



Agricultural Land Commission
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July 6, 2006

Reply to the attention of Simone Rivers

William and Suzanne Sutherland
PO Box 105
Farmington, B.C. V0C 1N0

Dear Mr. and Mrs. Sutherland:

Re: **Application #W - 36648**
South West ¼ of Section 33, Township 79, Range 16, West of the 6th
Meridian, Except Plans A938 and H903

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above noted property into five 2.8 ha lots, one 2 ha lot and one 6.1 ha lot. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank Mr. Sutherland for taking the time to meet with its representatives on June 29, 2006. The Commission appreciated the change to view the property and to discuss your application.

In reviewing your proposal the Commission noted that the property was in an area of predominantly large holdings. In the Commission's opinion the property has agricultural capability and is correctly designated as ALR. It further believes that subdivision as proposed would substantially reduce the agricultural potential of the land and result in further pressures to subdivide lands nearby into rural residential parcels. The Commission did not believe the subdivision would benefit agriculture and was concerned about the impact of rural residential lots in this area of large agricultural holdings. It is the Commission's experience that subdivision into rural residential parcels fosters conflict with adjoining farm parcels (and can limit agricultural development) through trespass and complaints about typical farm noise and smells. They also noted that the creation of rural residential sized parcels in this area was not supported by the zoning bylaw or by any planning documents.

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

The decision noted above is recorded as Resolution #326/2006.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per: 

Erik Karlsen, Chair

cc: Peace River Regional District (#47/2006)

SR/lv/36648d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on June 29, 2006 at the George Dawson Inn, 11705 8th Street, Dawson Creek, B.C.

PRESENT: Frank Read Chair
John Kendrews Commissioner

ABSENT: Grant Huffman Commissioner

STAFF: Simone Rivers, Land Use Planner
Martin Collins, Regional Planner
Brian Underhill, Director, Strategic Planning and Corporate Policy

For Consideration

Simone Rivers presented the staff report dated June 7, 2005 regarding application #W-36648. Mr. Sutherland confirmed that he received the staff report and did not identify any errors.

Site Inspection

A site inspection was conducted on June 29, 2006. Those in attendance were:

- Commissioners Read, Kendrew
- Agricultural Land Commission Staff: Simone Rivers, Regional Research Officer
- Applicant: Bill Sutherland

The Commission met Mr. Sutherland on the adjacent property. They saw how close the applicants’ house was to the property line and viewed the area of the proposed lots.

The site inspection lasted from 2:30 p.m. to 3:00 p.m.

Commission Discussion

The Commission noted that the property was in an area of predominantly large holdings. In the Commission’s opinion the property has agricultural capability and is correctly designated as ALR. It further believes that subdivision as proposed would substantially reduce the agricultural potential of the land and result in further pressures to subdivide lands nearby into rural residential parcels. The Commission did not believe the subdivision would benefit agriculture and was concerned about the impact of rural residential lots in this area of large agricultural holdings. It is the Commission’s experience that subdivision into rural residential parcels fosters conflict with adjoining farm parcels (and can limit agricultural development) through trespass and complaints about typical farm noise and smells. They also noted that the creation of rural residential sized parcels in this area was not supported by the zoning bylaw or by any planning documents.

IT WAS

MOVED BY: Commissioner Kendrew

SECONDED BY: Commissioner Read

THAT the staff report be received the application to subdivide the 24 ha property described as the South West $\frac{1}{4}$ of Section 33, Township 79, Range 16, West of the 6th Meridian, Except Plans A938 and H903 into five 2.8 ha lots, one 2 ha lot and one 6.1 ha lot be refused as proposed on the grounds the subdivision will reduce the agricultural capability of the property and introduce a rural residential intrusion into an area of predominantly large parcels.

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

CARRIED



Staff Report
Application # W – 36648
Applicant: William & Suzanne Sutherland

DATE RECEIVED: April 28, 2006

DATE PREPARED: June 7, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 24 ha property into five 2.8 ha lots, one 2 ha lot and one 6.1 ha lot.

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

BACKGROUND INFORMATION:

The applicants state the following reasons for proposing this subdivision. *"We bought this property in December mainly to keep the 6 ha along our buildings. The remaining property is really of no value to us and is not farmable land on account of rocks and hills. The proposed lots are really scenic building sites and all have good drainage."*

The applicants own the entire quarter section, which is divided into two parcels, one 23.6 ha and one 38.8 ha

The applicants provided signatures from their adjacent neighbours stating that they approved of the proposed subdivision.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 014-577-909

The South West ¼ of Section 33, Township 79, Range 16, W6M, Peace River District, Except Plans A938 and H903

Purchase Date:

December 2005

Location of Property:

North side Mile 12.5 of the Alaska Highway, south of Farmington access off 235 Road.

Size of Property:

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

Present use of the Property:

Residential

Surrounding Land Uses:

- WEST:** Homesite and acreage (ALR)
- SOUTH:** Homesite and acreage (ALR)
- EAST:** Homesite and pasture (ALR)
- NORTH:** Home site and pasture (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 93P/16
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Dawson Creek Rural Area Official Community Plan Bylaw No. 477, (1986) designates the property as Agricultural-Rural Resource

Zoning Bylaw and Designation:

Dawson Creek Rural Area Zoning Bylaw no. 479, (1986) designates the property as A-2 (Large Agricultural Holdings Zone).
Minimum Parcel Size 63 ha.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Regional Board forwarded the application with a recommendation of support on the basis of community support expressed in the letter dated March 13, 2006.

Local Government Planning Staff: Staff recommended that authorization for the application to proceed be refused by the Regional Board on the basis that the proposal is not consistent with OCP policies and zoning regulations.

STAFF COMMENTS:

Agricultural Capability: The entire property is rated 100% Class 4 X

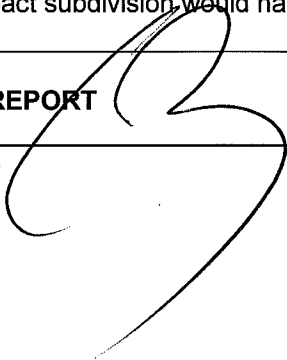
Class 4 - Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Subclass: X - cumulative and minor adverse characteristics

Staff recommend a site visit to determine the agricultural capability of the subject property as well as the impact subdivision would have on surrounding agricultural operations.

END OF REPORT

Signature



Date

June 13/06