



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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March 6, 2007

Reply to the attention of Simone Rivers  
ALC File: #W - 37105

Robert and Charene Pekrul  
PO Box 508 - 3809 - 212 Road  
Dawson Creek, BC V1G 4H4

Dear Mr. and Mrs. Pekrul:

Re: **Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 51/2007 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 (#241/2006)

Enclosure: Minutes

SBR/lv  
37105d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on February 22, 2007 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

<b>PRESENT:</b>	Frank Read	Chair, North Panel
	John Kendrew	Commissioner
	William Norton	Commissioner
	Martin Collins	Staff
	Brian Underhill	Staff

### For Consideration

Application: # W - 37105  
Applicant: Robert and Charene Pekrul  
Proposal: Subdivision for a relative: To subdivide 6 ha lot from the 58 ha property to create a lot for the applicants' son.  
Legal: PID: 003-678-407  
North East ¼ of Section 33, Township 78, Range 16, W6M, Peace River District, EXCEPT Parcel A(G23728)  
Location: Located in Bessborough 5km from Highway 97N, 7km from Highway 97S and 11km northwest of Dawson Creek at 3809-212 Road

### Site Inspection

A site inspection was conducted on Thursday February 22, 2007. Those in attendance were:

- |                          |                    |
|--------------------------|--------------------|
| • Frank Read             | Chair, North Panel |
| • John Kendrew           | Commissioner       |
| • William Norton         | Commissioner       |
| • Martin Collins         | Staff              |
| • Brian Underhill        | Staff              |
| • Bob and Charene Pekrul | Applicants         |

Ms. Pekrul confirmed that the staff report dated January 3, 2007 was received and no errors were identified.

The Commission viewed the existing homesite area, and the proposed subdivision area. The proposed 6 ha lot was currently occupied by a modular home that is rented. About 20% of the property is cleared and used for agriculture.

### 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 Capability**

The agricultural capability of the soil of the subject property is rated as 5C.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Subclass: C adverse climate

Land of this quality can be used for grazing and forage crops and typically requires large parcel sizes for viability.

### **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**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The proposed subdivision would not increase the number of rural residents into this area because the second dwelling on the property was occupied. However, subdivision would reduce the size of the parent parcel by 6 ha, potentially decreasing its agricultural potential. In addition subdivision would raise expectations that further land use changes would be supported, accelerating and intensifying rural residential pressures in this area. The North East ¼ of Section 33, of which the subject property forms the majority, has previously been subdivided prior to the establishment of the ALR. The Commission was not prepared to support further small lot subdivision in this agricultural area.

### **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 negatively 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 Kendrew

**SECONDED BY:** Commissioner Norton

THAT the application to subdivide a 6 ha lot from the 58 ha property be refused.

### **CARRIED**

**Resolution # 51/2007**



**Staff Report**  
**Application # W – 37105**  
**Applicant: Robert and Charene Pekrul**

**DATE RECEIVED:** December 4, 2006

**DATE PREPARED:** January 3, 2007

**TO:** Chair and Commissioners – North Panel

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** Subdivision for a Relative: To subdivide 6 ha lot from the 58 ha property to create a lot for the 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: 003-678-407  
North East ¼ of Section 33, Township 78, Range 16, W6M, Peace River District, Except Parcel A(G23728)

**Purchase Date:**

September 1993

**Location of Property:**

Located in Bessborough 5km from Highway 97N, 7km from Highway 97S and 11km northwest of Dawson Creek at 3809-212 Road

**Size of Property:**

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

**Present use of the Property:**

Residence and modular home, small tack and feed shack and a small horse corral

**Surrounding Land Uses:**

**WEST:** Residence, trees and open field  
**SOUTH:** Hay and horse pasture  
**EAST:** Residential  
**NORTH:** Grazing for cattle

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 93P/16  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

Dawson Creek Rural Area OCP Bylaw No. 477 (1986)  
Designation: Agriculture - Rural Resource

**Zoning Bylaw and Designation:**

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

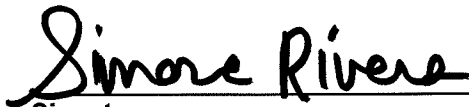
**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

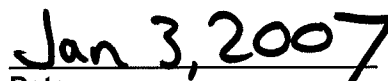
**Peace River Regional District Board:** The Regional Board forwarded the application with a recommendation of support to create a 6 ha lot for the applicants' son on the condition that the proposal qualifies as a subdivision for a relative pursuant to Section 946 of the Local Government Act.

**ATTACHMENTS:**

- Sketch showing the location of the proposed homesite lot (submitted by the applicants)
- ALC Context Map - 93P.088 - 1:20,000 (created by ALC Staff)
- Airphoto - 1:15,000 (created by ALC Staff)

END OF REPORT

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

**A-2**

TP79 R16 W6M

*R.2*

**ZC**

**ZONING**

PL 14344

**R-6**

*PROPOSED LOT*

**R-4**  
PCL A  
(812845)

**A-1**

ROAD 212 (BESSBOROUGH ROAD)

PCL A  
(725544)

PCL A  
(023728)

PCL A  
(69860M) PL 13537  
B

PL 20544

**A-2**

- ZONE NAME**
- A-1
  - A-2
  - R-1
  - R-2
  - R-3
  - R-4
  - R-5
  - R-6
  - MHP
  - C-1
  - C-2
  - C-3
  - C-4
  - I-1
  - I-2
  - I-3
  - I-4
  - AP
  - LF
  - P-1
  - P-2

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TP78 R16 W6M

BC RAILWAY

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*R.2*

NOV 23 2006

NOT TO SCALE - FOR CONVENIENCE ONLY