



Agricultural Land Commission
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July 13, 2006

Reply to the attention of Simone Rivers

Colleen Clelland
SS 2 – Comp 1, Site 7
Fort St John, B.C. V1J 4M7

Dear Madam:

Re: Application # W - 36650

PID: 011-443-103

The North West ¼ of Section 22, Township 84, Range 19, West of the 6th
Meridian, Peace River District, Except Plan 26672

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to construct a second permanent dwelling on the property (in addition to an existing mobile home). The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on June 28, 2006. The Commission found the meeting and site visit informative.

The Commission writes to advise that it approved your application subject to 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 Commission does caution that this approval in no way compels it to subdivide the second dwelling in the future so that your daughter and son-in-law can secure their investment in the home on its own separate title. The reason why the Commission allowed the additional dwelling was to facilitate the agricultural development of the property, not to increase subdivision pressure and rural residential development. As such, please consider the financial implications of this decision carefully before proceeding.

The decision noted above is recorded as Resolution #341/2006.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Peace River Regional District (#34/2006)

SBR/iv
36650d1

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IT WAS

MOVED BY: Commissioner F. Read

SECONDED BY: Commissioner J. Kendrew

THAT the staff report be received and the application to place a second permanent dwelling on the property be approved on the grounds its purpose was to facilitate the agricultural development of the property.

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

CARRIED



Staff Report
Application # W – 36650
Applicant: Colleen Clelland

DATE RECEIVED: April 28, 2006

DATE PREPARED: June 9, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To build a third dwelling on the 64 ha property.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

There are currently two dwellings on the property, a permanent home and a mobile home. These homes are rented by two of the owner's sisters, who are not involved with farming the property. The proposal is to build third dwelling on the property which would consist of modular home with a basement. The homesite is for the applicant's daughter and her husband. The daughter and son-in-law have been responsible for the day-to-day farming activities on the property for four years. The proposed building site is currently treed and approximately 0.8 ha would be cleared to develop the new homesite.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 011-443-103

The North West ¼ of Section 22, Township 84, Range 19, West of the 6th Meridian, Peace River District, Except Plan 26672

Purchase Date:

February 1993

Location of Property:

The property can be accessed from 271 Road, east of Charlie Lake

Size of Property:

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

Proposed Area of Homesite:

0.8 ha

Present use of the Property:

There is one permanent dwelling and one mobile home on the property. 10 ha is used for hay and 14 ha are used for pasture. There are six horses on the property. The remainder is forested.

Surrounding Land Uses:

WEST: Home, hayfield, pasture for horses and cows. (ALR)

SOUTH: Cultivated field used for cereal crops (ALR)

EAST: Home, pasture for horses and cows (ALR)

NORTH: Hayfield, (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 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 property as A-2 (Large Agricultural Holdings Zone)

Minimum parcel size 63 ha.

RELEVANT:

Application #08960-0

Applicant: McLeod (now Francis), Lillian

Decision Date: October 10, 1979

Proposal: To subdivide the parcel into 18 lots

Decision: Refused

Application #31807-0

Applicant: Blanchette, Richard & Karen

Decision Date: February 24, 1998

Proposal: To subdivide a 64.7 ha parcel into one lot of 3.2 ha and one lot of 61.5 ha.

Decision: Refused on the grounds that the proposal would reduce the agricultural potential of the property and constitute a residential intrusion into an area of extensive agriculture.

Application #20515-0

Applicant: Todrick, John & Beth and Laboucane, Paul & Audrey

Decision Date: October 22, 1986

Proposal: To subdivide one lot of 1.8 ha from the 50 ha property of which approximately 48 ha are in the ALR.

Decision: Refused. The Commission has historically maintained that the property has agricultural potential and is reluctant to allow small lot development in an area where surrounding lands are presently in or have the potential for agricultural use.

Application #34410-0

Applicant: Francis, Lillian
Decision Date: October 17, 2002
Proposal: To subdivide the two subject properties (totalling 64.6 ha) into two lots of 1.82 ha and one lot of 2.16 ha, containing the existing homesite. This would leave a remainder of Parcel 1 of approximately 54.2 ha and a remainder of Lot A of approximately 4.02 ha.
Decision: Refuse as proposed but allowed subdivision to include the applicant's house and consolidate remainder with larger lot.

Application #24300-0

Applicant: Wuthrich, Karl
Decision Date: July 4, 1990
Proposal: To subdivide a lot of 27.8 ha from the 63.9 ha property for use as a rock quarry.
Decision: Refused as proposed. Of the 27.8 ha lot, 9.5 ha are good agricultural land and already cultivated. However the Commission would be willing to allow the subdivision of one parcel of 9.5 ha for quarry development provided that the 17 ha area which would be severed by the quarry from the parent parcel was consolidated with the NE 1/4 of Sec. 15 and subject to quarry operating conditions.

Application #34410-1

Applicant: Francis, Lillian
Decision Date: September 15, 2005
Proposal: To remove the requirement of consolidation of the remainder of Parcel 1 with Lot "A" as a condition of subdivision of a homesite.
Decision: Allowed.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Regional Board forwarded the application with a recommendation of support on the basis that the proposed use is consistent with the regulations pertaining to "number and type of dwelling units" permitted in Section 33, as well as Section 29 regarding "Temporary Additional Dwellings" of the Peace River Regional District Zoning By-law No. 1343, 2001.

Local Government Planning Staff: Local Government Staff provided the following reasons for requiring this application: The Local Government may permit all residences necessary for farm use, however, local government must be convinced that there is a legitimate need for an additional dwelling for farm help based on the size or type of operation prior to permitting additional dwellings in the ALR. The owner's two sisters who live in the existing dwellings do NOT participate in the farm operations. The proposed new residence would house the owner's daughter and son-in-law who DO FARM the property.

STAFF COMMENTS:

Agricultural Capability:

The property is rated 70% Class 3 C - 30% Class 4T

Class 3 - Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 - Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Subclasses: C- adverse climate T- topography

Staff recommend a site visit to discuss the proposal with the applicant and to view the location of the proposed third dwelling.

END OF REPORT

Signature



Date

June 13/06



36650 Air Photo

Legend

0 140 280 m.

Scale: 1:10,000

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Datum/Projection: NAD83, Alberta Equal Area Conic

Key Map of British Columbia

