



May 3, 2007

**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
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Reply to the attention of Simone Rivers  
ALC File: B-37139

Robert and Frances Barclay  
1645 Sackner Road  
Vanderhoof, BC V0J3A2

Dear Mr. and Mrs. Barclay:

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

Please find attached the Minutes of Resolution # 185/2007 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 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:

Erik Karlsen, Chair

cc: District of Vanderhoof

Enclosure: Minutes/Sketch Plan

SR/eg  
i/37139d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 24, 2007 at Smithers, B.C.

<b>PRESENT:</b>	Frank Read William Norton Simone Rivers Martin Collins	Chair, North Panel Commissioner Staff Staff
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**ABSENT:** John Kendrew Commissioner

**For Consideration**

Application:	# B- 37139
Applicant:	Robert and Frances Barclay
Proposal:	To subdivide the 47.2 ha property to create a 6.4 ha parcel of land along Sackner Road, leaving approximately 40.7 ha.
Legal:	PID: 015-064-298 South East ¼ of Section 14, Township 11, Range 5, EXCEPT Plans 6087 and 6088
Location:	Sackner Road, Vanderhoof

**Site Inspection**

A site inspection was conducted on April 24, 2007. Those in attendance were:

- Frank Read Chair, North Panel
- William Norton Commissioner
- Simone Rivers Staff
- Bob Barclay Applicant

The Commission met the applicant at his house and drove down to look at the area proposed for subdivision. The Commission noted that the proposed lot was currently under cultivation and that it was also next to an existing subdivision of 4 acre lots.

Mr. Barclay confirmed that the staff report dated February 22, 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.

## **Discussion**

### **Assessment of Agricultural Capability**

The Commission believed that the subject property has agricultural capability and is appropriately designated as ALR. It further noted that the majority of the property was under cultivation and that the applicant irrigated the property.

### **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 Commission noted that the subdivision will create another rural residence. Although the majority of the surrounding land is in large holdings the Commission noted that the proposed lot was adjacent to an existing rural subdivision thereby lessening the impact of the subdivision had it been located elsewhere. The Commission was concerned with the potential for the applicant's holdings to be broken up and noted that the applicants wished to keep the existing homesite with the farm so that it could be sold and continue as a farm. The Commission believed that it would benefit agriculture to require the remainder of the subject property to be bound by covenant to the applicant's adjacent holdings. The Commission also did not concur with the recommendation of the District of Vanderhoof that the new lot be increased in size from 6.4 ha to 10 ha.

## **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 not impact agriculture.
4. That the remainder of the subject property should be bound by covenant to the North West ¼ of Section 14, Township 11, Range 5, Except Plan 12149 so that the properties can not be sold separately.

## **IT WAS**

**MOVED BY:** Commissioner Read  
**SECONDED BY:** Commissioner Norton

THAT the application to subdivide 6.4 ha from the subject property 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 registration of a covenant for the purpose of preventing the separate sale of the remainder of the South East  $\frac{1}{4}$  of Section 14, Township 11, Range 5 Except Plans 6087 and 6088 from that of the North West  $\frac{1}{4}$  of Section 14, Township 11, Range 5, Except Plan 12149.
- 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 # 185/2007**

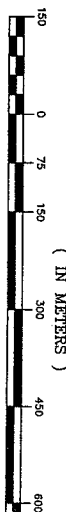
RECEIVED  
PROV. AGRICULTURAL  
LAND COMMISSION  
DEC 20 2006



# PLAN OF PROPOSED SUBDIVISION

OF THE SOUTHEAST 1/4 OF  
SECTION 14, TOWNSHIP 11, RANGE 5  
COAST DISTRICT, EXCEPT PLANS  
6087 AND 6088.

GRAPHIC SCALE



1 : 7500

## Provincial Agricultural Land Commission

Application Resolution  
B-37139 185/2007

 Subject Property

 Approved subdivision of one 6.4 ha lot

 Lots to be bound by covenant

October 27, 2006

3701.dwg  
W.D. McIntosh  
Land Surveying Ltd.  
Box 1250  
Vanderhoof, B.C.



**Staff Report**  
**Application # B – 37139**  
**Applicant: Robert and Frances Barclay**

**DATE RECEIVED:** December 20, 2006

**DATE PREPARED:** February 22, 2007

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

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

**PROPOSAL:** To subdivide the 47.2 ha property to create a 6.4 ha lot and a 40.7 ha lot.

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

**BACKGROUND INFORMATION:**

The applicants would like to construct a new home on the smaller parcel and state that they wish to farm ornamental trees and shrubs. The applicants' plan is to sell the remaining larger parcel as a working ranch along with the other land they own in the area. The landowners explain that there is a need to keep the home and farm buildings with the large ranch. The 6.4 ha lot was designed with the westerly boundary along the underground irrigation line and the back property line to place it even with adjacent small holdings.

The applicants own several other ALR properties in the area.

1. PID: 009-535-764  
North-west ¼ of Section 14, Township 11, Range 5, Except Plan 12149;
2. PID: 009-535-632  
The Fractional Southwest ¼ of Section 19, Township 10, Range 5, Except Plan 12149
3. PID017-441-765  
District Lot 1109, Cariboo District
4. PID: 011-789-492  
The South ½ of District Lot 1108, Cariboo District, Except the Most Southerly 25 Metres in Parallel Width Thereof.

**Local Government:**

District of Vanderhoof

**Legal Description of Property:**

PID: 015-064-298  
South East 1/4, Section 14, Township 11, Range 5, Except Plans 6087 and 6088

**Purchase Date:**

July 1974

**Location of Property:**

Sackner Road, Vanderhoof

**Size of Property:**

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

**Present use of the Property:**

Residence, irrigated land producing hay crops, shop, hayshed, feed lot, some pens for cattle.

**Surrounding Land Uses:**

**WEST:** Irrigation, Hay Grain Crops  
**SOUTH:** Small Holdings, Hobby Farm  
**EAST:** Small Holdings, Hobby Farm  
**NORTH:** Irrigated Hay Crops

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 93J/4  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

District of Vanderhoof OCP Bylaw No. 993 (2006)  
Designation: Agricultural

**Zoning Bylaw and Designation:**

District of Vanderhoof Zoning Bylaw No. 994 (2006)  
Designation: Agriculture  
Minimum Lot Size: 20 ha

**RELEVANT APPLICATIONS:**

**Application #33630-0**

**Applicant:** Thomson, John  
**Decision Date:** April 11, 2001  
**Proposal:** To subdivide the 46 ha property, into 3 lots: 4 ha, 12 ha, and 30 ha.  
**Decision:** Refused.

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**Application #33630-1**

**Applicant:** Thomson, John  
**Decision Date:** February 26, 2003  
**Proposal:** Reconsideration of earlier proposal  
**Decision:** Allowed subdivision under the homesite severance policy and the consolidation of one of the remaining parcels.

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**Application #18763-0**

**Applicant:** Smith, Don and Esther  
**Decision Date:** January 15, 1985  
**Proposal:** To subdivide the 4 ha into two lots of 2 ha.  
**Decision:** Refused.

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**Application #15702-0**

**Applicant:** Thomson, J.M., J.W., & R.C.  
**Decision Date:** May 11, 1983  
**Proposal:** To subdivide a 17.6 ha lot from the 69.3 ha subject property.  
**Decision:** Allowed with conditions.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**District of Vanderhoof Council**

The Council for the District of Vanderhoof forwarded the application with support, and recommend that the subdivided parcel be increased from 6.4 ha to 8 ha.

**STAFF COMMENTS:**

Staff note the following:

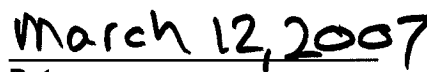
- The applicant owns several other parcels in the area, there may be some option for consolidation.
- The applicant does not qualify for consideration under the Commission's *Homesite Severance Policy*
- The subject property is within the District of Vanderhoof; however, the applicants' other holdings are within the Regional District of Bulkley-Nechako
- The proposed subdivision will alienate land that is currently being cultivated.
- The property has previously been subdivided (prior to the establishment of the ALR).
- The proposed homesite is adjacent to an existing rural residential subdivision.
- The adjacent small lots are approximately 4 ha in size. Staff does not concur with the District of Vanderhoof council that the size of the proposed lot should be increased to 8 ha in size.
- The applicants state that they are currently trying to sell the remainder of their holdings as a ranch unit.

**ATTACHMENTS:**

- Letter from the applicants dated October 24, 2006 describing the proposal.
- ALR Context Map 093J.001 1:20,000 (created by ALC staff)
- Airphoto and sketch of proposed subdivision – 1:7500 (submitted by the applicant)
- Context map showing the location of the applicant's other land holdings – 1:100,000 (created by ALC staff in iMap)

END OF REPORT

  
Signature

  
Date