



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

May 3, 2007

Reply to the attention of Simone Rivers
ALC File: W-37103

Richard and Vivian Giesbrecht
PO Box 153 - 251 Road
Cecil Lake, BC V0C1G0

Dear Mr. and Mrs. Giesbrecht:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 167/2007 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: Peace River Regional District (247/2006)

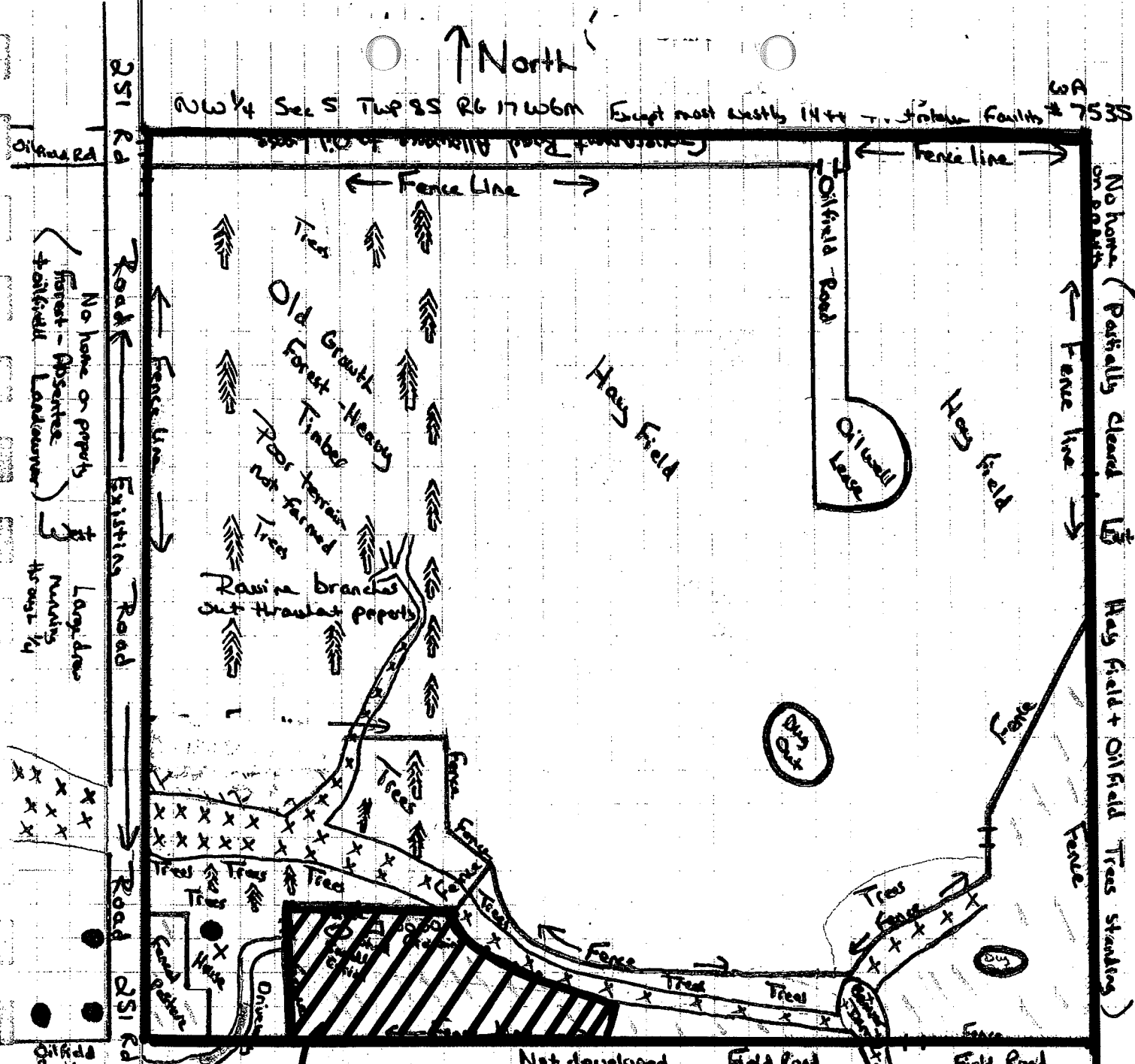
Enclosure: Minutes/Sketch Plan

SR/eg

i/37103d1

North


NW 1/4 Sec 5 Twp 8S R6 17 W6m Except most easterly 1/4 + ... State Fault # 37538




±2 ha South

Provincial Agricultural Land Commission

Application W-37103
 Resolution 167/2007

 Subject Property

 ±2 ha approved subdivision

unsuitable for agricultural use. The property is located in an area of predominantly large holdings.

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 recognized that the existing homesite was cut off from the remainder of the property by gullies on the property. It also noted that the proposed homesite was not separated from the remainder of the property in the same manner. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands by creating a subdivision on a portion of the property that was contiguous with the remainder. It believed that a better location for a subdivision would be south of the ravine adjacent to the existing homesite. It believes that a subdivision in this location would not have a negative impact on the agricultural use of the remainder of the property.

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 will impact agriculture but that an alternate location for the proposed subdivision would be appropriate.

IT WAS

MOVED BY: Commissioner Read
SECONDED BY: Commissioner Kendrew

THAT the application be refused as proposed.

AND THAT the Commission would allow the subdivision of one lot, no larger than 2 ha to be located near the existing homesite using the existing driveway, the gully and the southern property boundary as boundaries.

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 # 167/2007



Staff Report
Application # W – 37103
Applicant: Richard and Vivian Giesbrecht

DATE RECEIVED: December 1, 2006

DATE PREPARED: January 5, 2007

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: Subdivision for a Relative: The proposal is to subdivide a 4.0 ha lot from the subject property to provide a homesite for the owner's son who will assist with the working and operations of the farm.

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

BACKGROUND INFORMATION:

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 010-144-480

The North West ¼ of Section 5, Township 85, Range 17, W6M, Peace River District, EXCEPT
The most westerly 4.267 metres in parallel width thereof

Purchase Date:

1988

Location of Property:

On 251 Road, lying approximately a mile west of Cecil Lake.

Size of Property:

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

Present use of the Property:

Residence, outbuildings, and granaries located in the most southwest corner of the quarter section. Western portion of the quarter section is currently tree covered, with the eastern portion being under hay production. The quarter is fenced and crossed fenced. Oil well lease is located in the hay field with a well site road extending (1/2 mile long) along the most northerly boundary of the quarter section. Ravines traverse through the western portion of the quarter section and are bordered with fences.

Surrounding Land Uses:

- WEST:** Quarter section all bush, ravine, with oil wells, not being farmed at all
- SOUTH:** Quarter section farmland, rented land
- EAST:** Partially cleared quarter with oil wells - hayfield/cleared, rented land
- NORTH:** Partially cleared quarter with oil wells - pasture for horses and cows

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/7
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

North Peace OCP: Bylaw No. 820 (1993)
Designation: Rural Resource - Agricultural

Zoning Bylaw and Designation:

Peace River Regional District Zoning Bylaw No. 1000 (1996)
Designation: A-2 (Large Agricultural Holding Zone)
Minimum Lot Size: 63 ha

RELEVANT APPLICATIONS:

-
- Application #36962-0**
 - Applicant:** Goulet, Gillis
 - Decision Date:** October 20, 2006
 - Proposal:** To subdivide a 2 or 4 ha lot from the quarter-section to provide residence for the applicant's daughter
 - Decision:** Refused

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 subdivision for the land owner's son is consistent with the policies of the Official Community Plan


STAFF COMMENTS:

The majority of the subject property has excellent agricultural capability (class 2, 3 and 4) and approximately 40 ha of the 64 ha property has been improved for agricultural use. The remainder is forested. There is a small portion of the subject property rated Class 6 and Class 7. The proposed subdivision is to be located on and near the least capable portion of the property. The proposed homesite can be accessed by an existing road and the applicants have stated that they are willing to make the homesite as small as possible. The applicants do not own any other land, therefore consolidation with other property is not an option in this instance. The property is located in an area of large agricultural holdings.

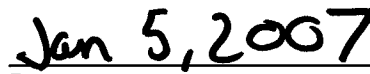
ATTACHMENTS:

- Proposal - Letter from the applicants explaining their reasons for requesting subdivision
- Sketch of property showing existing land use and location of proposed subdivision (submitted by the applicants)
- ALC Context Map 94A.037 - 1:20,000 (created by ALC Staff)
- Airphoto - 1:15,000 (created by ALC Staff)

END OF REPORT



Signature



Date