



Agricultural Land Commission
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March 1, 2007

Reply to the attention of Simone Rivers
ALC File: #W - 36990

Gerald and Ida Sarauer
PO Box 127 - 3822 Bodeker Street
Hudson Hope, BC V0C 1V0

Dear Mr. and Mrs. Sarauer:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 42/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: District of Hudson's Hope (#41098-100)

Enclosure: Minutes/Sketch Plan

SBR/iv
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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 21, 2007 at Dawson Creek, BC.

PRESENT:	Frank Read	Chair, North Panel
	John Kendrew	Commissioner
	William Norton	Commissioner
	Martin Collins	Staff
	Brian Underhill	Staff

For Consideration

Application: # W- 36990
 Applicant: Gerald and Ida Sarauer
 Proposal: To subdivide the 20.6 ha subject property into two 1.4 ha residential lots and a 0.3 ha parcel for a park.
 Legal: PID: 014-775-948
 District Lot 1098A, Peace River District, EXCEPT Plan H887
 Location: 3822 Bodeker Street, Hudson's Hope

Site Inspection

A site inspection was not conducted.

Discussion

The Commission recalled that it had recently reviewed the Hudson's Hope Official Community Plan (OCP) and endorsed the plan including some non-farm development in certain areas. The subject property is in an area that is designated as anticipated residential and park land:

The subject property was located in an area about which the Commission had made the following comments: *"The Commission noted that the proposed residential areas near the town-site occupied a narrow strip of land between the highway and the Peace River to benefit from river views. No developed agricultural land was affected by the residential designation, nor was it likely that agricultural development could occur given the land's underlying bedrock and unfavorable topography."*

The Commission has no objection to the proposal subdivision based on its previous endorsement of non-farm designation of this area in the (OCP).

Conclusions

1. That the land under application has limited agricultural capability.
2. That the land under application is not suitable for agricultural use.
3. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Read

SECONDED BY: Commissioner Kendrew

THAT the application be allowed as proposed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply 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.

CARRIED

Resolution # 42/2007



Staff Report
Application # W – 36990
Applicant: Gerald and Ida Sarauer

DATE RECEIVED: October 5, 2006

DATE PREPARED: December 7, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the 20.6 ha subject property into two 1.4 ha residential lots and a 0.3 ha parcel for a park.

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

BACKGROUND INFORMATION:

Local Government:

District of Hudson's Hope

Legal Description of Property:

PID: 014-775-948
District Lot 1098A, Peace River District, EXCEPT Plan H887

Purchase Date :

1977

Location of Property:

3822 Bodeker Street, Hudson's Hope

Size of Property:

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

Present use of the Property:

Residential

Surrounding Land Uses:

WEST: Crown, treed, steep hill and Highway
SOUTH: Peace River
EAST: Residential
NORTH: Crown, treed, steep hill and Highway

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/4
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

OCP: Agricultural Land Reserve/Anticipated Residential

Zoning Bylaw and Designation:

Zoning: Bylaw No. 555 (1996)
Designation: Rural
Minimum Lot Size: 62 ha

PREVIOUS APPLICATIONS:

Application #36207-0

Applicant: District of Hudson's Hope
Decision Date: September 15, 2005
Proposal: Review Hudson's Hope OCP - significant ALR areas are proposed for non farm uses.
Decision: The Commission concurred with the draft OCP noting that the lands proposed for non farm uses had very limited agricultural capability.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

District of Hudson Hope Council forwarded the application with a recommendation of approval

STAFF COMMENTS:

Staff recalls the Commission's review of the Hudson's Hope Official Community Plan in September 2005. At that time the Commission visited all of the areas proposed for non-farm development and endorsed the OCP as proposed including several non-farm designations. The subject property is in an area that is designated as anticipated residential and park land:

This area was initially described by ALC planners as follows:

1) 25 ha (approx.) for anticipated residential uses. This is a new designation...

...An area of about 4 ha of ALR has been identified along the riverbank overlooking the Peace River, southwest of the townsite and adjoining an already subdivided strip of riverbank. No information about parcel sizes has been proposed. However, it seems likely that the lots may be smaller than 0.4 ha. The soil capability ratings are 7:1 3:2X.

Further, in the decision letter to Hudson's Hope with regards to the OCP the following comment was made "*The Commission noted that the proposed residential areas near the town-site occupied a narrow strip of land between the highway and the Peace River to benefit from river views. No developed agricultural land was affected by the residential designation, nor was it likely that agricultural development could occur given the land's underlying bedrock and unfavorable topography.*"

Finally by Resolution # **491/2005** the Commission resolved *THAT the staff report be received and the Hudson's Hope Official Community Plan be considered consistent with the Agricultural Land Commission Act (as per Section 46 of the Act) on the grounds the non farm use designations of ALR land affected land with very limited agricultural capability.*

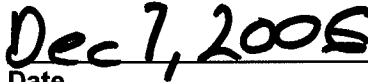
Given the Commission's endorsement of the residential designation in the OCP staff recommend approval of the proposal.

ATTACHMENTS:

- Sketch of proposed subdivision (not showing remainder) (submitted by the applicants)
- ALC Context Map - 94A.001 - 1:15,000 (created by ALC Staff)
- Air Photo - 1:10,000 (Created by ALC Staff)

END OF REPORT


Signature


Date