



PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES

ALL MEMBERS
PARTICIPATE.

Report on Subdivision within the
Agricultural Land Reserve (ALR)

R-7

FILE NO. 001/2010

OWNER: Gordon Miller **DATE:** January 19, 2009
AREA: Electoral Area D
LEGAL: NE ¼ Sec 32, Twp79, Rge 14, W6M, & SW ¼ Sec 33, Twp 79, Rge 14, W6M, PRD
LOT SIZE: NE ¼ Sec 32 = 58ha (143.21 acres) SW1/4 Sec33 = 58.92ha (145.49 acres)
LOCATION: South of Rolla Hamlet

PROPOSAL

To subdivide a 2 acre lot from the NE ¼ of Section 32 and to re-align the parcel lines of the SW ¼ of Section 33 whereby the majority of this parcel would be amalgamated into the NW ¼ of Section 33.

RECOMMENDATION: OPTION 1

THAT the Regional Board support and authorize the amalgamation portion of the application to proceed to the Agricultural Land Commission on the basis that the proposal is supported by Dawson Creek Rural Area OCP By-law No. 477, 1986 and Dawson Creek Rural Area Zoning By-law No. 479, 1986; and

That the Regional Board deny authorization to proceed for the creation of the 2 acre lot on the NE ¼ of Section 32 considering that such a subdivision would be contrary to OCP.

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 supported by Dawson Creek Rural Area OCP By-law 477, 1986 and Dawson Creek Rural Area Zoning By-law No. 479, 1986; and

That the Regional Board deny authorization to proceed the creation of the 2 acre lot on the NE ¼ of Section 32 considering that such a subdivision would be contrary to OCP.

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

OPTION 3: THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission as submitted.

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP): Agriculture – Rural Resource, By-law No. 477, 1986
ZONING: A-2 (Large Agricultural Holdings Zone), Bylaw No. 479, 1986
AGRICULTURAL LAND RESERVE (ALR): Within
BUILDING INSPECTION AREA: Outside
COMPREHENSIVE DEVELOPMENT PLAN: Outside

SITE CONTEXT

Page 1 of 3

Printed on:

Bruce Simard

Department Head

John Bloor

CAO

Report prepared by: Owen Bloor, Land Use Planner

January 28, 2010

The subject property is located directly adjacent to the southern boundary of Rolla Hamlet with Rolla Creek traversing through each parcel on a diagonal path flowing from northwest to southeast draining into the Pouce Coupe River.

R-7

SITE FEATURES

- LAND:** The NE ¼ of Section 32 is cleared with 2 home sites presently developed on it, one being in the south east corner with the second being situated near the middle along the eastern property line. The SW ¼ of Section 33 is also cleared and has one home site developed in the north western corner of the property. Both ¼ sections are severed by Rolla creek and several washouts run through each property.
- STRUCTURES:** There are several structures on each subject property as there are 3 home sites developed between the 2 properties. Each home site consists of a house, a shop and several storage sheds.
- ACCESS:** The paved Rolla road runs adjacent to the eastern boundary of the NE ¼ of Section 32 and the western boundary of the SW ¼ of Section 33.
- CLI SOIL RATING:** Class 2C; Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices. Subclass C denotes the land being situated in an area of adverse climate. Class 7TR-6T; Soils in class 7 have no capacity for arable culture or permanent pasture. Soils in class 6 are capable only of producing perennial forage crops, and improvement practices are not feasible. Subclass T denotes topographical constraints while R indicates consolidated bedrock.
- FIRE:** The subject properties are outside of any fire protection zones.

Previous Applications – Subject Property

- APPLICANT:** Gordon Miller
LEGAL: SW ¼ Section 33, Township 79, Range 14 W6M
PROPOSAL: To subdivide a 10 – 15 acre parcel to be utilized in the development of the Rolla Community Sewage system
DECISION: Approved on July 16, 1979 by way of Resolution #11687/79
- APPLICANT:** Mr. & Mrs. E. Braden
LEGAL: NE ¼ Section 32, Township 79,, Range 14, W6M
PROPOSAL: Subdivide 80 acres off for expansion of Hamlet of Rolla
DECISION: Land sold prior to decision being made
- APPLICANT:** Keith & Betty Ann Vig
LEGAL: N ½ Section 32, Township 79,, Range 14, W6M
PROPOSAL: Subdivide the parcel into 2 14 sections
DECISION: Approval granted by way of Resolution #515/83 on April 15, 1983

Previous Applications – Properties within 100 m

NONE ON FILE

COMMENTS AND OBSERVATIONS

- APPLICANT:** It is the intent of the landowner to subdivide a .81 ha lot from the NE ¼ of section 32, Township 79, Range 14 W6M to develop it as a residential lot with the intention of connecting to the Rolla sewerage system. It has been determined through talks with Shannon Anderson the Manager of Environmental Services that the capacity exists for another connect to the Rolla system so long as the applicant bears the cost of installation of all lines and pumps required. It is also the applicant's intention to create from the SW ¼ of Section 33, Township 79, Range 14 an 11.4ha "Hobby farm" parcel from this ¼ section by re-aligning the parcel lines to consolidate the majority of the SW ¼ with the NW ¼ of the same section.
- 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 Subsection iv) states “Creation of a small parcel not less than 1.8 hectare isolated from the remainder of the original land parcel by highway, railway, or major topographical constraint; condition of approval may be to encourage the consolidation of the isolated or remaining land parcel with an adjacent parcel of land” Therefore based on this factor the consolidation portion of **The proposal will not require an amendment to the OCP.**

R-7

Although it can be argued, as shown in the attached pictures, this small parcel is isolated from the parent parcel by a relatively deep gully the second portion of this application calls for the creation of a parcel smaller than the minimum described in Policy 2.2, subsection iv). The creation of the .81ha lot on the NE ¼ Section 32, Township 78, Range 14, W6M **Will require an amendment to the OCP.**

ZONING: The subject properties are zoned A-2 (Large Agricultural Holdings) pursuant to Dawson Creek Rural Area Zoning Bylaw No. 479, 1986 in which section (viii) states “minimum parcel size is 63ha (155 acres)” however subsection (c) states “for those portions of a parcel which are situated on either side of a railway right-of-way, road right-of-way or a watercourse there is no minimum parcel size subject to the Local Services Act only so far as to permit subdivision along the railway right-of-way, road right-of way or watercourse” therefore the consolidation portion of **The proposal will not require an amendment to the zoning bylaw.**

IMPACT ANALYSIS

AGRICULTURE: The majority of the subject properties are currently utilized for farming practices however the .81ha portion the applicant wishes to subdivide off the parent parcel is not being farmed as it is located in the corner of the property and based on aerial photograph interpretation appears to be inaccessible to today’s large scale farm implements. It should also be noted that the creation of a parcel only .81ha in size tends to contradict the basic concept of farming practices as the creation of small sized parcels tends to lead to the creation of more small parcels in that area due to public pressure and demand.

CONTEXT: The subject properties are bordered by the Hamlet of Rolla to the north with quarter section and larger parcels to the south. The .81ha parcel to be created on the NE ¼ of Section 32 is actually on the southern boundary of that ¼ section which in reality places it nearly ½ a mile south from the hamlet of Rolla.

TRAFFIC AND POPULATION: This subdivision will increase traffic by 4 vehicles and the population will increase by 3.6 persons. (BC Statistics, 2006)



January 28, 2010



January 28, 2010



APPLICATION BY LAND OWNER

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: <i>Gordon & Brenda Miller</i>		Agent:	
Address: <i>Box 115</i>		Address:	
<i>Rolla B.C.</i>			
	Postal Code <i>V0C-2B0</i>		Postal Code
Tel. (home) <i>250-759-4756</i> (work) <i>same</i>		Tel.	
Fax		Fax	
E-mail		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
<i>Part NE 1/4, Section 32, Township 29, Range 14 meridian W6</i>	<i>58.00 Ha</i>	<i>November</i>	<i>1996</i>
<i>Part SW 1/4, Section 33, Township 29, Range 14 meridian W6</i>	<i>58.92 Ha</i>	<i>April</i>	<i>1973</i>

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): *SE, NW, NE 1/4s, Section 33, Township 29, Range 14, meridian W6*
NW 1/4, section 11, Township 80, Range 14, meridian W6

PROPOSAL (Please describe and show on plan or sketch)

On NE of 32, there is a .81 hectare piece of land that never has been farmed, and I propose to put a house on it.

on SW of 33, there is a 13.6 hectare piece of land that is split off of the rest of the 1/4 by a creek, and within the 13.6 H piece is a 2.2 Hectare piece that is split of by a ravine. Because of the use of large equipment, these parcels are very hard to farm. I propose to subdivide into 2 parcels, one 2.2 H and one 11.4 H, for small hobby style farms.

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

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

all flat land on SW 33 is currently being farmed as grain land.
all flat land on NE 32 is currently being farmed except for one farm stead with house and out buildings, and the .81 hectare piece which is unfarmable, and part of the town of Rolla

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

North	SW 33 - farmstead, grainland, cemetery. NE 32 - part Town of Rolla, grainland
East	SW 33 - grainland, sewer lagoon. NE 32 - Farmstead, grain land, cemetery
South	SW 33 - 2 farmsteads, grainland. NE 32 - Farmstead, grainland
West	SW 33 - farmstead, grainland. NE 32 - grainland

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.

Dec 7 2009
Date

Gordon D. Miller
Signature of Owner or Agent

Gordon D. Miller
Print Name

Dec 7 2009
Date

B. Miller
Signature of Owner or Agent

Brenda Miller
Print Name

Date

Signature of Owner or Agent

Print Name

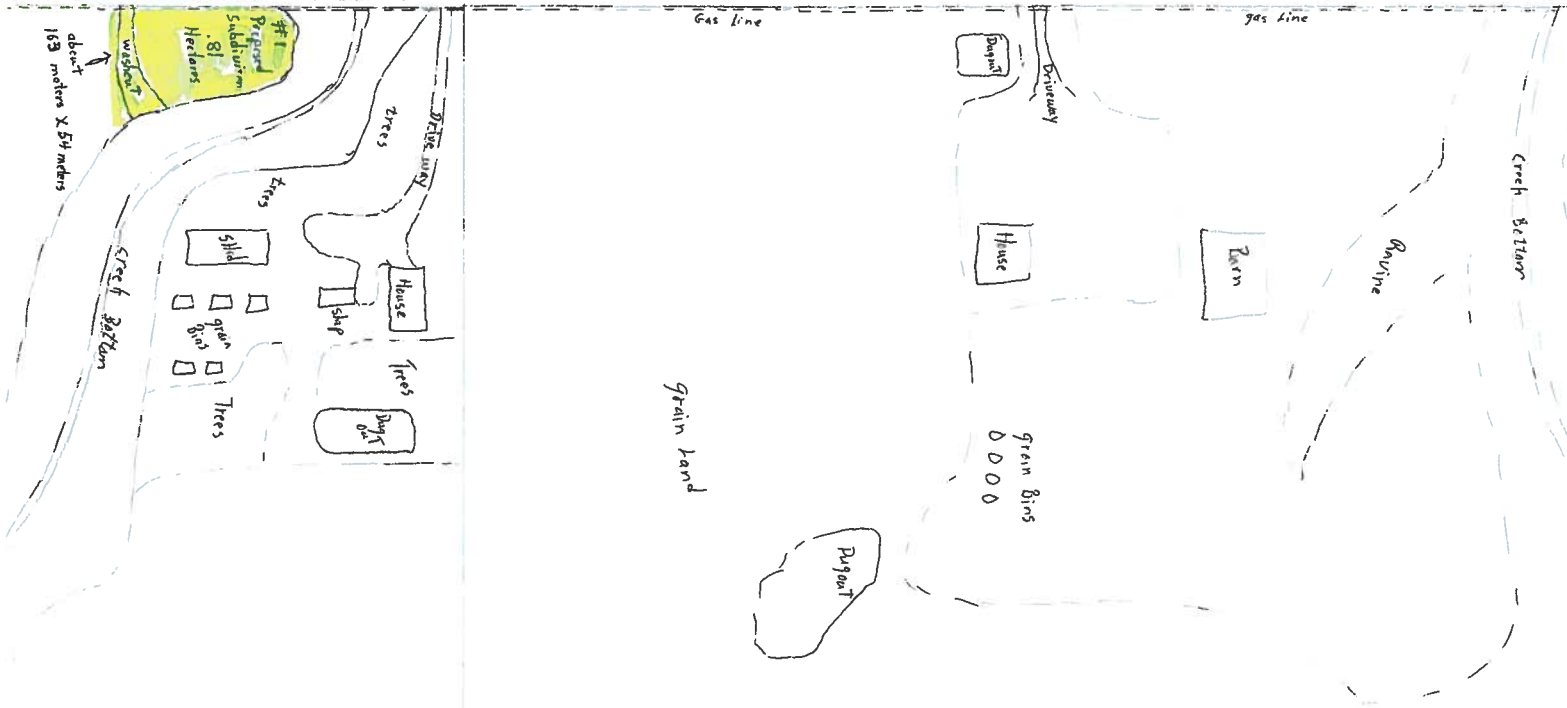
Please ensure the following documents are enclosed with your application:

- 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)

1999 R14 W6
Train Field



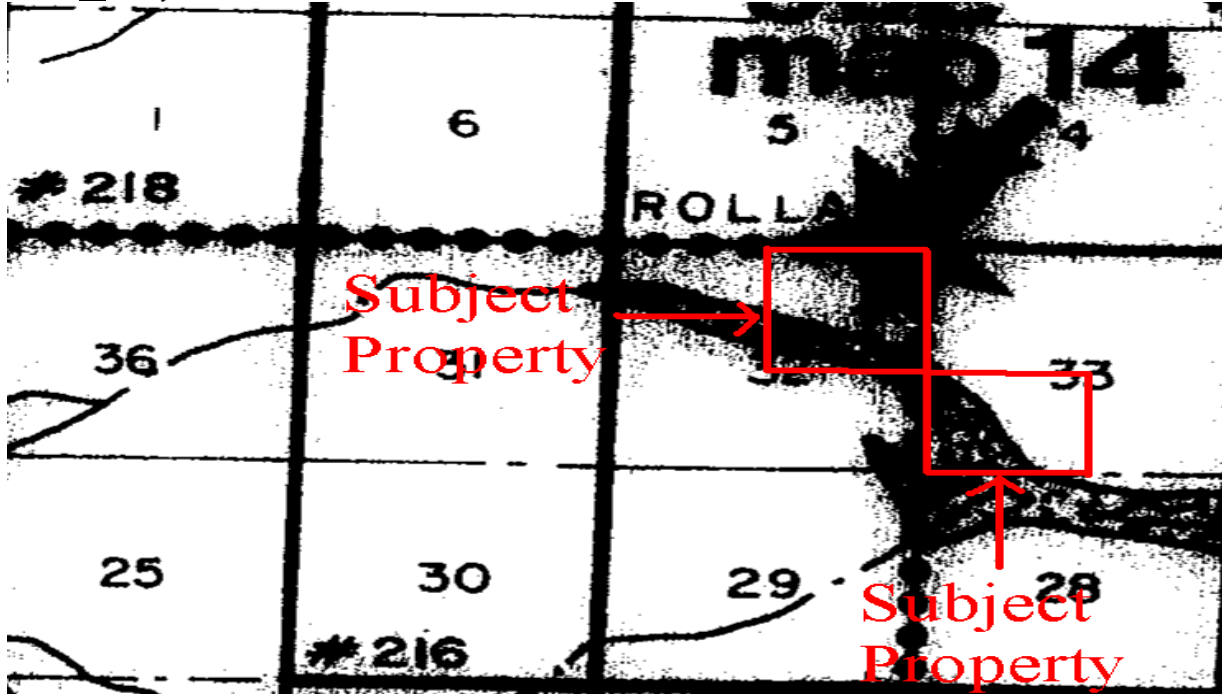
ROLLA ROAD #3



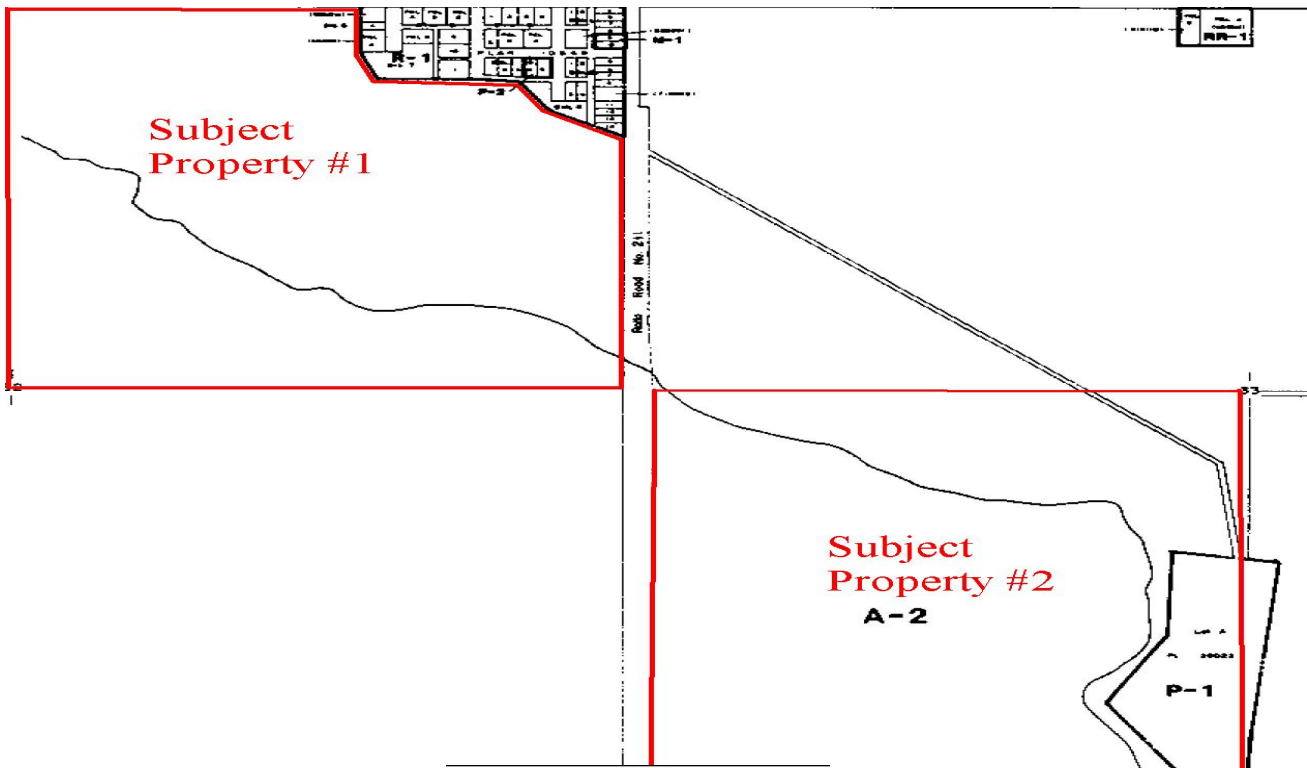
91
13



Dawson Creek Rural Official Community Plan By-law No. 477, 1986
(map# 2)



Peace River Regional District Zoning By-Law No. 479, 1986
(map# 15)

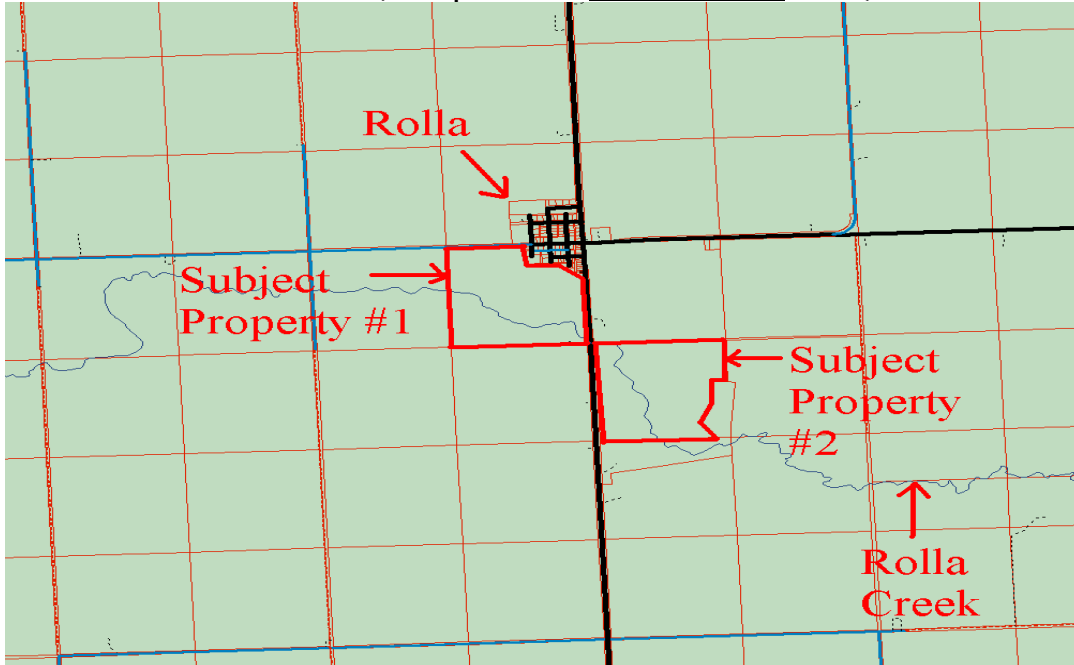


January 28, 2010



Application # 001/10

Agriculture Land Reserve (map# 93-P-090)



CLI-Soil Classification (map# 93-P-16)

