



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

July 7, 2008

Reply to the attention of Simone Rivers
ALC File: W-38130

McElhanney Geomatics
8808 - 72nd Street
Fort St. John, BC V1J6M2

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve


Please find attached the Minutes of Resolution # 343/2008 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.

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

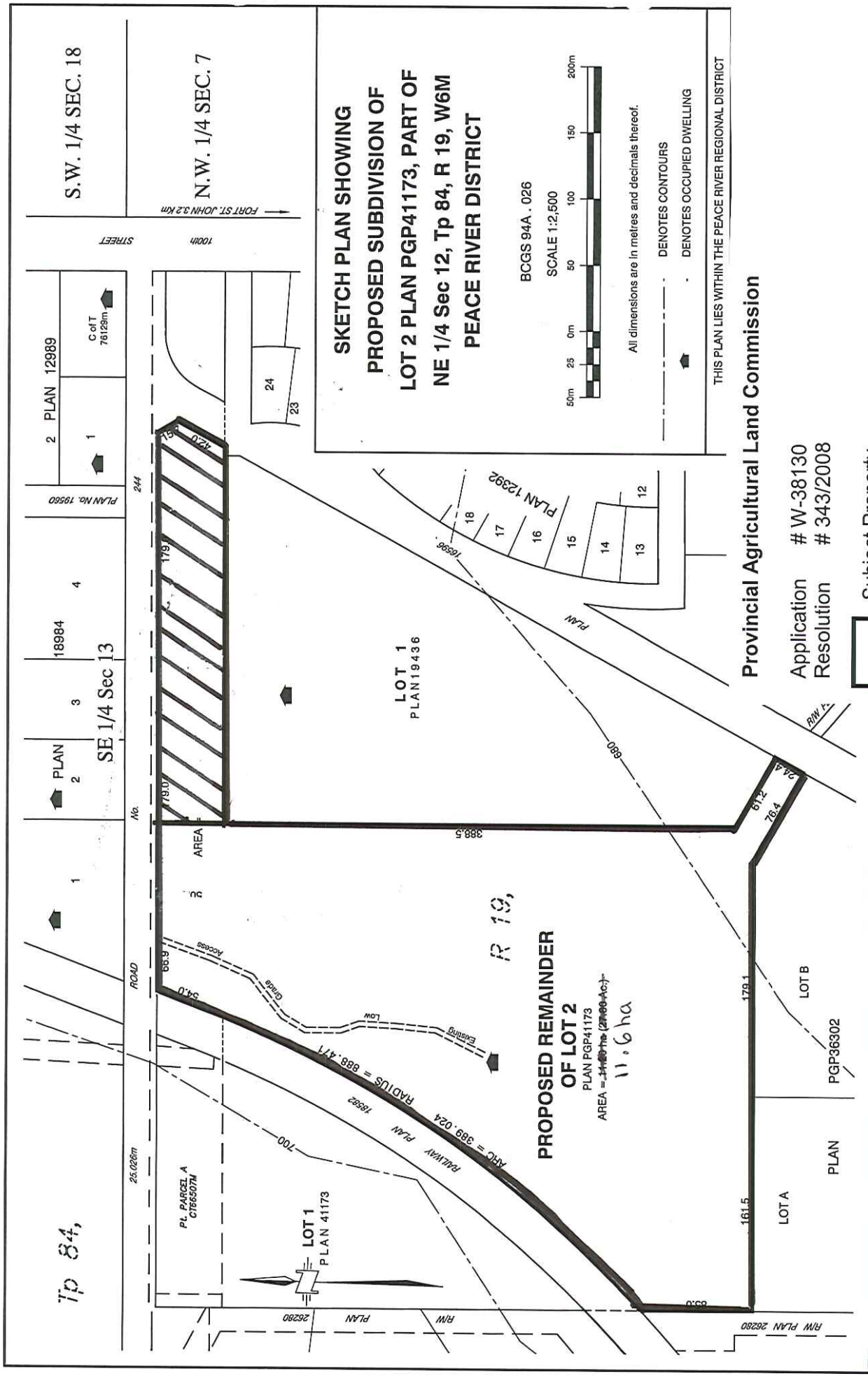
Per:


Erik Karlsen, Chair

cc: Peace River Regional District (39/2008)

Enclosure: Minutes/Sketch Plan

SBR/
i/38130d1



Provincial Agricultural Land Commission

Application # W-38130
Resolution # 343/2008

Subject Property

Approved subdivision into either one 1.4 ha lot or two 0.7 ha lots.



A meeting was held by the Provincial Agricultural Land Commission on June 19, 2008 at the offices of the Peace River Regional District, Dawson Creek.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	John Kendrew	Commissioner
	Simone Rivers	Staff

For Consideration

Application: # W- 38130
Applicant: Vernex Holdings Inc
Agent: McElhanney Geomatics
Proposal: To subdivide the 13.0 ha subject property to create two (2) 0.9 ha lots from the north end of the subject property, leaving an 11.2 ha remainder.
Legal: PID: 023-813-903
Lot 2 EXCEPT Part in Plan BCP19612, Section 12, Township 84, Range 19, W6M, Peace River District, Plan PGP41173
Location: Located north of Fort St. John, along West Bypass Road and 244 Road

Site Inspection

A site inspection was conducted on June 18, 2008. Those in attendance were:

- William Norton Chair, North Panel
- Denise Dowswell Commissioner
- John Kendrew Commissioner
- Simone Rivers Staff
- Vern Senft Applicant

The Commission discussed the proposal with the applicant. It noted that the area proposed to be subdivided was separated from the remainder of the property and that the property was located in an area that had a variety of smaller parcel sizes.

Mr. Senft confirmed that the staff report dated May 23, 2008 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

The Commission noted that although the subject property has good agricultural capability it is located in area just north of Fort St. John where previous subdivision has occurred. It also noted that the subject property was an awkward shape and that the area proposed for subdivision was separated from the remainder of the property. As such, the Commission did not believe that subdivision would have a negative impact on the agricultural capability of the subject property or of surrounding properties. However, the Commission further noted that the proposed subdivision area "encroached" into the area of the property that was a more cohesive unit. While the Commission does not object to the subdivision in principle it would not approve the layout as proposed. It believes that the eastern boundary of the new lots should line up with the current boundary of Lot 2, Plan PGP41173 and Lot 1, Plan 19436.

The Commission would therefore allow two 0.7 ha lots. If 0.7 ha is too small to meet Peace River Regional District or other approving agency requirements the Commission would allow one 1.4 ha lot. The Commission will not allow an increase in the size of the lot(s) in order to meet the size requirements of other agencies.

IT WAS

MOVED BY: Commissioner Norton
SECONDED BY: Commissioner Kendrew

THAT the application be refused as proposed.

AND THAT the Commission would allow the subdivision of the "panhandle" area as either one 1.4 ha lot or two 0.7 ha lots provided that the eastern boundary of the new lots is in line with the current north-south boundary between Lot 2, Plan PGP41173 and Lot 1, Plan 19436.

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 # 343/2008