



**Agricultural Land Commission**  
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July 5, 2007

Reply to the attention of Simone Rivers  
ALC File: # W - 37311

Steven and Sarah Palfy  
PO Box 736  
Hudson's Hope, BC V0C 1V0

Dear Mr. and Mrs. Palfy:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 317/2007 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 the printed name below.

Erik Karlsen, Chair

cc: District of Hudson's Hope (#004770-000)

Enclosure: Minutes,

SBR/lv  
37311d1



A meeting was held by the Provincial Agricultural Land Commission on June 26, 2007 at Pouce Coupe, B.C.

<b>PRESENT:</b>	Erik Karlsen	Chair, ALC
	John Kendrew	Commissioner
	William Norton	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

**For Consideration**

Application: # W - 37311  
Applicant: Steven and Sarah Palfy  
Proposal: To subdivide the 9.7 ha subject property to create three (3) new lots, one (1) with a dwelling and two (2) as raw land ready to be developed later, approximately 0.5 ha each. Rezoning is required due to new lot sizes.  
Legal: PID: 014-741-741  
That part of the Fractional South West ¼ of Section 13, Township 81, Range 26, W6M, Peace River District, Plan B5652, EXCEPT Plans 17554 and 30078  
Location: 9925 Adams Street, Hudson's Hope

**Site Inspection**

A site inspection was conducted on Jun 25, 2007. Those in attendance were:

- Erik Karlsen                      Chair, ALC
- John Kendrew                    Commissioner
- William Norton                 Commissioner
- Simone Rivers                  Staff
- Martin Collins                  Staff
- Steven Palfy                      Applicant

The Commission met with the applicant and viewed the property from the applicants home as well as from the cleared portion. The Commission noted that the house was located slightly below the remainder of the property.

Mr. Palfy confirmed that the staff report dated May 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 Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from or to include land into the ALR or to subdivide or use land in the ALR for non-farm purposes.

### **Discussion**

#### **Assessment of Agricultural Capability**

The agricultural capability of the soil of the subject property is rated as 70% Class 1 – 30% Class 2x.

Class 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.

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: X cumulative and minor adverse

Land of this quality is rare in the Hudson's Hope area and in the Peace River Regional District.

#### **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 noted that there are some small lots subdivided along the eastern edge of the property but also noted that there is no other subdivision on the north side of Adams Road. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

#### **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 that by subdividing two lots from the subject property that the options for agricultural development of the property would decrease as subdivision will erode the productive capacity of the parent farm parcel. The Commission believes that retaining the parcel in its present size and configuration is consistent with its mandate to preserve agricultural and encourage farming. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands and does not believe that any subdivision of the subject property is appropriate.

**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 # 317/2007**



**Staff Report**  
**Application # W – 37311**  
**Applicant: Steven and Sarah Palfy**

**DATE RECEIVED:** March 26, 2007

**DATE PREPARED:** May 14, 2007

**TO:** Chair and Commissioners – North Panel

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To subdivide the 9.7 ha subject property to create three (3) new lots, a 1 ha lot with the existing dwelling and one 0.4 ha lot and one 0.5 ha lot.

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: 014-741-741

That part of the Fractional South West ¼ of Section 13, Township 81, Range 26, West of the 6<sup>th</sup> Meridian, Peace River District, Plan B5652, EXCEPT Plans 17554 and 30078

**Purchase Date:**

July 2006

**Location of Property:**

9925 Adems Street, Hudson's Hope

**Size of Property:**

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

**Present use of the Property:**

Residential/hay field

**Surrounding Land Uses:**

**WEST:** Farm/hay field  
**SOUTH:** Residential  
**EAST:** Residential  
**NORTH:** Residential

**Agricultural Capability:**

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

**Official Community Plan and Designation:**

District of Hudson's Hope Official Community plan  
Designation: Agricultural Land Reserve

**Zoning Bylaw and Designation:**

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

**PREVIOUS APPLICATIONS:**

**Application #75-0710-0**

**Applicant:** Birosh, R & M  
**Decision Date:** September 3, 1975  
**Proposal:** To subdivide a 5.3 ha parcel from the 80.9 ha property for the applicant's son.  
**Decision:** Refused as proposed. The Commission would allow a second dwelling or registered lease hold.

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**Application #07755-0**

**Applicant:** Smith, WL  
**Decision Date:** April 10, 1979  
**Proposal:** To exclude the subject property from the ALR so that it can be developed into residential lots.  
**Decision:** Refused on the grounds that the property has an agricultural capability rating of 70% Class 1 – 30% Class 2 and could be used for an extensive range of agricultural options.

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**Application #12679-0**

**Applicant:** Smith, WL  
**Decision Date:** June 3, 1982  
**Proposal:** To exclude 4.6 ha of the 52.7 ha subject property. The applicant proposed to subdivide the excluded area into a total of 23 residential lots. The property was described as agricultural land with one homesite. The area which was proposed for subdivision borders Adems Street and is apparently physically separated from the bulk of the property by a steep bank.  
**Decision:** Refused. The Commission believed that there were sufficient non-ALR lands available in this area that were to be infilled prior to excluding additional lands from the Reserve.

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**Application #27998-0**

**Applicant:** Curzon, T. & R.  
**Decision Date:** October 5, 1993  
**Proposal:** To subdivide 1.62 ha from the 8.9 ha property. The applicant wished to further subdivision this new lot into four 0.45 ha parcels for residential development.  
**Decision:** Refused on the basis that the property has excellent agricultural capability.

**RELEVANT APPLICATIONS:**

**Application #09998-0**

**Applicant:** Hudson Hope  
**Decision Date:** February 27, 1980  
**Proposal:** To exclude several properties in the District of Hudson's Hope from the ALR. It was noted that twenty-four of the parcels are under two acres in size. A municipal tourist campsite is located on a portion of one parcel. A School is located on a parcel encompassing 9 ha. The remainder of the parcels are in residential use.  
**Decision:** Allowed as proposed.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**District of Hudson's Hope Council:** The Council forwarded the application with a recommendation of support.

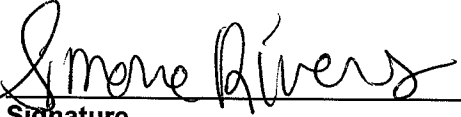
**STAFF COMMENTS:**

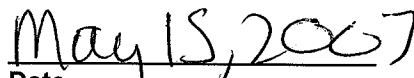
- Several previous applications for subdivision and exclusion for this property have been refused.
- The Commission visited the District of Hudson's Hope in September 2005 to discuss the Official Community Plan. At that time it endorsed some areas of ALR for future non-farm development. The subject property is not in one of these areas.
- The subject property is given agricultural capability ratings of 70% Class 1 and 30% Class 2x which is considered prime. Class 1 land is rare in this area of the province.
- The subject property is located adjacent to an existing residential neighbourhood.

**ATTACHMENTS:**

- Sketch of proposed subdivision (submitted by the applicant)
- ALC Context Map 94A.001 – 1:20,000 (created by ALC Staff)
- Airphoto – 1:10,000 (created by ALC Staff)

**END OF REPORT**

  
Signature

  
Date