect of two or more adverse characteristics while subclass W indicates excess water in the soils.

FIRE: The subject property is within the Tomslake fire protection area

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Previous Applications – Subject Property

File No. 179/2006 (PACL File No.W-36867)
 Applicant: Darryle King/Caribou Road Service
 Legal: NW ¼ Section 12, Township 26, PRD
 Proposal: To exclude a portion of the parent parcel to alleviate problems surrounding the claimed illegal use of the property by the Ministry of Transportation for a stock pile site
 PRLRD: PRRD forwarded the application to the Agricultural Land Commission on September 11, 2006
 PALC: The Agricultural Land Commission granted approval by way of Resolution #427/2006

PREVIOUS APPLICATIONS – PROPERTIES WITHIN 100 M

There have been no previous applications on any properties within 100m of the subject property.

COMMENTS AND OBSERVATIONS

APPLICANT: The applicant has stated that it is his intention to bring the property into compliance with both the Agricultural Land Commission Act and Local Government Zoning By-law Regulations.

ALR: The subject property is within the Agricultural Land Reserve; Therefore, **this proposal requires Agricultural Land Commission approval.**

OCP: The subject property is currently designated as Rural Resource - Agricultural (OCP By-law No. 477, 1986) whereby the storage of industrial equipment is not a permitted use. However it is the intention of the land owner to also apply for a Temporary Industrial Use Permit if granted approval on this Non-farm Use application, **Thus, an OCP amendment will not be required** since such permits are allowed on a case-by-case basis throughout the OCP area.

ZONING: The subject property is currently designated as A-2 Large Agricultural Holdings (Zoning By-law No. 1343, 2001) whereby the storage of industrial equipment is not a permitted use. However it is the intention of the land owner to also apply for a Temporary Industrial Use Permit if granted approval on this Non-farm Use application, **Therefore, a zoning amendment will not be required.**

IMPACT ANALYSIS

AGRICULTURE: This proposal will reduce the agricultural options available to an 80m x 40m section of the property's cultivated area and reduce the likelihood that this portion of the property will be used for agricultural purposes in the future until such time as the equipment is moved off the property. The proposal should have minimal negative affects on existing or potential agricultural use of the remainder of the subject property and surrounding agricultural lands.

POPULATION: This proposal will not increase the population of the area as there are no dwellings included in the proposal.

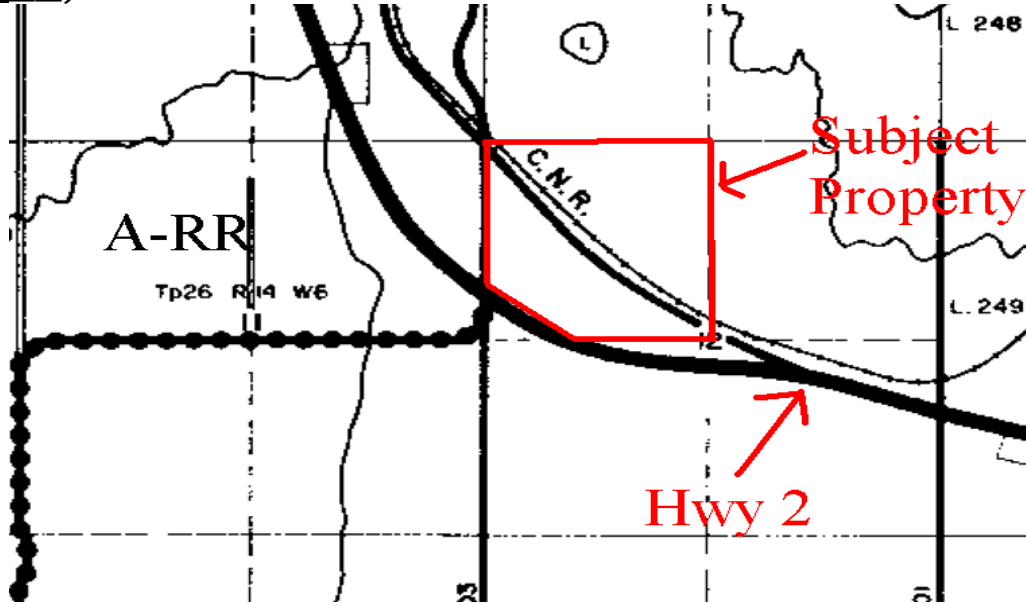
TRAFFIC: This application will increase traffic in the area intermittently. Only during times when equipment is brought in or being moved off the property will there be traffic involved in the proposal.

OTHER: It should be noted that the applicant and this particular land parcel are currently under by-law enforcement action by the Peace River Regional District for storage of industrial equipment contrary to the A-2 zone.

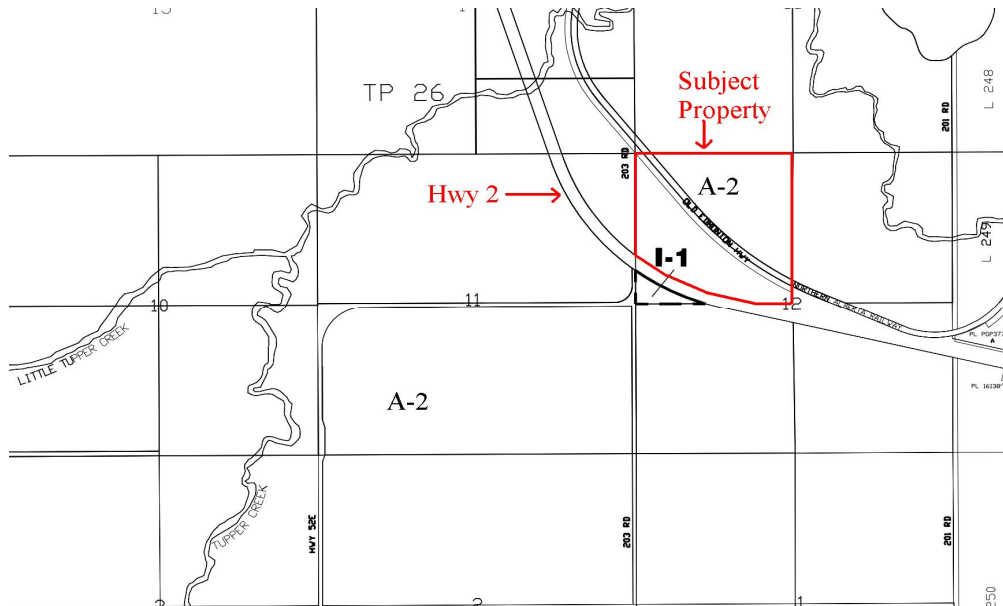
ENVIRONMENT: This proposed land use could create an environmental issue for Swan Lake as there is a possibility of residual waste products getting into run-off flowing into Swan Lake.



Dawson Creek Rural Official Community Plan By-law No. 477, 1986
(map# 7)



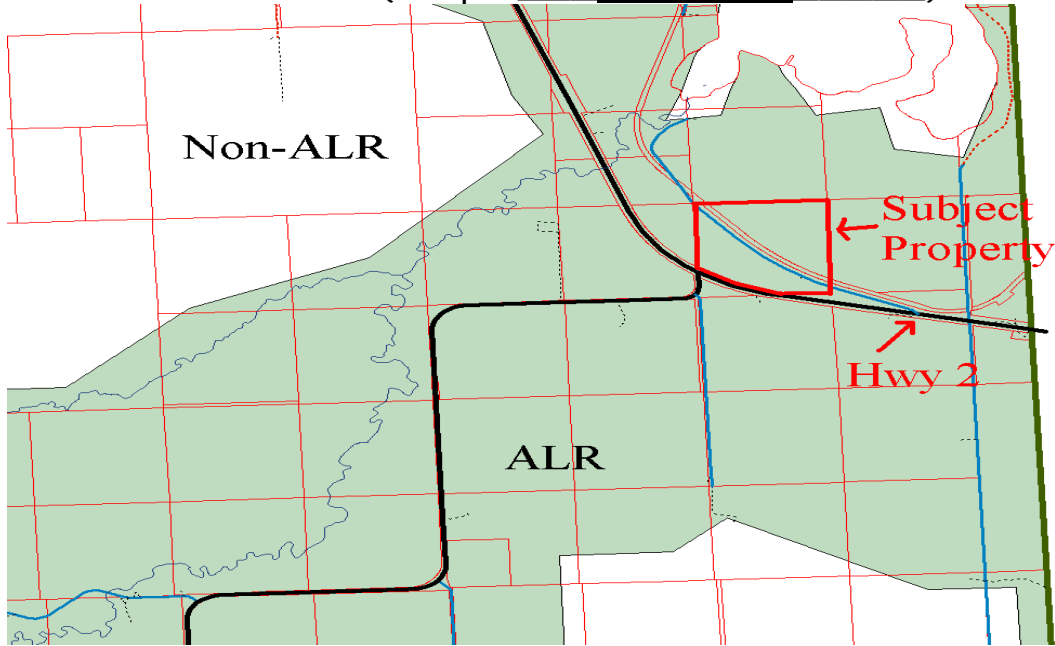
Peace River Regional District Zoning By-Law No. 1343, 2001
(Schedule B map# 17)



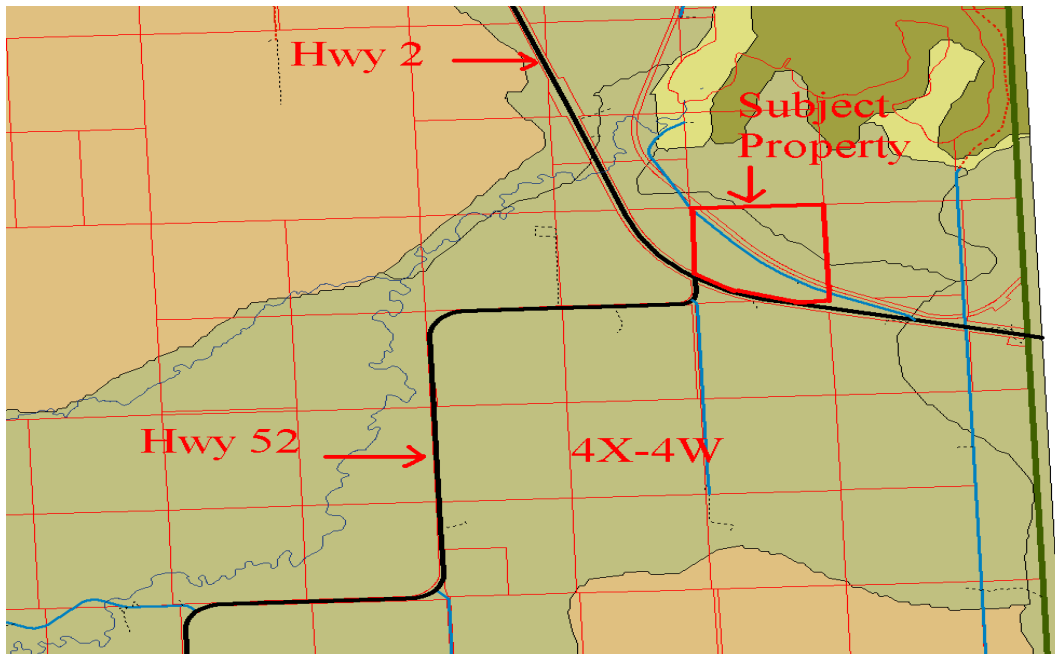


Application # 165/2009

Agriculture Land Reserve (map# 93-P-050)



CLI - Soil Classification (map# 93-P- 9)





APPLICATION BY LAND OWNER

R-18

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: DARRYLE KING
Address: PO Box 28
TOMSLAKE
BC. Postal Code VOC 2L0
Tel. (home) 250 786 5739 (work) 780 876 8873
Fax 250 786 5729
E-mail kingdarryle@yahoo.ca

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: BX4 71542, 57.41, August, 2005

OWNERSHIP OR INTERESTS IN OTHER LANDS WITHIN THIS COMMUNITY

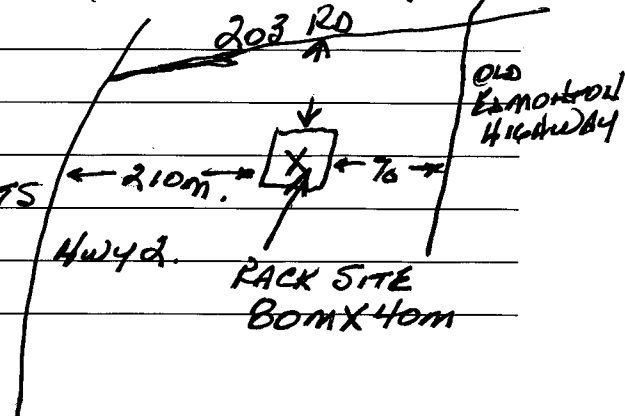
(Show information on plan or sketch)

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

Title Number(s):

Nov 12 2009

FROM OLD EDMONTON HIGHWAY SOUTH 70M.
AND EAST OF 203 RD 120M SQUARE PARCEL OF 80m x 40m.
RACKED 18 COMPONENTS OF DRILLING - NORTH TO HWY 2 - 210M.
RIG BEAVER 12



DERRICK OUTSIDE OF RACK SITE 35M
ACTUAL GRD COVERAGE 2-8x70 MATTS
3050/m.

CONDUCTED GRD DISTURBANCE &
SPILLAGE INSPECTION - SATISFACTORY

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

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

GRASS FIELD - GRAZING

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

North OLD EDMONTON HIGHWAY - SWAMP TO SWAN LAKE
East GOVERNMENT PROPERTY
South HIGHWAY 2 - GOVERNMENT WINTER SAND STORAGE
West NEIGHBOURS HAY FIELD

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.

01/29/09 Date [Signature] Signature of Owner or Agent DARRYLE KING Print Name

____ Date _____ Signature of Owner or Agent _____ 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)

Nov 12 2009