



**Agricultural Land Commission**  
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July 19, 2006

Reply to the attention of Simone Rivers

Viktor and Lydia Ulim  
P.O. Box 472  
Charlie Lake, BC V0C 1H0

Dear Mr. and Mrs. Ulim:

**Re: Application #W- 36725**  
**Fractional Section 19, Township 86, Range 18, West of the 6<sup>th</sup> Meridian,**  
**Peace River District.**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above mentioned property into four  $\pm 63$  ha parcels. 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 June 28, 2006. 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 only be entertained as a method of facilitating the transfer of blocks of land between farms for the encouragement and benefit of farming. After visiting the property and reviewing your application the Commission felt that the property has more agricultural potential as a single unit than as two 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 #348/2006.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

cc: Peace River Regional District (# 71/2006)

SBR/lv  
36725d1.



**IT WAS**

**MOVED BY:** Commissioner Kendrew

**SECONDED BY:** Commissioner Read

THAT the staff report be received and the application to subdivide the 254 ha property described as Fractional Section 19, Township 86, Range 18, West of the 6<sup>th</sup> Meridian, Peace River District into four 63.5 ha lots be refused as proposed on the grounds that the property has good agricultural capability which would be reduced if subdivided.

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

CARRIED



**Staff Report**  
**Application # W – 36725**  
**Applicant: Viktor & Lydia Ulim**

**DATE RECEIVED:** May 26, 2006

**DATE PREPARED:** June 6, 2006

**TO:** Chair and Commissioners – North Panel

**FROM:** Simone Rivers, Regional Research Officer

**PROPOSAL:** To subdivide the 254 ha property into four 63.5 ha quarter sections

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

**BACKGROUND INFORMATION:**

The applicants are applying to split the section into quarters in order to provide residences for relatives who will farm the section together. The applicant states that he purchased this property with the intent of retiring on the property. He is planning on farming it once he relocates from his current residence at Mile 95. He would like to be able to help members of his extended family who have young children to get established. He would sell the other quarters to the relatives and this will allow them to help with the work on the property.

The applicant has indicated that homesite development would be limited to those areas presently not under production.

**Local Government:**

Peace River Regional District

**Legal Description of Property:**

PID: 016-653-491

Fractional Section 19, Township 86, Range 18, West of the 6<sup>th</sup> Meridian, Peace River District

**Purchase Date:**

October 2004

**Location of Property:**

15609 - Rose Prairie Road 3.5 km north of Upper Pine School.

**Size of Property:**

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

**Present use of the Property:**

Of the section, 216 ha is under cultivation, there is one homesite on the property as well as associated outbuildings including sheds, shops and 3 granaries. 34.4 ha is bush, swamp and a small lake and 3.2 ha is utilized for 2 wellsites and their access roads.

**Surrounding Land Uses:**

- WEST:** Farms (ALR)
- SOUTH:** 1/4 section farms and residences (ALR)
- EAST:** 101 Road, farms (ALR)
- NORTH:** Bush and 1/4 section farm with residence (ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 94A/7  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

North Peace OCP Bylaw No. 820, (1993) designates the property as Rural Resource Agricultural

**Zoning Bylaw and Designation:**

Peace River Regional District Zoning Bylaw No. 1000, (1996) designates the property as A-2 (Large Agricultural Holding Zone).  
Minimum parcel size 63 ha.

**RELEVANT APPLICATIONS:**

**Application #33189-0**

- Applicant:** Milliken, Roderick & Esther
- Decision Date:** April 26, 2000
- Proposal:** To subdivide an approximately 2 ha homesite lot for the applicants daughter and son-in-law from the 64.8 ha property.
- Decision:** Refused on the grounds that the proposal would reduce the agricultural potential of the property and introduce a residential intrusion into the agricultural area.

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**Application #34182-0**

- Applicant:** Koop, Richard & Kimberley
  - Decision Date:** June 28, 2002
  - Proposal:** Proposed to subdivide the 63 ha property into 2 equal lots.
  - Decision:** Refused on the grounds of parcelization in a large acreage farming community.
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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Peace River Regional District Board:** The Regional Board authorized the application to proceed on the basis that the proposal is consistent with the policies and objectives of the Official Community Plan and Zoning By-laws.

**STAFF COMMENTS:**

**Agricultural Capability:**

The majority of the property is rated 60% Class 4X - 40% Class 5W

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

Class 5 - Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Subclasses:

X-cumulative and minor adverse characteristics

W-excess water

**Suitability for Agriculture:** The property appears to be cultivated where possible and is located in an area of large agricultural holdings.

**Impact on Agriculture:** Until January 2003, in the Peace River Regional District, General Order 8314/78 (the "Order") allowed for "automatic" subdivision of properties into quarter sections. In January 2003 the Commission rescinded the Order. It was rescinded because the Commission believed that quarter sections were not considered to be stand alone farm units in the Peace River Regional District but rather a standard unit used to modify larger farm operations. The Commission believed that rather than being used as a tool for creating transferable blocks of land for the encouragement and benefit of farming, the Order was being used more so to create subdivisions for rural/estate residential purposes.

Since the Order was rescinded, the Commission has generally refused applications in the Peace River Regional District in which applicants have asked for sections or half sections to be split into quarter sections when a corresponding benefit to agriculture such as consolidation with an adjacent property has not been offered.

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**END OF REPORT**

*Simone Rivers*  
Signature

June 10, 2006  
Date