



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
REPORT ON EXCLUSION FROM THE
AGRICULTURAL LAND RESERVE (ALR)
FILE NO. 161/2009**

**ALL MEMBERS
PARTICIPATE.**

R-1

OWNER: Bill and Amber Dyer **DATE:** November 10, 2009
AREA: Electoral Area C
LEGAL: Lot 2, Plan 31270, SE ¼ of Section 24, Township 84, Range 20, W6M, PRD
LOT SIZE: 16 ha (40 ac)
LOCATION: 2 km west of Charlie Lake

PROPOSAL
 To exclude from the ALR a 4 ha (10 ac) portion from the northeast corner of Lot 2, Plan 31270, SE ¼ of Section 24, Township 84, Range 20, W6M, PRD for subdivision and residential sale.

RECOMMENDATION: OPTION 1
 THAT the Regional Board **refuse** the application to proceed to the Agricultural Land Commission on the basis that it does not conform to the existing OCP or Zoning.

OPTIONS

- OPTION 1: THAT the Regional Board refuse the application to proceed to the Agricultural Land Commission on the basis that it does not conform to the existing OCP or Zoning.
- OPTION 2: THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission.

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP): Small Agricultural Holdings, Charlie Lake OCP Bylaw No. 907, 1994
ZONING: A-2 (Large Agricultural Holdings Zone), Bylaw No. 1343, 2001
AGRICULTURAL LAND RESERVE (ALR): Within
BUILDING INSPECTION AREA: Within
COMPREHENSIVE DEVELOPMENT PLAN: Not Within an Identified Area

SITE CONTEXT

The subject property is located 2 km west of Charlie Lake near the Alaska Highway. The immediate area is a mix of agricultural and rural residential uses, though some light industrial uses occur to the east of the property along the Alaska Highway. The subject property borders or faces residential lots to the north, west, and east; agricultural land lies to the south. Tea Creek runs diagonally through the subject property from northwest to southeast.

SITE FEATURES

LAND: Mix of pasture, trees, and brush except for the homesite.
STRUCTURES: House, shop, and pasture.
ACCESS: From the gravelled Wright Road.
SOIL: Most of the subject property and all of the area of proposal has a CLI soil rating of 3W.
FIRE: Charlie Lake Rural Fire Protection Area.




 Department Head CAO

PREVIOUS APPLICATIONS – SUBJECT PROPERTY

None on file.

PREVIOUS APPLICATIONS – PROPERTIES WITHIN 100 M**APPLICANT:** John & Anna Koop, PRRD File #8/2006 (ALC File # W-36594)**LEGAL:** SW ¼ of Sec. 24, Twp. 84, Rge. 20, W6M, PRD**PROPOSAL:** To **subdivide** the subject property into 16 x 4 ha (10 acre) lots for residential development.**DECISION:** PRRD **supported** the proposed subdivision, March 2006.
ALC **approved** subdivision by Resolution #205/2006, May 2006.**APPLICANT:** Raymond and Patricia Green, PRRD File #189/1997 (ALC File #21-W-87-21689)**LEGAL:** SW ¼ of Sec. 24, Twp. 84, Rge. 20, W6M, PRD**PROPOSAL:** To **subdivide** the subject property into 1 x 16.2 ha and 1 x 48.4 ha lots.**DECISION:** PRRD **supported** the proposed subdivision, November 1987.
ALC **refused** the application as submitted, but **approved** a subdivision of a maximum of 4 ha (10 ac) if the remainder were consolidated with the NW ¼ Sec. 13w which lies immediately to the south, March 1988.**APPLICANT:** Frank and Janet Eaton, PRRD File #83/1981 (ALC File #201-W-81-13082)**LEGAL:** SW ¼ of Sec. 24, Twp. 84, Rge. 20, W6M, PRD**PROPOSAL:** To subdivide the subject property into 4 x 20 acre and 1 x 80 acre parcel.**DECISION:** PRRD **refused** application on June 1981, but was later **submitted** to the ALC on request.
ALC **refused** the application to subdivide into either 5 parcels or 2 parcels on the basis that the he subject property had “good agricultural potential.”**COMMENTS AND OBSERVATIONS****APPLICANT:** The applicant wishes to exclude from the ALR a 4 ha (10 ac) portion from the northeast corner of Lot 2, Plan 31270, SE ¼ of Section 24, Township 84, Range 20, W6M, PRD for subdivision and residential sale. Staff discussed with the applicant the option of subdividing pursuant to Section 946 of the Local Government Act, but since the applicant does not wish to keep the proposed lot, this option is not being pursued.**ALR:** The subject property lies 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 “Small Agricultural Holdings” within Charlie Lake OCP Bylaw No. 907, 1994, wherein the minimum parcel size is 15 ha (37 ac). **Therefore, this proposal will require an OCP amendment under the current OCP.****Note:** Proposed North Peace Fringe Area OCP By-law No. 1870, 2009 (at 1st Reading stage) designates the subject property as Low Density Rural Residential, wherein the minimum parcel size is 4 ha (10 ac). **Therefore, this proposal would be supported by this Fringe Area OCP, were it in effect.** In other words, should the applicants wait until the new OCP is ratified, an OCP amendment would not be required under the new OCP.

ZONING: The subject property is currently zoned A-2 (Large Agricultural Holdings Zone) within Zoning By-law No. 1343, 2001, wherein the minimum parcel size is 63 ha (155 ac). **Therefore, this proposal will require a zoning amendment.**

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IMPACT ANALYSIS

AGRICULTURE: This proposal may affect the limited agricultural potential of the subject property by reducing its size.

CONTEXT: This proposal is consistent in size and use with the residential lots to the north, east, and west.

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

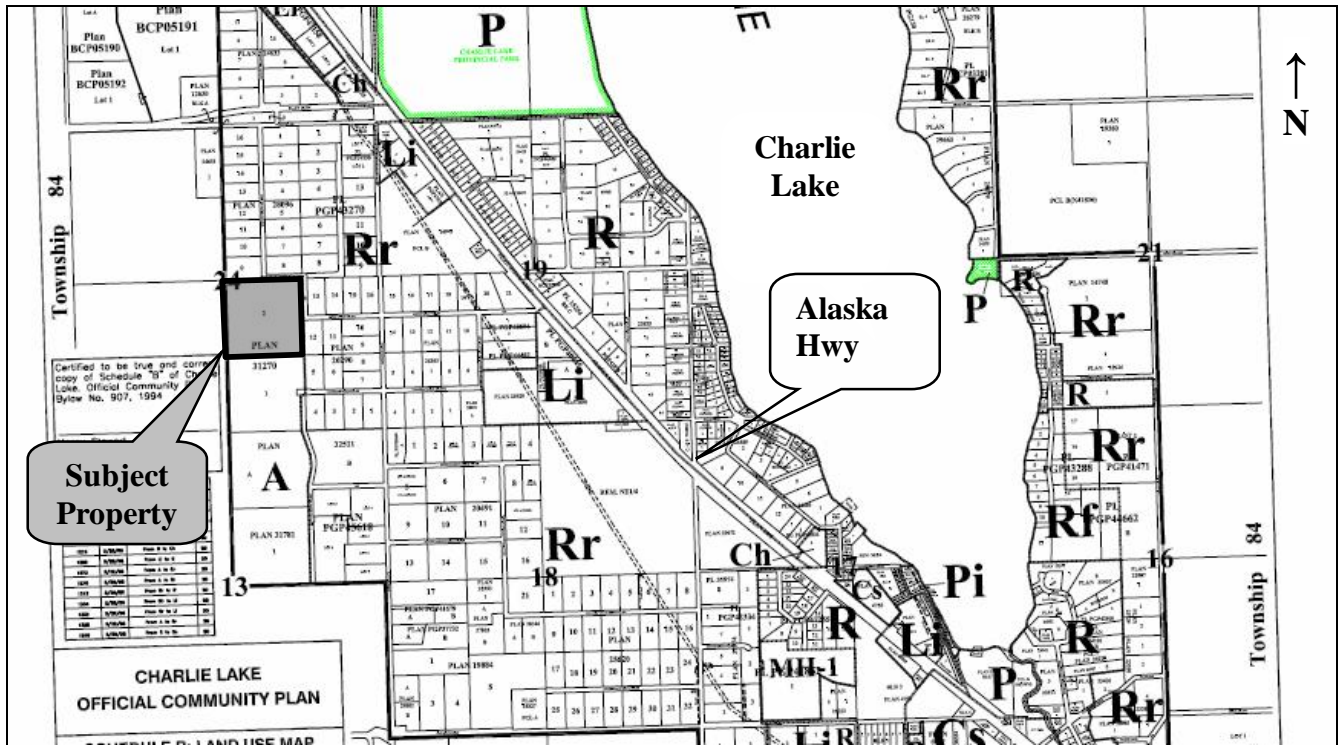
TRAFFIC: This proposal could increase the number of vehicles in the area by 2 (BC Stats 2006).



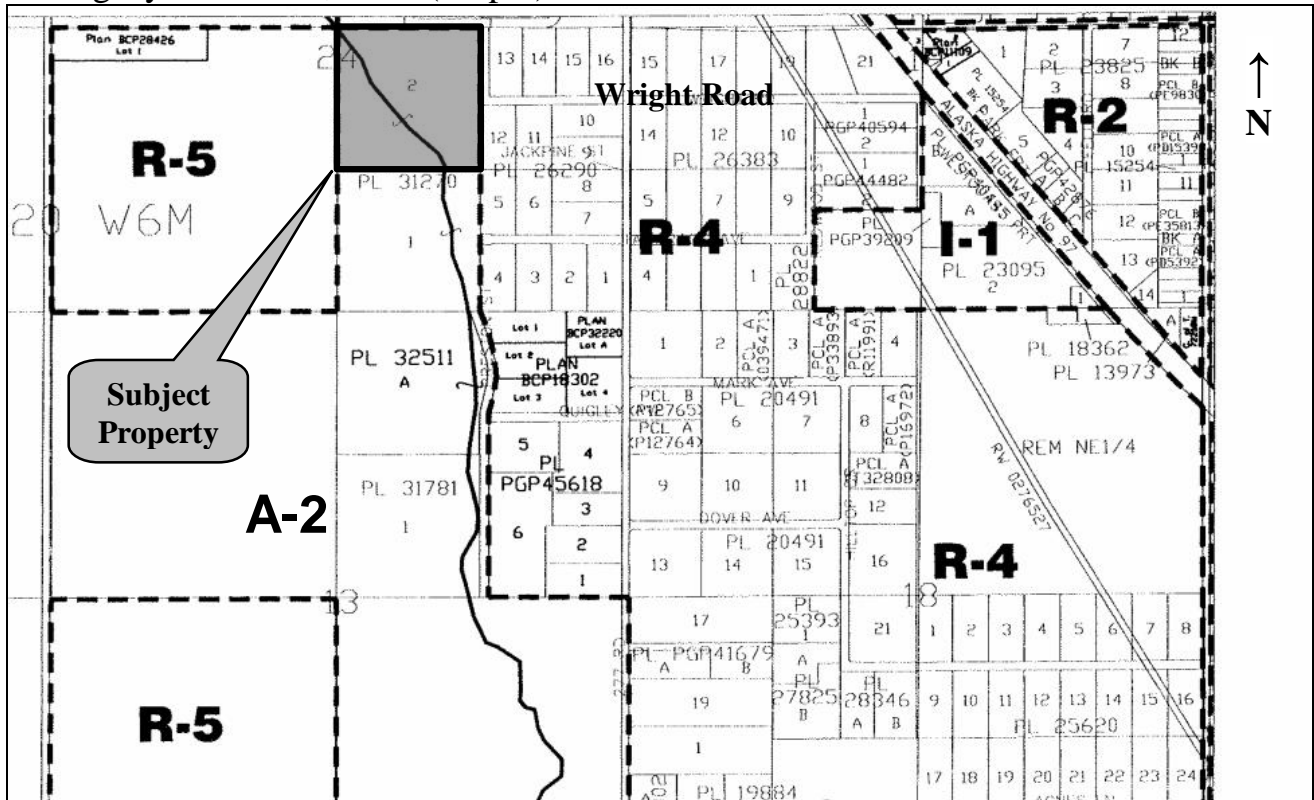
MAPS

FILE No. 161/2009

Charlie Lake Official Community Plan



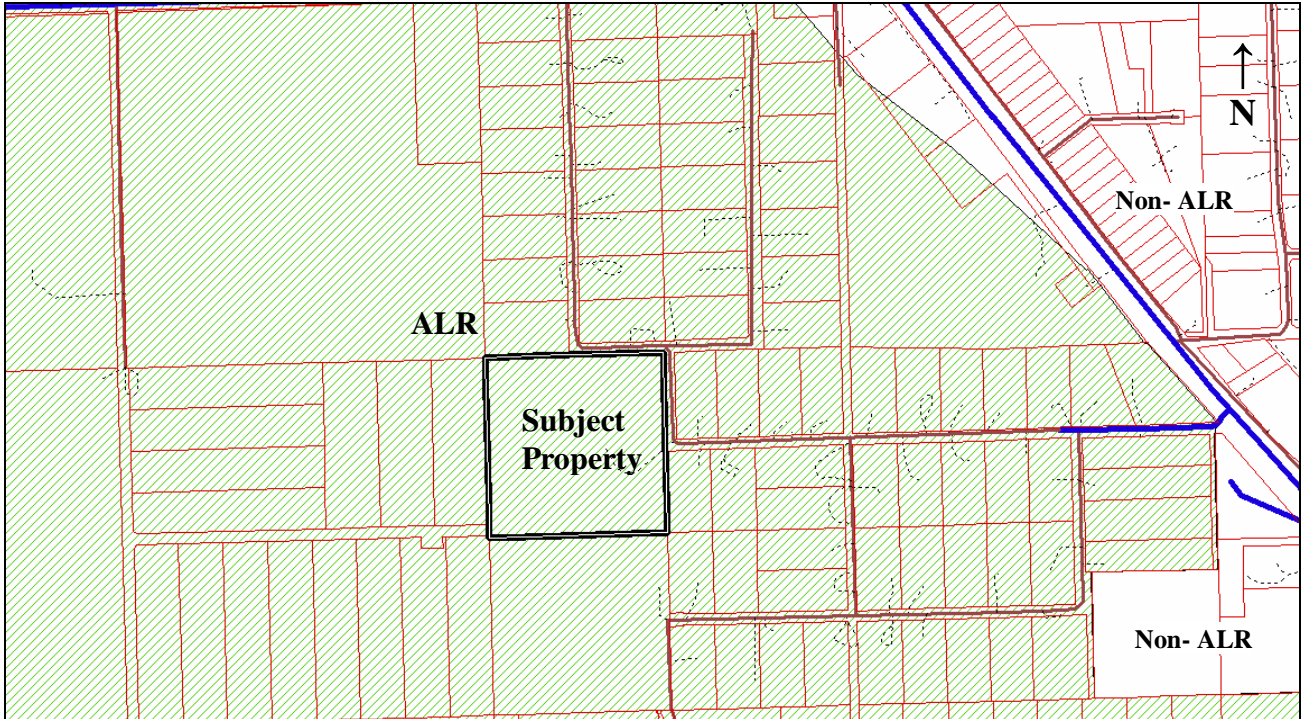
Zoning By-Law 1343, 2001 (Map 5)



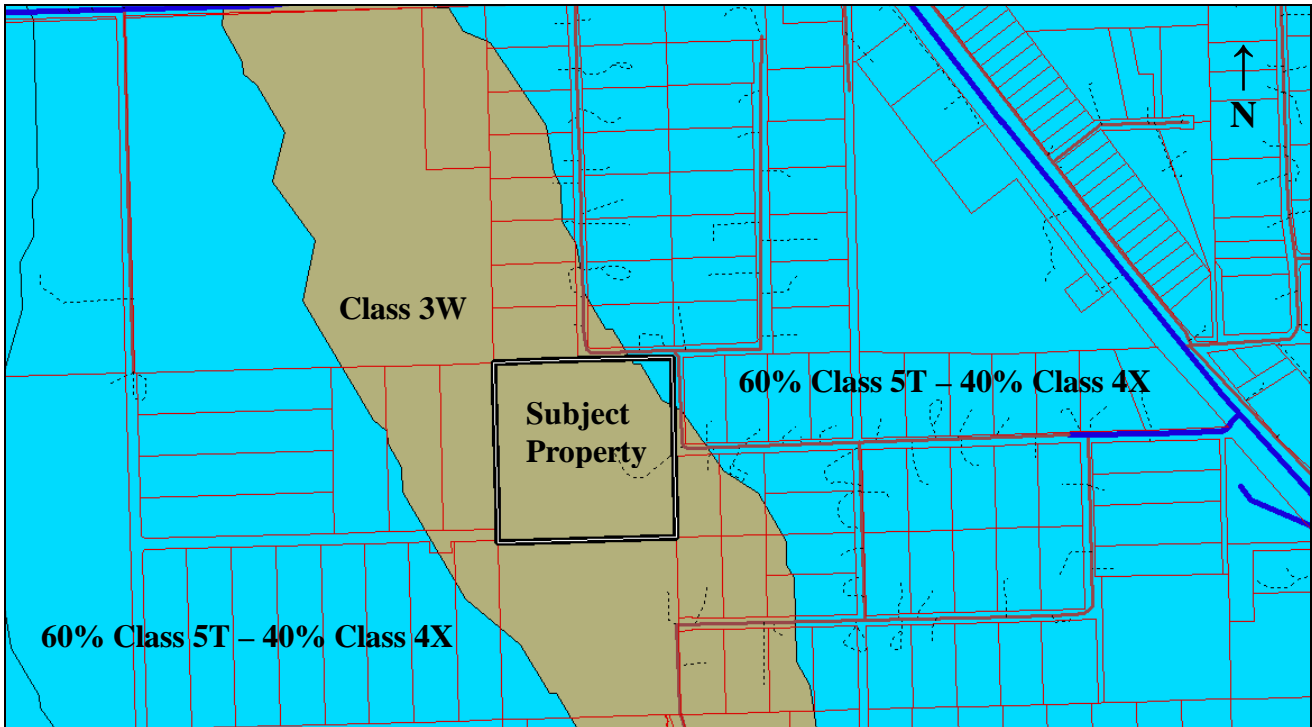


ALR EXCLUSION REPORT—DYER
MAPS
FILE NO. 161/2009

Agricultural Land Reserve (Maps #94A.025)



CLI-Soil Classification (Maps #94-A-6)





ALR EXCLUSION REPORT –DYER
MAPS
FILE No. 161/2009

Air Photos #94A.025



file #1161/09

receipt # 2822

APPLICATION BY LAND OWNER

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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.

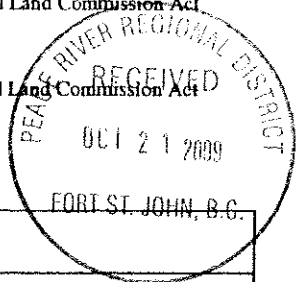
TYPE OF APPLICATION (Check appropriate box)

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: Bill Dyer (Amber)		Agent:	
Address: 8821 CU site 15		Address:	
Fort St. John,			
	Postal Code V1J 4M7		Postal Code
Tel. (home) 787-0050 (work) 263-8877		Tel.	
Fax 787-0530		Fax	
E-mail aldyer@pris.ca		E-mail	

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

PRRD

LAND UNDER APPLICATION (Show land on plan or sketch)

Title Number	Size of Each Parcel (Ha.)	Date of Purchase	
		Month	Year
PE15870	40 ac	June	1991

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): _____

Exclude 10 acres for residential use

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

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

Residential + horse pasture, House + Shop.

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

North Residential
East Residential
West Residential
South Farm? or 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.

Oct 20/09 Date Signature of Owner or Agent William D. Dyer Print Name
Oct 20/09 Date Signature of Owner or Agent Amber L. Dyer 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)

photo of sign

DOT. Row. (This & Sec. Now 10-12 acre Lots)

Proposal # 1 - Peace River Dist. Lot 2 PL: 31270 Sec. 24 TWP 84

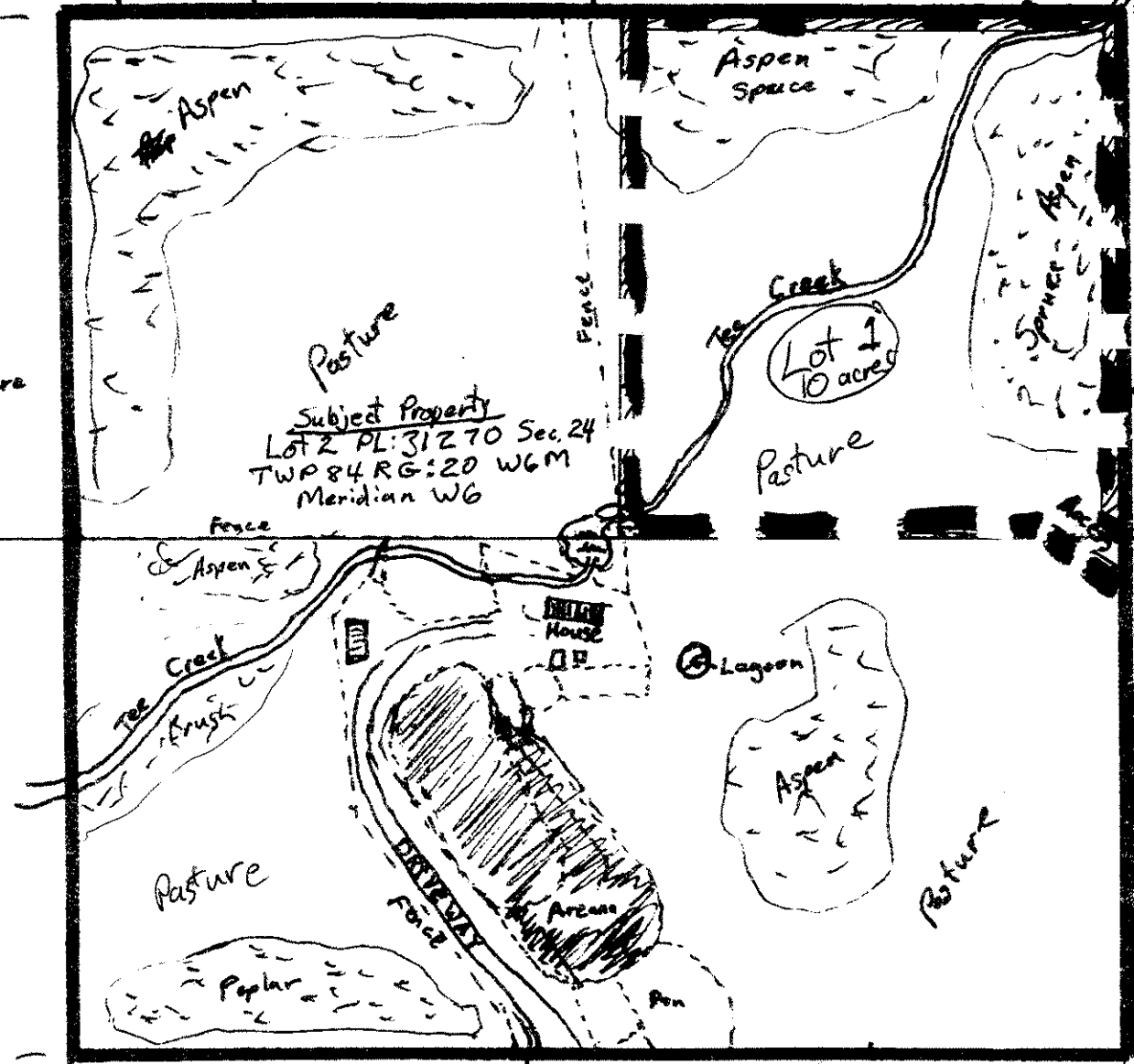
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40 acre Lot.

area of subdivision

Subject Property
Lot 2 PL: 31270 Sec. 24
TWP 84 RG: 20 WGM
Meridian W6

Lot 1
10 acres



4.5 Acre Lot

Wright Road

Daines Rd

Nov 26 2009

