



Agricultural Land Commission Staff Report

DATE: November 2, 2009
TO: Vice Chair and Commissioners - North Panel
FROM: Simone Rivers

RE: Application # 50241

PROPOSAL: To subdivide a 2 ha lot from the 6 ha subject property. The applicants would like to provide a homesite for their son.

PROPOSAL INFORMATION

Background: Located in Clairmont
Received Date: July 16, 2009
Applicant: Henry & Susie Richter
Agent: N/A
Local Government: Peace River Regional District

DESCRIPTION OF LAND

PID: 024-743-976
Legal Description: Lot A Section 4 Township 84 Range 19 West of the 6th Meridian Peace River District Plan PGP45017
Civic Address: West of City of Fort. St. John along the gravelled 242 Road
Area: 6.1 ha
ALR Area: 6.1 ha
Purchase Date: June 8, 2007
Owner: Henry & Susie Richter

Total Land Area: 6.1 ha
Total ALR Area: 6.1 ha
Current Land Use: House, garage and outbuildings

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
6.1	Mixed Prime and Secondary	CLI

Number of Lots	Lot Size (ha)
1	2.0
1	4.1

Surrounding Land Uses:

North	Agriculture
East	Agriculture
South	Agriculture
West	Agriculture

Official Community Plan

Bylaw Name: Bylaw No. 820 (1993)
Designation: Rural Resource/Agricultural
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Bylaw No. 1343 (2001)
Zoning Designation: A-2 (Large Agricultural Holdings Zone)
Minimum Lot Size: 64.0 ha
Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 14353

Applicant: Raymond Richter

Proposal: To subdivide the approximately 64.8 hectare parcel into one parcel of approximately 6.1 hectares, under the Commission's Homesite Severance Policy, leaving a remnant of approximately 58.7 hectares.

Decisions:

Resolution Number	Decision Date	Decision Description
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516

July 22, 1999

The Commission approved the request to subdivide the approximately 6 hectare homesite from the quarter section subject to the terms and provisions of the Commission's Homesite Severance Policy.

Note: Legacy Application # W-32815

This application created the subject property

RELEVANT APPLICATIONS

Application #: 16197

Applicant: Jamar Trucking & Farms Ltd

Proposal: To subdivide two approximately 3.5 hectare lots from the property for rural-residential purposes.

**Decisions:
Resolution
Number**

Resolution Number	Decision Date	Decision Description
669	December 12, 2000	The Commission refused the request to subdivide two approximately 3.5 hectare lots from the property for rural residential purposes.

Note: Legacy Application # W-33480

History

- Application initially submitted in 2000
- Has been reconsidered 3 times (4 decisions have been made)
- 4 more reconsideration requests refused due to lack of new information
- Total – 8 requests
- 3 Site visits
- 6 Commissioners have been to subject property
- 2 panel systems

Decision Details:

Decision Date: December 12, 2000

Resolution # 669/2000

Decision: Refused on the grounds that the proposal would subdivide prime agricultural land and introduce an additional rural residential lot into the area. The Commission noted that the proposal is contrary to both the OCP and zoning.

Decision Date: June 18, 2001

Resolution # 309/2001

Decision: Reconfirmed original decision

Decision Date: November 14, 2001

Resolution # 638/2001

Decision: Reconfirmed original decision

Decision Date: June 27, 2002

Resolution # 350/2002

Decision: Reconfirmed original decision

Date: March 3, 2004

Sent letter reconfirming original decision on the grounds that the reconsideration request did not include new information. No new resolution number was generated.

Date: November 2, 2004

Sent letter reconfirming original decision on the grounds that the reconsideration request did not include new information. No new resolution number was generated.

Date: June 20, 2005

Site visit on May 18, 2005

Sent letter reconfirming original decision on the grounds that the reconsideration request did not include new information. No new resolution number was generated.

Date: December 12, 2006

Sent letter reconfirming original decision on the grounds that the reconsideration request did not include new information. No new resolution number was generated.

Application #: 14449

Applicant: Dorothy Pickerell

Proposal: To subdivide one four hectare parcel from the 64.75 hectare property.

Decisions:

**Resolution
Number**

Decision Date

Decision Description

1141

September 25, 1987

The Commission approved the proposal subject to the terms and provisions of the Commission's Homesite Severance Policy and an additional condition concerning the applicants possible right to consideration under the homesite severance policy.

Note: Legacy Application # W-21449

Committee Recommendations

Type

Recommendation

Description

Board/Council

Approve

Peace River Regional District Board: The Regional Board forwarded the application on the basis that it conforms to the Official Community Plan.

STAFF COMMENTS

Staff note that the subject property was created in 1999 under the Commission' s Homesite Severance Policy.

The owner had owned the property since 1957. The property was transferred to the current owners in 2007.

A year after the subject property was created, the purchaser of the remainder of the property applied for a two lot subdivision from the remainder. This application was refused upon initial consideration. It was reconsidered three times. Each time the Commission reconfirmed its decision to refuse the subdivision. Four additional reconsideration requests were not reconsidered due to lack of new information. In total eight requests were made to subdivide the remainder of the property, all of which were refused.

In the general area of the subject property the Commission has generally refused all subdivision requests unless the applicants qualified for consideration under the Homesite Severance Policy or the applicants were willing to consolidate holdings.

ATTACHMENTS

50241_ContextMap20k.pdf

50241_ag cap.pdf

50241_airphoto.pdf

50241_local government report.pdf

50241_previous applications.pdf

END OF REPORT

Signature

Date
