



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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October 18, 2007

Reply to the attention of Simone Rivers
ALC File: # W - 37492

Neil & Ruth White
Neil & Shelly Smith
PO Box 617 - c/o RR2 - Site 31
Grande Prairie, BC T8V 2Z9

Dear Mrs. & Mr. White and Mr. & Mrs. Smith

Re: Application to Include land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 519/2007 outlining the Commission's decision as it relates to the above noted application.

Please be advised that the Commission has no objection to the revised lot layout plan as outlined in your letter of June 4, 2007 and shown on the attached plan. The Commission finds the revised lot layout to be in substantial compliance with Resolution # 598/2005 and notes that proposed Lot 8 is entirely outside of the ALR.

The Commission notes that other than proposed Lot 8, all lots created will be partially or wholly in the ALR. Therefore ALR notation will be on all of the properties.

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. It will also confirm for the Registrar which properties are in the ALR and which are not.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Erik Karlsen, Chair

cc: Peace River Regional District (#120/2007)

Enclosure: Minutes/Sketch Plan

SBR/lv
37492d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 5, 2007 in Pouce Coupe, B.C.

PRESENT:	John Kendrew	Acting Chair, North Panel
	William Norton	Commissioner
	David Craven	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

For Consideration

Application: # W- 37492
Applicant: Neil and Ruth White
Proposal: To include approximately 10 ha into the ALR. This application is being made to fulfill a condition of Resolution # 598/2005 which required the inclusion as a condition of subdivision of the subject property.
Legal: PID: 005-502-357
District Lot 245, Peace River District
Location: Swan Lake, south of Dawson Creek

Site Inspection

A site inspection was not conducted.

Discussion

The Commission had no objection to the proposed inclusion as it fulfills a requirement of resolution # 598/2005. The Commission, after looking at the proposed subdivision layout submitted by the applicant, the airphoto, as well as using GIS to calculate the inclusion area determined that the entire area proposed for inclusion was approximately 13 ha. This includes a 10 ha property to be created within the ALR as well as a portion of lots 1-5 which will be entirely within the ALR after the inclusion.

IT WAS

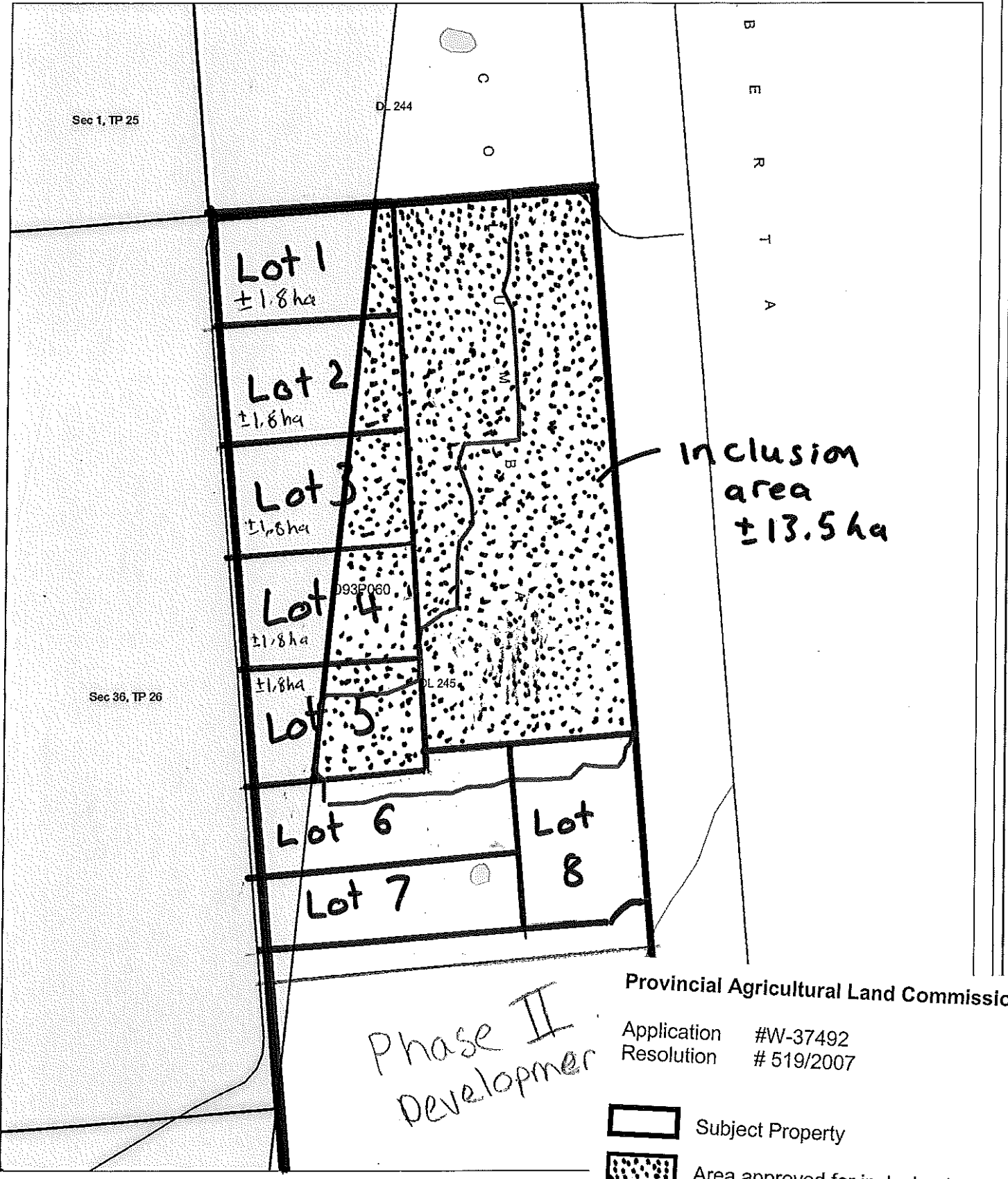
MOVED BY: Commissioner Kendrew
SECONDED BY: Commissioner Craven

THAT the application be allowed.

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 # 519/2007






B
E
R
T
A

Inclusion
area
±13.5 ha

Phase II
Developer

Provincial Agricultural Land Commission

Application #W-37492
Resolution # 519/2007

-  Subject Property
-  Area approved for inclusion into the ALR
-  Approved subdivision into 8 Lots

Scale: 1: 5,000



Staff Report
Application # W – 37492
Applicant: Neil and Ruth White

DATE RECEIVED: June 15, 2007

DATE PREPARED: September 18, 2007

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To include approximately 10 ha into the ALR. This application is being made to fulfill a condition of Resolution # 598/2005 which required the inclusion as a condition of subdivision of the subject property.

This application is made pursuant to section 17(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

In 2004 the Commission considered an application from Ronald Bruns. Who, at that time, owned the subject property. The Commission allowed the subdivision subject to the inclusion of 25 ha of non-ALR land into the ALR. The applicant asked for reconsideration as he believed that 25 ha was too much to include. Upon reconsideration the Commission allowed the subdivision of six lots (five 2 ha lots and one 3 ha lot) subject to the inclusion of approximately +/-10 ha of Non-ALR land that is currently cleared and cultivated.

The current applicants have since purchased the property and wish to complete the subdivision. They have submitted this inclusion application in order to fulfill the requirements of Resolution # 589/2005. The applicants have also submitted a revised subdivision plan for eight (8) 1.8 ha lots rather than the six 2 ha lots initially approved. Lot 8 is not in the ALR and only a portion of Lots 6 and 7 are within the Reserve. Using GIS the inclusion area appears to be closer to 12 or 13 ha if the entire cleared area is taken into account.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 005-502-357
District Lot 245, Peace River District

Purchase Date:

December 2006

Location of Property:

Swan Lake, south of Dawson Creek

Size of Property:

41.3 ha (6.5 ha of the property is currently in the ALR.)

Area Proposed for Inclusion:

10 ha

Present use of the Property:

Residential, outbuildings, lagoon, pasture, fenced area

Surrounding Land Uses:

WEST: Residential/Independent Road
SOUTH: Lake
EAST: Agricultural
NORTH: Agricultural

Agricultural Capability:

Data Source: Agricultural Capability Map # 93P/9
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Dawson Creek Rural Area OCP 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

PREVIOUS APPLICATIONS:

Application #35563-0

Applicant: Bruns, Ronald
Decision Date: October 06, 2004
Proposal: To subdivide five 2 ha rural residential lots and one 3 ha commercial recreational lot from the 42 ha property. Most of the land proposed by the subdivision is poor capability land and lies outside the ALR.
Decision: The Commission allowed the subdivision of five 2 ha lots and one 3 ha lot subject to the inclusion of 25 ha used for agricultural purposes into the ALR

Application #35563-1

Applicant: Bruns, Ronald

Decision Date: November 02, 2005

Proposal: The Commission allowed (Resolution # 447/2004) the subdivision of five 2 ha rural residential lots and one 3 ha commercial recreational lot from the 42 ha property subject to the inclusion of 25 ha of non-ALR land. The Commission discussed the possibility of inclusion with Mr. Bruns at the time of the initial meeting and the minutes indicate that Mr. Bruns was supportive of the possibility of inclusion.

However, upon reflection Mr. Bruns has decided that he does not wish to include 24 ha of land but rather feels that inclusion of only that much land as is being impacted by his subdivision should be necessary.

Decision: To allow the subdivision subject to the inclusion of 10 ha of the applicants non-ALR land rather than 25 ha as required in the first application.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

No comments or recommendations

STAFF COMMENTS:

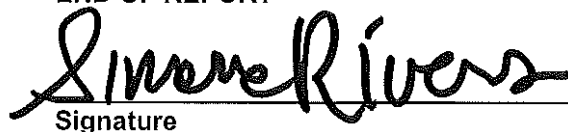
Staff notes that the original map and size estimates for the proposed inclusion area were very rough and that map included with the minutes of Resolution # 598/2005 indicating the area to be included into the ALR was not to scale. The area of the cleared portion of the property is approximately 12.5 ha. Staff recommends that this area be included into the ALR and that the boundaries of proposed lots 6, 7 and 8 may have to be adjusted in order to ensure that the entire cultivated area is included in the ALR lot.

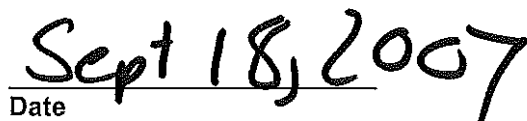
The Commission further notes that based on the sketch submitted with the application after the inclusion, the entirety of lots 1-5 would be within the ALR and that a small portion of lots 6 and 7 would be within the ALR, therefore necessitating the retention of ALR notation on the titles of these lots. Lot 8 and the area proposed for Phase II development are not within the ALR.

ATTACHMENTS:

- Map showing proposed inclusion area (Created in iMap by ALC Staff)
- Letter and Minutes of Resolution # 598/2005 – dated November 14, 2005
- Letter to Neil and Ruth White and Neil and Shelly Smith dated June 12, 2007
- Letter from Neil and Ruth White and Neil and Shelly Smith Dated May 28, 2007 outlining the revised subdivision proposal
- Map showing the approximate location of the ALR boundary and the proposed inclusion area on the revised subdivision proposal.
- Map showing the proposed subdivision and the cleared area of the property. (Created in iMap by ALC Staff)
- Airphoto – 1996 – 1:10,000 (created by ALC Staff)

END OF REPORT


Signature


Date