



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

June 10, 2014

ALC File: #53631

Burnem and Gertrud Grant
PO Box 334
Pouce Coupe,
BC, V0C 2C0

Dear Mr and Mrs Grant:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 180/2014 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision.

Please send two (2) copies of the final survey plan 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.

Further correspondence with respect to this application is to be directed to Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosure(s): Minutes of Resolution #180/2014
Sketch plan

cc: Peace River Regional District (File # 25/2014)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53631.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Gordon Bednard	Planner
Jennifer Carson	Planner
Colin Fry	Chief Tribunal Officer

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

To subdivide two lots; 3.2 ha and 14.6 ha from the 122 ha property as divided by the highway and the railway right of ways.

PROPERTY INFORMATION:

Owner: Burnem and Gertrud Grant

Legal: PID:007-640-609
The East ½ of Section 27, Twp 26, Peace River District , Except Plan H663

Location: Between Tomslake and Swan Lake

Size: 122 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- to preserve agricultural land;
 - to encourage farming on agricultural land in collaboration with other communities of interest; and

- (c) 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.
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COMMISSION CONSIDERATION

After considering the application information the Commission concluded as follows:

1. The Commission assessed the agricultural capability of the area proposed for subdivision

Conclusion: The Canada Land Inventory (CLI) soil ratings for the subject property is 4X indicating that the land has moderate capability for agricultural uses. There are multiple, minor limitations for agriculture (X), with no single limitation being dominant. The majority of the area proposed for subdivision (~14 ha) is used for agriculture and appears to have been utilized on conjunction with other developed portions of the property for many years.

2. The Commission considered the agricultural impacts of the proposed subdivision

Conclusion:

The Commission is generally not supportive of subdivision in the ALR because its experience is that smaller parcels offer a narrower range of agricultural options and are less likely to be used for agriculture than large parcels. New homes and associated infrastructure (yard, septic, driveway, outbuildings) on subdivided lots erode agricultural potential. Also subdividing small, rural residential lots introduces permanent “non-farm” resident(s) into a farm area, who can negatively affect farm operations by complaining about typical farming practices, or trespassing (i.e. damaging equipment or harassing stock).

3. The Commission considered previous proposals affecting ALR lands divided by major highways

Conclusion:

The Commission concurred with the applicant’s assertion that Highway #2 has heavy traffic and is increasingly difficult to cross with farm machinery. This is a common problem in farm regions due to highway expansion and increased traffic.

However, the Commission did not believe that the railway right of way constituted a significant impediment to using the land lying east of the highway as a single unit. As far as the Commission is aware the railway right of way is not used. The Commission does not believe that the subdivision of a 3.2 ha lot as divided by the railway right of way is supportive of farming for the reasons noted above.

IT WAS

MOVED BY:

Commissioner Miles

SECONDED BY:

Commissioner Dempsey

THAT the proposal to subdivide two lots from the 122 ha subject property be refused as proposed.

However, the Commission allowed a one 17.8 ha lot from the subject property as divided by the Highway.

AND THAT the final approval is subject to:

- The subdivision plan must be completed within three (3) years from the date of this decision;

AND FINALLY THAT 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 #180/2014



ALR SUBDIVISION REPORT
MAPS

Air Photo



ALC APPLICATION # 53631
RESOLUTION # 180/2014
SKETCH PLAN

February 27, 2014