



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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Fax: 604-660-7033
www.alc.gov.bc.ca

March 17, 2006

Reply to the attention of Simone Rivers

Doug Petrie
PO Box 97, 9831-98A Avenue
Fort St. John, B.C. V1S 1S0

Dear Mr. Petrie:

Re: Application # W- 36293
Lot 2, Except; Part on Plan BCP1718, Section 35, Township 84, Range 20,
West of the 6th Meridian, Peace River District, Plan PGP46749

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the 30 ha property described above into two 15 ha lots. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

In discussing the application the Commission considered the following:
The property lies within the CDP area designated for light industrial development. The Commission discussed whether or not the proposal was consistent with the CDP designation. The Commission had no objection to the proposed subdivision on the grounds that the proposed parcel sizes did not preclude future use of the properties for light industry. As the properties remain in the ALR, the use of the properties is not likely to change in the near future. Therefore, the Commission will allow subdivision of the properties into two 15 ha parcels without rezoning at this time. However, in keeping with the Light Industrial designation of the subject property, the Commission will not be willing to entertain further subdivision or an exclusion application without further assurance that the properties will be used for light industry as designated.

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

- the subdivision being in substantial compliance with the attached plan.
- 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 the Peace River Regional District at your earliest convenience.

The decision noted above is recorded as Resolution #106/2006.

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.

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Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Peace River Regional District (File # 142/2005)

SBR/lv/Encl.
36293d1

Lot 2, Except; Part on Plan BCP1718, S35, T84, R20, W6m, PRD, PLAN BCP46749

SUBDIVISION PLAN OF
 PARCEL A (N33545) OF THE SOUTH 1/2
 SEC. 35, TP. 84, RGE. 20, W.6.M.
 PEACE RIVER DISTRICT
 (S.O.G.S. 94A.035)
 SCALE = 1 : 5,000

---THIS PLAN LIES WITHIN THE PEACE RIVER REGIONAL DISTRICT---

Michael Prince
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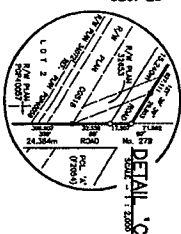
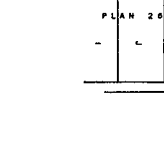
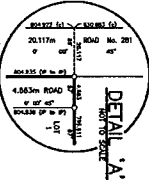
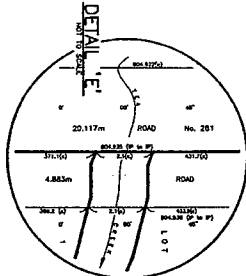
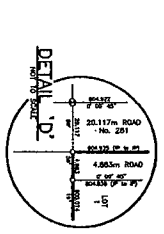
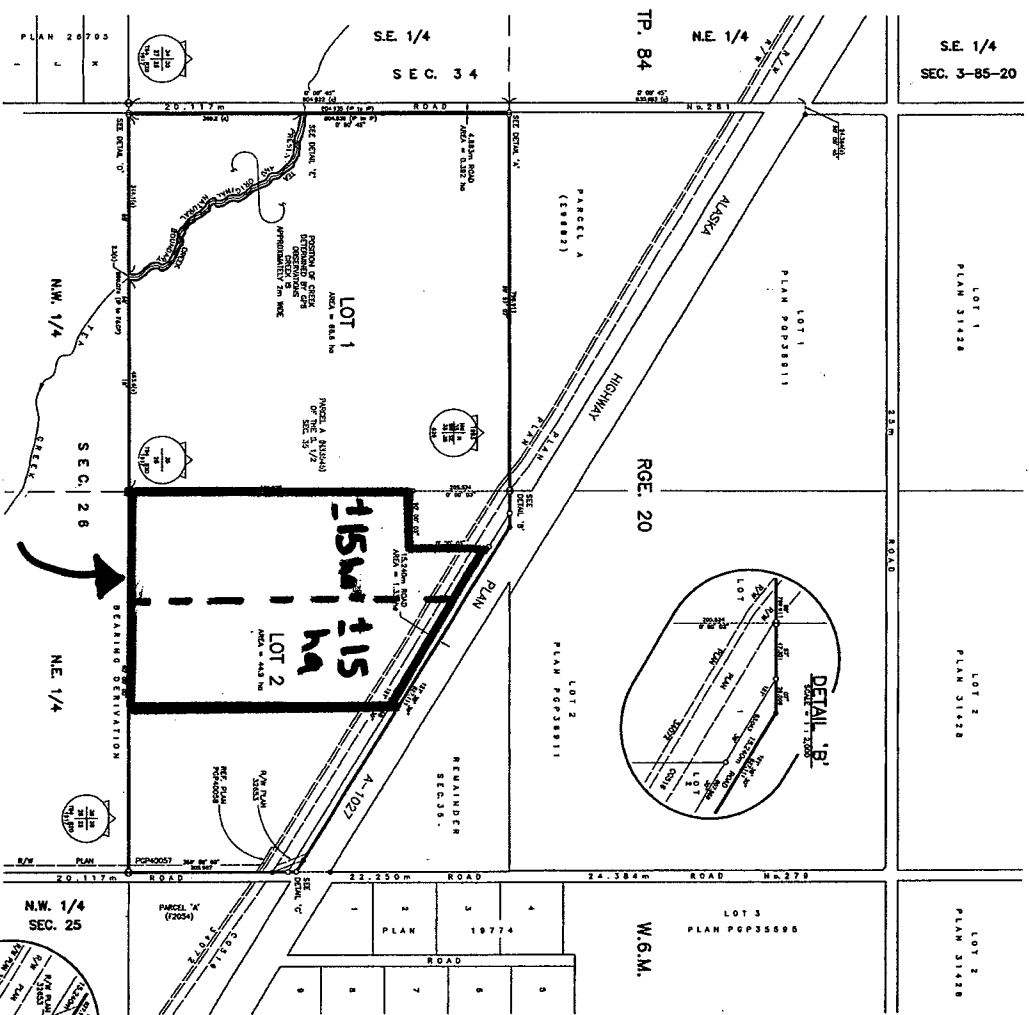
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PLAN BCP46749 (751347)
 LINDA KILGATTE
 R. 2001

Michael Prince
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**Approved 2
 1st Subdivision**

M.P. 1066-13-11-11-11799

Provincial Agricultural Land Commission

Application: W-36293-0
 Resolution # 106/2006

Subject property.

IT WAS

MOVED BY: Commissioner Read

SECONDED BY: Commissioner Kerr

THAT the staff report be received and the application to subdivide the 30 ha property described as Lot 2, Except; Part on Plan BCP1718, Section 35, Township 84, Range 20, West of the 6th Meridian, Peace River District, Plan PGP46749 into two 15 ha lots be approved as recommended on the grounds that the subdivision does not preclude future light industrial use of the property as designated in the Fort St. John and Area Comprehensive Development Plan.

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

CARRIED



Staff Report
Application # W – 36293 – 0
Applicant: Doug Petrie

DATE RECEIVED: October 6, 2005

DATE PREPARED: January 12, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 30 ha property into two properties of equal size, 15 ha each

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

BACKGROUND INFORMATION:

This property has been subject to several previous applications. Creation of the subject property was allowed by Resolution # 732/2001.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 025-584-243

Lot 2, Except; Part on Plan BCP1718, Section 35, Township 84, Range 20, West of the 6th Meridian, Peace River District, Plan PGP46749

Purchase Date:

October 2002

Location of Property:

9358 Highway 97 - Near Tea Creek

Size of Property:

30 ha (The entire property is in the ALR)

Present use of the Property:

One residence and three shops as well as pasture. There are three dugouts for watering livestock and the property.

Surrounding Land Uses:

- WEST:** Hobby farm (horses) and residence (ALR)
- SOUTH:** Hay pasture (ALR)
- EAST:** Hobby farm and residence (ALR)
- NORTH:** Remainder Section 35 - Trucking oilfield (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/6
The majority of the property is identified as having secondary ratings.

Official Community Plan and Designation:

North Peace OCP Bylaw No. 820, (1993) designates the property as "Small Agricultural Holdings"

Zoning Bylaw and Designation:

Regional Zoning Bylaw No. 1343, (2001) designates the property as "Small Agricultural Holdings Zone."

Minimum parcel size 15 ha.

PREVIOUS APPLICATIONS:

Application #31808-0

- Applicant:** Douglas Petrie
- Decision Date:** February 24, 1998
- Proposal:** To subdivide the 109 ha property into one 10 ha lot, one 14 ha lot, one 18 ha lot and one 67 ha lot.
- Decision:** Refused on the grounds that the proposal would have reduced the agricultural potential of the property. The Commission believed that the property was well suited to agricultural development.

Application #31808-1

- Applicant:** Douglas Petrie
- Decision Date:** October 20, 1999
- Proposal:** To subdivide the 109 ha property into one lot of 66 ha and one lot of 43 ha.
- Decision:** Allowed.

Application #34082-0

- Applicant:** Henry & Shirley Petrie
 - Decision Date:** December 12, 2001
 - Proposal:** To subdivide 15 ha from the 45 ha property to sell the newly created lot to a family member for a hobby farm.
 - Decision:** Allowed as proposed.
 - Note:** This decision created the subject property.
-

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Regional Board: The Regional Board forwarded the application with the following recommendation: that the Regional Board support this proposed subdivision on the basis that the proposed lots would conform to the current "Small Agricultural Holding" Official Community Plan designation and A-1 Zoning.

Local Government Planning Staff: Planning Staff made the following comments: The subject property lies just outside Area 1 of the newly adopted Fort St. John and Area Comprehensive Development Plan in an area that was studied during the CDP process but was not identified for future development.

Impact on agricultural lands in the area of the property would be minimal as there is a great deal of residential, commercial and industrial development already present in the area.

The subject property is surrounded by parcels with various zonings including "Large Agricultural", "Small Agricultural" "Residential 3 & 5" and "Industrial 3"

STAFF COMMENTS:

Staff recommend that the Commission consider the following:

Agricultural Capability: half of the property is rated as 5C and the other half as 6:5T-4:4X

Agricultural Suitability: the property is currently used as pasture and has three dugouts on the property used for watering livestock.

Planning Considerations: Since endorsing it in early 2005, recent Commission decisions in the Fort St. John area have been made based on the Fort St. John and Area Comprehensive Development Plan (CDP). If a proposal is consistent with the CDP the Commission has approved it and if it is not consistent with the plan the Commission has refused the proposal. As mentioned by the local government planning staff, the subject property lies just outside of Area 1 of the CDP. The subject property is part of Area 2, designated as Light Industrial in CDP. The applicant states that he wishes to divide the property in half but does not specify what the future uses of the property would be. Further clarification of the applicant's plans for the property are needed before the Commission can reach a decision about whether this subdivision should be allowed.

Impact: Previous Commission decisions to allow the subdivisions that created the subject parcel were made because the area consists of many smaller parcels with mixed uses and the opinion of the Commission at the time was that the impact of one more dwelling would not be significant.

END OF REPORT

Smore Rivers
Signature

Jan 30, 2006
Date