



Agricultural Land Commission
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June 1, 2006

Reply to the attention of Simone Rivers

Dennis & Joanne Laduke
PO Box 227
Charlie Lake, B.C. V0C 1H0

Dear Mr. and Mrs. Laduke:

Re: **Application #W-36603**
Lot 2, Section 24, Township 84, Range 21, West of the 6th Meridian,
Peace River District, Plan 25280

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above mentioned 10.4 ha property into a 6.4 ha lot and two 2 ha lots. 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 May 2, 2006. While the Commission appreciates that your property is smaller in size than surrounding properties; the Commission is not supportive of subdivision in this area as it is the Commission's experience that small lot subdivision fosters conflict with adjoining farm parcels and can limit agricultural development through trespass and complaints about typical farm noise and smells. In addition, subdivision into the lot sizes that you have proposed would reduce the agricultural potential of the land which could result in further pressures to subdivide lands nearby into rural residential parcels. The Commission's mandate is to preserve agricultural land and encourage farming and it did not believe your proposal was consistent with that mandate

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution #239/2006.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

cc: Peace River Regional District (#28/2006)

SBR/lv/36603d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on May 2, 2006 at the Ramada Inn, 10103 – 95th Avenue, Fort St. John, B.C.

PRESENT: Frank Read Chair
 John Kendrew Commissioner

STAFF: Simone Rivers, Regional Research Officer
 Martin Collins, Planner

For Consideration

Simone Rivers presented the staff report dated April 13, 2006 regarding application #W- 36603-0.

Site Inspection

A site inspection was conducted on May 2, 2006. Those in attendance were:

- Commissioners Read, Kendrew
- Agricultural Land Commission Staff: Simone Rivers, Regional Research Officer and Martin Collins, Planner
- Applicants: Dennis and Joanne Laduke
- Ministry of Agriculture and Lands, Land Use Agrologist: Jim Forbes.

The Commission met with the applicants on site. They viewed the property and the applicants pointed out the proposed boundaries of the subdivision.

The site inspection lasted from 11:15 a.m. to 11:45 a.m.

Commission Discussion

The Commission noted that the property was in an area of large holdings.

IT WAS

MOVED BY: Commissioner Read
SECONDED BY: Commissioner Kendrew

THAT the staff report be received and the application to subdivide the 10.4 ha property described as Lot 2, Section 24, Township 84, Range 21, W6M, Peace River District, Plan 25280 into a 6.4 ha lot and two 2 ha lots be refused as proposed on the grounds that subdivision of the property would limit its agricultural utility.

CARRIED



Staff Report
Application # W – 36603-0
Applicant: Dennis & Joanne Laduke

DATE RECEIVED: April 10, 2006

DATE PREPARED: April 13, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 10.4 ha parcel into a 6.4 ha lot, and two 2 ha lots.

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

BACKGROUND INFORMATION:

The applicants state that the parcel is not large enough to support the kind of agricultural operation suited to this area and the smaller acreages proposed would be more manageable as residential hobby farms.

The proposal is not consistent with the Official Community Plan or zoning regulations. The property is outside the area considered by the Fort St. John and Area Comprehensive Development Plan.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 007-820-305
Lot 2, Section 24, Township 84, Range 21, West of the 6th Meridian, Peace River District, Plan 25280

Purchase Date:

1984

Location of Property:

Highway 29 and Donis Road.

Size of Property:

10.4 ha (The entire property is in the ALR).

Present use of the Property:

Residential, 4 ha pasture, bush

Surrounding Land Uses:

WEST: B.C. Hydro right of way and Donis Road (ALR)
SOUTH: Donis Road then small acreage (vacant) (ALR)
EAST: Highway 29 then bush (ALR)
NORTH: B.C. Hydro transmission line and residential (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 Official Community Plan Bylaw No. 820 (1993) designates the property as "Rural Resource - Agricultural"

Zoning Bylaw and Designation:

Peace River Regional District Zoning Bylaw No. 1343, 2001 designates the parcel as A-2 (Large Agricultural Holdings Zone).
Minimum parcel size 63 ha.

PREVIOUS APPLICATIONS:

Application #06517-0

Applicant: Thomson, LJ
Decision Date: August 11, 1978
Proposal: To subdivide the 64 ha parcel into five parcels as divided by public roads.
Decision: Allowed subject to fencing the entire perimeter of the subject property.
Note: The approval of this application created the subject property.

RELEVANT APPLICATIONS:

Application #31650-0

Applicant: Moritz, Peter & Barbara
Decision Date: October 20, 1997
Proposal: To subdivide the 30 ha property into five parcels: four 4 ha lots and one 14 ha lot.
Decision: Refused on the grounds that the subdivision proposal would reduce the agricultural potential of the property and place residential pressures on large agricultural holdings to the east and south.

Application #31650-1

Applicant: Moritz, Peter & Barbara
Decision Date: January 20, 1998
Proposal: To subdivide the 30 ha property into five parcels: four 4 ha lots and one 14 ha lot.
Decision: Reconfirmed the decision to refuse the proposal on the grounds that it was not prepared to entertain an ad hoc subdivision proposal of this sort.

Application #08376-0

Applicant: Perkin, E
Decision Date: May 4, 1979
Proposal: To subdivide six 2.6 ha lots from the 124.8 ha property. The proposed lots were located south of Donis Road.
Decision: Refused as proposed. The Commission allowed the subdivision of approximately 16 from the property as divided by Donis Road.

Application #36136-0

Applicant: Clarke, Kenneth & Myrtle L
Decision Date: September 15, 2005
Proposal: To subdivide the 63 ha property as divided by Donis Road into one 14.9 ha lot and one 47.8 ha lot.
Decision: Refused on the grounds that the parcel is in an area of large agricultural parcels and the Commission does not want to set a precedent.

Application #36347-0

Applicant: Heenan, John & Melody
Proposal: To subdivide the 115 ha half section into one 63 ha lot and one 52 ha lot.
Decision: Pending – this property is directly north of the subject property

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: *That the Regional Board support and authorize this application as submitted... on the basis that similar subdivision has already occurred in the area and that the parcel is better suited for this kind of subdivision rather than larger lots and quarter sections and the triangular shaped property is surrounded by roads on two sides.*

STAFF COMMENTS:

Agricultural Capability:
100% Class 5C

Class 5 - Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Subclass: C - adverse climate

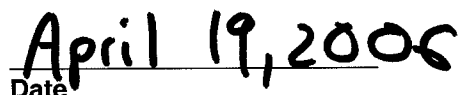
Impact on Agriculture:

In September 2005 the Commission refused a nearby application to subdivide a quarter section property as divided by Donis Road. The Commission is also considering application # W-36347 on the May 2006 panel trip, which proposes to subdivide the half section located directly to the north into two quarter sections. Limited subdivision has occurred in this area in the past, however; the area is predominantly made up of large parcels.

Staff recommends a site visit in order to evaluate the agricultural capability of the property and the impact of the creation of smaller rural residential lots on the agricultural operations in this area.

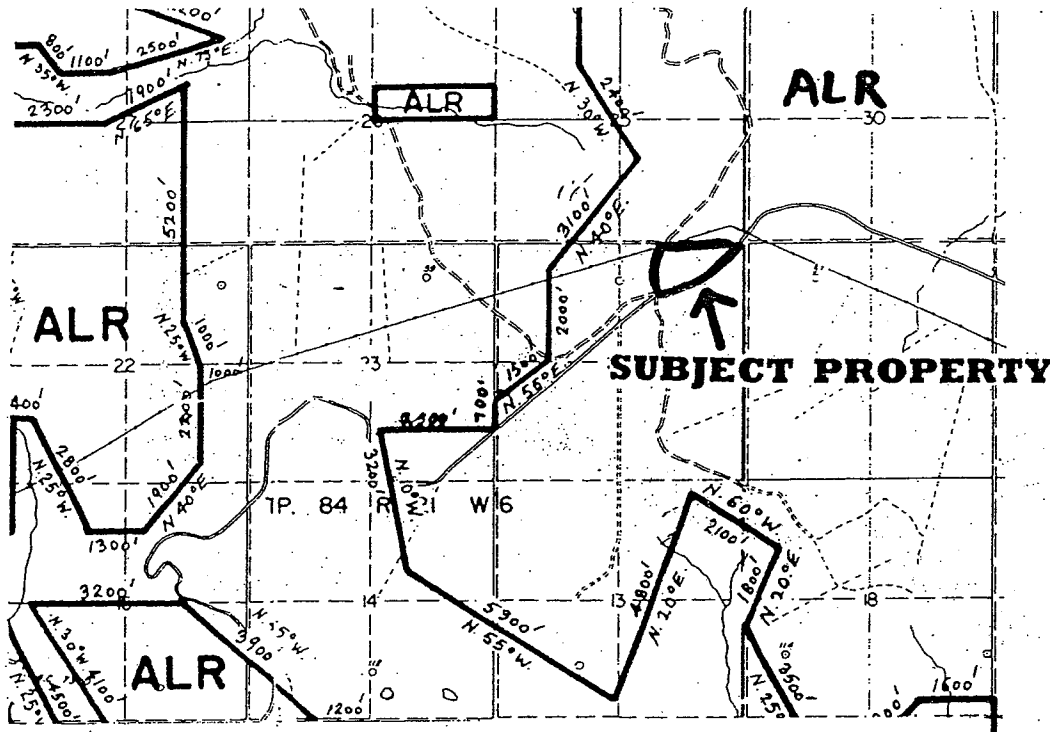
END OF REPORT


Signature


Date

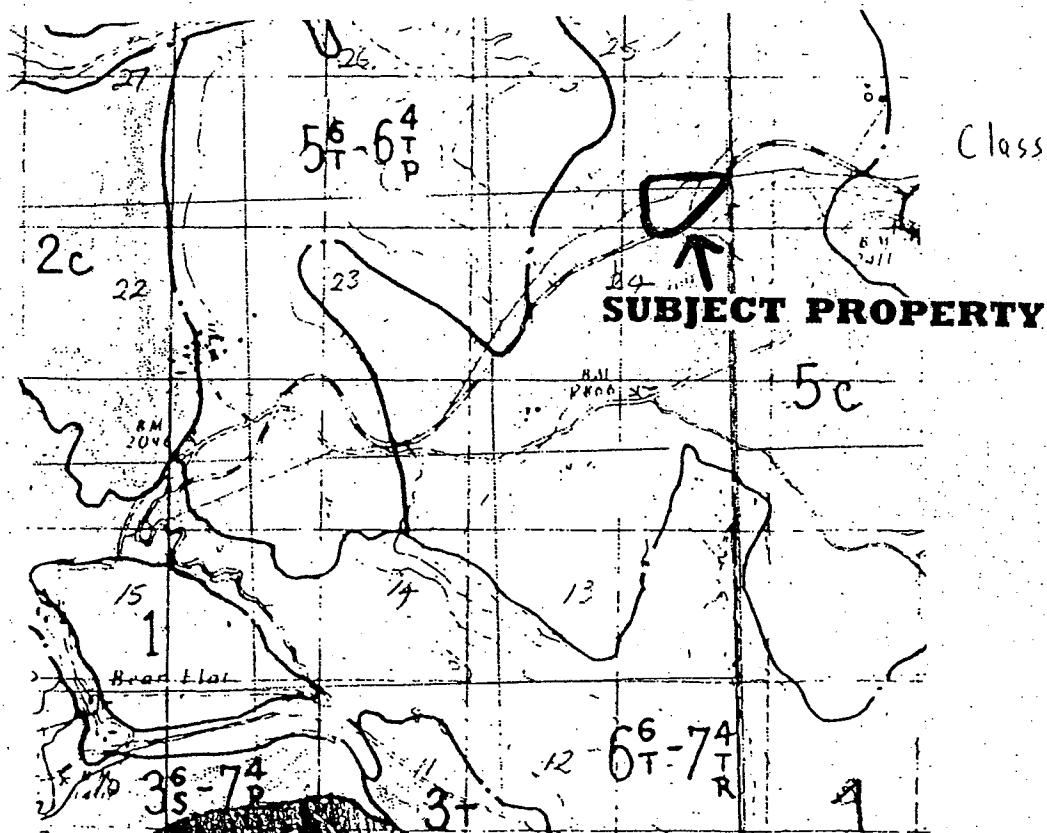


Agriculture Land Reserve (map# 94A-06)



Within

CLI-Soil Classification (map# 94A-06)



Class 5c