



# REPORT

To: Chair and Directors

Report Number: DS-BRD-002

From: Tyra Henderson, Corporate Officer

Date: March 27, 2020

**Subject: Application for Non-Farm Use in the ALR, PRRD File No. 20-003-ALRNFU, ALC ID 60571**

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

1. That the Regional Board support ALR Non-Farm Use application, PRRD File No. 20-003-ALRNFU (ALC ID 60571), to allow highway tractor maintenance and storage on a 0.7 ha portion of the property identified as PID 009-627-359, 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, PRRD File No. 20-003-ALRNFU (ALC ID 60571), to allow highway tractor maintenance and storage on a 0.7 ha portion of the property identified as PID 009-627-359, to proceed to the Agricultural Land Commission.

## **BACKGROUND/RATIONALE:**

### **Proposal**

To allow the existing highway tractor maintenance and storage uses to continue on a 0.7 ha (1.7 ac) portion of the property. The uses are associated with a business which operates out of a 688 m<sup>2</sup> (7400 ft<sup>2</sup>) structure, 275 m<sup>2</sup> (2960 ft<sup>2</sup>) of which is living quarters.

### **File/Site Details**

Owner: Michael & Suzanne Haab  
Agent: Loni Evans  
Area: Electoral Area C  
Location: Baldonnel  
Legal: SE ¼ of Section 12 Township 84 Range 18 W6M Peace River District  
PID: 009-627-359  
Civic Address: 5740 242 Road  
Lot Size: 64.93 ha (160.45 ac)

### **Bylaw Enforcement (File No. 17-235)**

The PRRD's Bylaw Enforcement Officer received a complaint regarding a trucking business operating on the subject property, contrary to Section 33 of PRRD Zoning Bylaw No. 1343, 2001. Upon investigation, the Bylaw Enforcement Officer found the complaint to be valid. The use appears to be in contravention of the *Agricultural Land Commission Act* and its regulations.

**Previous Applications**

In 2019, the landowners applied to exclude a portion of the property in order to resolve the bylaw contravention. The PRRD Board authorized the application (PRRD File No. 19-077, ALC ID 58822) to proceed to the ALC, but the ALC denied the exclusion.

**Official Community Plan (OCP)**

Pursuant to PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009, the 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.

Therefore, the highway tractor maintenance and storage uses are not consistent with the OCP.

**Land Use Zoning**

Pursuant to PRRD Zoning Bylaw No. 1343, 2001, the property is zoned A-2 (Large Agricultural Holdings Zone). Highway tractor maintenance and storage are not permitted uses in this zone, except as a Home Based Business per Section 19 of the bylaw. However, the operator of the business does not reside on the property, so the use is currently in contravention of the bylaw.

Therefore, the highway tractor maintenance and storage uses do not comply with the zoning regulations. A zoning amendment or temporary use permit would be required.

**Preservation Area**

Portions of the property are within the Preservation Area, but the area under application for Non-Farm Use is not.

**Fire Protection Area**

The property is outside all fire protection areas.

**Mandatory Building Permit Area**

The property is within the Mandatory Building Permit Area.

**Development Permit Area**

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.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board support ALR Non-Farm Use application, PRRD File No. 20-003-ALRNFU (ALC ID 60571), to allow highway tractor maintenance and storage on a 0.7 ha portion of the property identified as PID 009-627-359, 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 60571), including letters in support
3. Comments from Electoral Area Director