



# Provincial Agricultural Land Commission - Staff Report

## Application: 52197

**Applicant:** Marshall and Karen Modrall  
**Local Government:** Peace River Regional District

**Proposal:** EXCLUSION - Proposal to exclude 15 ha from the ALR in order to subdivide two 4.2 ha lots, and a remainder of 6.6 ha for residential use

### BACKGROUND INFORMATION

The subject property is in an area of mixed residential, light industrial, and agriculture.

### PROPERTY INFORMATION

**PID:** 025-584-243  
**Legal Description:** Lot A Section 35 Township 84 Range 20 West of the 6th Meridian Peace River District Plan BCP1718  
**Property Area:** 15.0 ha  
**ALR Area:** 15.0 ha  
**Purchase Date:** July 26, 2005  
**Location:** Tea Creek area, along Alaska Highway - 2.5 km west of Charlie Lake  
**Owner:** Marshall and Karen Modrall

### LAND USE

**Current Land Use:**  
Residential, shop, pasture

**Surrounding Land Uses:**

North: Non-ALR - 15 ha Commercial/Industrial  
 East: ALR - 10 ha Residential /Pasture  
 South: ALR - 64 ha Pasture  
 West: !LR - 10 ha Rural residential acreage

### PROPOSAL DETAILS

**Exclusion Area:** 15.0 ha

**Agricultural Capability:**  
The majority of the area under application is rated as: Secondary  
**Source:** CLI  
**Mapsheet:** 94A/06

### PREVIOUS APPLICATIONS

**Application ID:** 17615 **Legacy #:** 34082  
**Applicant:** Henry & Shirley Petrie  
**Proposal:** To subdivide 15 ha from the 45 hectare property to sell the newly created lot to a family member for a hobby farm.

**Decision:**

Resolution #	Decision Date	Decision Description
732/2001	December 12, 2001	Allowed subdivision as proposed.

## RELEVANT APPLICATIONS

**Application ID:** 43451

**Legacy #:** 36950

**Applicant:** Andreas and Jody Korfmann

**Proposal:** To subdivide the 7.4 ha lot into two (2) lots consisting of one (1) 2.8 ha lot and one (1) 4.6 ha lot. Applicant would like to sell the 2.8 ha lot and keep the larger lot for himself

**Decision:**

Resolution #	Decision Date	Decision Description
509/2006	October 20, 2006	To allow the subdivision of the 7.4 ha property into a 2.8 ha lot and a 4.6 ha lot on the grounds that the property is located in an area that has been endorsed for Rural Residential subdivision in the Fort St. John and Area Comprehensive Development Plan.

**Application ID:** 43045

**Legacy #:** 36595

**Applicant:** D Hall & Associates Ltd Inc. No. 175771

**Proposal:** To exclude the 11.56 ha property from the ALR so that it can be subdivided and used for non-farm businesses

**Decision:**

Resolution #	Decision Date	Decision Description
211/2006	May 2, 2006	THAT the staff report be received and the application to exclude the 11.6 ha property described as Section 35, Township 84, Range 20, West of the 6th Meridian, Peace River District, Except The North « thereof Plan A1027 and parcel A (N33545) from the ALR be allowed on the grounds the size and location of the subject property as well as the long-standing non-farm use of the property limit its agricultural potential.

**Application ID:** 42440

**Legacy #:** 36293

**Applicant:** Doug Petrie

**Proposal:** To subdivide the 29.9 ha property into two properties of equal size, 14.9 ha each

**Decision:**

Resolution #	Decision Date	Decision Description
106/2006	March 9, 2006	To allow the subdivision of the 30 ha property into two 15 ha properties on the grounds that the property is designated Light Industrial in the Fort St. John and Area Comprehensive Development Plan and the property sizes proposed do not preclude future light industrial development.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

**Bylaw Name:** North Peace Fringe Area OCP Bylaw No. 1870

**Designation:** Low Density Residential

**OCP Compliance:** Yes

### Zoning:

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

**Zoning Designation:** A1- Small Agricultural Holdings

**Minimum Lot Size:** 15.0 ha

**Zoning Compliance:** No

### Comments and Recommendations:

#### **Board/Council**

The Peace River Regional District support the exclusion of the subject 15 ha property from the ALR and authorize the application to proceed to the ALC on the basis that it conforms to the OCP.

#### **Planning Staff**

The Peace River Regional District Planning Staff recommend that the Board support and forward the application for exclusion of 15 ha from the ALR to the ALC on the basis that it conforms to the OCP.

## ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- 1) The CLI rating for the subject 15 ha property is 50% 5C 50% 6:5T 4:4X and is currently used for residential and pasture.
- 2) The proposed subdivision complies with the 4 ha minimum parcel size of the North Peace Fringe Area OCP. The proposed parcels do not meet the minimum parcel size of Small Agricultural Holdings (A1) Zoning of 15 ha, and therefore would require a zoning amendment.
- 3) The PRRD Planning Staff state that the proposal would be consistent in size and use with neighbouring rural residential and small agricultural holdings.  
It is noted that the removal of the subject property from the ALR may lead to further subdivision into smaller parcels and increase density in a rural area.
- 4) According to the 2009 North Peace Fringe Area Official Community Plan (attached), the subject property is in an area of low density residential (LDR). The subject property is across the Alaska Highway from a parcel removed from the ALR for light industrial purposes (See ALC File #43045)
- 5) Subdivision of adjacent properties were allowed by the Commission on the grounds that it is in an area of proposed light industrial development.

## ATTACHMENTS

52197\_Proposal Sketch.pdf  
52197\_airphoto\_zoom.pdf  
52197 NPAF OCP map.pdf  
52197\_ContextMap20k.pdf  
52197\_AirphotoMap5k.pdf

## END OF REPORT

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