



Agricultural Land Commission
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July 5, 2007

Reply to the attention of Simone Rivers
ALC File: # W - 37393

Ruth and Bert Veiner
RR #2
Dawson Creek, BC V1G 4E8

Dear Mrs. and Mr. Veiner:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 318/2007 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". The signature is written in a cursive, flowing style.

Erik Karlsen, Chair

cc: Peace River Regional District (#52/2007)

Enclosure: Minutes

SBR/lv
37393d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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

| | | |
|-----------------|----------------|--------------|
| PRESENT: | Erik Karlsen | Chair, ALC |
| | John Kendrew | Commissioner |
| | William Norton | Commissioner |
| | Simone Rivers | Staff |
| | Martin Collins | Staff |

For Consideration

Application: # W - 37393
 Applicant: Albert and Clarence Veiner
 Agent: Ruth Veiner
 Proposal: Subdivision for Family: To subdivide the 18 ha subject property into four (4), 4.5 ha lots.
 Legal: PID: 014-823-888
 District Lot 1129, Block A, South East 1/4, Peace River District, EXCEPT Plans 6537, 8856, A1805, 11046, 20066, 2384 and 24029
 Location: Located at Hasler Flats, 26km west of Chetwynd Highway 97S, runs east-west along the north side of Pine River.

Site Inspection

A site inspection was conducted on June 26, 2007. Those in attendance were:

- Erik Karlsen Chair, ALC
- John Kendrew Commissioner
- William Norton Commissioner
- Simone Rivers Staff
- Martin Collins Staff
- Ruth Veiner Agent for the applicants
- Bert Veiner Applicant

The Commission met the applicants in Chetwynd and drove with them to the subject property. It viewed the subject property, which was covered in trees, from the road. It noted that in the Hasler Flats area there is a variety of parcel sizes. The land to the west was cleared and in agricultural use.

Ms. Veiner confirmed that the staff report dated May 29, 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

In assessing agricultural capability, the Commission noted that the land under application was similar in capability to other lands nearby, being suited to forage and grain crops (Class 5CW). There was no evidence to indicate that the land proposed for subdivision was not similar to the cleared land to the west of the property.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

C - limitations of severe climate – a very typical Peace River limitation
W - excess water

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 subdivision will reduce the productive capacity of the property and that retaining the parcel in its present size and configuration is consistent with its mandate to preserve agricultural land. The Commission believes that subdivision of the property would be incompatible with the agricultural activity to the west and potentially lead to conflict with typical farm practices. Therefore, the Commission believes the proposal would impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the proposal will impact agriculture.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Norton
SECONDED BY: Commissioner Karlsen

THAT the application be refused.

CARRIED

Resolution # 318/2007



Staff Report
Application # W – 37393
Applicant: Albert and Clarence Veiner
Agent: Ruth Veiner

DATE RECEIVED: April 30, 2007

DATE PREPARED: May 29, 2007

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: Subdivision for Family: To subdivide the 18 ha subject property into four (4), 4.5 ha lots.

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

BACKGROUND INFORMATION:

The applicant's stated that they wish to create four lots to give to family members and neighbours "already situated at Hasler Creek" The family member's include Albert's daughter and Clarence's son. The applicant's further state that the four lots will be classed as rural residential and will create a valuable buffer between high intensity residential lots and the ranchland to the west.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 014-823-888
District Lot 1129, Block A, South East 1/4, Peace River District, EXCEPT Plans 6537, 8856, A1805, 11046, 20066, 2384 and 24029

Purchase Date:

1989-01-01

Location of Property:

Located at Hasler Flats, 26km west of Chetwynd Highway 97S, runs east-west along the north side of Pine River.

Size of Property:

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

Present use of the Property:

The property is completely treed with spruce, poplar, alder and willow. Abandoned buildings that are no longer useable.

Surrounding Land Uses:

WEST: Ranch Land
SOUTH: Residential and Native Trees
EAST: Residential Lots
NORTH: Steep River Bank and Hill Side

Agricultural Capability:

Data Source: Agricultural Capability Map # 93P/12
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

West Peace Official Community Plan Bylaw No. 1086 (1997)
Designation: Settlement

Zoning Bylaw and Designation:

Chetwynd Rural Area Zoning Bylaw No. 506 (1986)
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 on the basis that the proposal is consistent with the Official Community Plan.

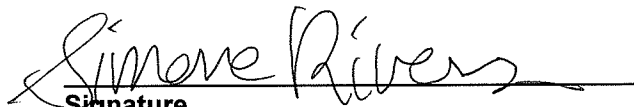
STAFF COMMENTS:

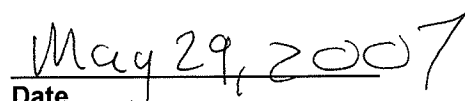
Staff recommend a site visit to evaluate the agricultural capability of the property as well as the impact subdivision would have on surrounding agricultural operations.

ATTACHMENTS:

- Sketch of proposed subdivision (submitted by the applicants)
- ALC Context Map - 93P.051 - 1:20,000 (created by ALC Staff)
- Airphoto 1:5,000 (created by ALC Staff)

END OF REPORT


Signature


Date