



Agricultural Land Commission
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July 12, 2007

Reply to the attention of Simone Rivers
ALC File: #W - 37394

Harold and Doreen McQueen
PO Box 158
Groundbirch, BC V0C 1T0

Dear Mr. and Mrs. McQueen:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 320/2007 outlining the Commission's decision as it relates to the above noted application.

Should the applicant wish to proceed on this basis of the attached decision, the Commission will require written submission and a sketch showing the location of the properties proposed for consolidation.

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 (#45/2007)

Enclosure: Minutes

MC/lv
37394d1



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 - 37394
Applicant: Harold and Doreen McQueen
Proposal: To subdivide the half-section sized lot into two (2) quarter-section sized lots.
Legal: PID: 014-821-681
District Lot 1898, Peace River District, except The North 50 Feet
Location: Located along Highway 97S, about 10km west of Groundbirch and 45km east of Chetwynd.

Site Inspection

A site inspection was conducted on June 26, 2007. Those in attendance were:

- | | |
|---------------------------|--------------|
| • Erik Karlsen | Chair, ALC |
| • John Kendrew | Commissioner |
| • William Norton | Commissioner |
| • Simone Rivers | Staff |
| • Martin Collins | Staff |
| • Harold and Dori McQueen | Applicants. |

The Commission viewed the subject property and noted that much of it was cleared and improved for agricultural use. The Commission discussed the applicants' plans with them. They wish to sell the quarter to a nearby farmer but had no specific offers for the property at the time of the site visit.

Mr. and Mrs. McQueen confirmed that the staff report dated May 29, 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 agricultural capability of the soil of the subject property is rated as 60% Class 3MT – 40% Class 4W.

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: M: soil moisture deficiency T: topography W: excess water

The commission believes that the property has agricultural capability and is 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 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. In general the Commission does not believe that subdivision of half sections into quarter sections is beneficial to agriculture as they reduce the productive capacity of the parent farm parcel. However, the Commission understands that there may be potential for the applicant to sell the quarter to an adjacent landowner. Should this be a possibility, the Commission would allow the subdivision subject to the binding of titles of the newly created quarter section with another quarter that is also owned by the prospective purchaser so that they can not be sold separately. The Commission believes that this outcome would mitigate the negative impacts of the subdivision.

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 binding the titles of the proposed new lot with another quarter section owned by a prospective purchaser so that the lots cannot be transferred separately would mitigate the negative impact of the subdivision on agriculture.

IT WAS

MOVED BY: Commissioner Kendrew

SECONDED BY: Commissioner Karlsen

THAT the application be refused as proposed. However, the Commission is prepared to allow the subdivision subject to the consolidation (by way of binding of titles by restrictive covenant) of the easterly $\frac{1}{4}$ section with an adjoining property.

CARRIED

Resolution # 320/2007



Staff Report
Application # W – 37394
Applicant: Harold and Doreen McQueen

DATE RECEIVED: April 30, 2007

DATE PREPARED: May 29, 2007

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the half-section sized lot into two (2) quarter-section sized lots.

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

BACKGROUND INFORMATION:

The applicant's state that they would like to retire and keep one quarter and sell the other to their neighbours, who currently lease it. The purchasers would incorporate this property into their farming operation.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 014-821-681
District Lot 1898, Peace River District, EXCEPT The North 50 Feet

Purchase Date:

January 18, 1980

Location of Property:

Located along Highway 97S, about 10km west of Groundbirch and 45km east of Chetwynd.

Size of Property:

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

Present use of the Property:

Residence, barn

Surrounding Land Uses:

WEST: Hay Crop for Pasture
SOUTH: Pasture (Rented)
EAST: Residence and Pasture
NORTH: Pasture (Home Quarters)

Agricultural Capability:

Data Source: Agricultural Capability Map # 93P/14
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

Dawson Creek Rural Area Official Community Plan Bylaw No. 477 (1986)
Designation: Agricultural-Rural Resource

Zoning Bylaw and Designation:

Dawson Creek Rural Area Zoning Bylaw No. 479 (1986)
Designation: Zoned A-2 (Large Agricultural Holdings)
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 subdivision into quarter sections is consistent with the Official Community Plan policies and zoning regulations.

STAFF COMMENTS:

Staff suggest the Commission consider the following:

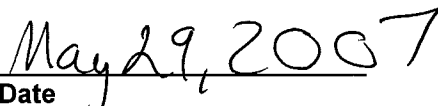
- The subdivision would create a parcel line through a cultivated field,
- The land owner also owns Block A of District Lot 2281 to the west of the subject property. A covenant binding the titles of these properties was registered as a condition of the crown grant. The province removed the covenant in March 2007 to allow this application to be made.
- The applicants wish to sell one quarter to a neighbouring farmer. The Commission may wish to discuss the opportunity for binding titles with the applicant.

ATTACHMENTS:

- Proposal, as submitted by the applicants
- Letter from Front Counter B.C. regarding covenant removal
- ALC Context Map - 93P/14 -1:50,000 (created by ALC Staff)
- Airphoto - 1:10,000 (created by ALC Staff)

END OF REPORT


Signature


Date