



Agricultural Land Commission Staff Report

DATE: May 18, 2010
TO: Vice Chair and Commissioners - North Panel
FROM: Martin Collins

RE: Application # 51734

PROPOSAL: To subdivide a 14.7 ha lot from the 130 ha property as per the ALC's Homesite Severance Policy. Only 7 ha of the proposed 14.7 ha lot lies in the ALR. The 115 ha remainder lies wholly in the ALR

PROPOSAL INFORMATION

Background: The applicants have provided information indicating that they purchased the subject property in September 1972, four months before the ALR was established.

Received Date: May 10, 2010

Applicant: Johan & Annie Martens

Agent: N/A

Local Government: Peace River Regional District

DESCRIPTION OF LAND

PID: 014-916-878

Legal Description: District Lot 2507 Peace River District

Civic Address: Altona Road

Area: 125 ha

ALR Area: 125 ha

Purchase Date: September 18, 1972

Owner: Johan & Annie Martens

Total Land Area: 125 ha

Total ALR Area: 125 ha

Current Land Use: Residence and farming - mainly hay. The proposed homesite has no structures located on it.

PROPOSAL DETAILS

Subdivision

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

Number of Lots	Lot Size (ha)
1	7.0
1	115.0

Surrounding Land Uses:

North Rural residential lot and a forested farm remnant parcel in the ALR
 East 260 ha cultivated farm parcel in the ALR
 South Undeveloped 260 ha ALR parcel - excessively marshy
 West 260 ha ALR parcel, of which only ~60 ha is in the ALR. The ALR portion is farmed

Official Community Plan

Bylaw Name: North Peace OCP Bylaw #820
Designation: Rural - Resource Agricultural
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Bylaw #1000
Zoning Designation: A-2 (Large Holdings Zone)
Minimum Lot Size: 63.0 ha
Zoning Compliance: Yes

RELEVANT APPLICATIONS

Application #: 45197
Applicant: Peter W. Klassen
Proposal: To subdivide 4 ha from the 128 ha subject property

Decisions:
Resolution

Number	Decision Date	Decision Description
599	September 24, 2008	The Commission allowed the subdivision as proposed. However, the Commission considers this decision as fulfilling the intent of Homesite Severance Policy.

Application #: 41599
Applicant: Ken and Mary Dyck
Proposal: To subdivide a 1.8 ha homesite lot from the southwest corner of the 62.3 ha property in order for the applicant's parents to retire on a smaller parcel of land near their children.

Decisions:
Resolution

Number	Decision Date	Decision Description
106	March 16, 2005	Allow - this application is treated as akin to a homesite severance. As such, the completion of this application

will be seen to be a satisfaction of the homestead severance policy for this landowner.

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	The Peace River Regional Board forwarded the application with a recommendation of support, on the grounds the application conforms to the OCP and zoning.

STAFF COMMENTS

Staff suggest that the Commission consider the following.

- 1) The applicant appears to qualify for consideration under the ALC's Homesite Severance Policy having purchased the property prior to December 21, 1972.
- 2) The proposed homesite severance is an unfarmed 14.7 ha lot which is separated from the developed farm remainder by Altona Road. Only half of the proposed parcel lies in the ALR. There are no structures or dwellings on the proposed new lot. The farm remainder would retain its home and outbuildings.
- 3) Parcel sizes are very large in this area and rural residential pressures are minimal. The Commission has allowed similar homesite subdivisions in the surrounding area.

ATTACHMENTS

51734_ContextMap50k.pdf
51734_AirphotoMap20k.pdf

END OF REPORT

Signature

Date