



Agricultural Land Commission
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November 17, 2005

Reply to the attention of Simone Rivers

Don and Linda Callahan
R.R. # 2
Millet, AB – T0C 1Z0

Dear Mr. and Mrs. Callahan:

**Re: Application #W- 36230
Section 27, Township 87, Range 19, W6M, Peace River District, Except the most
Westerly 33 feet and the most Southerly 14 feet in parallel widths thereof.**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above mentioned property into four 64 ha quarter sections. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on November 3, 2005. In reviewing the application, the Commission took into consideration its position that the creation of quarter section sized parcels from sections and half-sections should be entertained as a method of facilitating the transfer of blocks of land between farms for the encouragement and benefit of farming as opposed to creating large blocks for rural estate/residential use. After visiting the property and reviewing your application the Commission felt that the subdivision property has more agricultural potential as a single unit than as four separate parcels. The Commission noted that quarter sections are not considered to be stand alone farm units in the Peace River Regional District but a standard unit used to modify and augment farm operations. As such, the Commission believed that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution #606/2005.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'per:' label.

Erik Karlsen, Chair

cc: Peace River Regional District: File # 105/2005

SR/eg/l/36220d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on November 3, 2005 at the Fort St. John Airport, Fort St. John, BC

PRESENT: Frank Read Chair
Harold Kerr Commissioner

ABSENT: Grant Huffman Commissioner

STAFF: Simone Rivers, Regional Research Officer
Roger Cheetham, Planner

For Consideration

Simone Magwood presented the staff report dated October 11, 2005 regarding application #W- 36230-0. Mrs. Callahan confirmed that she received the staff report and did not identify any errors.

Site Inspection

A site inspection was conducted on November 3, 2005. Those in attendance were:

- Commissioners Read & Kerr
- Agricultural Land Commission Staff: Simone Rivers, Regional Research Officer and Roger Cheetham, Planner
- Land Use Agrologist, Ministry of Agriculture and Lands: Jim Forbes
- Applicant: Linda Callahan

The Commission met with Mrs. Callahan on the site. She informed the Commissioners that the property had been on the market for some time and they had not found a buyer for it as an entire section. The Commission inquired if there was any opportunity to consolidate the quarter sections with adjacent parcels if they were sold as such. This did not seem to be an option. After meeting with the applicant, the Commission drove around the property.

The site inspection lasted from 11:00 a.m. to 11:30 a.m.

Commission Discussion

Until January 2003, in the Peace River Regional District, General Order 8314/78 allowed for “automatic” subdivision of properties into quarter sections. In reviewing this application, the Commission recalled its January 2003 decision to rescind General Order 8314/78 and their rationale for that decision. The Commission noted that quarter sections are not considered to be stand alone farm units in the Peace River Regional District but a standard unit used to modify larger farm operations. The Commission believed rather than being used as a tool for creating transferable blocks of land for the encouragement and benefit of farming, the General Order was being used more so to create subdivisions for rural/estate residential purposes. As consolidation or addition to existing farms did not appear to be an option in this case, the Commission did not feel that the property should be subdivided. The Commission did not want to encourage rural residential development in this agricultural area.

IT WAS

MOVED BY: Commissioner Kerr

SECONDED BY: Commissioner Read

THAT the staff report be received and the application to subdivide the 256 ha property described as Section 27, Township 87, Range 19, W6M, Peace River District, Except the most Westerly 33 feet and the most Southerly 14 feet in parallel widths thereof, into 64 ha quarter sections be refused on the grounds that the property has more agricultural potential as a single unit than as smaller quarter sections and that the Commission did not want to encourage rural residential development in this largely agricultural area.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # W – 36230 – 0
Applicant: Don and Linda Callahan

DATE RECEIVED: August 22, 2005

DATE PREPARED: October 11, 2005

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 256 ha parcel into four quarter sections (64 ha each).

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

BACKGROUND INFORMATION:

The applicants state that they are selling their land because they cannot make a living on agriculture alone. They further state that they have not received any offers from those willing to buy the full section since listing the land with a realtor at the end of February, 2005. They have, however, received several inquiries from local residents interested in purchasing individual quarters.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 004-806-760

Section 27, Township 87, Range 19, W6M, Peace River District Except the most Westerly 33 Feet and the most Southerly 14 feet in Parallel widths thereof

Purchase Date:

July 1995

Location of Property:

50 km northwest of Fort St. John in the Murdale Area

Size of Property:

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

Present use of the Property:

Residence, cropland (oats and fescue), hayland, some timber and associated outbuildings

Surrounding Land Uses:

WEST: Farmland (ALR)
SOUTH: Farmland with home (ALR)
EAST: Farmland with home (ALR)
NORTH: Farmland with home (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/10
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

North Peace OCP Bylaw No. 820, 1993 designates this parcel as "Rural Resource - Agriculture"

Zoning Bylaw and Designation:

Regional Zoning Bylaw No. 1000, 1996 designates this parcel as A-2 "Large Agricultural Holding Zone"

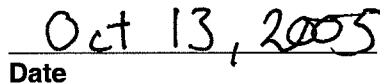
LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

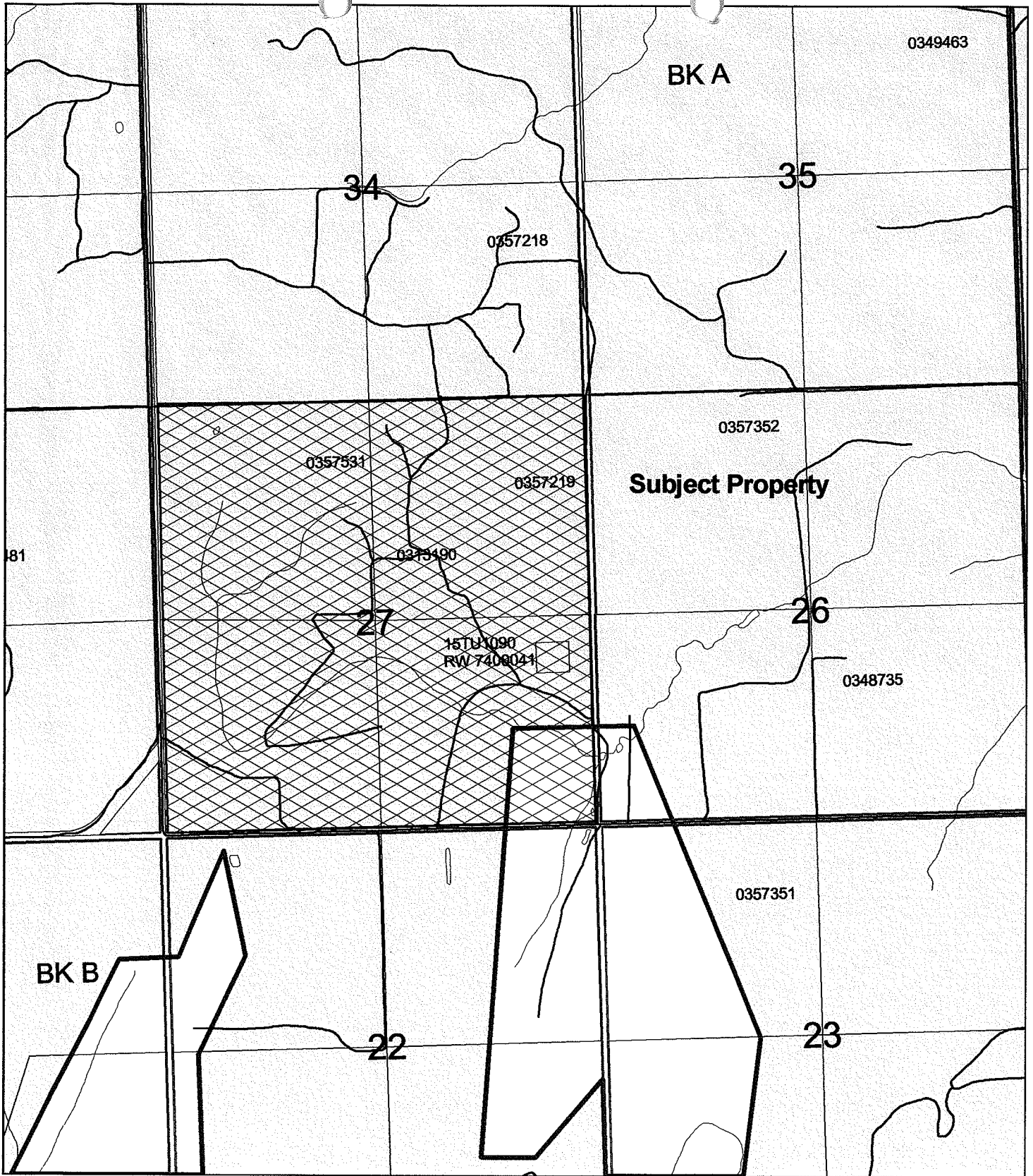
Local Government Planning Staff: Staff note that there does not seem to be any access to the proposed NE1/4. They also note that subdivision on a quarter section basis is characteristic of surrounding land parcels and the Peace River Regional District as a whole.

Peace River Regional District Regional Board: The Regional Board supports the application on the basis that the proposal is consistent with both the Peace River Regional District Bylaw No. 1000, 196 and the North Peace Official Community Plan Bylaw No. 820, 1993.

END OF REPORT


Signature


Date



ALC CONTEXT MAP
Application # 36230

Map Scale: 1: 20000

ALC File #: 21-05-36230
BCGS Map Sheet #: 94A.056
Regional District: Peace River