



Agricultural Land Commission
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November 1, 2006

Reply to the attention of SIMONE RIVERS
ALC File: #W - 36960

Shane and Colleen Patterson
PO Box 478
Dawson Creek, B.C. V1G 4H3

Dear Mr. and Mrs. Patterson:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #518/2006 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Peace River Regional District (#148/2005)

SBR/lv/Encl.: Minutes
36960d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 20, 2006 at the Super 8 Motel, 1440 Alaska Avenue, Dawson Creek, B.C.

PRESENT:	Frank Read	Chair, North Panel
	John Kendrew	Commissioner
	David Craven	Commissioner
	Simone Rivers	Staff

For Consideration

Application: # W- 36960
Applicant: Shane and Colleen Patterson
Proposal: To subdivide 39 ha of the property into rural residential (1.8 ha) lots.
Legal: PID: 014-470-870
South West $\frac{1}{4}$ of Section 31, Township 78, Range 15, West of the 6th Meridian, Peace River District, Except Plan A938
Location: Mile Post 5, North West of Dawson Creek

Site Inspection

A site inspection was conducted on October 19, 2006. Those in attendance were:

- | | |
|-------------------|--------------------|
| • Frank Read | Chair, North Panel |
| • John Kendrew | Commissioner |
| • David Craven | Commissioner |
| • Simone Rivers | Staff |
| • Shane Patterson | Applicant |

The Commission met with Mr. Patterson on the property. He showed the Commission the land and the portion of it that he wished to subdivide. He informed the Commission of the history of the application and the reason the proposal had changed from requesting exclusion for light industrial lots to subdivision for rural residential lots.

Mr. Patterson confirmed that he received the staff report dated October 5, 2006 and did not identify any errors.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
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 Suitability

The Commission 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 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, weeds 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. 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 property.

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 Craven

SECONDED BY: Commissioner Read

THAT the application be refused.

CARRIED

RESOLUTION # 518/2006



Staff Report
Application # W – 36960
Applicant: Shane and Colleen Patterson

DATE RECEIVED: September 15, 2006

DATE PREPARED: October 5, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide 39 ha of the property for rural residential lots.

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

BACKGROUND INFORMATION:

This application was submitted to PRRD in September 2005 and was taken before the Board in October 2006. At that time the application was tabled pending the completion of the South Peace Comprehensive Development Plan process. As considerable time had elapsed, in the summer of 2006, the applicants asked for support to present an alternate proposal to the Commission which would see the property subdivided into rural residential lots. The Regional Board authorized this proposal to proceed to the Commission in August 2006. A revised sketch proposal for lot sizes or the configuration of the proposed rural residential subdivision was not submitted.

The Regional District received several letters in opposition to the proposal to exclude this property for use as an industrial park. Concern was raised about the industrial use (lowering property values and increases in traffic, noise and dust) as well as agricultural concerns raised by an adjacent farmer who was concerned about the potential for increase complaints about his operation should new non-farm business be allowed. The applicants have been shown these letters by the Regional District and have submitted a letter in response to these concerns.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 014-470-870

The South West ¼ of Section 31, Township 78, Range 15, W6M, Peace River District, Except Plan A938

Purchase Date:

June 1999

Location of Property:

Mile Post 5, North West of Dawson Creek

Size of Property:

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

Present use of the Property:

Residence, guest house, truck stop, barn, horse paddocks, shelters, storage sheds, creek bed, pasture and hay field

Surrounding Land Uses:

WEST: Pasture and farmland (hillside) across un-maintained government road

SOUTH: Farmland, used when not flooding

EAST: Pastured land used only when not flooding, residence

NORTH: Subdivided/used by owners on weekends for camping

Agricultural Capability:

Data Source: Agricultural Capability Map # 93P/16

The majority of the property is identified as having mixed prime and secondary ratings.

Official Community Plan and Designation:

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

Zoning Bylaw and Designation:

Peace River Regional District Zoning Bylaw No. 1343 (2001) designates the property as A-2 (Large Agricultural Holdings Zone).

Minimum Lot Size: 63 ha.

RELEVANT APPLICATIONS:

Application #31774-0

Applicant: Dilworth, Dwaine

Decision Date: January 20, 1998

Proposal: To subdivide the 40.5 hectare property into one lot of 3.4 hectares and one lot of 37.1 hectares.

Decision: Refused on the grounds that the proposal would reduce the agricultural potential of the property and produce an added residential intrusion into this agricultural area.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Regional Board authorized the revised ALR subdivision plan for residential lots to proceed to the Agricultural Land Commission.

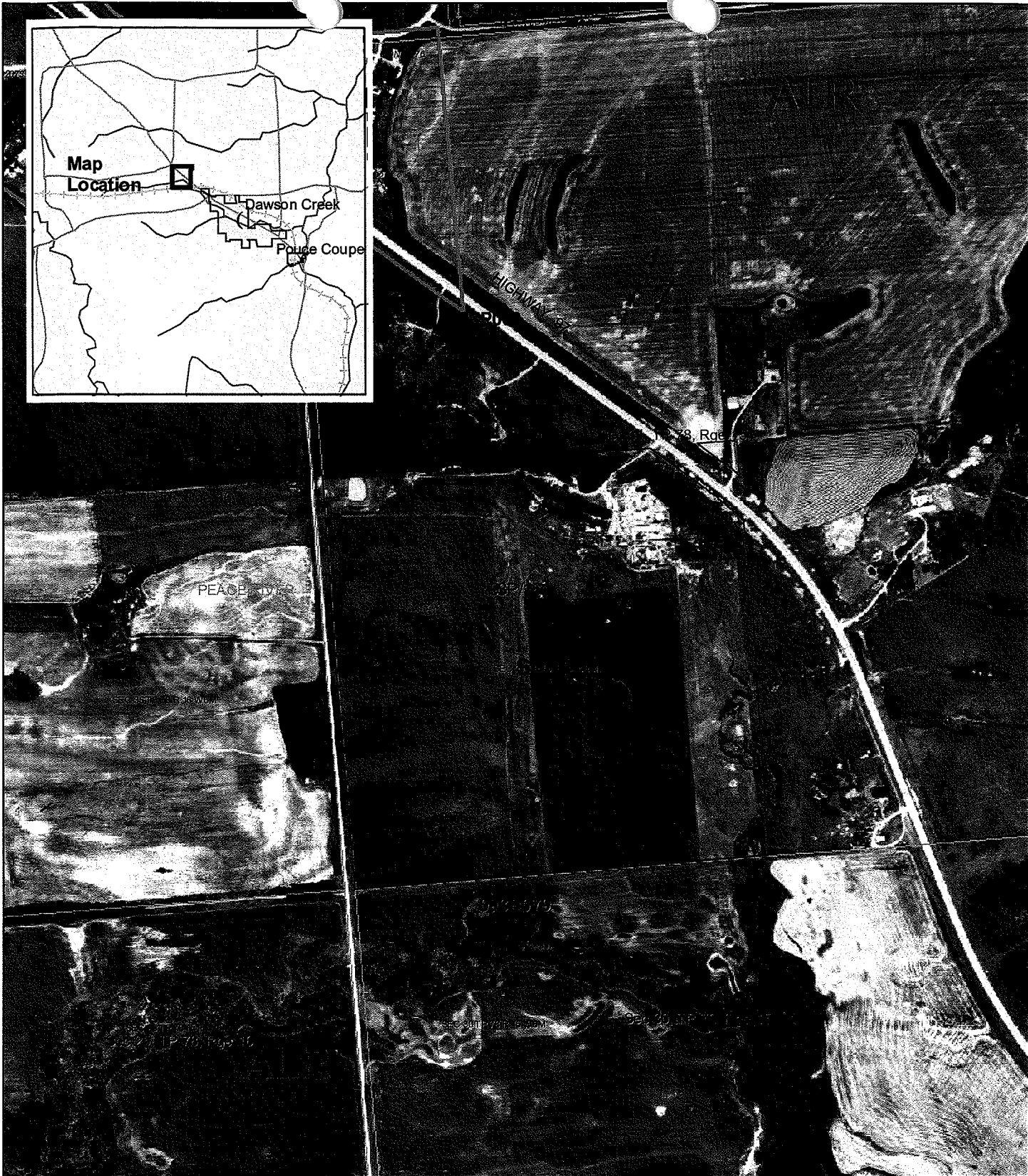
ATTACHMENTS:

- Letters of opposition from local residents
 - Linda Hayward
 - James and Gloria Klassen
 - J. Inga Reaume
 - Brenda Pandachuck
 - Melissa Ripley
- Letter of response to the above from the applicants Shane and Colleen Patterson
- ALR Context Map - BCGS 93P.079 & 93P.089 - 1:20,000 (Created by ALC Staff)
- Airphoto BCGS 93P.079 & 93P.089 - 1:10,000 (Created by ALC Staff)

END OF REPORT

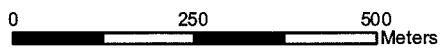
Simone Rivers
Signature

Oct 5, 2006
Date



ALC Context Map

Map Scale: 1:10,000



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ALC File#:	21-06-36960
Map Sheet #:	93P.079 and 93P.089
Regional District:	Peace River