



Agricultural Land Commission
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November 17, 2005

Reply to the attention of Simone Rivers

John Potter and Joan Hendrick
RR #1, Site 16C, 23 Stn Main
Fort St. John, BC – V1J 4M6

Dear Mr. Potter and Ms. Hendrick:

**Re: Application #W-36270
The South West ¼ of Section 34, Township 84, Range 18, W6M, Peace River
District AND Lot 1, Section 34, Township 84, Range 18, W6M, Peace River
District, Plan 29919**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide a portion from each of the above mentioned properties and consolidate them in order to form a new parcel. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on November 3, 2005. The Commission found the meeting valuable in providing an understanding of your proposed subdivision. Upon reviewing the file and taking into consideration all aspects of your proposal, the Commission decided that the proposed new lot would have a negative impact on the long term agricultural potential of the subject property and create a residential intrusion into an area that is largely agricultural.

For this reason, the Commission refused your application as proposed. The Commission also noted that the area of land you were proposing to include into the ALR is small and although it is presently under cultivation, the Commission felt that the inclusion of this land did not provide a benefit to agriculture that would be considered sufficient to warrant the creation of a new residential parcel in this area.

The decision noted above is recorded as Resolution # 601/2005.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'per:' label.

Erik Karlsen, Chair

cc: Peace River Regional District: file # 122/2005

SR/eg/l/36270d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on November 3, 2005 at the Fort St. John Airport, Fort St. John, BC

PRESENT: Frank Read Chair
 Harold Kerr Commissioner

ABSENT: Grant Huffman Commissioner

STAFF: Simone Rivers, Regional Research Officer
 Roger Cheetham, Planner

For Consideration

Simone Rivers presented the staff report dated October 14, 2005 regarding application #W-36270-0. Mr. Potter confirmed that he received the staff report and did not identify any errors.

Site Inspection

A site inspection was conducted on November 3, 2005. Those in attendance were:

- Commissioners Read, Kerr
- Agricultural Land Commission Staff: Simone Rivers, Regional Research Officer and Roger Cheetham, Planner
- Land Use Agrologist, Ministry of Agriculture and Lands: Jim Forbes
- Applicant: John Potter

The Commission viewed the property and Mr. Potter explained the proposed subdivision. As the proposal had several parts, the Commission was better able to understand the proposal after seeing the site and meeting with Mr. Potter.

The site inspection lasted from 12:30 a.m. to 1:00 a.m.

Commission Discussion

The Commission noted that a portion of the proposed parcel was not within the ALR and that the applicant had offered to include this piece of land should the subdivision be approved. The area of land the Potter’s were proposing to include into the ALR is small and although it is presently under cultivation, the Commission felt that the inclusion of this land was not of enough benefit to agriculture to warrant the creation of a new residential parcel in this area.

IT WAS

MOVED BY: Commissioner Kerr
SECONDED BY: Commissioner Read

THAT the staff report be received and the application to create a third parcel by subdividing a portion of Lot 1, S34, T84, R16, W6M, Peace River District, Plan 29919 and a portion of the SW ¼ of S34, T84, R18, W6M, Peace River District and consolidating these two portions be refused on the grounds that the creation of this small lot would create a residential intrusion into an area that is largely agricultural.

CARRIED



Staff Report
Application # W – 36270 – 0
Applicant: John Potter and Joan Hendrick

DATE RECEIVED: September 21, 2005

DATE PREPARED: October 14, 2005

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: This application consists of several parts:

1. To subdivide the 6.9 ha parcel (Plan 29919) as divided by the creek to create a 4.5 ha lot and a 2.4 ha lot
2. To subdivide the non-ALR portion of the SW ¼ of Section 34 (approximately 1.5 ha) from the 64 ha lot (leaving 62.5 ha).
3. To consolidate the 1.5 ha portion of the SW ¼ with the 2.4 ha subdivision of Plan 29919 creating a new 3.9 ha lot.
4. To include the non-ALR portion (approximately 1.5 ha) of the adjacent property so that the new parcel is completely within the ALR.

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

BACKGROUND INFORMATION:

Originally only 1.6 ha of Plan 29919 was in the ALR. Resolution # 767/83 allowed the creation of Plan 29919 subject to inclusion of the non-ALR portion of the SE ¼ of Section 34. The non-ALR portion of the SW ¼ of Section 34 is currently cultivated land. The current proposal will result in three lots where there currently are two.

Local Government:

Peace River Regional District

Legal Description of Property:

1. PID: 005-563-577
Lot 1, Section 34, Township 84, Range 18, West of the 6th Meridian, Peace River District, Plan 29919
2. PID: 006-620-183
The South West 1/4 of Section 34, Township 84, Range 18, West of the 6th Meridian, Peace River District

Purchase Dates:

1. Plan 29919 – 1986
2. The South West ¼ of Section 24 - 1990

Location of Properties:

Between 257 Road and 259 Road west of the Beaton River, north of Fort St. John

Size of Properties:

1. Plan 29919: 6.9 ha (the entire property is in the ALR)
2. The South West ¼ of Section 24: 65 ha (approximately 63.5 ha is in the ALR)

Present use of the Properties:

Residence, 3 outbuildings and hay crop.

Surrounding Land Uses:

- WEST:** Forested land and farm land (ALR)
SOUTH: Some non-ALR land and some farm land (ALR)
EAST: Farmland (ALR)
NORTH: Farmland (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/7
The majority of the property is identified as having mixed prime and secondary ratings.

Official Community Plan and Designation:

North Peace OCP Bylaw No. 820, 1993 designates this parcel as "Rural Resource - Agricultural"

Zoning Bylaw and Designation:

Peace River Regional District Bylaw No. 1343, 2001 designates the property as A-2 (Large Agricultural Holdings).
Minimum Parcel Size 63 ha.

PREVIOUS APPLICATIONS:

Application #12850-0

- Applicant:** Lorne & Jean Walker
Decision Date: October 27, 1981
Proposal: To subdivide one 5.7 ha lot from the 64.8 ha parcel
Decision: Allowed

Application #12850-1

- Applicant:** Lorne & Joan Walker
Decision Date: May 11, 1983
Proposal: To create a parcel of 7.29 ha.
Decision: Allowed subject to the inclusion of all the non-ALR areas of the property.
-

Application #16941

Applicant: Lorne & Joan Walker

Decision Date: August 16, 1984

Proposal: To include the non-ALR portion of the SE ¼, Section 24 into the ALR (approximately 8 ha).

Decision: Allowed.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Regional Board: The Regional Board supports the application on the grounds that the proposal is consistent with Official Community Plan Policies

Local Government Planning Staff: Due to the location of the proposed residential lot, on land currently outside the ALR, there should be little impact on future agricultural activities.

STAFF COMMENTS:

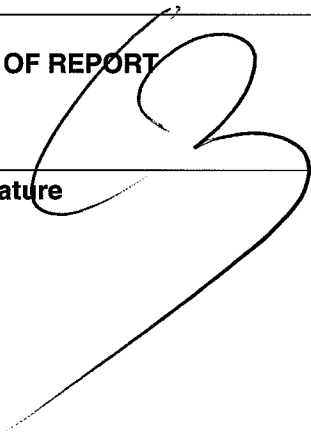
Staff recommend that the Commission consider the following:

- The land proposed to be included appears to be cultivated.
- The proposal will create an additional residential lot in an area of predominantly large holdings.
- The applicants could subdivide the non-ALR portion of the SW ¼ of Section 34 along the ALR boundary without applying to the Commission thus creating a smaller rural residential lot than the one they are currently proposing.
- When Plan 29919 was created the Commission was concerned about the creation of three lots rather than two in this area. The minutes from application # 12850-1 are included for the Commission's information.

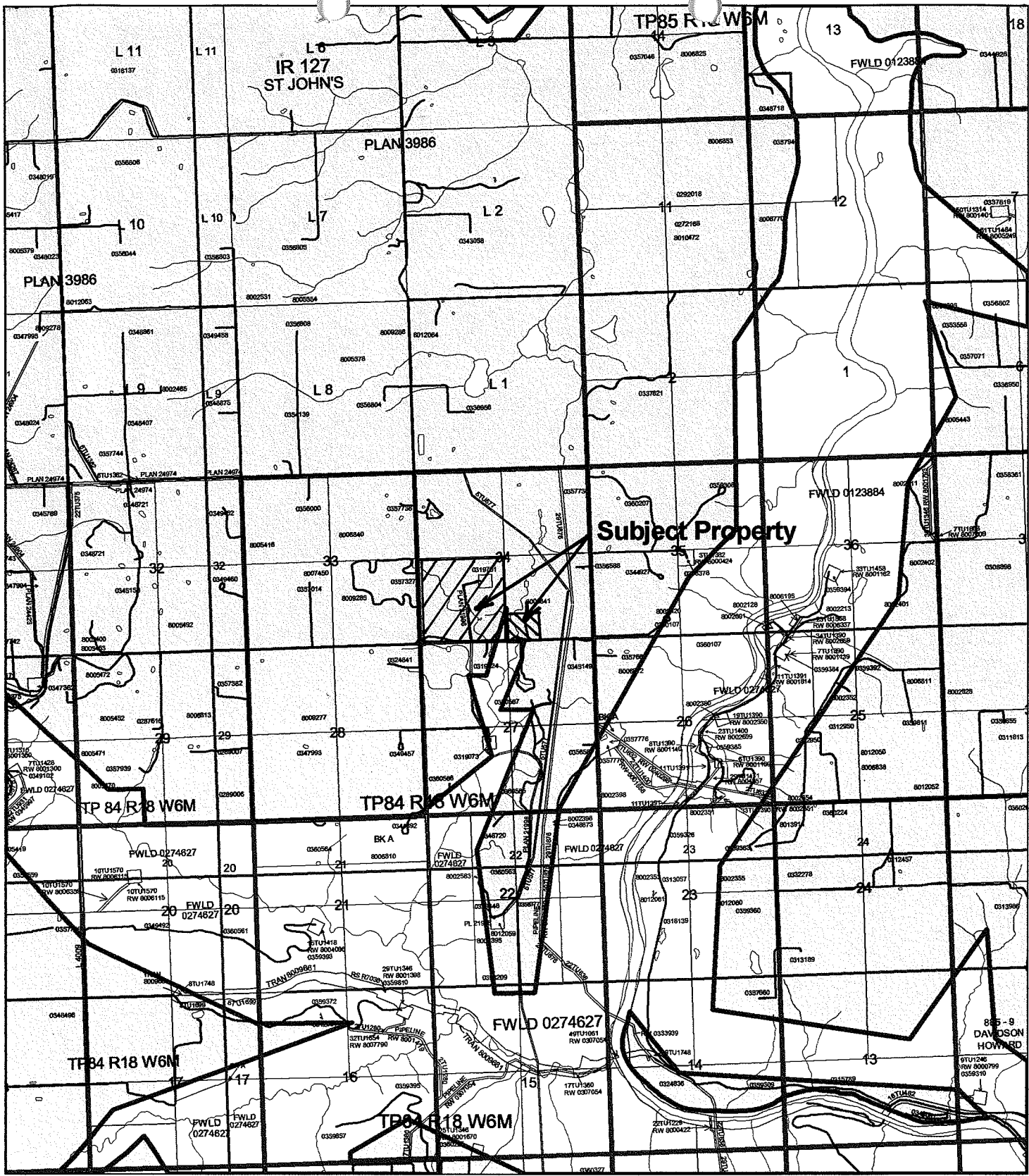
END OF REPORT

Signature

Date



Oct 18/05



ALC CONTEXT MAP
Application # 36270

Map Scale: 1: 50000

ALC File #: 21-05-36270

NTS Map Sheet #: 94A7

Regional District: Peace River