



**Agricultural Land Commission**  
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October 18, 2007

Reply to the attention of Simone Rivers  
ALC File: # W - 36978

Lorna and Robin Brekkas  
PO Box 636  
Charlie Lake, BC V0C 1H0

Dear Sir/Madam:

Re: Application to Subdivide land within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 525/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a white background.

Erik Karlsen, Chair

cc: Peace River Regional District (185/2006)

Enclosure: Minutes

SBR/lv  
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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on October 5, 2007 at Pouce Coupe, B.C.

<b>PRESENT:</b>	David Craven	Commissioner
	John Kendrew	Commissioner (Acting Vice Chair)
	William Norton	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

### For Consideration

Application: # W- 36978  
Applicant: Lorna and Robin Brekkas  
Agent: McElhanney Geomatics  
Proposal: To subdivide two 2 ha lots from the 18 ha property. The applicant has provided additional information indicating that the land has limited agricultural capability. The Commission, by Resolution # 180/2007 refused the original application for the subdivision of two 2 ha lots.

Legal: PID: 005-209-081  
South West 1/4, Section 3, Township 85, Range 20, W6M, Peace River District, EXCEPT Plans A1027 and 31879 and Except A Strip of Land 50 Feet in Parallel Width on Either Side of Plan A1027 and 31879

Location: Alaska Highway near Tea Creek - Highway 97N, near the middle of Charlie Lake, about 15km northwest of Fort St. John and 5 km northwest of the Highway 29N intersection.

### Site Inspection

No site inspection was conducted.

The Commission recalled its April 12, 2007 site inspection.

### Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

## **Discussion**

### **Assessment of Agricultural Capability**

The Commission discussed the new information provided about the agricultural capability of the property. Photographs were reviewed showing proliferation of rocks and weedy vegetation provided in support of the applicant's contention that the land had limited capacity for agricultural development. Information was also provided indicating that the land had been subject to two forest fires in the late 20<sup>th</sup> century, resulting in the burning of organic matter in the soil, further reducing agricultural capacity.

While the Commission acknowledged that the land might have challenges for agricultural development due to its size and shape, it did not believe that the land was substantively different from surrounding parcels which are developed for forage and grazing. In particular, it believed that if the forest fires affected the subject property, they must have also affected adjoining lands.

### **Assessment of Agricultural Suitability**

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use. Adjoining lands are larger than the subject property and either partially or wholly used for agriculture.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believes the proposal could negatively impact existing or potential agricultural use of surrounding lands by increasing the number of rural residents. It is the Commission's experience that owners of smaller lots often come into conflict with farm operations because of casual trespass and complaints about typical farm noises and smells. In addition, subdivision would raise expectations of further subdivision in the area, precipitating additional subdivision requests, to the detriment of agriculture.

### **Assessment of Other Factors**

The Commission also recalled that this property, among others lying to the north of the Alaska Highway in this area was presently under consideration for land use change in the North Peace Fringe Official Community Plan. It is possible that the Commission, as part of the OCP review, could support subdivision of lots in this area. If this is the case, then the application may be eligible for reconsideration upon the conclusion of the OCP review.

## **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal to subdivide will negatively impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner J. Kendrew

**SECONDED BY:** Commissioner B. Norton

That there were no persons affected by the reconsideration; and

THAT the request to reconsider the Commission's decision (by Resolution #180/2007) be refused.

**CARRIED**

**Resolution # 525/2007**