



Agricultural Land Commission
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October 18, 2007

Reply to the attention of Simone Rivers
ALC File: # W - 37315

Wayne Dahlen
429 - 94 Avenue
Dawson Creek, BC V1G 1G1

Dear Sir:

Re: Application to subdivide and for non farm uses in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 532/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label. The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

Erik Karlsen, Chair

cc: Peace River Regional District (18/2007)

Enclosure: Minutes

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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

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

For Consideration

Application: # W- 37315
Applicant: Charles and Jeanette Powell
Agent: Wayne Dahlen
Proposal: The applicant has requested that the Commission address the non farm use aspect (equipment repair business) of the original application. Should the Commission not permit the non farm use, the applicant is requesting subdivide a 2 ha lot from the property encompassing the his homesite.

Legal: PID: 010-613-722
Lot 1, Section 32, Township 79, Range 16, W6M, Peace River District, Plan 19134

Location: Located on the north side of Mile 12.5 of the Alaska Highway, just south of Farmington.

Site Inspection

The Commission recalled its site inspection of June 27th, 2006.

Wayne Dahlen, the applicant's agent presented the revised information at another site inspection at which he was the agent. It was indicated that the original request for a non farm use had not been adequately addressed in Resolution # 323/2007. The applicant also indicates that if the non farm use is not permitted, then the subdivision a 2 ha lot encompassing the existing residence is requested.

The reconsideration request is also based on the applicant's assertion that a neighboring property in the ALR was permitted subdivision.

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 confirmed its original view that even though the land had largely not been developed for agriculture (the majority of the property is under forest cover) that the land had good capability for agriculture and was suitable for agricultural uses. The Canada Land Inventory rating for the property is Class 4X, which is typical for developed pasture and forage land in the area.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposed non farm use, and homesite subdivision against the long term goal of preserving agricultural land. The Commission believes the development of an equipment repair business, and/or the subdivision of the homesite both have potential to negatively affect existing or potential agricultural uses of the property and surrounding lands; by reducing the parcel's productive capacity, and by introducing incompatible uses, or a permanent non farm resident into the area who may not be associated with the farm use of property. Rural residential and non farm business development (beyond what is permitted by Home Occupation bylaw standards) has the effect of heightening expectations of land use change, dampening agricultural investment and activity, and increasing potential for conflict with adjoining or nearby farm operations.

Assessment of other Factors

The August 7, 2007 correspondence also requested, as a basis for reconsideration, the recent subdivision of a neighboring property that was permitted by the Commission. The Commission reviewed its recent decisions in the area and notes that no subdivisions of the type proposed have been permitted in the area. However, the Commission, by Resolution # 428/2006, allowed a boundary adjustment, between two adjoining properties of 24 ha and a 37 ha (to create a 49 ha lot and a 12 ha lot). There was no increase in the number of lots. In view of this the Commission does not consider its previous decision to be relevant to this proposal.

Conclusions

1. That the land under application has agricultural capability, is appropriately designated as ALR, and is suitable for agriculture.
2. That the subdivision and non farm use of portions of the property will negatively affect the agricultural capability of the parcel and have potential to negatively affect agriculture (or the potential for agricultural development) in the surrounding area.
3. That the proposals are inconsistent with the objectives of the *Agricultural Land Commission Act* to preserve agricultural land and encourage farming.

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 develop a non farm use (machinery repair business) on the property, and the request to subdivide a 2 ha homesite for the applicant, be refused on the grounds of incompatibility with agricultural uses and the purposes of the Agricultural Land Commission Act.

CARRIED

Resolution # 532/2007