



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

October 23, 2007

Reply to the attention of Simone Rivers
ALC File: # W - 37526

Curtis and Christine Whitford
SS2 - Site 12, Comp 156
Fort St. John, BC V1J 4M7

Dear Mr. and Mrs. Whitford:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 523/2007 outlining the Commission's decision as it relates to the above noted application.

This letter also acknowledges your confirmation, in a letter dated October 13, 2007, that you are not longer asking for permission to build a second dwelling on the portion of the property that you wish to keep. This aspect of the proposal was not discussed at the site visit and the Commission did not consider this request when it made its decision on the 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:

A handwritten signature in black ink that reads "Simone Rivers". The signature is written in a cursive, flowing style.

Erik Karlsen, Chair

cc: Peace River Regional District (93/2007)

Enclosure: Minutes/Sketch Plan

SBR/lv
37526d1



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

PRESENT:	John Kendrew	Acting Chair, North Panel
	William Norton	Commissioner
	David Craven	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

For Consideration

Application: # W- 37526
 Applicant: Curtis and Christine Whitford
 Agent: Waberski Darrow
 Proposal: The proposal is to

- subdivide the 33.2 ha property into two (2) approximately 16 ha lots. (0.82 ha would be dedicated as road).
- to construct a second permanent dwelling on westerly 16 ha parcel (for their own use – their parent will move into the existing, older home).

Legal: PID: 025-657-283
 Lot 1, Section 25, Township 84, Range 20, W6M, Peace River District, Plan BCP5191

Location: Located approximately 16 km northwest of the City of Fort St. John

Site Inspection

A site inspection was conducted on October 3, 2007. Those in attendance were:

- | | |
|---------------------------------|---------------------------|
| • John Kendrew | Acting Chair, North Panel |
| • William Norton | Commissioner |
| • David Craven | Commissioner |
| • Simone Rivers | Staff |
| • Martin Collins | Staff |
| • Julie Robinson | MAL Staff |
| • Curtis and Christine Whitford | Applicants |

The Commission met the applicants at the subject property and walked to the rear of the property to view the area proposed for subdivision. The Commission noted that only a portion of the property had been cleared. The applicant indicated that the neighbouring property owner (a 2ha lot) had expressed an interest in purchasing the easterly 16 ha lot.

Mr. Whitford confirmed that the staff report dated September 17, 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.

Discussion

Assessment of Agricultural Capability

The Commission noted that the property had partially been cleared for agricultural use and that the applicant had plans to further develop the property. The Commission also noted that the subject property was in an area that has traditionally been farmed. The Commission believes that the subject property has 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 noted that the property lay between two areas that have been considered in planning reviews in the area. The land immediately to the east lies outside the ALR and has been subdivided into small 2-4 ha lots. To the west is the "Tea Creek" area, which has largely been endorsed for future rural residential subdivision in current planning document. However, much of the Tea Creek area remains in large holdings. The Commission does not believe that the subdivision that has occurred thus far renders the subject property unsuitable for agricultural production.

Assessment of Impact on Agriculture

In its discussion with the applicants the Commission addressed the possibility of the portion of the property proposed for subdivision being purchased (and consolidated) by the owner of an adjacent small lot. If the property owner is willing to purchase this portion of the property and legally consolidate it with his current parcel no new homes would be built, the number of parcels would remain constant, and the access road proposed for the north end of the property not be constructed. The Commission considered this option to offer a benefit to agriculture.

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 negative impact on agriculture of the creation of a new lot would be mitigated should the boundary be adjusted between two properties creating a new lot of approximately 18 ha.

IT WAS

MOVED BY: Commissioner Kendrew

SECONDED BY: Commissioner Craven

THAT the application be refused as proposed.

AND THAT the Commission allow the subdivision of ~16 ha from the 32.2 ha property subject to the consolidation of the 16.2 ha area by legal survey with the adjacent property partially described as Rem Block A, Plan 12630.

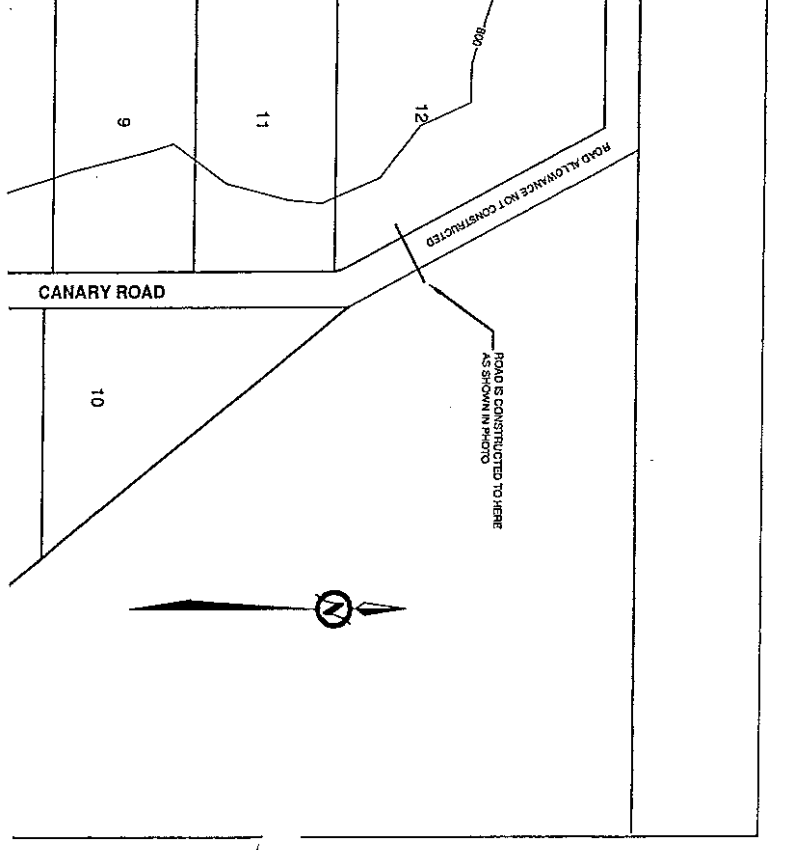
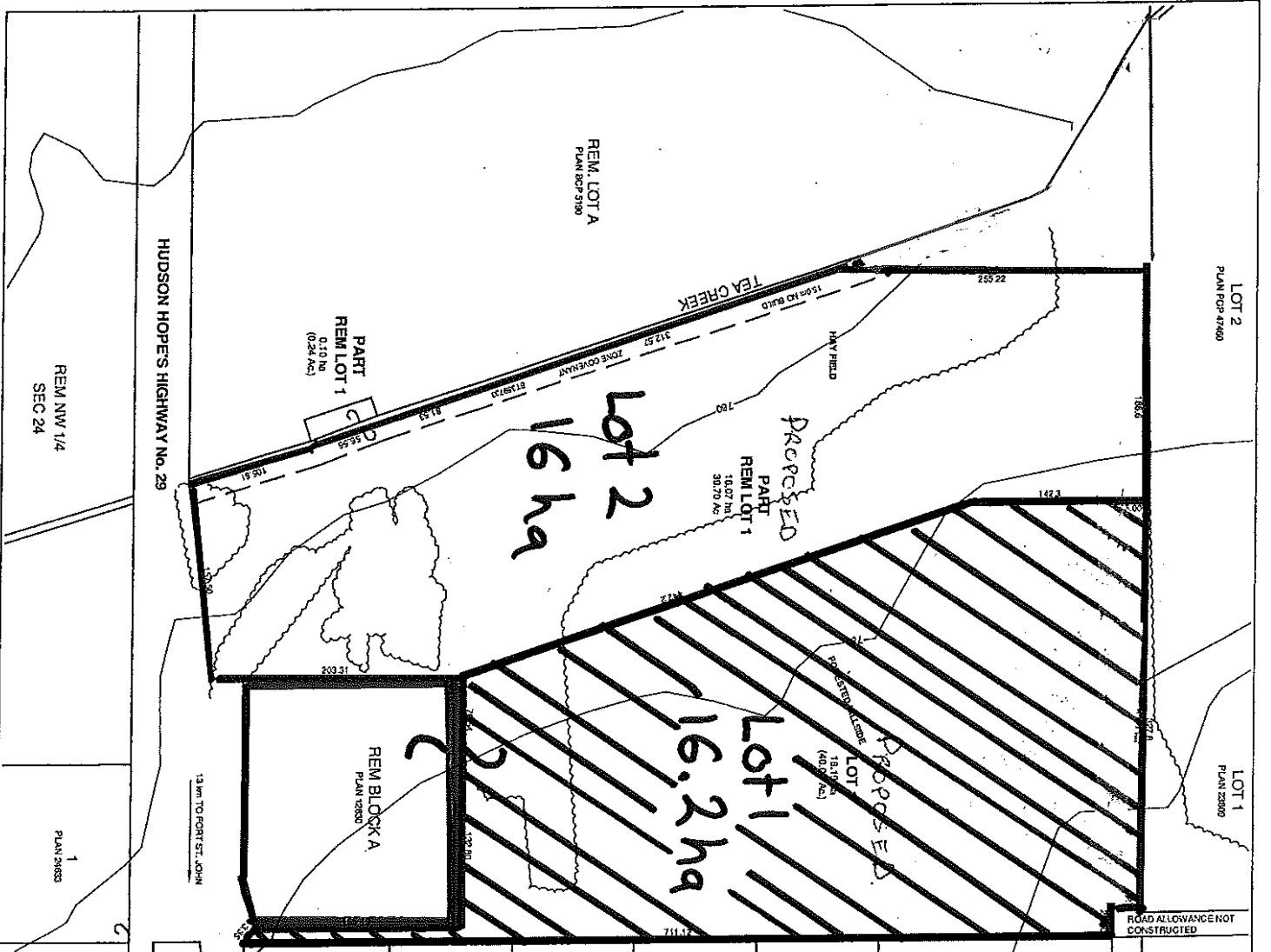
AND THAT the Commission does not give approval for the construction of a 0.82 ha access road on the north side of the property.

AND THAT 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 # 523/2007



Provincial Agricultural Land Commission

Application W-37526
 Resolution # 523/2007

-  Subject Property
-  Approved subdivision of a 16.2 ha lot
-  Lot to be consolidated with the newly created 16.2 ha lot

CURTIS & CHRISTINE WHITFORD

PLAN SHOWING PROPOSED SUBDIVISION OF PART OF LOT 1
 SEC 25 TP 84 RGE 20 W6M PEACE RIVER DISTRICT PLAN BCP5191



DESIGNED BY: CURTIS & CHRISTINE WHITFORD
 DRAWN BY: TSA WINGG Job No.: 05104333(K)190 REV. 0
 DATE: FEBRUARY 1, 2007