



May 3, 2007

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

Reply to the attention of Simone Rivers
ALC File: W-37207

Martin, Warren and Orva Moore
RR1 - Site 16 - Comp 38
Fort St. John, BC V1J 4M6

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 170/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Peace River Regional District (256/2006)

Enclosure: Minutes/Sketch Plan

SR/eg
i/37207d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 13, 2007 at the offices of the Peace River Regional District, Fort St. John, B.C.

PRESENT:	Frank Read	Chair, North Panel
	John Kendrew	Commissioner
	William Norton	Commissioner
	Erik Karlsen	Chair, ALC
	Simone Rivers	Staff

For Consideration

Application: # W- 37207
Applicant: Warren, Martin and Orva Moore
Proposal: To subdivide the quarter-section along a rail line creating a 14 ha parcel and a 47 ha remainder.
Legal: PID: 014-781-069
North West $\frac{1}{4}$ of Section 24, Township 84, Range 19, W6M, Peace River District, Except Plan 18582
Location: Located 6km north of the City of Fort St. John, along Montney Road

Site Inspection

A site inspection was conducted on April 12, 2007. Those in attendance were:

- Frank Read Chair, North Panel
- John Kendrew Commissioner
- William Norton Commissioner
- Erik Karlsen Chair, ALC
- Simone Rivers Staff
- Warren Moore Applicant

The Commission viewed the property from the road and from the railway tracks. Mr. Moore pointed out that the railway caused drainage problems on the part of the property that was proposed for subdivision. The Commission noted that a gas well on the property was currently being decommissioned.

Mr. Moore confirmed that the staff report dated March 14, 2007 was received and no errors were identified.

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.

The agricultural capability of the soil of the portion of the subject property proposed for subdivision is 100 % Class 2C.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Subclasses: C – Adverse Climate

The Commission believed that the subject property has excellent agricultural capability and is correctly designated as ALR.

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. The applicant stated that the railway tracks split the property and that the area east of the tracks was difficult to farm with large modern equipment. The Commission believed that this did not reduce the suitability of the property as a unit.

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 noted that the subject property does not currently have a dwelling on it and believes that the creation of a rural residential lot in this area would have a negative impact on the continued agricultural use of the surrounding properties as well as the remainder. 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.

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.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Kendrew

SECONDED BY: Commissioner Norton

THAT the application be refused

CARRIED

Resolution # 170/2007



Staff Report
Application # W – 37207
Applicant: Warren, Orva and Martin Moore

DATE RECEIVED: January 24, 2007

DATE PREPARED: March 14, 2007

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the quarter-section along a rail line creating a 14 ha parcel and a 47 ha remainder.

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: 014-781-069

North West ¼ of Section 24, Township 84, Range 19, West of the 6th Meridian, Peace River District, Except Plan 18582

Purchase Date:

September 1996

Location of Property:

Located 6km north of the City of Fort St. John, along Montney Road

Size of Property:

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

Present use of the Property:

Residence, crops, drainage problems

Surrounding Land Uses:

WEST: Residence/Agricultural
SOUTH: Residence, forage
EAST: Residence/Agricultural
NORTH: Residence/Agricultural

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. 1343 (2001)
Designation: Zoned A-2 (Large Agricultural Holdings)
Minimum Lot Size: 63 ha

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Regional Board forwarded the application with a recommendation of support for an alternative proposal – to subdivision solely along the rail right-of-way creating a 14 ha parcel with a remainder of 47 ha on the basis that this revised proposal is consistent with the Official Community Plan.

STAFF COMMENTS:

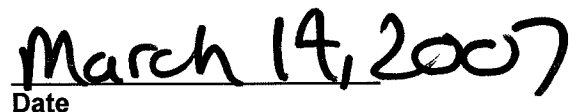
Staff recommend a site visit to determine the impact that the railroad tracks have on the utility of the subject property. The applicants originally proposed to retain the oil and gas facility on the property with the larger remainder. However, the Regional Board did not authorize this proposal.

ATTACHMENTS:

- Letter from the applicants describing the proposal.
- Page 3 of the Local Government Report - Observations and Comments
- Sketch showing proposed subdivision (submitted by the applicants)
- ALC Context Map - 94A.026 & 94A.036 - 1:20,000 (created by ALC staff)
- Airphoto - 1:10,000 (created by ALC staff)

END OF REPORT


Signature


Date