



Agricultural Land Commission
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November 1, 2006

Reply to the attention of SIMONE RIVERS
ALC File: #W - 36963

Garry and Debbie Fell
PO Box 133
Rose Prairie, B.C. V0C 2H0

Dear Mr. and Mrs. Fell:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #521/2006 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karsen, Chair

Cc: Peace River Regional District (163/2006)

SBR/lv/Encl.: Minutes
36963d1



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.

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

For Consideration

Application: # W- 36963
Applicants: Garry & Debbie Fell
Proposal: To subdivide the quarter-section into two 32 ha lots to provide a residence for the applicants' son.
Legal: PID: 014-646-871
The South East $\frac{1}{4}$ of Section 21, Township 88, Range 17, West of the 6th Meridian, Peace River District
Location: Rose Prairie - Along Milligan Creek Road between the Beatton and Doig Rivers, approximately 54 km north of Fort St. John and 25 km north of Rose Prairie

Site Inspection

A site inspection was conducted on October 18, 2006. Those in attendance were:

- Frank Read Chair, North Panel
- John Kendrew Commissioner
- David Craven Commissioner
- Simone Rivers Staff
- Shane Fell Son of the Applicants

The Commission met with the applicants' son on the property. He explained the reason for the proposal. Mr. Fell would like to buy a portion of the property from his parents but did not wish to purchase that portion with the existing homesite.

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 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

The Commission assessed the proposal against the long term goal of preserving agricultural land. In fulfilling its mandate, the Commission must resist the incremental and persistent pressure to decrease parcel sizes, maintaining them large enough to encourage (or maximize the potential for) farm activity, as experience indicates that larger parcels are more likely to be used for farm purposes (than smaller parcels). As most farms in the region are comprised of multiple quarter section parcels, the Commission, does not consider subdivision of quarter sections to be supportive of farming.

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 Kendrew

THAT the application be refused as proposed.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 521/2006



Staff Report
Application # W – 36963
Applicant: Garry & Debbie Fell

DATE RECEIVED: September 15, 2006

DATE PREPARED: October 3, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the quarter-section into two 32 ha lots to provide a residence for applicants son.

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

BACKGROUND INFORMATION:

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 014-646-871

The South East ¼ of Section 21, Township 88, Range 17, W6M, Peace River District

Purchase Date:

May 1984

Location of Property:

Rose Prairie - Along Milligan Creek Road between the Beaton and Doig Rivers, approximately 54 km north of Fort St. John and 25 km north of Rose Prairie

Size of Property:

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

Present use of the Property:

Currently two (2) homes are on the quarter-section

Surrounding Land Uses:

WEST: Farmland
SOUTH: Farmland
EAST: Farmland
NORTH: Farmland

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 Official Community Plan 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 Holdings Zone).
Minimum Lot Size: 63 ha.

PREVIOUS APPLICATIONS:

Application #34147-0

Applicant: Fell, Garry & Debbie
Decision Date: July 24, 2002
Proposal: To subdivide and utilize approximately 8 ha of the 70.9 ha property for a road maintenance company and cabins.
Decision: Refused the proposed subdivision on the grounds of agricultural capability and parcelization of farmland in this area of large acreage agricultural parcels. Would be willing to allow the proposed use subject to submission of a more detailed description of the intended uses and a site plan illustrating the proposed structures and outside storage areas to be developed.


LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Regional Board forwarded the application with a recommendation of support on the basis that the proposal meets the requirements under Section 946 of the Local Government Act and is consistent with Section 2.2 Policy 3(a) of the Official Community Plan

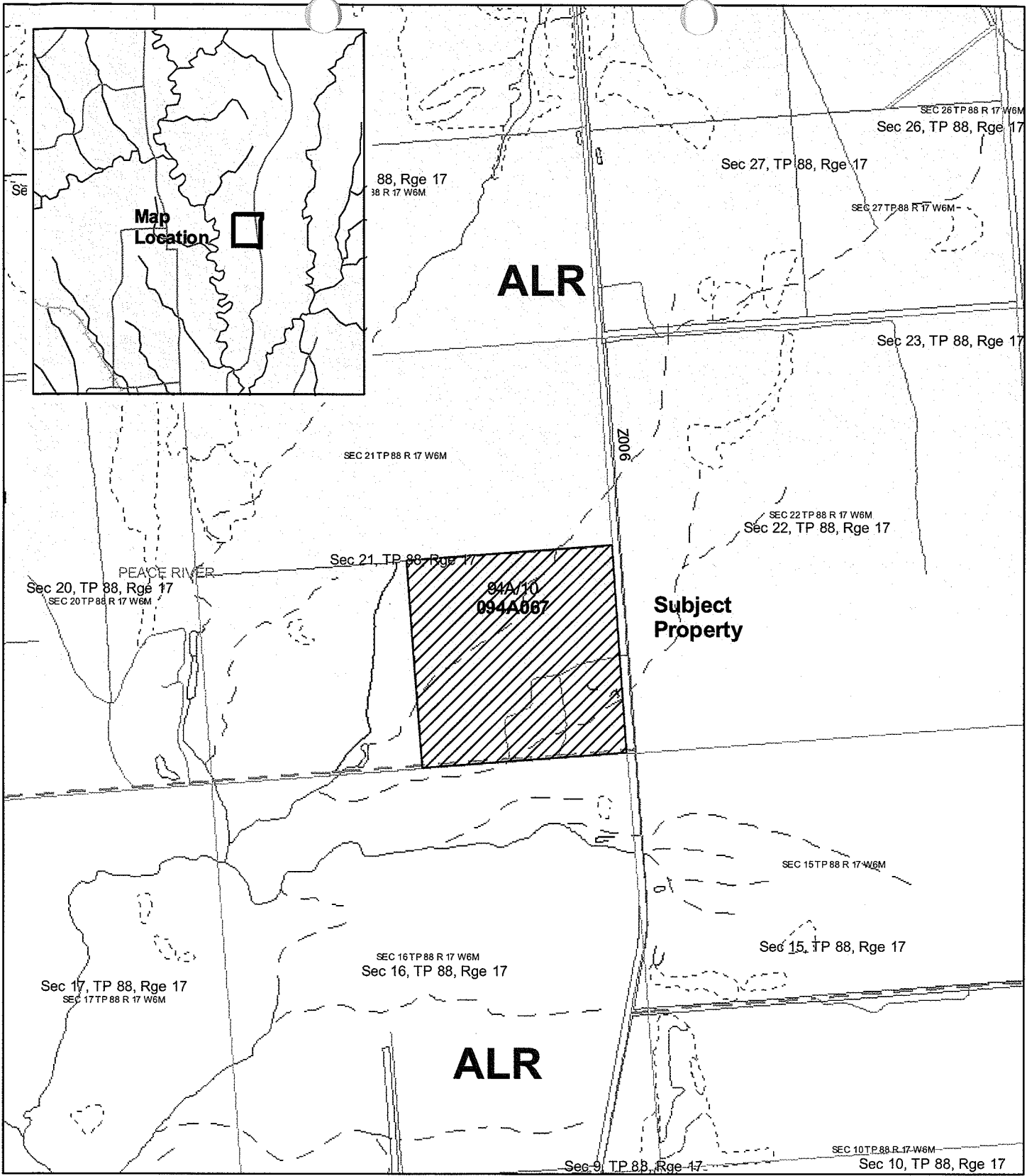
ATTACHMENTS:

- Sketch of proposed subdivision (Submitted by the applicants)
- ALC Context Map BCGS 94A.067 - 1:20,000 (Created by ALC Staff)
- Airphoto BCGS 94A.067 - 1:20,000 (Created by ALC Staff)

END OF REPORT

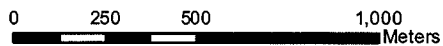

Signature


Date



ALC Context Map

Map Scale: 1:20,000

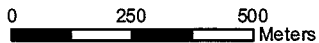


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| ALC File#: | 21-06-36963 |
| Map Sheet #: | 94A.067 |
| Regional District: | Peace River |



ALC Context Map

Map Scale: 1:15,000



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| ALC File#: | 21-06-36963 |
| Map Sheet #: | 94A.067 |
| Regional District: | Peace River |