



# REPORT

To: Chair and Directors

Report Number: DS-BRD-029

From: Tyra Henderson, Corporate Officer

Date: June 10, 2020

**Subject: Application for Exclusion from the ALR, PRRD File No. 20-003-ALREx, ALC ID 60120**

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## **OPTIONS: [Corporate Unweighted]**

1. That the Regional Board support ALR Exclusion application 20-003-ALREx (ALC ID 60120), to exclude a 4.1 ha portion of the property identified as PID 013-507-311, and authorize the application to proceed to the Agricultural Land Commission.
2. That the Regional Board refuse authorization for ALR Exclusion application 20-003-ALREx (ALC ID 60120), to exclude a 4.1 ha portion of the property identified as PID 013-507-311, to proceed to the Agricultural Land Commission.

## **BACKGROUND/RATIONALE:**

### **Proposal**

To exclude a 4.1 ha (10.1 ac) portion of the subject property from the Agricultural Land Reserve in order to continue using the land as a rural water treatment and dispensing terminal. The use is currently permitted through a Non-Fam Use approval from 2018 (ALC ID 56832, ALC Resolution #196/2018). If this application is successful, the applicant intends to subdivide the 4.1 ha portion and transfer its ownership to the water terminal corporation.

### **File/Site Details**

Owner: Thomas & Tanza Stahl  
Agent: Thomas Stahl  
Area: Electoral Area B  
Location: Montney  
Legal: SW ¼ of Section 22 Township 85 Range 20 W6M Peace River District  
PID: 013-507-311  
Civic Address: 14472 Stoddart Creek Road  
Lot Size: 64.7 ha (159.8 ac)

### **Official Community Plan (OCP)**

Pursuant to PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009, the subject property is designated Agriculture. Section 3.2.2 of the OCP states the principal uses of land in the Agriculture designation should generally be agricultural, compatible with agriculture, and/or businesses complementary to agriculture. Non-agricultural uses should be directed away from agricultural areas to land with the appropriate designation. However, Section 11.1 states that the PRRD's goal is to ensure that infrastructure, services and utilities meet the needs of residents. Section 11.3 states that the Regional Board may work cooperatively with residents to consider the feasibility of new water systems. Section

11.3.1 Policy 13 states that Public Utility Uses, as defined by the Bylaw, are permitted throughout the plan area.

Therefore, the water treatment and dispensing terminal is both consistent and inconsistent with the OCP.

**Land Use Zoning**

Pursuant to PRRD Zoning Bylaw No. 1343, 2001, the property is zoned A-2 (Large Agricultural Holdings Zone). Although water treatment and dispensing terminal is not listed as a permitted use in the A-2 Zone, it fits the definition of Public Utility Use, which is permitted in all zones by Section 24 of the Bylaw.

Therefore, the water treatment and dispensing terminal uses comply with the zoning regulations.

**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.

**School District 60 School Site Acquisition Charge Area**

The property is within the School Site Acquisition Charge Area, but it is not applicable since no new residential lots are proposed.

**Comments from the Public**

The PRRD received one letter from a member of the public about the proposed exclusion on June 10, 2020. In the letter, the member of the public asked for more information about the plans for the property, including potential effects on the environment and community.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board support ALR Exclusion application 20-003-ALREx (ALC ID 60120), to exclude a 4.1 ha portion of the property identified as PID 013-507-311, 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 60120)
3. Comments from the Public

**Comments from Electoral Area Director:**

The Director called on June 3, 2020 and verbally indicated that this application was okay to move forward.