



Agricultural Land Commission

133 – 4940 Canada Way
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September 28, 2012

Reply to the attention of Gordon Bednard
ALC File: 52715

Diedrich & Grace Loewen
Box 7
Altona, BC
V0C 2T0

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **63/2012** outlining the Commission's decision as it relates to the above noted 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Peace River Regional District Attn: Jodi McLean file # 044/2012

GB/
52715d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Gordon Bednard	Land Use Planner
Martin Collins	Regional Planner
Colin Fry	Executive Director

APPLICATION: # 52715

PROPOSAL: The applicant would like to sell a 1/4 section of his property (which is a full section) to his brother. No other information is contained in the application and no rationale for the proposed subdivision configuration has been provided.

(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

ONSITE MEETING:

On Thursday August 9, 2012 Commissioner Jim Collins and staff Gordon Bednard attended at the property and met with Diedrich Loewen to discuss the application. Mr. Loewen pointed out the area proposed for subdivision and the Commission representatives noted that a large portion of the proposed lot had been cleared for agricultural use consistent with adjacent properties. It was also noted that the reason for the configuration of the proposed lot was to allow for the eastern portion of the proposed lot to be accessible as part of the subdivided lot without the necessity of dedication and construction of new roads for access to lands beyond to the east.

The possibility of the inclusion of the non-ALR portions of the subject District Lot into the ALR was discussed with the applicant who appeared to have no strong objection to inclusion provided the subdivision was allowed concurrently. The applicant also mentioned that his plans for the remainder included another ¼ section subdivision for a family member adjacent to the present proposal and the retention of the south ½ of the subject property as one lot.

Photos of the area proposed for subdivision were taken and are appended to the file.

COMMISSION CONSIDERATION:

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission 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.

After review of all file information presented and information discussed at the onsite meeting, the Commission has concluded as follows:

1. Notwithstanding that a large portion of the subject property is not presently in the ALR, in the opinion of the Commission, the majority of the parcel appears to have agricultural capability consistent with surrounding lands presently used for agriculture.
2. In the absence of some off-setting concurrent proposal to benefit agriculture, the present proposal, will simply increase parcelization of agricultural land in the area which is not consistent with the purposes of the Commission.

IT WAS

MOVED BY: Commissioner Jennifer Dyson

SECONDED BY: Commissioner Jim Johnson

THAT the application be allowed subject to the following conditions:

- submission of an application to the Commission for inclusion into the ALR of the non-ALR portion of the subject property (DL 3170);
- that the subdivision be in substantial compliance with the plan submitted with the application and shown on the attached sketch;
- that the subdivision must be completed within three (3) years from the date of this decision..

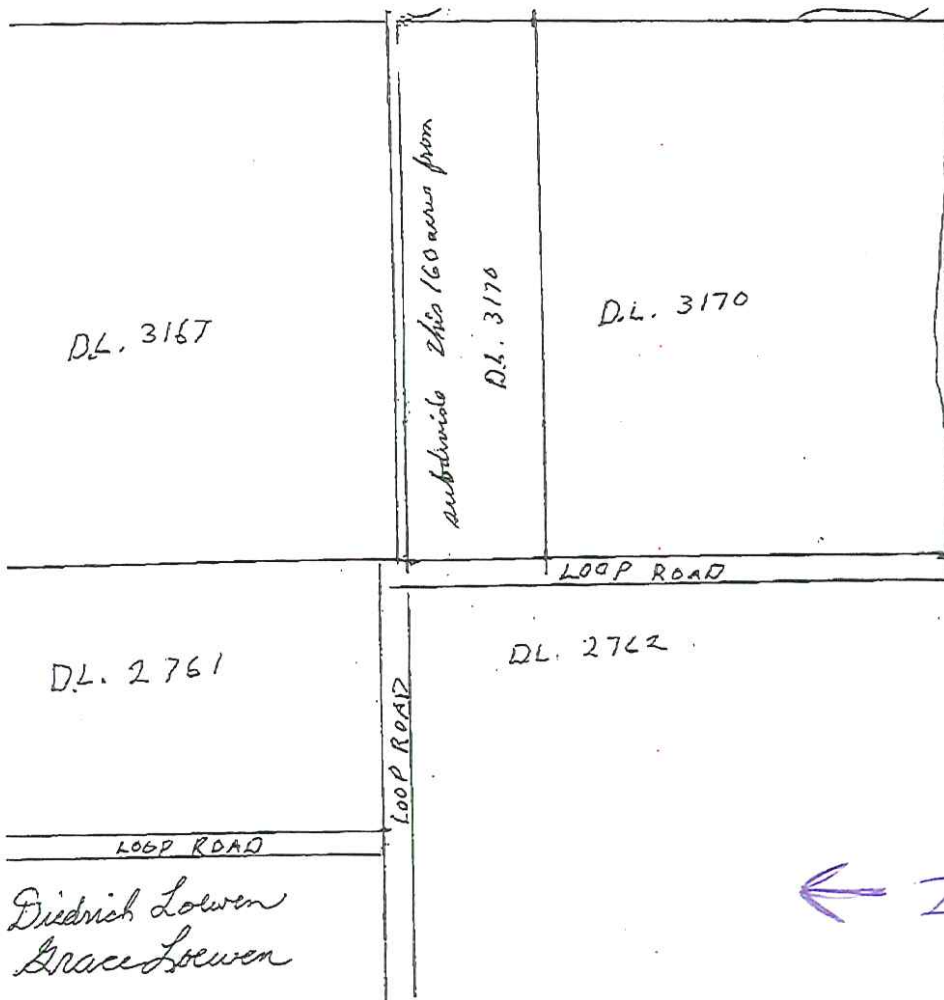
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 63/2012

ATT Gordon Bednars.
ALC FILE # 52715

RECEIVED
PROV. AGRICULTURAL
LAND COMMISSION JUN 29 2012



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JUL 11 03 2012 11:09AM PT

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FROM: DIEDRICH LOWEN