



## Agricultural Land Commission Staff Report

**DATE:** August 5, 2009  
**TO:** Vice Chair and Commissioners - North Panel  
**FROM:** Simone Rivers

**RE:** Application # 45978  
**PROPOSAL:** To subdivide the 5.3 ha homesite from the 64 ha lot leaving a 58.7 ha remainder.

### PROPOSAL INFORMATION

**Background:** Legacy Application # 21-W-39002  
**Received Date:** May 6, 2009  
**Applicant:** Arnold Beattie  
**Agent:** T.J. Tryon Land Surveying Ltd.  
**Local Government:** Peace River Regional District

### DESCRIPTION OF LAND

**PID:** 014-288-575  
**Legal Description:** The South West 1/4 of Section 25, Township 78, Range 14, West of the 6th, Peace River District, EXCEPT Plan 17856  
**Civic Address:** Corner of 210 Rd. and 203 Road east of Dawson Creek  
**Area:** 64 ha  
**ALR Area:** 64 ha  
**Purchase Date:** June 1, 1973  
**Owner:** Arnold Beattie

**Total Land Area:** 64 ha  
**Total ALR Area:** 64 ha  
**Current Land Use:** One residence with associated infrastructure as well as farm infrastructure, shop, barn, machine shed, 6 wood granaries, seed bin, 6 steen grain bins.

### PROPOSAL DETAILS

**Subdivision**

<b>Area</b>	<b>Agricultural Capability</b>	<b>Agricultural Capability Source</b>
64.0	Prime	CLI

<b>Number of Lots</b>	<b>Lot Size (ha)</b>
1	5.3
1	58.7

**Surrounding Land Uses:**

North	Agriculture
East	Agriculture
South	Agriculture
West	Agriculture

**Official Community Plan**

**Bylaw Name:** Dawson Creek Rural Area OCP Bylaw No. 477 (1986)  
**Designation:** Agriculture-Rural Resource  
**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:** Peace River R. D. Zoning Bylaw No. 1343 (2001)  
**Zoning Designation:** A-2 (Large Agricultural Holdings)  
**Minimum Lot Size:** 63.0 ha  
**Zoning Compliance:** Yes

**RELEVANT APPLICATIONS**

**Application #:** 30044  
**Applicant:** D Irvine  
**Proposal:** To subdivide the 4.6 ha homesite from the 64.8 ha lot leaving a remainder of 60.2 ha.

Two reconsideration requests asked for the same subdivision but offered to consolidate the remainder with adjacent agricultural property.

**Decisions:**  
**Resolution Number**

**Decision Date**                      **Decision Description**

**Note:** Resolution 1056/1981  
Date: July 8, 1981  
Decision: Refused as proposed, the Commission does not wish to see permanent rural residential parcelization occurring in this farm area. The Commission would be prepared to offer the applicant the alternative of a registered leasehold by explanatory plan for the 4.6 ha area for a 20 year term. There could be no transfer or assignment of the lease without the written consent of the Commission

Resolution # 95/82  
Date: January 13, 1982  
Decision: Reconfirm refusal of subdivision as the Commission does not want to see permanent rural residential parcelization in this farm area. The Commission would still

allow the applicant the alternative of a Registered Leasehold by Explanatory Plan

Resolution 826/1985

Date: August 21, 1985

Decision: allowed subject to the registration of a covenant binding the remainder with any one of the purchaser's neighbouring quarter sections so that they can't be sold separately.

### **Committee Recommendations**

<b>Type</b>	<b>Recommendation</b>	<b>Description</b>
Board/Council	Approve	Peace River Regional District Board: The Regional Board forwarded the application with a recommendation of support on the basis that the proposal qualified as a subdivision under Section 946 of the Local Government Act.

### **STAFF COMMENTS**

The applicant does not qualify for consideration under the Commission's Homesite Severance Policy as he bought the land in 1973.

The application states that the owner wishes to subdivide his homesite prior to selling the quarter to the current lease holder.

The agricultural capability of the subject property is rated as 100% Class 2C and is located in an area of predominantly large, quarter section sized holdings that are currently under cultivation and in agricultural use.

The applicant owns several other quarter sections in the immediate vicinity.

### **ATTACHMENTS**

39002\_AgCapabilitymap.pdf

39002 proposal sketch.pdf

39002\_AirphotoMap.pdf

39002\_ContextMap50k.pdf

### **END OF REPORT**

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Signature

\_\_\_\_\_  
Date