



**Staff Report**  
**Application # W – 38674**  
**Applicant: Brian Stubbs and Lynn Smiley**  
**Agent: Insite Telcoservices – Steve Cassie**

**DATE RECEIVED:** November 26, 2008

**DATE PREPARED:** November 28, 2008

**TO:** Chair and Commissioners – North Panel

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To place a 131 m telecommunications tower on the subject property. The total tenure area of the project is 3.4 ha. The proposed tower will be a guyed tower and 18 m<sup>2</sup> equipment shed.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

**Local Government:**

Peace River Regional District

**Legal Description of Property:**

PID: 013-144-162

The Fractional North West ¼ of Section 31, Township 85, Range 20, W6M, Peace River District, EXCEPT Plan H827

**Location of Property:**

Coffee Creek - Northwest of Fort St. John and the Alaska Highway across from the Red Creek Subdivision

**Size of Property:**

59 ha (The entire property is in the ALR).

**Area Proposed for Non-Farm Use.**

3.4 ha

**Present use of the Property:**

Forested.

**Surrounding Land Uses:**

**WEST:** Existing Bell Tower Site  
**SOUTH:** Agriculture  
**EAST:** Agriculture  
**NORTH:** Agriculture

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 94A/06  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

North Peace Official Community Plan Bylaw No. 820 (1993) designates the property as "Rural Resource - Agricultural"

**Zoning Bylaw and Designation:**

Peace River Regional District Zoning Bylaw No. 1343 (2001) designates the property as A2 (Large Agricultural Holdings)  
Minimum Parcel Size: 63 ha

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Peace River Regional District Board:** The Regional Board forwarded the application to proceed on the basis that it is consistent with the Official Community Plan and zoning bylaws.

**STAFF COMMENTS:**

- The adjacent telecommunications tower is located on a stand alone 3.8 ha lot and is owned by Northwestel. It appears that this lot was created and sold by the Crown to Northwestel in 1988. The creation of this lot was not completed through an ALC application. It is not known if the lot existed prior to the creation of the ALR.
- The Agricultural Land Commission Use, Subdivision and Procedure Regulation allows the following: *telecommunications equipment, buildings and installations as long as the area occupied by the equipment, buildings and installations does not exceed 100 m<sup>2</sup> for each parcel;*
- According to the drawings submitted with the application the total fenced area adjacent to the tower is 82.4 m<sup>2</sup> in area.
- There is a parking area of 48 m<sup>2</sup> directly outside the fenced area
- The total area of these two portions of the project exceeds the 100 m<sup>2</sup> allowed by the Commission for this type of installation.
- The footprint of the areas to be fenced around each of the three guy wires is not known.
- The total area of new road leading into the project is also not known. The proposed road is to be a 4 m wide gravel road.
- The total area to be leased from the applicants for this project is 3.4 ha. However, the agent has indicated to Commission staff that the entire 3.4 ha will not be fenced leaving the remainder of the area not mentioned above available for agricultural uses such as grazing.

**ATTACHMENTS:**

- Sketch showing the location and footprint of the proposed tower.
- Photos of site of proposed tower and showing existing tower.
- ALC Context Map – 1:50,000 – 94A/06 (created by ALC Staff)
- Airphoto – (1997) – 1:20,000 (created by ALC Staff)

**END OF REPORT**

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**Signature**

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**Date**