



Agricultural Land Commission
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May 9, 2007

Reply to the attention of Simone Rivers
ALC File: W-37100

Peter Smith
PO Box - 13178 - 277 Road
Charlie Lake, BC V0C1H0

Dear Sir:

Re: Application to subdivide land within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 179/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission receives the plans, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Peace River Regional District (250/2006)

Enclosure: Minutes/Sketch Plan

SR/eg
i/37100d1

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/Suitability

In assessing the 4 ha parcel's agricultural capability and suitability, the Commission noted that even though the soils were capable of cultivation, the size of the property and its location adjacent to 2 ha lots on three sides did not lend it to agricultural development. Furthermore the Commission did not believe the proposed subdivision would result in any negative effects on established agriculture, because none existed in the area.

Conclusions

1. That the land under application is not suitable for agricultural use.
2. That the subdivision proposal will not affect agriculture.

IT WAS

MOVED BY: Commissioner Frank Read

SECONDED BY: Commissioner John Kendrew

THAT the application to subdivide the 4 ha property into two lots be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 179/2007



Staff Report
Application # W – 37100
Applicant: Peter Smith

DATE RECEIVED: December 1, 2006

DATE PREPARED: January 8, 2007

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the 4.6 ha property into one 2 ha lot and one 2.6 ha lots for residential development and resale.

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: 026-325-683

Lot 4, Section 13, Township 84, Range 20, W6M, Peace River District, Plan BCP18302

Location of Property:

Located Tea Creek Ridge Area, at the junction of Quigley and the 277 Roads, northwest of Fort St. John or west of Charlie Lake north off of the Old Hope Road.

Size of Property:

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

Present use of the Property:

Residential, garage, greenhouse and three sheds

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/06

The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Charlie Lake OCP Bylaw No. 907 (1994)
Designation: Rural Residential

Zoning Bylaw and Designation:

Peace River Regional District Zoning Bylaw No. 1343 (2001)
Designation: R-4 (Residential 4 zone)
Minimum Lot Size: 1.8 ha

PREVIOUS APPLICATIONS:

Application #31537-0

Applicant: Smith, Peter
Decision Date: September 24, 1997
Proposal: To subdivide the 10.6 pa property into two approximately 5.3 ha parcels.
Decision: The Commission refused the application on the grounds that the proposed subdivision would reduce the agricultural potential of the property, reduce the effectiveness of this zone of transition and place additional pressures on the adjacent agricultural properties to the west and south.

Application #31537-1

Applicant: Smith, Peter
Decision Date: October 20, 1999
Proposal: To subdivide the 10.6 ha property into two approximately 5.0 ha lots.
Decision: The Commission approved the request to subdivide the approximately 10.6 hectare property into two lots of approximately 5.3 hectares each.

Application #31537-2

Applicant: Smith, Peter
Decision Date: March 16, 2005
Proposal: To subdivide the property into one 5.0 ha lot and three approximately 2.0 ha lots for residential purposes.
Decision: Allowed.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

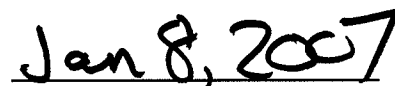
Peace River Regional District Board: The Regional Board forwarded the application with a recommendation of support to subdivide and for residential development and resale.

ATTACHMENTS:

- Sketch plan of proposed subdivision (submitted by the applicant)
- Minutes and Letter for Application # W-31537-2 - Reconsideration request. This application created the subject property and describes the history of Commission decision making in this area (Created by ALC Staff)
- ALC Context Map - 94A.026 - 1:15,000 (Created by ALC Staff)
- Airphoto - 1:5,000 (Created by ALC Staff)

END OF REPORT


Signature


Date