



# REPORT

To: Chair and Directors

Report Number: DS-BRD-112

From: Shawn Dahlen, Chief Administrative Officer

Date: January 28, 2021

**Subject: Non-Farm Use in the ALR, PRRD File No. 20-016 ALR NFU**

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

1. That the Regional Board support ALR Non-Farm Use application 20-016 ALR NFU, to have a family cemetery on a 0.1 ha (0.25 ac) portion of the property identified as PID 030-945-461, 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 20-016 ALR NFU, to have a family cemetery on a 0.1 ha (0.25 ac) portion of the property identified as PID 030-945-461, to proceed to the Agricultural Land Commission.

## **BACKGROUND/RATIONALE:**

### **Proposal**

The applicant would like to use a 0.1 ha (0.25 ac) portion of his family farm as a cemetery. Currently, the subject property is used for farming purposes by the applicant.

### **File/Site Details**

Owner: Paul Walter  
Area: Electoral Area B  
Location: Pineview area  
Legal: Lot A St. John Indian Reserve No. 172 Township 85 Range 18 W6M Peace River  
District Plan EPP 95788  
PID: 030-945-461  
Civic Address: 13805 and 13801 Rose Prairie Road  
Lot Size: 373.1 ha (921.94 ac)  
ALC ID: 61995

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

Pursuant to PRRD Rural Official Community Plan Bylaw No. 1940, 2011, the subject property is designated Agriculture Rural (Ag-Rural). Section 7 states that within this designation, the principal use of land is generally limited to agriculture or businesses directly compatible or complementary to the agricultural industry. Policy 3 states that the minimum parcel size is 63 ha (155 ac).

Although the parcel size complies with the OCP, the proposed use does not. Therefore, an OCP amendment for a portion of the subject property to 'Civic, Assembly, and Institutional' would be required.

**Land Use Zoning**

Pursuant to PRRD Zoning Bylaw No. 1000, 1996, the subject property is zoned A-2 (Large Agricultural Holdings zone). Section 36 states that agriculture is a permitted use within this zone. The minimum parcel size is 63 ha (155 ac).

Although the parcel size is consistent with the zoning, the proposed use is not. Therefore, a zoning amendment for a portion of the subject property to 'Public Use Zone' would be required.

**Fire Protection Area**

The subject property is outside all fire protection areas.

**Mandatory Building Permit Area**

The subject property is outside the Mandatory Building Permit Area.

**Development Permit Areas**

The subject property is outside all Development Permit Areas.

**Development Cost Charge Area**

The subject property is outside the Development Cost Charge Area.

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

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

**ALTERNATIVE OPTIONS:**

1. That the Regional Board support ALR Non-Farm Use application 20-016 ALR NFU, to have a family cemetery on 0.1 ha (0.25 ac) portion of the property identified as PID 030-945-461, 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 applicant.

**OTHER CONSIDERATION(S):**

The applicant should apply to the Peace River Regional District for Official Community Plan and Zoning amendments only once the ALR Non-Farm Use is approved by the Agricultural Land Commission., and

an application has been submitted to Consumer Protection BC for approval to operate a cemetery. Consumer Protection BC is a provincial body, who must approve a Certificate of Public Interest. Consumer Protection will determine whether the subject property is suitable to be used as a burial site. , and if the certificate of public interest is approved, it will be registered as a legal notation on the land title. This protects the property going forward and the property can't be sold, leased or developed in the future, unless special permission is granted by Consumer Protection BC.

Attachments:

1. Maps
2. ALC Application (ALC ID 61995)
3. Comments from Electoral Area Director