



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
www.alc.gov.bc.ca

November 17, 2005

Reply to the attention of Simone Rivers

Perry and Company, Barristers and Solicitors  
PO Box 790, 1081 Main Street  
Smithers, BC – V0J 2N0

Attention: John Perry

Re: **Application # 36240**  
**The Northwest ¼ of District Lot 1203, Range 5, Coast District**  
**AND**  
**The Southwest ¼ of District Lot 1203, Range 5, Coast District**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your client's application to subdivide 9.1 ha from the above mentioned properties as divided by the road. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank the Waltons for taking the time to meet with its representatives on October 31, 2005. The Commission found the meeting and site visit informative and appreciated the chance to view the area of the proposed subdivision. The Commission noted that the ranch was comprised of several parcels of land in the vicinity of the subject property. As the mandate set out in the Agricultural Land Commission Act is to preserve Agricultural Land, the Commission considers how applications are consistent with this purpose and whether there are ways in which to achieve benefits to agriculture through its decisions. In response to your proposal the Commission was of the view that a benefit to agriculture would result from consolidation of the remainder of the subject properties while allowing your clients to achieve their goal of providing a homesite for their son.

Therefore, the Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- the consolidation of the remainders of **the Northwest ¼ of District Lot 1203, Range 5, Coast District and the Southwest ¼ of District Lot 1203, Range 5, Coast District**
- compliance with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment. The Commission suggests you contact Regional District of Bulkley-Nechako at your earliest convenience.

The decision noted above is recorded as Resolution #585/2005.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

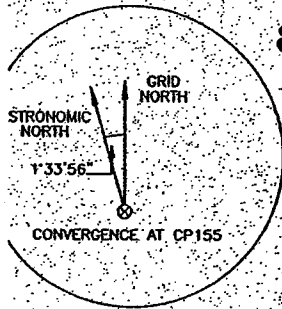
Erik Karlsen, Chair

cc: Regional District of Bulkley-Nechako (#1011)

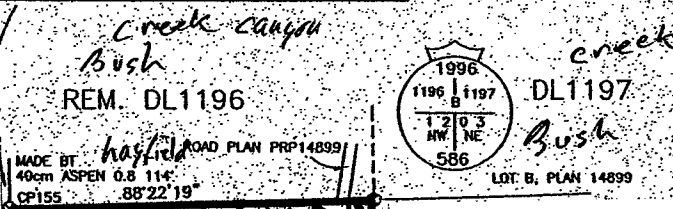
SR/eg/Encl./36240d1

# NW 1/4, DL 1203, R5, Coast District AND SW 1/4, DL 1203, R5, Coast District

INSET  
SCALE 1:10,000





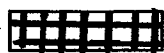
Datum: NAD 83 (CSRS), UTM Zone 9  
 UTM Northing: 6072623.7  
 UTM Easting: 623679.8  
 Combined Factor: 0.999697  
 Estimated Network Horizontal Accuracy is 1.0 metres.



Lots to be consolidated

Approved Subdivision ±9.1 ha

Provincial Agricultural Land Commission  
 Application: # 36240-0  
 Resolution # 585/2005

-  Subject property.
-  9.1 ha area approved for subdivision.
-  Lots to be consolidated or bound by title.

Sec. 26 Tp. 4



**Resolution # 585/2005**  
**Application # B- 36240-0**  
Page 2

THAT the staff report be received and the application be approved subject to the consolidation of the remainder of the NW ¼ of DL 1203 with the remainder of the SW ¼ of DL 1203. The Commission has granted this subdivision to the applicant in lieu of future consideration under the *Homesite Severance Policy*.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



**Staff Report**  
**Application # B – 36240 – 0**  
**Applicant: Edward and Laverne Walton**  
**Agent: Perry and Company**

**DATE RECEIVED:** August 31, 2005

**DATE PREPARED:** October 13, 2005

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

**FROM:** Simone Rivers, Regional Research Officer

**PROPOSAL:** To subdivide 9.1 ha from the two 64 ha parcels as a homesite severance.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

The applicants want a separate title for the parts of their two quarter sections that are across the road from the main farm area. They have owned the property since 1964 and state that they wish to apply for this subdivision in lieu of future consideration under the homesite severance policy. They state that the land is rocky in places and that only a small strip next to the road is used for hay. The area of the proposed subdivision is 9.1 ha.

**Local Government:**

Regional District of Bulkley-Nechako

**Legal Description of Properties:**

1. PID: 015-089-070  
The Northwest  $\frac{1}{4}$  of District Lot 1203, Range 5, Coast District
2. PID: 015-088-952  
The Southwest  $\frac{1}{4}$  of District Lot 1203, Range 5, Coast District

**Purchase Date:**

June 1964

**Location of Property:**

3621 Billeter Road, Smithers.

**Total Size of Properties:**

128 ha (Both properties are entirely in the ALR)

**Present use of the Property:**

One parcel is vacant and the other has one residence on it.

**Surrounding Land Uses:**

**WEST:** Young hobby farm and bush (non-ALR)  
**SOUTH:** Hayfield, pasture (non-ALR)  
**EAST:** Flint Farm (ALR)  
**NORTH:** Hayfield, bush, Creek Canyon (ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 93L/14  
The majority of the property is identified as having secondary ratings.

**Official Community Plan and Designation:**

Smithers-Telkwa Rural OCP Bylaw No. 546, 1987 designates the parcel as Agricultural (A).

**Zoning Bylaw and Designation:**

Regional District of Bulkley-Nechako Zoning Bylaw No. 700, 1993 designates the parcel as Agricultural (Ag1).  
Minimum Parcel Size 16 ha.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Bulkley-Nechako Regional District Board:** The Board recommends approval subject to consolidation of the remainder of the parent parcels.

**Local Planning Department:** As the applicants appear to qualify for a homesite severance and the property is naturally divided by the road, the Planning Department supports this application.

**OTHER COMMENTS:**

**Resource Stewardship Agrologist, Ministry of Agriculture and Lands:** The Resource Stewardship Agrologist provided the following comments:

*I recommend conditional approval of this application, I am concerned about the ALR fragmentation effect of this homesite severance application on the agricultural integrity of the area. I would prefer to see succession planning which accommodates development of additional family dwellings within the existing parcels and thus avoid subdivision.*

*Approval should be subject to a clear understanding that the parent properties will not qualify for any future homesite severance and the 9.1 ha parcel will remain in the ALR and that the parent properties be consolidated into one parcel. This way the integrity of this farming unit and adjacent farming units may be retained.*

*The location of the proposed severance parcel within the parent properties is logical and the intention to maintain farm operations with the family is to be encouraged. I fully support the standard requirement of all homesite severance approvals, that this parcel not be resold for at least five years.*

**STAFF COMMENTS:**

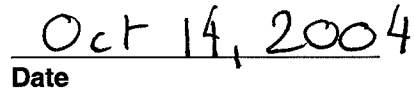
Staff recommend that the Commission consider the following:

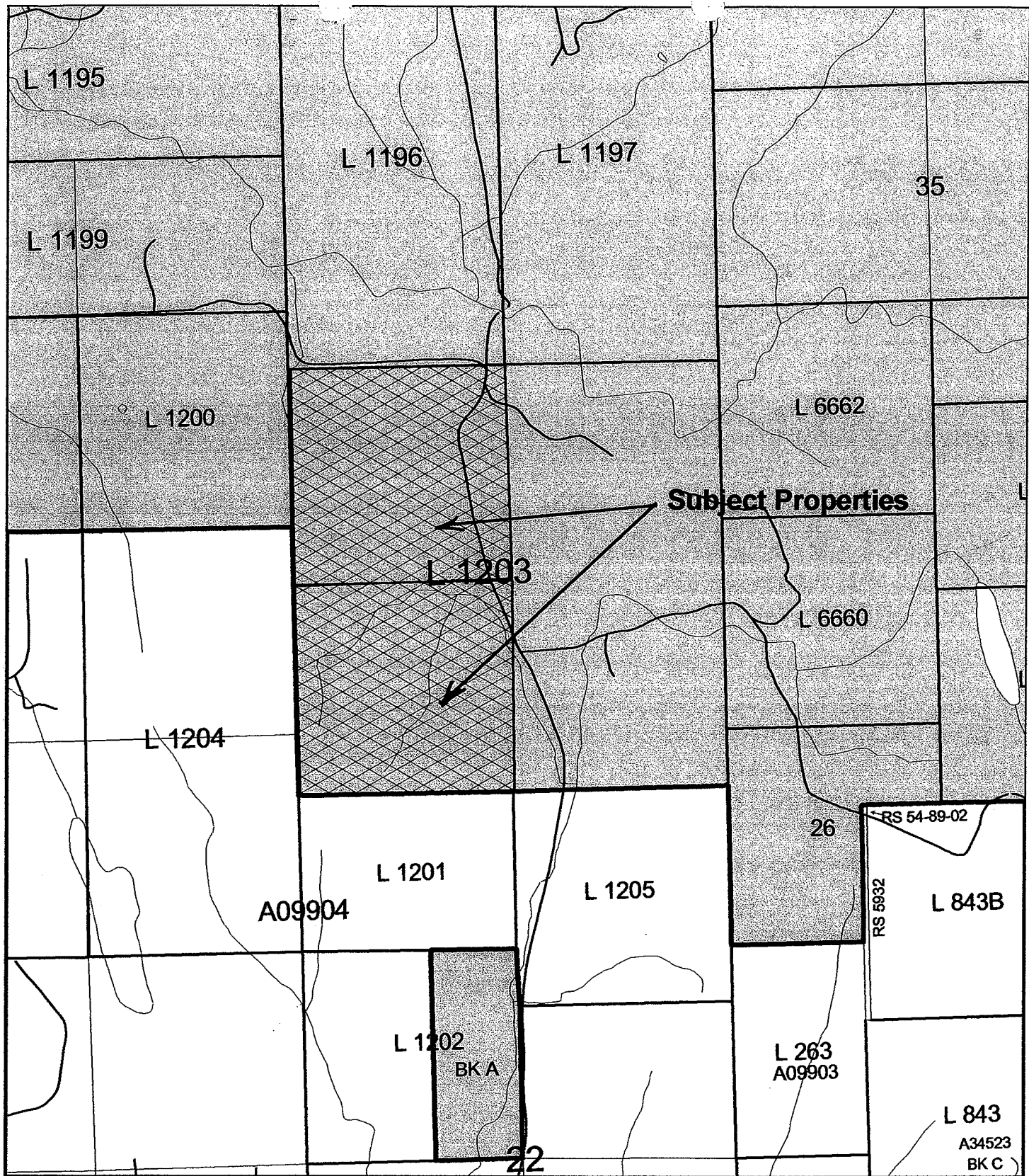
- The applicants have asked for this subdivision in lieu of a homesite severance (they appear to qualify for consideration under the *Homesite Severance Policy*) and have stated they understand that they would not be entitled to a separate homesite severance in the future if this subdivision is approved.

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**END OF REPORT**

  
Signature

  
Date



**ALC CONTEXT MAP**  
**Application # 36240**

**Map Scale: 1: 20000**

**ALC File #: 21-05-36240**  
**BCGS #: 93L.075**  
**Regional District: Bulkley-Nechako**