



# Provincial Agricultural Land Commission - Staff Report

## Application: 52193

**Applicant:** Donald & Debra Smith  
**Agent:** James Little  
**Local Government:** Peace River Regional District

**Proposal:** SUBDIVISION - Proposal to subdivide 128.6 ha 1/2 section into two 1/4 sections.

### BACKGROUND INFORMATION

The applicants propose to subdivide the 1/2 section property in order to retain the forested eastern 1/4 section for themselves, and to sell the cultivable western 1/4 section. The applicants state that an existing farmer could not justify the purchase of the entire 1/2 section due to the existing homesite improvements on the eastern 1/4 section.

### PROPERTY INFORMATION

**PID:** 004-371-186  
**Legal Description:** The South 1/2 of Section 22 Township 84 Range 19 West of the 6th Meridian Peace River District Except Pla 26672  
**Property Area:** 128.1 ha  
**ALR Area:** 128.1 ha  
**Purchase Date:** November 15, 1996  
**Location:** 1.4 km east of Charlie Lake along 271 Road  
**Owner:** Donald & Debra Smith

### LAND USE

**Current Land Use:**  
 Crops, pasture, residential

**Surrounding Land Uses:**

North: ALR - Two 1/2 sections, hayfield and bush  
 East: ALR - 1/4 section, cultivated field with treed area adjacent to subject parcel  
 South: ALR - 128 ha several properties, most of arable land is cultivated. Remainder of land is sloping or has rock outcrops  
 West: ALR - 1/4 section, cultivated and forested pasture

### PROPOSAL DETAILS

**Subdivision - ALR Area:** 128.1 ha

Number of Lots	ALR Area of Lot (ha)
2	64.3

**Agricultural Capability:**

The majority of the area under application is rated as: Prime Dominant

**Source:** CLI

**Mapsheet:** 94A/07

### PREVIOUS APPLICATIONS

## PREVIOUS APPLICATIONS

**Application ID:** 19355

**Legacy #:** 08991

**Applicant:** James Woolley

**Proposal:** Proposed to subdivide the 64 ha property into lots of approximately 1.8 - 2 ha each.

**Decision:**

Resolution #	Decision Date	Decision Description
12135/1979	August 28, 1979	Refused on the grounds that the property has agricultural capability and the proposed subdivision may have a detrimental impact on existing agriculture in the surrounding area.

**Application ID:** 9305

**Legacy #:** 31807

**Applicant:** Richard & Karen Blanchette

**Proposal:** To subdivide a 64.7 hectare parcel into one lot of 3.2 hectares and one lot of 61.5 hectares.

**Decision:**

Resolution #	Decision Date	Decision Description
145/1998	February 24, 1998	The Commission refused the applicaiton to subdivie the 64.7 Hectare property into one lot of 3.2 Hectares and one lot of 61.5 Hectares on the grounds that the proposal would reduce the agricultural potential of the property and constitute a residential intrusion into an area of extensive agriculture.

## RELEVANT APPLICATIONS

**Application ID:** 51862

**Applicant:** Ronald Peterson

**Proposal:** To subdivide the 130 ha property into two 65 ha parcels.

**Decision:**

Resolution #	Decision Date	Decision Description
2821/2010	December 10, 2010	Refuse as proposed, not supportive of agriculture.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

**Bylaw Name:** N. Peace Fringe Area OCP Bylaw No. 1870, 2009

**Designation:** Agricultural

**OCP Compliance:** Yes

### Zoning:

**Zoning Bylaw Name:** Zoning Bylaw No. 1343, 2001

**Zoning Designation:** (A2) Agricultural Large Holdings

**Minimum Lot Size:** 63.0 ha

**Zoning Compliance:** Yes

### Comments and Recommendations:

#### **Board/Council**

The Peace River Regional District authorize the application for subdivision to proceed to the ALC on the basis that conforms to the OCP and Zoning.

#### **Ministry of Agriculture and Lands**

The Ministry of Agriculture and Lands is concerned with a subdivision of a large parcel of land in the fringe area. Given the proximity of the subject property to urban areas, there could be potential for increased pressure to subdivide further for residential purposes in the future.

#### **Planning Staff**

The Peace River Regional District Development Services support and authorize the application to proceed to the ALC on the basis that it conforms to the OCP and Zoning.

## ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- 1) The CLI rating of the 128.6 ha property is 7:3C 3:4T. The property is currently used for crops and grazing on the western 1/4, and the eastern 1/4 is mostly forested with some pasture, and contains the applicant's residence.
- 2) The subject property is in close proximity to rural and non-rural residential areas. The Ministry of Agriculture and Lands have speculated that the subdivision could make the property susceptible to future subdivision for non-agricultural purposes.
- 3) The proposed 1/4 section parcel size is consistent with the size and use of neighbouring properties.
- 4) The applicants filed an application with MoTI under Section 946 of the Local Government Act. MoTI responded to the subdivision request by requiring a written confirmation of approval from the ALC, and a dedication of a 16 ft road right of way widening along the entire east boundary of the subject parcel.
- 5) It should be noted that the most recent application to subdivide a 1/2 section into 1/4 sections was refused. See ALC File #51862

## ATTACHMENTS

52193\_ContextMap50k.pdf  
52193\_AirphotoMap20k.pdf  
52193\_AgCapabilityMap.pdf  
52193\_Proposal Sketch.pdf

## END OF REPORT

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