



REPORT

To: Chair and Directors

Report Number: DS-BRD-251

From: Kathy Suggitt, RPP, General Manager of Development Services

Date: July 14, 2022

Subject: Exclusion from the ALR, PRRD File No. 20-001, ALC ID 59906

OPTIONS: [Corporate Unweighted]

1. That the Regional Board support ALR Exclusion application 20-001 (ALC ID 59906), to exclude a 10.79 hectare portion from the property identified as PID 004-347-358 from the Agricultural Land Reserve, and authorize the application to proceed to the Agricultural Land Commission.
2. That the Regional Board respectfully refuse authorization for ALR Exclusion application 20-001 (ALC ID 59906), to exclude a 10.79 hectare portion from the property identified as PID 004-347-358 from the Agricultural Land Reserve, to proceed to the Agricultural Land Commission.

BACKGROUND/RATIONALE:

Proposal

To exclude a 10.79 ha (26.7 ac) portion of a 65.37 ha (161.5 ac) parcel for future subdivision. If the exclusion is allowed by the ALC, the applicant intends to subdivide the proposed excluded portion into five lots. Four of the five lots will be 2.04 ha (5.04 ac) in size each, and the remaining one will be 2.64 ha (6.52 ac) in area. The one 2.64 ha lot will contain the existing dwelling. An existing mobile home and shop will be contained on one of the adjacent 2.04 ha lots. The applicant has stated that the use of the remaining three 2.04 ha lots will be determined in consultation with the Regional District at time of zoning, should the proposal proceed to that step.

File/Site Details

Owner: Peter Walter, Agnes Walter
Agent: Sherry Gordon, K.B. Miller & Associates Ltd.
Area: Electoral Area C
Location: Charlie Lake
Legal: The North East $\frac{1}{4}$ of Section 4 Township 84 Range 19 W6M PRD
Civic Address: 11114 271 Road, Fort St John
PID: 004-347-358
Lot Size: 65.37 ha (161.5 ac)

Background

The application previously went to the Board on February 13, 2020, prior to the new ALR exclusion process coming into effect, with the Board passing the following recommendation:

MOVED, SECONDED, and CARRIED

That the report dated January 13, 2020 from the General Manager of Development Services titled 'Exclusion from the ALR, PRRD File No. 20-001, ALC ID 59906' be deferred to a future Board meeting when the Electoral Area 'C' Director is present.

The application was brought back to the Board on February 27, 2020 and the Board passed the following recommendation:

MOVED, SECONDED, and CARRIED

That the Regional Board defer consideration of ALR Exclusion 20-001 (ALC ID 59906), to exclude a 10.79 ha portion from the property identified as PID 004- 347-358 until the Regional District has a subdivision and development servicing bylaw in place.

On June 9, 2022, the Regional Board adopted Subdivision and Development Servicing Bylaw (SDSB) No. 2474, 2022. Knowing that this application has been pending for well over two years, staff have prepared this report for the Board's consideration as quickly as possible. The applicant has reached out, through their consultant, to expedite their application as expressed in their letter received on June 30, 2022. The correspondence is included in the attachments.

As the subject property is not located within a community sewer or water service area, the SDSB would only be applicable with regards to storm water management, as per Ministry of Transportation and Infrastructure requirements, and fire suppression requirements at time of subdivision.

Official Community Plan (OCP)

Pursuant to PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009 (NPFA OCP), the property is designated Agriculture. Section 3.2.2 Policy 1 states principal uses in Agriculture designated areas will be limited to agriculture, and uses which are complementary to agriculture such as agriculture-related uses, agriculture business-related uses, or temporary work camps. Section 3.2.2 Policy 3 states the minimum parcel size within the Agriculture designation is 63 ha.

The proposed parcel uses and sizes are not consistent with the NPFA OCP, and would require an OCP Amendment, therefore the proposed exclusion is not supported by the OCP.

Land Use Zoning

Pursuant to PRRD Zoning Bylaw No. 1343, 2001 (Zoning Bylaw), the property is zoned A-2 (Large Agricultural Holdings Zone). Section 33.1 allows dwelling units as a permitted principal use within the A-2 zone, however, Section 33.2 states the minimum parcel size in the A-2 zone is 63 ha.

The proposed parcel uses and sizes are not consistent with the Zoning Bylaw, and would require a Zoning Bylaw Amendment, therefore the proposal is not supported by zoning.

Fire Protection Area

The property is within the Charlie Lake Fire Protection Area.

Mandatory Building Permit Area

The property is within the PRRD Mandatory Building Permit Area.

Development Permit Area

The property is outside all PRRD Development Permit Areas.

School District 60 School Site Acquisition Charge

The property is within the School District 60 School Site Acquisition Area, and will be applicable as new residential lots are created.

Development Cost Charge Area

The property is outside the PRRD Development Cost Charge Area.

Comments Received from Agencies**Ministry of Agriculture:**

The Ministry of Agriculture affirms that the creation of smaller lots through subdivision on the subject parcel does not appear to be in the best interest of agriculture. Their comments are in the attachments of this report.

City of Fort St. John:

The City of Fort St. John does not support the exclusion of productive agricultural land in the rural region with no proposed land use indicated. Their comments are in the attachments of this report.

ALTERNATIVE OPTIONS:

1. That the Regional Board support ALR Exclusion application 20-001 (ALC ID 59906), to exclude a 10.79 hectare portion from the property identified as PID 004-347-358 from the Agricultural Land Reserve; further that the Regional Board authorize the application to proceed to the Agricultural Land Commission with recommended conditions of approval.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE

☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

None at this time.

COMMUNICATIONS CONSIDERATION(S):

The Board's decision will be communicated to the applicant.

OTHER CONSIDERATION(S):

The draft North Peace Fringe Area Official Community Plan (OCP) Bylaw No. 2460, 2021 will replace the North Peace Fringe Area Official Community Plan that was adopted in 2010. The area in consideration for exclusion from the ALR remains to be in an (AG) Agricultural OCP designation in the new OCP. Section 5.1.3 of the draft new OCP states that the Peace River Regional District will support the general objectives of the Agricultural Land Commission in preserving the agricultural land base for future food production and food security through the Agriculture land use designation. Section 5.1.5 states that in reviewing development applications, the

Peace River Regional District will ensure that decisions and amending bylaws are consistent with the purposes of the *Agricultural Land Commission Act* so that land can be used for agricultural and complementary uses as permitted by the legislation.

Therefore the proposed exclusion is not supported by the draft NPFA OCP.

Next Steps:

Should the proposed exclusion receive Board support and subsequent ALC approval, the next steps would be:

1. Applicant would be required to apply to the PRRD for an OCP and Zoning Amendment.
2. Applicant would be required to apply for subdivision approval through the Ministry of Transportation and Infrastructure.

Attachments:

1. Maps, PRRD File No. 20-001 ALR EXC
2. Application, PRRD File No. 20-001 ALR EXC
3. Comments from Agencies, PRRD File No. 20-001 ALR EXC
4. Comment from Applicant's Agent, PRRD File No. 20-001 ALR EXC

External Links:

[Exclusion from the ALR, PRRD File No. 20-001](#) – See Item R-13