



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
www.alc.gov.bc.ca

July 11, 2007

Reply to the attention of Simone Rivers  
ALC File: # W - 37315

Wayne Dahlen  
429 - 94 Avenue  
Dawson Creek, BC V1G 1G1

Dear Sir:

Re: Application to subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 323/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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 (#18/2007)

Enclosure: Minutes

MC/lv  
37315d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

---

A meeting was held by the Provincial Agricultural Land Commission on June 27, 2007, in Fort St. John, B.C.

<b>PRESENT:</b>	Erik Karlsen	Chair
	John Kendrew	Commissioner
	William Norton	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

### For Consideration

Application: # W - 37315  
Applicant: Charles and Jeanette Powell  
Agent: Wayne Dahlen  
Proposal: Subdivision for a Relative: To subdivide a 4 ha parcel from the 24 ha subject property to provide a homesite for the owner's son and a home-based business servicing farm equipment and vehicles.  
Legal: PID: 010-613-722  
Lot 1, Section 32, Township 79, Range 16, W6M, Peace River District, Plan 19134  
Location: Located on the north side of Mile 12.5 of the Alaska Highway, just south of Farmington.

### Site Inspection

A site inspection was conducted on Wednesday June 27, 2007. Those in attendance were:

- Erik Karlsen Chair
- John Kendrew Commissioner
- William Norton Commissioner
- Simone Rivers Staff
- Martin Collins Staff
- Charles Powell Applicant

Mr Powell confirmed that the staff report dated May 9, 2007 was received and no errors were identified.

The Commission noted that the property sloped gently upwards from the Alaska Highway to the existing homesite (which is sited within the westerly 1/3 of the property). The property was undeveloped for agriculture (forested) and with the exception of a 4 ha (approx.) cleared field near the Alaska Highway.

### 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**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is Class 4. Land in this class is typical of cultivated and pasture lands in the Peace River area

### **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 proposed subdivision against the long term goal of preserving agricultural land. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands, by introducing a rural resident and non farm use into this farm area, raising expectations of additional non farm subdivision, and potentially creating rural residential conflicts. It is the Commission's view that small lot subdivision in the ALR is not supportive of agricultural development or the farm community.

## **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 B. Norton  
**SECONDED BY:** Commissioner E. Karlsen

THAT the application to subdivide a 4 ha lot from the 24 ha property be refused as proposed.

## **CARRIED**

**Resolution # 323/2007**



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

---

A meeting was held by the Provincial Agricultural Land Commission on June 27, 2007, in Fort St. John, B.C.

<b>PRESENT:</b>	Erik Karlsen	Chair
	John Kendrew	Commissioner
	William Norton	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

### For Consideration

Application: # W - 37315  
Applicant: Charles and Jeanette Powell  
Agent: Wayne Dahlen  
Proposal: Subdivision for a Relative: To subdivide a 4 ha parcel from the 24 ha subject property to provide a homesite for the owner's son and a home-based business servicing farm equipment and vehicles.  
Legal: PID: 010-613-722  
Lot 1, Section 32, Township 79, Range 16, W6M, Peace River District, Plan 19134  
Location: Located on the north side of Mile 12.5 of the Alaska Highway, just south of Farmington.

### Site Inspection

A site inspection was conducted on Wednesday June 27, 2007. Those in attendance were:

- Erik Karlsen            Chair
- John Kendrew        Commissioner
- William Norton      Commissioner
- Simone Rivers        Staff
- Martin Collins        Staff
- Charles Powell       Applicant

Mr Powell confirmed that the staff report dated May 9, 2007 was received and no errors were identified.

The Commission noted that the property sloped gently upwards from the Alaska Highway to the existing homesite (which is sited within the westerly 1/3 of the property). The property was undeveloped for agriculture (forested) and with the exception of a 4 ha (approx.) cleared field near the Alaska Highway.

### 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**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is Class 4. Land in this class is typical of cultivated and pasture lands in the Peace River area

### **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 proposed subdivision against the long term goal of preserving agricultural land. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands, by introducing a rural resident and non farm use into this farm area, raising expectations of additional non farm subdivision, and potentially creating rural residential conflicts. It is the Commission's view that small lot subdivision in the ALR is not supportive of agricultural development or the farm community.

## **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 B. Norton  
**SECONDED BY:** Commissioner E. Karlsen

THAT the application to subdivide a 4 ha lot from the 24 ha property be refused as proposed.

## **CARRIED**

**Resolution # 323/2007**



**Staff Report**  
**Application # W – 37315**  
**Applicant: Charles and Jeanette Powell**  
**Agent: Wayne Dahlen**  
**Location: Farmington**

**DATE RECEIVED:** March 27, 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 ha parcel from the 24 ha subject property to provide a homesite for the owner's son and a home-based business servicing farm equipment and vehicles.

This application is made pursuant to section 21(2)

**BACKGROUND INFORMATION:**

**Local Government:**

Peace River Regional District

**Legal Description of Property:**

PID: 010-613-722

Lot 1, Section 32, Township 79, Range 16, W6M, Peace River District, Plan 19134

**Purchase Date:**

March, 2000

**Location of Property:**

Located on the north side of Mile 12.5 of the Alaska Highway, just south of Farmington.

**Size of Property:**

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

**Present use of the Property:**

Vacant, was a hayfield, but now overgrown with weeds

**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 OCP Bylaw No. 477 (1986)  
Designation: Agriculture - Rural Resource

**Zoning Bylaw and Designation:**

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

**PREVIOUS APPLICATIONS:**

**Application #00543-0**

**Applicant:** White, B.D.  
**Decision Date:** July 8, 1976  
**Proposal:** To subdivide the property into a 25.5 ha property and a 8.8 ha property as divided by the Alaska Highway  
**Decision:** Allowed subject to the consolidation of the 8.8 ha property with an adjoining parcel.

---

**Application #00543-1**

**Applicant:** White, B.D.  
**Decision Date:** August 18, 1976  
**Proposal:** To remove consolidation requirement approved under Resolution # 4176/77.  
**Decision:** Allowed on the basis that the land would be of minimal benefit if consolidated with adjoining agricultural land.  
**Note:** *This application created the subject property.*

---

**Application #10935-0**

**Applicant:** Balla, Elizabeth  
**Decision Date:** July 30, 1980  
**Proposal:** To subdivide a 6.4 ha lot from the 24.3 ha property  
**Decision:** Refused on the grounds that the subject property has capability for agriculture and the proposed subdivision would reduce options for such use.

---

**Application #10935-1**

**Applicant:** Balla, Elizabeth  
**Decision Date:** May 22, 1981  
**Proposal:** To subdivide the 24.3 ha property into one 8.1 ha lot and one 16.2 ha lot.  
**Decision:** Refused on the grounds the Commission is not prepared to allow a permanent subdivision of the subject property since it has capability for agricultural use and since it is located in an area of relatively large parcels. The Commission had no objection to a registered leasehold by explanatory plan for either one 6.4 ha lot or one 17.8 ha lot or one 8.1 ha lot or on 16.2 ha lot.

---

**RELEVANT APPLICATIONS:**

**Application #36648-0**

**Applicant:** Sutherland, William & Suzanne

**Decision Date:** June 29, 2006

**Proposal:** To subdivide the 24 ha property into five 2.8 ha lots, one 2 ha lot and one 6.1 ha lot.

**Decision:** Refused on the grounds the land has agricultural capability and the subdivision of the property into seven lots would provide no benefit to agriculture.

---

**Application #36648-1**

**Applicant:** Sutherland, William & Suzanne

**Decision Date:** August 24, 2006

**Proposal:** To subdivide a 12 ha lot from the 24 ha property, and consolidate the 12 ha remnant with the adjoining 37 ha lot to the north. The number of properties would remain constant, but would now be configured as a 49 ha property and a 12 ha property, rather than a 24 ha property and a 37 ha property.

**Decision:** The Commission allowed the proposed boundary adjustment on the grounds the number of lots remained constant, and the larger adjoining property was increased in size, improving its agricultural utility.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Peace River Regional District Board:** The Regional Board forwarded the application with a motion that the application to subdivide 4 ha from the subject property be supported on the basis that the subdivision qualifies as a subdivision for a relative under Section 946 of the Local Government Act and that the non-farm use proposal for a home-based business servicing farm equipment and vehicles be supported with the same home-base business restrictions as the neighbouring RR-4 Zone, specifically a maximum accessory building floor area of 300 m<sup>2</sup> and a fenced maximum outside storage area of 0.8 ha.

**Local Government Planning Staff:** Local planning staff note that the ALR Use Subdivision and Procedure Regulations allow a maximum accessory building floor area for home based businesses of 100 m<sup>2</sup> for area where the zoning by-law does not specify a maximum. The A-2 zone does not specify any limit, therefore the ALC 100 m<sup>2</sup> limit is defaulted to and the ALR non-farm use for the requested shop is required.

PRRD Planning staff further comment that the requested non-farm use is consistent with the zoning as home-based business only if )a) the ALC approves, b) the proprietor lives on the property, and c) the outside storage yard is restricted to no more than 20% of the parcel.



**STAFF COMMENTS:**

Staff note that:

- A similar request for subdivision of the subject property was refused in 1980.
- The Agricultural Capability of the subject property is 100% Class 4C.

**ATTACHMENTS:**

- Description of the proposal - submitted by the applicants
- Sketch showing proposed subdivision (submitted by the applicants)
- ALC Context Map - 93P.088 - 1:50,000 (created by ALC Staff)
- Airphoto - 1:10,000 (created by ALC Staff)

**END OF REPORT**

Simone Rivers  
Signature

May 14, 2007  
Date