



**PEACE RIVER REGIONAL DISTRICT  
DEVELOPMENT SERVICES  
REPORT ON NON-FARM USE WITHIN THE  
AGRICULTURAL LAND RESERVE (ALR)  
FILE NO. 14/2013**

**R-13**  
ALL MEMBERS  
PARTICIPATE

**OWNER:** William & Laurie Bellamy  
**AGENT:** Shell Canada Ltd c/o BV Land Consulting Ltd.  
**AREA:** Electoral Area B  
**LEGAL:** District Lot 2899, PRD  
**LOT SIZE:** 259 ha (640 ac)  
**LOCATION:** Wonowon/Gundy

**DATE:** May 2, 2013

**PROPOSAL**

Construction of a water pit, catchment ditch and truck access and affiliated facilities, combined disturbance covers 7.7 ha (19 ac) in size.

**RECOMMENDATION: OPTION 1**

THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission on the basis that it is consistent with the OCP and Zoning Bylaw.

**OPTIONS**

OPTION 1: THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission on the basis that it is consistent with the OCP and Zoning Bylaw.

OPTION 2: THAT the Regional Board refuse authorization for the application, to proceed to the Agricultural Land Commission .

**LAND USE POLICIES AND REGULATIONS**

**OFFICIAL COMMUNITY PLAN (OCP):** Agriculture-Rural, By-law No. 1940, 2011  
**ZONING:** A-2 (Large Agricultural Holdings), Zoning By-law No. 1000, 1996  
**AGRICULTURAL LAND RESERVE (ALR):** Within  
**BUILDING INSPECTION AREA:** Outside

**SITE CONTEXT**

The subject property is located along Gundy Road northwest of the community of Wonowon, and is predominantly forested and not used for agricultural purposes. There are areas of unsurveyed land in the locality as well as Crown land to the east which is the subject of grazing tenure. Overall this area is heavily forested with some cleared areas used for grazing.

**SITE FEATURES**

**LAND:** The topography consists of mature forested land with a gentle sloping gradient.  
**STRUCTURES:**None  
**ACCESS:** The subject property has road access from the Gundy Road.  
**SOIL:** Class 4<sup>w</sup> 3<sup>c</sup> 5<sup>c</sup> 5<sup>cw</sup> soils. Class 3 soils have moderately severe limitations that restrict the range of crops or require special conservation practices. Class 4 soils have severe limitations that restrict the range of crops or require special conservation practices. Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible.  
**FIRE:** Outside all rural fire protection areas.

*Bruce Simard*

Department Head

*Jack Boulton*

CAO

## PREVIOUS APPLICATIONS – SUBJECT PROPERTY

*None on File***PREVIOUS APPLICATIONS – PROPERTIES WITHIN 100 M***None on File***COMMENTS AND OBSERVATIONS**

**APPLICANT** The leasee, Shell Canada Ltd., is proposing to construct a water pit, catchment ditches access road, turn around, workspaces and brush storage sites on private land within the ALR. The development will be used for gathering water for Shell oil and gas activities in the Gundy field as well as providing improvements to the agricultural land use in the area in the form of irrigation potential and livestock watering. This is the initial of several of these collection ponds that are proposed to support a centralized water hub for future gas fracking activities in the area.

**ALR:** The subject property lies within the Agricultural Land Reserve. Pursuant to the ALC-OGC Delegation Agreement the total permanent development area is over the 7 hectare per 65 hectare threshold (excluding exempted temporary use areas) and therefore requires an ALR Non-Farm Use application.

Note: Pursuant to the *Agricultural Land Commission Act*, an application may not be considered by the ALC unless the Regional Board authorizes the proposal to proceed to the ALC. This is intended to provide local governments with latitude to consider and weigh the local community interests of each application, in addition to its zoning and official community plan. Should the Regional District forward the application to the ALC, the information and recommendation offered by the Regional District is taken into consideration by the Commission but should not be construed as being binding on the Commission's opinions or decisions.

**OCP:** Pursuant to the PRRD Rural Official Community Plan Bylaw No. 1940, 2011, the subject property is designated "Agriculture – Rural".

Section 15 Resource - Policy 20 states:

**Policy 20** Oil and Gas Production Facilities, as defined in this by-law, may be considered within the Agriculture-Rural designation, subject to landowner consent, *Agricultural Land Commission Act*, and zoning regulations.

Even though a water holding pit is not in itself considered a gas production facility, it directly assists the operations of such a facility. Therefore an amendment the OCP is not required.

**ZONING:** The subject property is zoned A-2 (Large Agricultural Holdings) pursuant to PRRD Zoning Bylaw No. 1000, 1996. Oil and Gas activities are permitted within this zoning, therefore a zoning amendment is not required

**IMPACT ANALYSIS**

**AGRICULTURE:** There is no agricultural activity being undertaken on the subject property. Eco-Web Consulting has prepared a site and watershed assessment of the subject property using the guidelines in Schedule A of the ALC-OGC Delegation Agreement. According to this consultant, the development would provide improvements to the agricultural land use in the area in the form of irrigation potential and livestock watering.

**CONTEXT:** The area is dominated by heavily forested land with some Crown land grazing leases and unsurveyed lands. There is significant oil and gas activity already in the wider area.

**POPULATION & TRAFFIC:** The proposed use would not result in a population increase locally and would result in an increase industrial traffic during the course of construction and management of the facility.

**May 9, 2013**

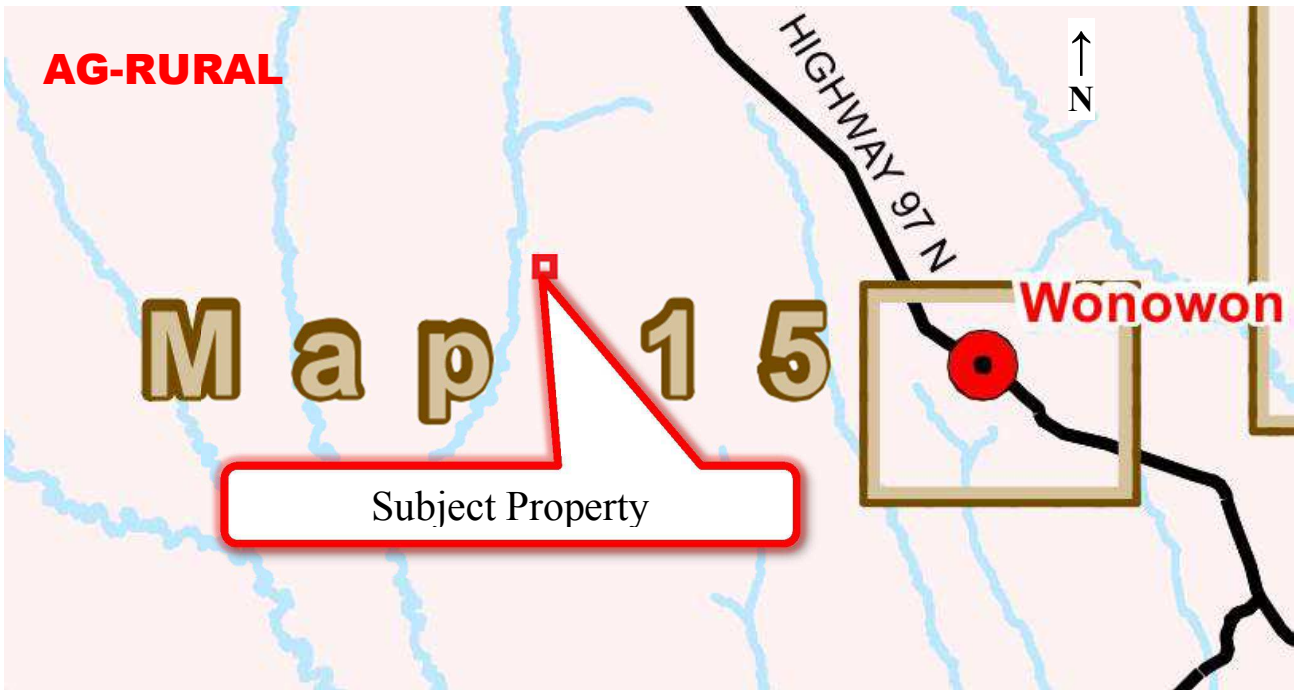


ALR NON-FARM USE REPORT

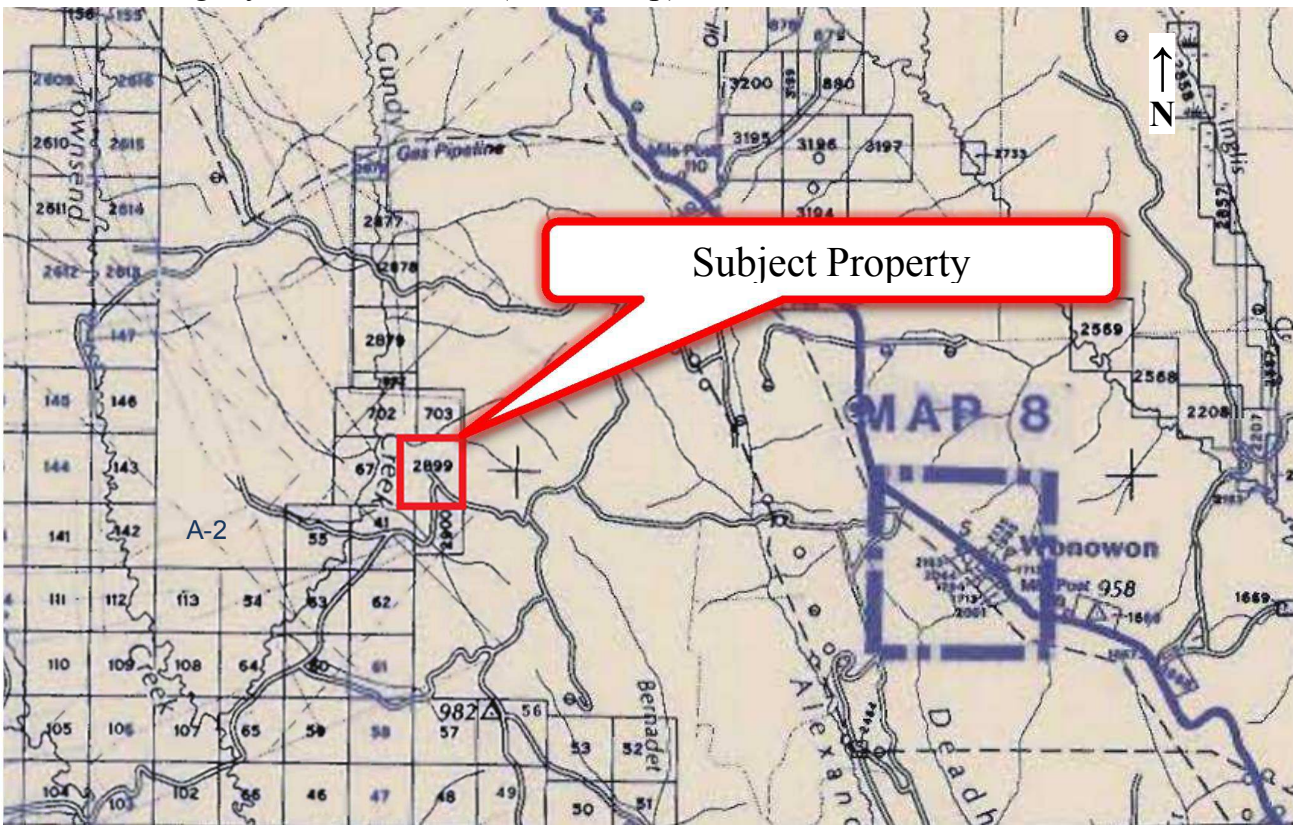
MAPS

FILE NO. 014/2013

Rural Official Community Plan 1940, 2011 (Map 20)



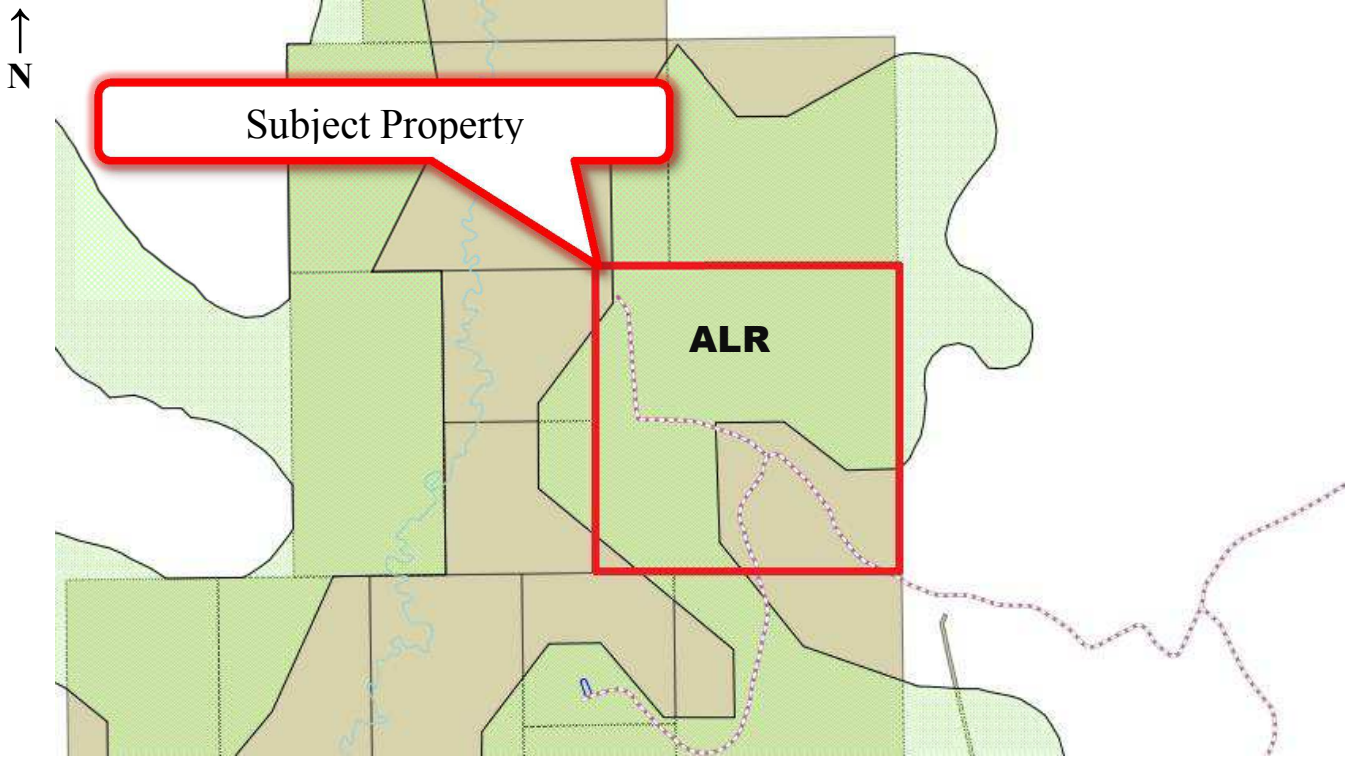
PRRD Zoning Bylaw 1000, 1996 (Index Map)



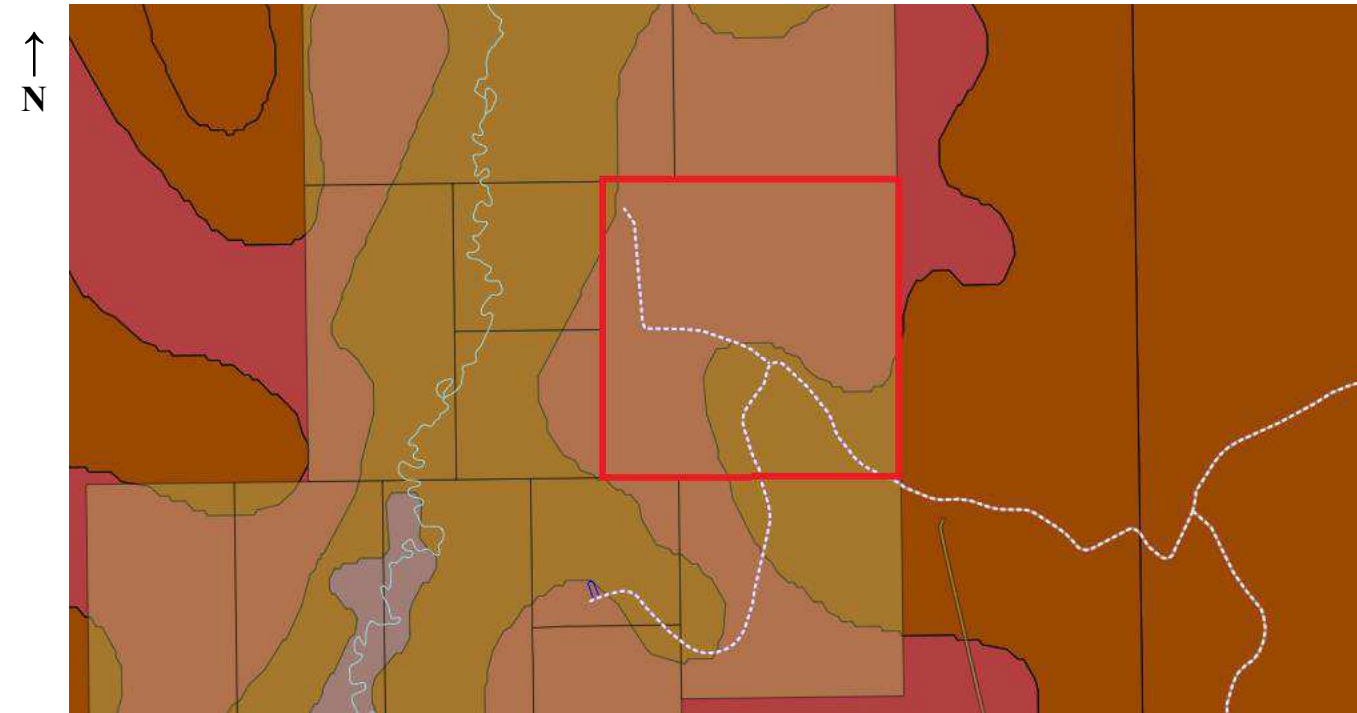


ALR NON-FARM USE REPORT  
**MAPS**  
FILE NO. 014/2013

Agricultural Land Reserve (Map #93P-090)



CLI-Soil Classification (Map #93P-16)





ALR NON-FARM USE REPORT

MAPS

FILE NO. 014/2013

Air Photo



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APPLICATION BY LAND OWNER

NOTE: The information required by this form and the documents you provide with it are collected to process your application under the Agricultural Land Commission Act and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Agricultural Land Commission and ask for the staff member who will be handling your application.

TYPE OF APPLICATION (Check appropriate box)

- EXCLUSION under Sec. 30(1) of the Agricultural Land Commission Act
SUBDIVISION in the ALR under Sec. 21(2) of the Agricultural Land Commission Act
INCLUSION under Sec. 17(3) of the Agricultural Land Commission Act
Non-farm USE in the ALR under Sec. 20(3) of the Agricultural Land Commission Act

APPLICANT

Table with 2 columns: Registered Owner/Address/Location and Agent/Address/Location. Includes contact information for William Robert Bellamy and Laurie Ellen Lucinda Bellamy, and Shell Canada Ltd.

LOCAL GOVERNMENT JURISDICTION (Indicate name of Regional District or Municipality)

Peace River Regional District

LAND UNDER APPLICATION (Show land on plan or sketch)

Table with 4 columns: Title Number, Size of Each Parcel (Ha.), Date of Purchase Month, Date of Purchase Year. Row 1: CA2025584 (PI. 014-638-401), 7.22, N/A, N/A

OWNERSHIP OR INTERESTS IN OTHER LANDS WITHIN THIS COMMUNITY

(Show information on plan or sketch)

If you have interests in other lands within this community complete the following:

Title Number(s): N/A

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**PROPOSAL** (Please describe and show on plan or sketch)

**R-13**

The proposed 210 m x 175 m water pit is associated with one proposed 15 m x 159 m catchment ditch, one proposed 15 m x 333 m catchment ditch, a proposed 0.48 ha truck turn around, a 30 m x 462 m proposed access road, a proposed 5 m x 31 m workspace and a proposed 5 m x 90 m workspace, a proposed 5 m x 81 m workspace, a proposed 5 m x 233 m workspace, a proposed 5 m x 230 m workspace, (2) proposed 40m x 50m brush storage sites, a proposed 0.25ha brush storage site, and a proposed 20m corner cut. The total permanent development area within the unit 2, 94-B-16 is over the 7 hectare per 65 hectare parcel threshold (excluding exempted temporary use areas) and therefore requires an ALC review. The development will be utilized for gathering water for Shell Canada Ltd oil and gas developments within the Gundy field as well as providing improvements to the agricultural land use in the area in the form of irrigation potential and livestock watering. The proposed development is located on forested private land

**CURRENT USE OF LAND** (Show information on plan or sketch)

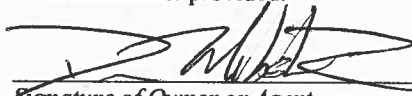
List all existing uses on the parcel(s) and describe all buildings  
CNRL R/W Plan EPP10056 and an existing Shell water storage pit

**USES ON ADJACENT LOTS** (Show information on plan or sketch)

North Private Land - Oil and Gas Activity / Agriculture/Forestry/Recreation;  
East Private Land - Oil and Gas Activity / Agriculture/Forestry/Recreation;  
South Private Land - Oil and Gas Activity / Agriculture/Forestry/Recreation;  
West Private Land - Oil and Gas Activity / Agriculture/Forestry/Recreation;

**DECLARATION**

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the *Agricultural Land Commission Act* and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

<i>Feb. 4/13</i>		<i>Dan Webster</i>
<i>Date</i>	<i>Signature of Owner or Agent</i>	<i>Print Name</i>
<i>Date</i>	<i>Signature of Owner or Agent</i>	<i>Print Name</i>
<i>Date</i>	<i>Signature of Owner or Agent</i>	<i>Print Name</i>

**Please ensure the following documents are enclosed with your application:**

- Application fee payable to the Local Government
- Certificate of Title or Title Search Print
- Agent authorization (if using agent)
- Map or sketch showing proposal & adjacent uses
- Proof of Notice of Application \*(See instructions)
- Photographs (optional)

**May 9, 2013**

January 2, 2013

Eco-Web Project #: R1-1474

Provincial Agricultural Land Commission  
133-4940 Canada Way  
Burnaby, BC V5G 4K6  
CANADA

**To Whom It May Concern:**

**Shell Canada Proposed Water Pit and Access within District Lot 2899 (b-2-A, 94-B-16).**

On behalf of our client, Shell Canada Ltd. (Shell), Eco-Web Ecological Consulting Ltd. (Eco-Web) has prepared this letter to accompany the "Application by a Landowner" to use land in the Agricultural Land Reserve (ALR) for non-farm purposes under Section 20(3) of the *Agricultural Land Commission Act*.

Shell is proposing to construct on private land within the ALR a water pit, access road, turn around, and a catch ditch within district lot 2899 (b-2-A, 94-B-16). Full details of the proposed water storage pit and associated features can be found in the attached Schedule A Report titled, "*Schedule A – Pre-Construction Site Assessment – Proposed Gundy Water Pit within b-2-A, 94-B-16*" prepared by Eco-Web, dated October 30, 2012.

The proposed water pit is located on gently sloping forested private land that is not currently being utilized for agricultural purposes. The entire development is located within the boundaries of the Agricultural Land reserve (ALR). The development overlaps three units (within the NTS mapping system), however the total permanent development area within Unit 2, Block A, 94-B-16 (excluding exempted temporary use areas) is over the 7 ha threshold (per 65 ha parcel) and therefore requires an ALC review. Existing oil and gas development in the immediate area consists of an existing Shell water storage pit, a Canadian Natural Resources Limited (CNRL) pipeline ROW and the Shell (b-93-1/094-B-9) wellsite located to the southwest of the proposed water storage pit (Figure 2).

**Project Description**

The proposed water pit and catch ditches are being constructed as a water gathering and holding system. The catch ditches will be gathering the ground water and runoff water within the immediate development area and diverting it into the water pit for future use. The stored water will be utilized by Shell for present and future oil and gas developments within the Gundy Field. By utilizing water catchment systems as water sources industry can decrease the need to extract water from drainages in the area such as Gundy Creek and Townsend Creek. This development will also provide improvements to the agricultural land use in the area in the form of irrigation potential and livestock watering.

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**Land Status**

The proposed water pit and associated features are accessed via the Gundy Road ( PDR 278). The road is an important secondary highway connecting the Gundy area. The proposed water pit is located on private land belonging to William Robert Bellamy and Laurie Ellen Bellamy. Land uses in the area include oil and gas activity, logging, agriculture, trapping and recreational activities. The proposed water storage pit and all associated features are located within the boundaries of the Agricultural Land Reserve.

**Landowner Information**

The proposed water pit is located entirely on private land owned by William Robert Bellamy and Laurie Ellen Bellamy (District Lot 2899). The proposed development is approximately 90 km northwest of Fort St John in northeast British Columbia within NTS map sheet 94-B-9. A map based search of the GeoBC iMap website indicated that there are no other legal land tenures associated with this location or the surrounding area that would be influenced or affected by this activity. Notifications have occurred in accordance with the OGC's *Consultation and Notification Manual and EPZ Requirements 2011*.

**Table 1 - Land uses adjacent to the proposed development**

<b>Current Land Use</b>	North:	Private Land - Oil and Gas Activity / Agriculture/Forestry/Recreation;
	South:	Private Land - Oil and Gas Activity / Agriculture/Forestry/Recreation;
	East:	Private Land - Oil and Gas Activity / Agriculture/Forestry/Recreation;
	West:	Private Land - Oil and Gas Activity / Agriculture/Forestry/Recreation;

**Table 2 - Non-Farm Use Disturbance Information**

Non-Farm Use Disturbance Information		Proposed Activity Area (Ha)	Total Non-Farm Use Area per Quarter (Ha)	# Wells per Quarter	Building Area (sq.m)	ALC Act Appl'n to OGC	ALC Act Appl'n to ALC
Land Parcel Unit # NTS	Existing Non-Farm Use Area (Ha)						
Unit 93, Block I, 94-B-9	3.85 ha	0.21ha	4.06 ha	0	N/A	No	No
Unit 3, Block A, 94-B-16	0.13 ha	0.40 ha	0.53 ha	0	N/A	No	No
Unit 2, Block A, 94-B-16	2.11 ha	5.59 ha	7.70 ha	0	N/A	No	Yes

**Non-Farm Use Disturbance**

As stated in the Delegation Agreement section 7.1.3 *the combined total area occupied by existing and proposed oil and gas activities is less than 17 acres per quarter section (or 7 hectares per 65 hectare parcel)*. The land within the proposed development area is surveyed to the unit (NTS system), which at this location is approximately 70.455 hectares in size. If the above stated *7 hectares per 65 hectare parcel* where converted to a ratio then  $(7 \text{ ha}/65 \text{ ha}) \times (70.455 \text{ ha}) = 7.59 \text{ ha}$  of allowable disturbance within this unit. Unit 2, 94-B-16 has 2.11 ha of existing non-farm use disturbance and 5.59 ha of proposed non-farm use making for a total of 7.7 ha of non-farm use per this unit (Table 2), thereby pushing the proposed development over the allowable 7.59 hectares per unit limit.

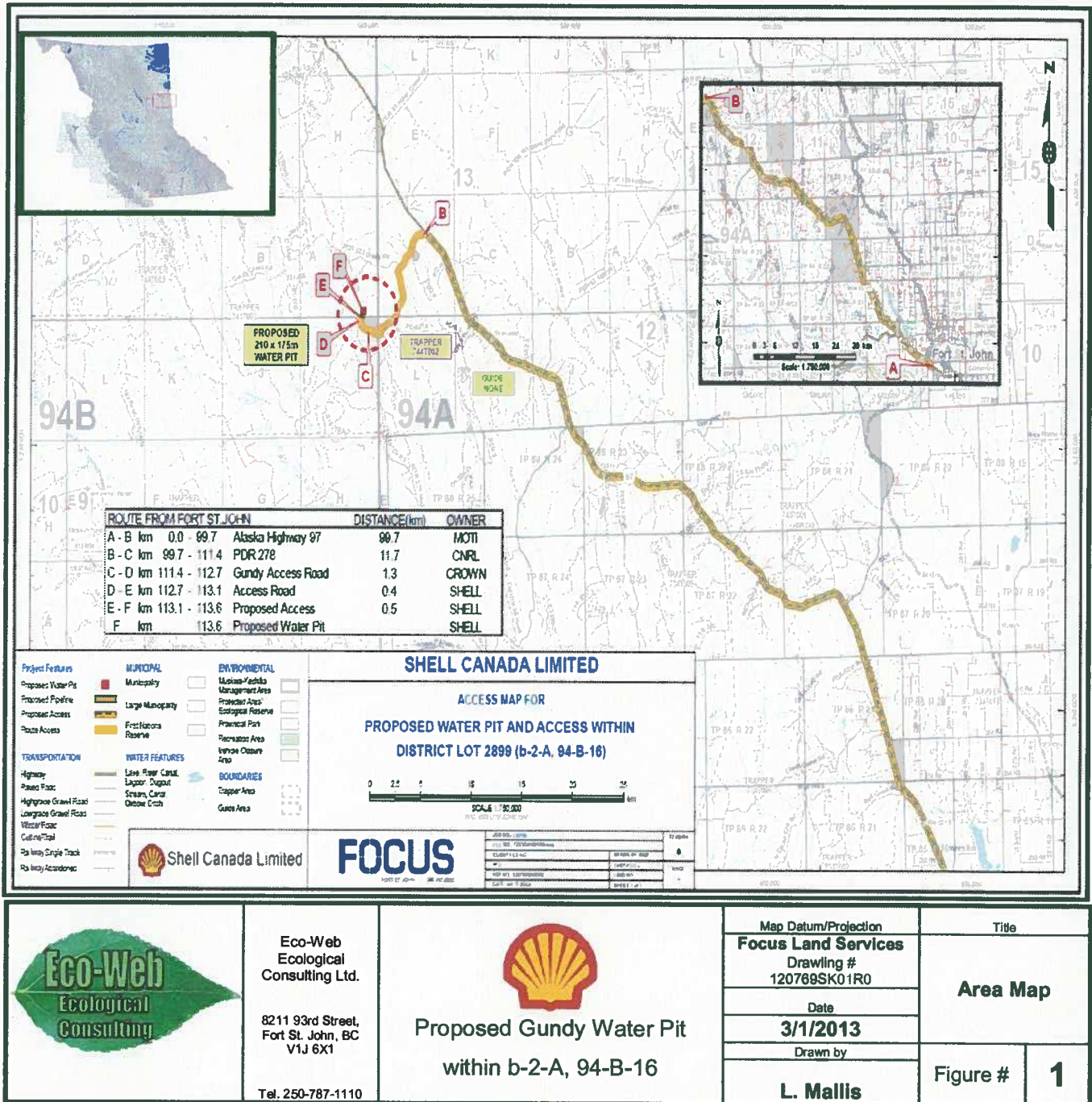


Figure 1 – Area map and road directions to the proposed development from the community of Fort St. John, BC

May 9, 2013



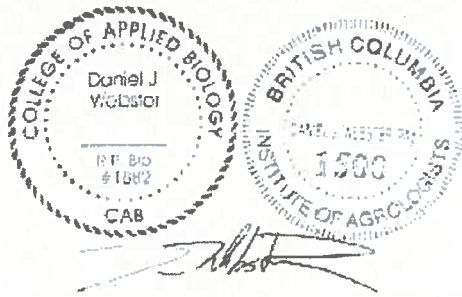
**Closing**

Please find attached the ALC "Application by a Landowner" to use land in the ALR for non-farm purposes (under Section 20(3) of the *Agricultural Land Commission Act*) and Schedule A assessment for the proposed water storage pit ( under Section 6(1.3.1) of the *Delegation Agreement*). Please also find attached all required background information, including:

- Application fees
- Agent Authorization
- Map showing proposal and adjacent uses
- Schedule A Pre-Construction Site Assessments

If there are any questions or comments with regards to the contents of this letter, please do not hesitate to contact the undersigned at your earliest convenience (250-787-1110). Thank you for your time and consideration in this matter.

Sincerely,



Dan Webster, B.Sc., P.Ag., R.P.Bio.  
Professional Agrologist  
Eco-Web Ecological Consulting Ltd.

cc. Darnell Sedlar, Shell Canada Ltd., Fort St. John, BC  
Dave Kliewer, Shell Canada Ltd., Fort St. John, BC

Enclosures

May 9, 2013