



REPORT

To: Chair and Directors

Report Number: DS-BRD-072

From: Shawn Dahlen, Chief Administrative Officer

Date: September 28, 2020

Subject: Non-Farm Use in the ALR, PRRD File No. 20-011 ALRNFU

OPTIONS: [Corporate Unweighted]

1. That the Regional Board support ALR Non-Farm Use application 20-011 ALRNFU, to permit shale removal from a 10 ha portion of the property identified as PID 014-259-184, and authorize the application to proceed to the Agricultural Land Commission.
2. That the Regional Board respectfully refuse authorization for ALR Non-Farm Use application 20-011 ALRNFU, for shale removal from a 10 ha portion of the property identified as PID 014-259-184, and authorize the application to proceed to the Agricultural Land Commission.

BACKGROUND/RATIONALE:

Proposal

To continue the removal of approximately 12,000 m³ in total of shale over the next 10.5 years from a 10 ha portion of the subject property.

The applicant has previously submitted a Notice of Intent (ALC File #61065) for shale removal, but because the extraction had already occurred, retroactive approval under a Notice of Intent is not permitted. The applicant has now submitted this Non-Farm Use application.

File/Site Details

Owner: Hutterian Brethren Church of Pibrich
Area: Electoral Area D
Location: Doe River
Legal: Southeast ¼ of Section 11 Township 81 Range 14 West of the 6th Meridian Peace River
Except Plan 14970
PID: 014-259-184
Civic Address: 284/292/294 Albright Road
Lot Size: 62.3 ha (153.8 ac)
ALC ID: 61206

Official Community Plan (OCP)

Pursuant to PRRD Rural Official Community Plan Bylaw No. 1940, 2011, the property is designated Agriculture-Rural. Within this designation, agriculture is the principle use of land. Policy 12 states all sand and gravel deposits are recognized by the Regional District as being within provincial jurisdiction. Policy 15 states soil removal within the ALR is subject to the *Agricultural Land Commission Act*.

Therefore, the proposal is consistent with the OCP.

Land Use Zoning

Pursuant to Dawson Creek Rural Area Zoning Bylaw No. 479, 1986, the property is zoned A-2 (Large Agricultural Holdings Zone). Mining, including gravel extraction and processing facilities, is a permitted use in this zone.

Therefore, the use complies with the Zoning Bylaw.

Fire Protection Area

The property is outside all fire protection areas.

Mandatory Building Permit Area

The property is outside the Mandatory Building Permit Area.

Development Permit Areas

The property is outside all Development Permit Areas.

Development Cost Charge Area

The property is outside the Development Cost Charge Area.

ALTERNATIVE OPTIONS:

1. That the Regional Board support ALR Non-Farm Use application 20-011 ALRNFU, to permit shale removal from a 10 ha portion of the property identified as PID 014-259-184, and 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 Regional Board's decision will be communicated to the agent.

OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Maps
2. ALC Application (ALC ID 61206)
3. Comments from Electoral Area Director