



REPORT

To: Chair and Directors

Report Number: DS-BRD-487

From: Development Services

Date: June 19, 2025

Subject: Subdivision within the ALR, PRRD File No. 25-003 ALR SUB, ALC ID 103697

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board respectfully refuse Agricultural Land Reserve Subdivision Application No. 25-003 ALR SUB, ALC ID 103697 to subdivide off the existing home site on PID 012-757-420 to create a 12.1 ha parcel (Proposed Lot 1) and consolidate the 53.22 ha remainder with the 123.78 ha parcel to the south, PID 031-142-737, to create a 177 ha parcel (Proposed Lot 2), as the proposal is not consistent with the Peace River Regional District's Official Community Plan or Zoning Bylaws.

BACKGROUND/RATIONALE:

Proposal

The applicant is proposing to subdivide off the existing home site on PID 012-757-420 to create a 12.1 ha parcel (Proposed Lot 1) and consolidate the 53.22 ha remainder with the 123.78 ha parcel to the south, PID 031-142-737, to create a 177-ha parcel (Proposed Lot 2). No new lots would be created in this proposal.

Rationale

Refusal of the application is recommended as the proposal is creating a residential lot that does not comply with the Official Community Plan (OCP) or Zoning bylaws which require a minimum lot size of 63 ha. While the OCP and Zoning Bylaws support subdivisions that are in alignment with the ALC's Homesite Severance Policy, the owner must have continuously owned and lived on the subject property since before December 1972 for the Homesite Severance Policy to apply. The applicant has not provided proof of ownership and occupancy since prior to 1972, therefore the proposal is not consistent with the OCP and Zoning Bylaws and refusal is recommended.

File Details

Owner: Nicole Pedersen
Agent: Kathleen Lush, Tryon Land Surveying Ltd.
Area: Electoral Area B
Location: North Pine
Legal: The North West 1/4 Of Section 33 Township 85 Range 18 West Of The 6th Meridian Peace River District & Lot A Section 33 Township 85 Range 18 West Of The 6th Meridian Peace River District Plan EPP99353
PID: 012-757-420 & 031-142-737
Civic Address: 7137 North Pine Road and 7061 North Pine Road
Lot Size: 65.29 ha & 124.33 ha

Site Context

The subject property is located 20 km north of Fort St. John and is mostly surrounded by large agricultural parcels and is located less than a kilometer west of the North Pine rural neighborhood.

Official Community Plan (OCP)

Pursuant to the PRRD Rural Official Community Plan Bylaw No. 1940, 2011 the property is designated Agriculture-Rural (Ag-Rural). Section 7.2 states land within this designation should be used for agriculture, residential, and uses required of operating a farm, etc. Section 7.3 states the minimum parcel size should be 63 ha.

Section 7.3 (a) states the minimum parcel may be exempt where land is within the ALR and the creation of the new parcel is in compliance with the Agricultural Land Commission (ALC)'s Homesite Severance Policy. Section 7.3 (g) states the minimum parcel size may be exempt where the subdivision is made for the purpose of providing residence to the landowner or a relative of the landowner pursuant to Section 514 of the *Local Government Act* (LGA).

The ALC's Homesite Severance Policy is only applicable when the property under application has been the principal residence of the applicant as owner-occupant since before December 21, 1972, and Section 514 of the LGA can only be applied to Agricultural Land Reserve (ALR) lands when the Homesite Severance Policy is applicable. As the applicant has not supplied proof of continuous ownership and occupation of the property since December 1972, the proposal is therefore not consistent with the OCP and an OCP amendment is required.

Land Use Zoning

Pursuant to the PRRD Zoning Bylaw No. 1000, 1996, the property is zoned A-2 (Large Agricultural Holdings Zone). Section 36.1 states land within this zone should be used for agriculture, dwelling units, etc. No more than two single detached dwelling units are permitted. Section 36.2 (a) states the minimum parcel size is 63 ha.

Section 25 states that a subdivision for the purpose of re-aligning parcel boundaries may be permitted provided the intent and land uses of the parcels have not changed and the number of parcels is not increased. The subdivision would change the intent and land use of proposed Lot 1 to a residential parcel.

Therefore, the proposal is not consistent with this zone and a zoning amendment is required.

Impact Analysis**Context**

Proposed Lot 1 is inconsistent with the surrounding land uses as it would not be an integral part of a large agricultural parcel. No conflicts are anticipated.

Population & Traffic

No changes in population or traffic are anticipated.

Sewage & Water

The property is outside of all sewer and water service areas.

Site Features

Land

Most of the subject property cultivated with some treed areas around the home sites.

Structures

There are two dwelling units and various accessory structures on proposed Lot 1 of the subject property.

Access

The two dwelling units on the subject property are accessed by North Pine Road.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as 2c. Class 2 soils have moderate limitations that restrict the range of crops or require moderate conservation practices. Subclass C denotes adverse climate.

Comments & Considerations

Applicant

The exact purchase date of the subject property by the previous landowner is unknown, however it is estimated to be January 1, 1975.

In 2023, the landowner of the subject property (PID 012-757-420) entered into a purchase agreement with the landowner of the parcel directly adjacent to the south, referred to as the south parcel, (PID 031-142-737) to subdivide and consolidate their lands by transferring the cultivated lands of the subject property to the south parcel. This was proposed as the landowner of the south parcel has been leasing and farming the cultivated lands of the subject property. The consolidation would secure full ownership and create a larger agricultural parcel. Meanwhile, the home site on the subject property would be retained. The landowner of the subject property has since passed away, and the current owner (the applicant) is the daughter of the former owner.

The proposal will support agriculture as it will create a larger agricultural parcel that is more economical and efficient for farming long-term. Although the cultivated lands of the subject property had been leased and farmed, there is always uncertainty with these arrangements and full ownership will allow for the best long-term management of the farm.

The previous landowner of the subject property lived in the west residence and his son lives in the east residence. The applicant is legally bound to continue with the subdivision application process as per the purchase agreement.

Fire Protection Area

The property is outside all fire protection areas.

Mandatory Building Permit Area

The property is outside the Mandatory Building Permit Area however Building Permits are still available on a voluntary basis.

School District 60 School Site Acquisition Charge Area

The property is within the School District 60 School Site Acquisition Charge Area. As the proposal would create a new residential lot, a charge of \$1000 must be paid prior to subdivision of the property.

Comments Received from Internal Departments

Bylaw Enforcement Officer

There is no active bylaw enforcement file on this property.

GIS Department

No concerns.

Comments Received from Municipalities and Provincial Agencies

BC Energy Regulator

No concerns.

BC Hydro

No comments.

Ministry of Agriculture and Food

See attached letter.

Pembina Pipeline Corporation

Pembina's infrastructure is located on the far east side of the property and there will be no adverse impacts.

ALTERNATIVE OPTIONS:

1. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- Not Applicable to Strategic Plan

FINANCIAL CONSIDERATION(S):

Should the Board authorize the application to proceed to the ALC, the applicant will be required to pay an additional \$750 application fee to the ALC.

COMMUNICATIONS CONSIDERATION(S):

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

OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Maps, PRRD File No. 25-003 ALR SUB
2. Application, PRRD File No. 25-003 ALR SUB
3. Comments Received from Provincial Agencies, PRRD File No. 25-003 ALR SUB

Deferred from June 19, 2025 Regional Board