



Agricultural Land Commission
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November 6, 2006

Reply to the attention of Simone Rivers
ALC File: # W - 36836

Shawn McLean
8508 - 87th Street
Fort St John, BC V1J 5Z7

Dear Mr. McLean:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #534/2006 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your parents accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

Cc: Peace River Regional District (#108/2006)

SBR/lv/Encl.: Minutes
36836d1

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.

Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system. The majority of the subject property is rated as Class 3X.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Subclasses

X cumulative and minor adverse

Assessment of Agricultural Suitability

The Commission next assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

In reviewing this application, the Commission assessed the impact of the proposal against its long term goal of preserving agricultural land. It believes that subdivision as proposed would substantially reduce the agricultural potential of the land and result in further pressures to subdivide nearby lands 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, weeds and complaints about typical farm noise and smells. The Commission believes the proposal would negatively impact existing agricultural use of surrounding lands and therefore is not prepared to allow any subdivision of the subject properties.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.

4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Read

SECONDED BY: Commissioner Kendrew

THAT the application be refused as proposed.

CARRIED

Resolution # 534/2006



Staff Report
Application # W – 36836
Applicant: Daniel & Penny McLean
Agent: Shawn Gordan McLean

DATE RECEIVED: July 21, 2006

DATE PREPARED: September 19, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the two properties to create one 3.5 ha lot, thirteen 4 ha lots, two 4.7 ha lots and three 64 ha lots

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

BACKGROUND INFORMATION:

The applicants are proposing to subdivide two properties (total area 301.5)
Six letters of support were received by the Regional District from neighbouring property owners who stated that they have no objection to the proposed subdivision.

Local Government:

Peace River Regional District

Legal Description of Properties:

1. PID: 011-407-999
Section 32, Township 80, Range 17, W6M, Peace River District, Except Plan A938 and part lying East of Plan A938
2. PID: 011-408-031
Section 29, Township 80, Range 17, West of the 6th Meridian, Peace River District Except Plan PGP45537

Purchase Date:

November 1999

Location of Property:

Kiskatinaw, Mile 22 near Lebell Subdivision

Size of Property:

305.1 ha.

ALR Area:

279 ha

Present use of the Property:

Approximately 25% developed and 75% undeveloped farm land. No structures

Surrounding Land Uses:

- WEST:** Both developed and undeveloped farm land
- SOUTH:** Kiskatinaw River
- EAST:** Hobby farm, Both developed and undeveloped farm land, Gibson and Lebell Subdivision
- NORTH:** Both developed and undeveloped farm land

Agricultural Capability:

Data Source: Agricultural Capability Map # 93P/15
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Dawson Creek Rural Area Official Community Plan Bylaw 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 Lot Size: 63 ha

PREVIOUS APPLICATIONS:

Application #06520-0

- Applicant:** Kolstad, C
- Decision Date:** July 1978
- Proposal:** To subdivide the 236 ha property and 128 ha property into three 102 ha lots two 22 ha lots and one 2 ha lot.
- Decision:** Refused as proposed, however the Commission would allow the creation of three 102.4 ha lots and one 46 ha lot to the east of the Alaska Highway.
- Note:** This application allowed the creation of the subject properties

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Regional Board forwarded the application with a recommendation of support for the proposal to divide the property into 3 X 160 acre parcels, 5 X 20 acres parcels, with the remainder divided into 10 acre parcels as per Option 2 Map) on the basis that the proposal disturbs a small amount of cultivated area and leaves the majority of cultivated land (Class 3X and 4X) in quarter section parcels.

Local Government Planning Staff: That the Regional Board support and authorize the proposal to subdivide the three 64 ha [lots] only, as this part of the proposal is consistent with the current OCP designation and zone.

ATTACHMENTS:

- Letter received July 21, 2006 from the applicants explaining the rationale for the subdivision
- Airphoto with proposed subdivision overlaid (Submitted by the applicant)
- ALC Context Map BCGS 93P.097 - 1:20,000 (Created by ALC Staff)

END OF REPORT

Simon Rives

Signature

Sept 19, 2006

Date