



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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July 5, 2007

Reply to the attention of Simone Rivers
ALC File: # W - 37310

Douglas and Charlene Cavers
PO Box 6192 - 14119 - 259th Road
Fort St. John, BC V1J 4H7

Dear Mr. and Mrs. Cavers:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 310/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Peace River Regional District (#15/2007)

Enclosure: Minutes/Sketch Plan

SBR/lv
37310d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 26, 2007 at Pouce Coupe, B.C.

PRESENT:	Erik Karlsen	Chair, ALC
	John Kendrew	Commissioner
	William Norton	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

For Consideration

Application: # W - 37310
Applicant: Douglas and Charlene Cavers
Proposal: Subdivision for a Relative: To subdivide a 4.05 ha lot from the 1/2 section to allow the landowners to remain on the family farm, while the children can farm the land and build their own homes on the subject property.
Legal: PID: 013-661-493
Parcel C (69006M), of Lot 2 St. John Indian Reserve No. 172, Township 85, Range 18, W6M, Peace River District, Plan 3986
Location: Located approximately 2 miles east of the Rose Prairie Road, south off the 250 T Road.

Site Inspection

A site inspection was conducted on June 25, 2007. Those in attendance were:

- | | |
|----------------------------|--------------|
| • Erik Karlsen | Chair, ALC |
| • John Kendrew | Commissioner |
| • William Norton | Commissioner |
| • Simone Rivers | Staff |
| • Martin Collins | Staff |
| • Charlene and Doug Cavers | Applicants |

The Commission viewed the subject property and noted that

Mr. and Mrs. Cavers confirmed that the staff report dated May 9, 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 agricultural capability of the soil of the subject property is rated as partially Class 2C and partially 70% Class 3T – 30% Class 4W.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Subclasses C: adverse climate T: topography W: excess water

The Commission believes that the subject property has agricultural capability and is correctly 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 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, when it considers applications for subdivision, generally takes the view that rural residential lots are not consistent with long term agricultural activity and productivity. Not only will the subdivision of 4 ha for a homesite reduce the productive capacity of the parent farm parcel, it also introduces another permanent resident into the farm area with may be incompatible, or conflict with typical farm practices. Therefore, the Commission believes the proposal would impact existing or potential agricultural use of surrounding lands.

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

IT WAS
MOVED BY: Commissioner Kendrew
SECONDED BY: Commissioner Norton

THAT the application be refused.

CARRIED
Resolution # 310/2007



Staff Report
Application # W – 37310
Applicant: Douglas and Charlene Cavers
Location: North of Fort St. John off Rose Prairie Road

DATE RECEIVED: March 26, 2007

DATE PREPARED: May 9, 2007

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: Subdivision for a Relative: To subdivide a 4.05 ha lot from the 1/2 section to allow the landowners to remain on the family farm, while the children can farm the land and build their own homes on the subject property.

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: 013-661-493
Parcel C (69006M), of Lot 2 St. John Indian Reserve No. 172, Township 85, Range 18, W6M,
Peace River District, Plan 3986

Purchase Date:

November 1999

Location of Property:

Located approximately 2 miles east of the Rose Prairie Road, south off the 250 T Road.

Size of Property:

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

Present use of the Property:

Log home, livestock operation, horses, 3 sheds, granary, proposed shop

Surrounding Land Uses:

WEST: Hay field
SOUTH: Grain Farming
EAST: Pasture for horses, cattle, Ducks Unlimited Conservatory
NORTH: Hay field, pasture

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/7
The majority of the property is identified as having Mixed Prime and Secondary 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. 1000 (1996)
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 use is consistent with the Official Community Plan.

STAFF COMMENTS:

Staff note the following:

- The subject property falls into two agricultural capability polygons, about half of the property is rated as 100% Class 2C, the other half of the property is rated as 70% Class 3T and 30% Class 4W with limitations of Climate, Topography and Excess Water respectively.
- The subdivision will create a new rural residential sized lot in an area of predominantly large agricultural holdings.
- The subject property has been in the applicant's family for many years, since 194 according to the local government report. The applicant began farming the land in 1988 and gained title in 1999 when the land was willed to him.
- The application states that the subdivision will allow the applicants children to build "homes" on the land. The Commission may wish to clarify how many homes are proposed for the remainder.

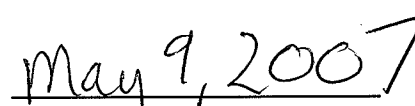
ATTACHMENTS:

- Sketch of proposed subdivision - submitted by the applicants
- ALC Context Map - 94A/7 - 1:50,000 (created by ALC Staff)
- Airphoto - 94A.037 - 1:20,000 (created by ALC Staff)

END OF REPORT

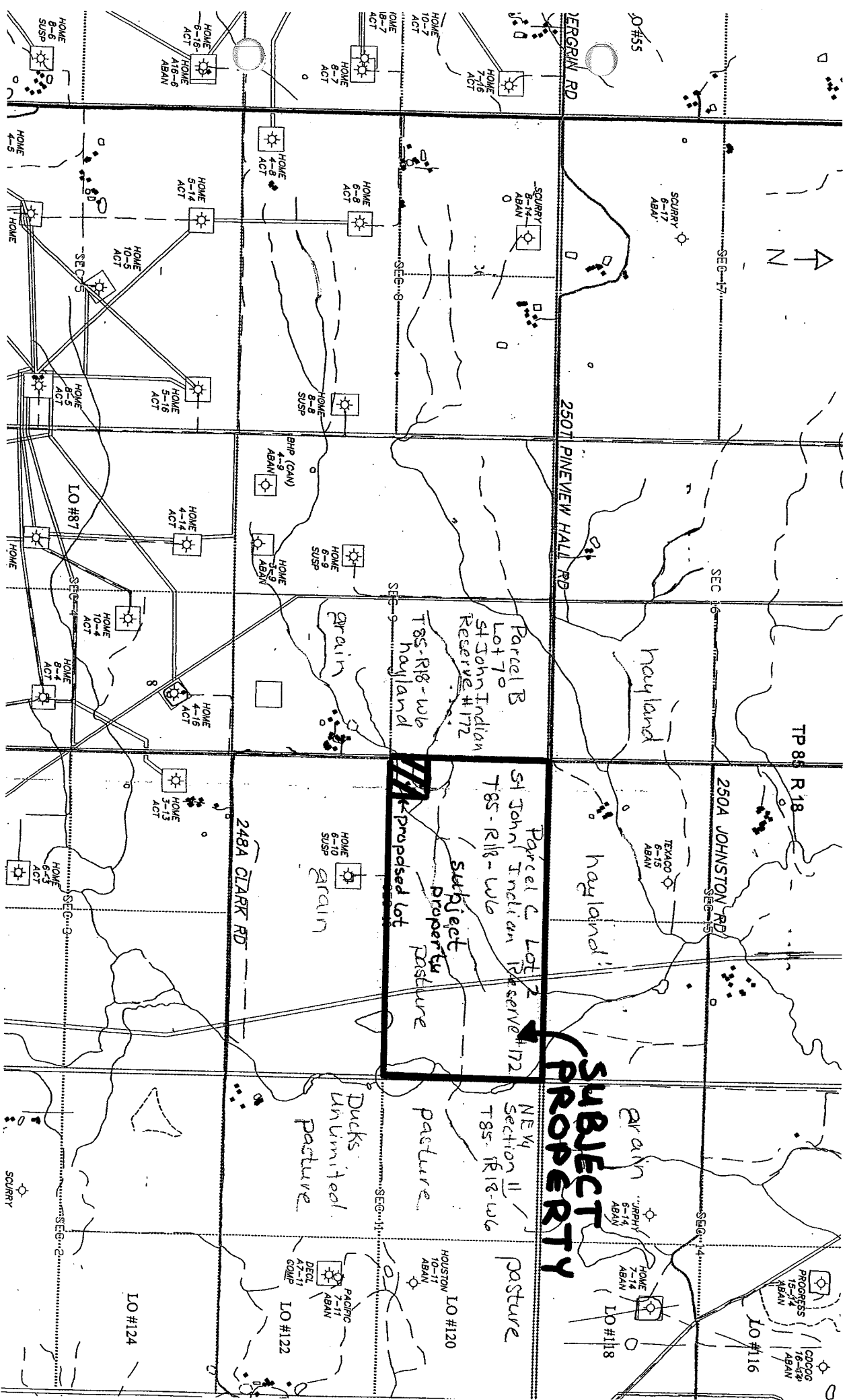


Signature



Date

RECEIVED
PROV. AGRICULTURAL
LAND COMMISSION
MAR 26 2007



SUBJECT PROPERTY

Parcel B
Lot 7
St John Indian
Reserve #172
785-R18-w6
hayland

Parcel C Lot 2
St John Indian Reserve #172
785-R18-w6
Subject Property
pasture

NEW
Section 11
785-R18-w6
pasture

Ducks
Unlimited
pasture

PROGRESS
15-17
ABAN

COODS
16-18
ABAN

LO #118

HOUSTON
LO #120
ABAN

LO #122

LO #124

TP 85 R 18

2504 JOHNSTON RD

2507 PINEVIEW HALL RD

2484 CLARK RD

LO #87

HOME
8-6
SUSP

HOME
8-10
ACT

HOME
8-7
ACT

HOME
7-16
ACT

HOME
4-5

HOME
5-14
ACT

HOME
6-8
ACT

SCURRY
6-17
ABAN

HOME

HOME
10-5
ACT

HOME
4-8
ACT

SCURRY
8-14
ABAN

HOME
4-15
ACT

HOME
5-9
ACT

HOME
8-8
SUSP

HOME

HOME
4-14
ACT

BHP (CAN)
4-9
ABAN

HOME
8-9
SUSP

HOME

HOME
10-4
ACT

HOME
7-8
ABAN

HOME

HOME
4-16
ACT

HOME
8-9
SUSP

HOME
8-3
ACT

HOME
5-5
ACT

HOME
6-10
SUSP

HOME

HOME
8-3
ACT

HOME
6-10
SUSP

SCURRY

HOME
15-17
ACT

HOME
7-14
ABAN

HOME
7-14
ABAN

SCURRY

HOME
15-17
ACT

HOME
7-14
ABAN

HOME
7-14
ABAN

SCURRY

HOME
15-17
ACT

HOME
7-14
ABAN

HOME
7-14
ABAN