



Agricultural Land Commission
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May 2, 2007

Reply to the attention of Simone Rivers
ALC File: W-37102

Peace Vale Dairy Farms Ltd.
RR1
Fort St John, BC V1J4M6

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 135/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final lease plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

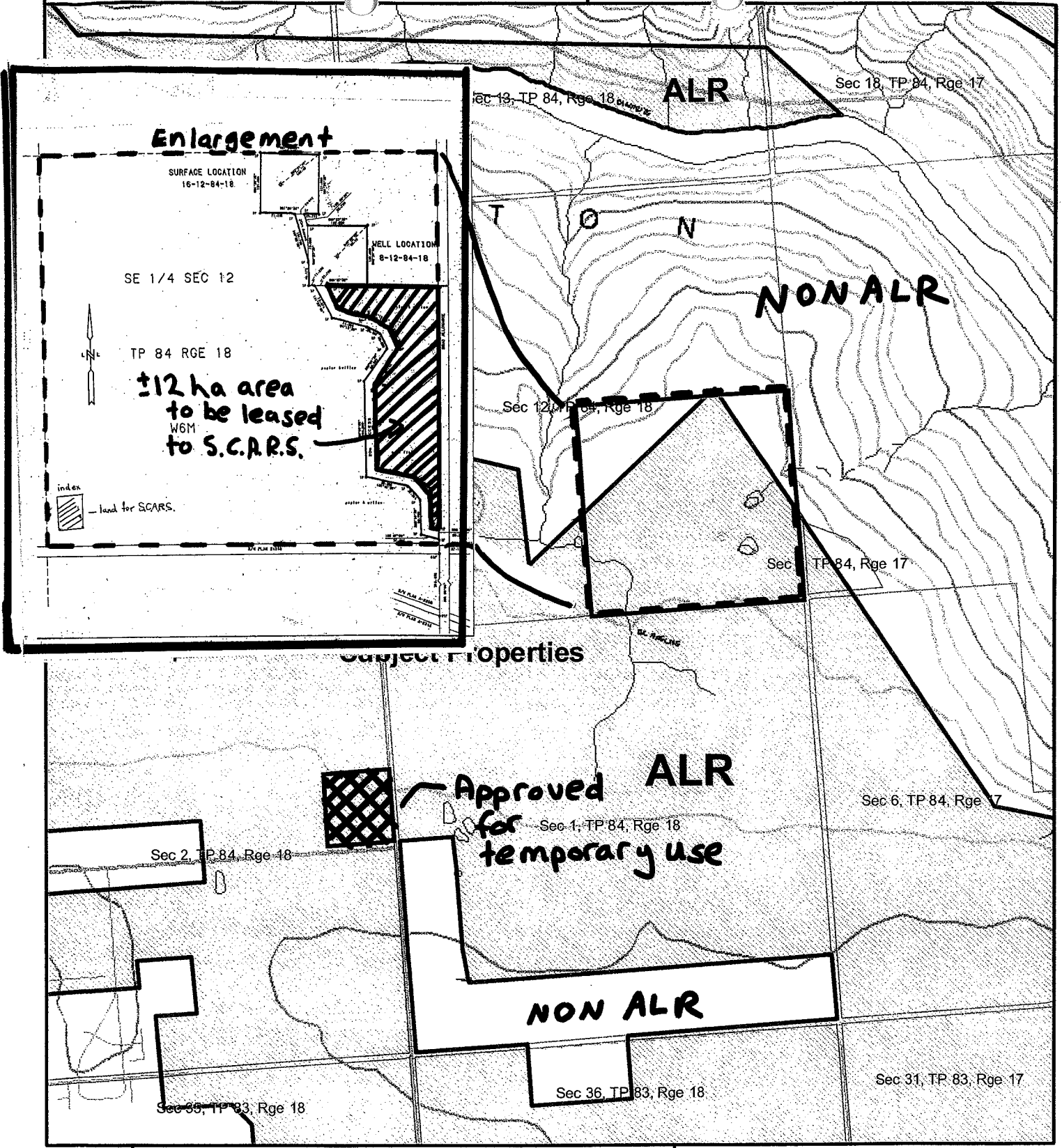
cc: Peace River Regional District (205/2006)

Enclosure: Minutes/Sketch Plan

SR/eg/i/37102d1

120° 44' 0" W

120° 42' 0" W



120° 42' 0" W

Provincial Agricultural Land Commission

Application W-37102
Resolution 135/2007

--- South East 1/4 of Section 12, Township 84, Range 18,
W6M, Peace River District

▨ ±12 Hectare area approved for non-farm use

▩ Lot 1, Section 2: Approved for temporary use as a residential treatment facility

ALC File #: -37102

Mapsheet #: 94A.027

Map Produced: Jan 10, 2007

Regional District: Peace River



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 13, 2007 at the offices of the Peace River Regional District in Fort St. John, B.C.

PRESENT:	Frank Read	Chair, North Panel
	John Kendrew	Commissioner
	William Norton	Commissioner
	Erik Karlsen	Chair, ALC
	Simone Rivers	Staff

For Consideration

Application: # W- 37102
Applicant: Peace Vale Dairy Farms Ltd.
Agent: Esther Habb
Proposal: The proposal consists of two parts:

1. To utilize the existing residential building on the 6.7 ha Lot 1 for the temporary expansion of the existing Shelter with Chemical and Alcohol Rehabilitation Services (S.C.A.R.S.) Society.
2. To subdivide 12.1 ha from the east side of the SE ¼ of Section 12 and to donate the new lot to the S.C.A.R.S. Society. The proposed new lot would be the site of a new residential rehabilitation centre to be constructed in the future.

Legal:

1. PID: 009-627-359
The South East ¼ of Section 12, Township 84, Range 18, W6M, Peace River District
2. PID: 006-126-901
Lot 1, Section 2, Township 84, Range 18, W6M, Peace River District, Plan 28134

Location: Located northeast of the airport approximately 4.8 km (3 miles) directly north of Baldonnel, and West off the 253 Road, Fort St. John.

Site Inspection

A site inspection was conducted on April 12, 2007. Those in attendance were:

- Frank Read Chair, North Panel
- John Kendrew Commissioner
- William Norton Commissioner
- Erik Karlsen Chair, ALC
- Simone Rivers Staff
- Esther Haab Agent for the applicant

The Commission viewed the two properties. The first has an existing house and appears to be a homesite that was previously split from a quarter section. The second property does not currently have any residential structures. It is currently partially fenced for buffalo. The area proposed for the treatment facility is not currently fenced.

the existing house on the property at this time. Should the applicants wish to request a permanent non-farm use on this property a new application will have to be made.

Assessment of Other Factors

The Commission acknowledges that there is a demand for this type of treatment facility in the Fort St. John Area and that the S.C.A.R.S. society is providing an important service. As such, the Commission sought to determine a way to meet the needs of the society while still preserving the integrity of the agricultural land for the long term.

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 to subdivide 12 ha from the SE ¼ of Section 12 will impact agriculture.

IT WAS

MOVED BY: Commissioner Kendrew

SECONDED BY: Commissioner Read

THAT the application to subdivide ±12 ha from the South East ¼ of Section 12, Township 84, Range 18, W6M, Peace River District be refused as proposed.

AND THAT the Commission would allow the use of a ±12 ha area of the SE ¼ of Section 12 for a residential treatment centre. The Commission would allow the registration of a long term lease over the area to be used for the treatment facility providing the lease area does not exceed ±12 ha.

- The approval for non-farm use is subject to the preparation of a lease plan to delineate the area to be leased as per the drawing submitted with the application.

AND THAT the Commission would allow the temporary use of the existing house on Lot 1, Section 2, Township 84, Range 18, W6M, Peace River District, Plan 28134 as a residential treatment facility. The treatment facility is to be confined to the existing house and the footprint of the developed area is not to be increased.

AND THAT the approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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 # 135/2007

Ms. Haab confirmed that the staff report dated January 8, 2007 was received and no errors were identified.

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.

The Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from or to include land into the ALR or to subdivide or use land in the ALR for non-farm purposes.

Discussion

Assessment of Agricultural Capability

The Commission believes that the subject properties have agricultural capability and are appropriately designated as ALR.

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the lands to become unsuitable for agriculture. The Commission noted that the the SE ¼ of Section 12 is located in a rural area with no adjacent small lot subdivision. The Commission does not believe there are external factors that render this land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission was concerned about the long term impacts of the subdivision of the 12 ha area from the subject property. Although the Commission believes that the use proposed would not negatively impact agriculture and it acknowledges that there is an agricultural component to the treatment being offered by the S.C.A.R.S. society, it is concerned about the impact of subdivision should the use of the facility change in the future. The Commission believes that it is better for Peace Vale Farms to retain some control over the property and therefore over the land use.

The Commission does not believe that the proposed use of the existing house on Lot 1, Section 2 will have an impact on agriculture. The Commission noted that the applicant mentioned that this house might be used in the future for a woman's treatment centre of a more permanent nature. As the applicant did not present a concrete proposal for a permanent facility the Commission is only considering the request for temporary use of



Staff Report
Application # W – 37102
Applicant: Peace Vale Dairy Farms Ltd

DATE RECEIVED: December 1, 2006

DATE PREPARED: January 8, 2007

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: The proposal consists of two parts:

1. To utilize the existing residential building on the 6.7 ha Lot 1 for the temporary expansion of the existing Shelter with Chemical and Alcohol Rehabilitation Services (S.C.A.R.S.) Society
2. To subdivide 12.1 ha from the east side of the SE 1/4 of Section 12 and to donate the new lot to the S.C.A.R.S. Society. The proposed new lot would be the site of a new residential rehabilitation centre to be constructed in the future.

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

BACKGROUND INFORMATION:

The Shelter with Chemical and Alcohol Rehabilitation Services (S.C.A.R.S.) Society opened a rehabilitation facility in 2005 on a non-ALR parcel of land adjacent to one of the lots currently under application. Due to high demand for its services the Society has outgrown the original location. Their long term plan is to build a new, larger facility on the 12 ha area proposed to be subdivided from the SW 1/4 of Section 12. However, as this is a long term goal which requires fundraising and the construction of a new facility, the society is also requesting permission to use an existing dwelling on a lot on Lot 1 as a temporary expansion of the currently existing treatment facility.

Local Government:

Peace River Regional District

Legal Description of Properties:

1. PID: 009-627-359
The South East 1/4 of Section 12, Township 84, Range 18, W6M, Peace River District
2. PID: 006-126-901
Lot 1, Section 2, Township 84, Range 18, W6M, Peace River District, Plan 28134

Location of Properties:

1. Located northeast of the airport approximately 4.8 km (3 miles) directly north of Baldonnel, and West off the 253 Road, Fort St. John.
2. Near the Airport at the intersection of the Airport Road and 255 Road.

Total Size of Properties:

70.7 ha (56.7 ha is in the ALR).

Present use of the Properties:

1. No existing uses due to cutoff of oil road and buffalo pasture, one old barn, hilly and too small for large machinery.
2. The property is partially treed, fenced and contains a single family residential dwelling.

Surrounding Land Uses of the SE ¼ of Section 12:

WEST: Open field (fenced for buffalo grazing)
SOUTH: Partly owned by Peace Vale (1/4)
EAST: River Valley and Devon Oil Well (Crown Land)
NORTH: Aspen and Willow Bush

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/7
The majority both properties are identified as having Prime Dominant ratings.

Official Community Plan and Designation:

North Peace OCP Bylaw No. 820 (1993)
Designation: Rural Resource - Agricultural

Zoning Bylaw and Designation:

Peace River Regional District Zoning Bylaw No. 1343 (2001)
Designation: A-2 (Large Agricultural Holding) Zone
Minimum Lot Size: 63 ha

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 proposed subdivision and non-farm use is consistent with the objectives, policies and development criteria of Section 2.2 of the North Peace Official Community Plan, specifically Policy 3(d).

ATTACHMENTS:

- Description of the proposal - submitted by the Shelter with Chemical and Alcohol Rehabilitation Services (4 pages)
- Sketches of the proposed subdivision (submitted by the applicants)
- Context map showing the location of the existing facility, and locations of proposed facilities. (Created by ALC Staff)
- ALC Context Map - 94A.027 - 1:25,000 (Created by ALC Staff)
- Airphoto 1:15,000 - (Created by ALC Staff)

END OF REPORT

Simone Rivers
Signature

Jan 8, 2007
Date