



Agricultural Land Commission
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October 23, 2007

Reply to the attention of Simone Rivers
ALC File: # W - 37311

Steven and Sarah Palfy
PO Box 736
Hudson's Hope, BC V0C 1V0

Dear Sir/Madam:

Re: Reconsideration of an Application to subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 536/2007 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:

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

Erik Karlsen, Chair

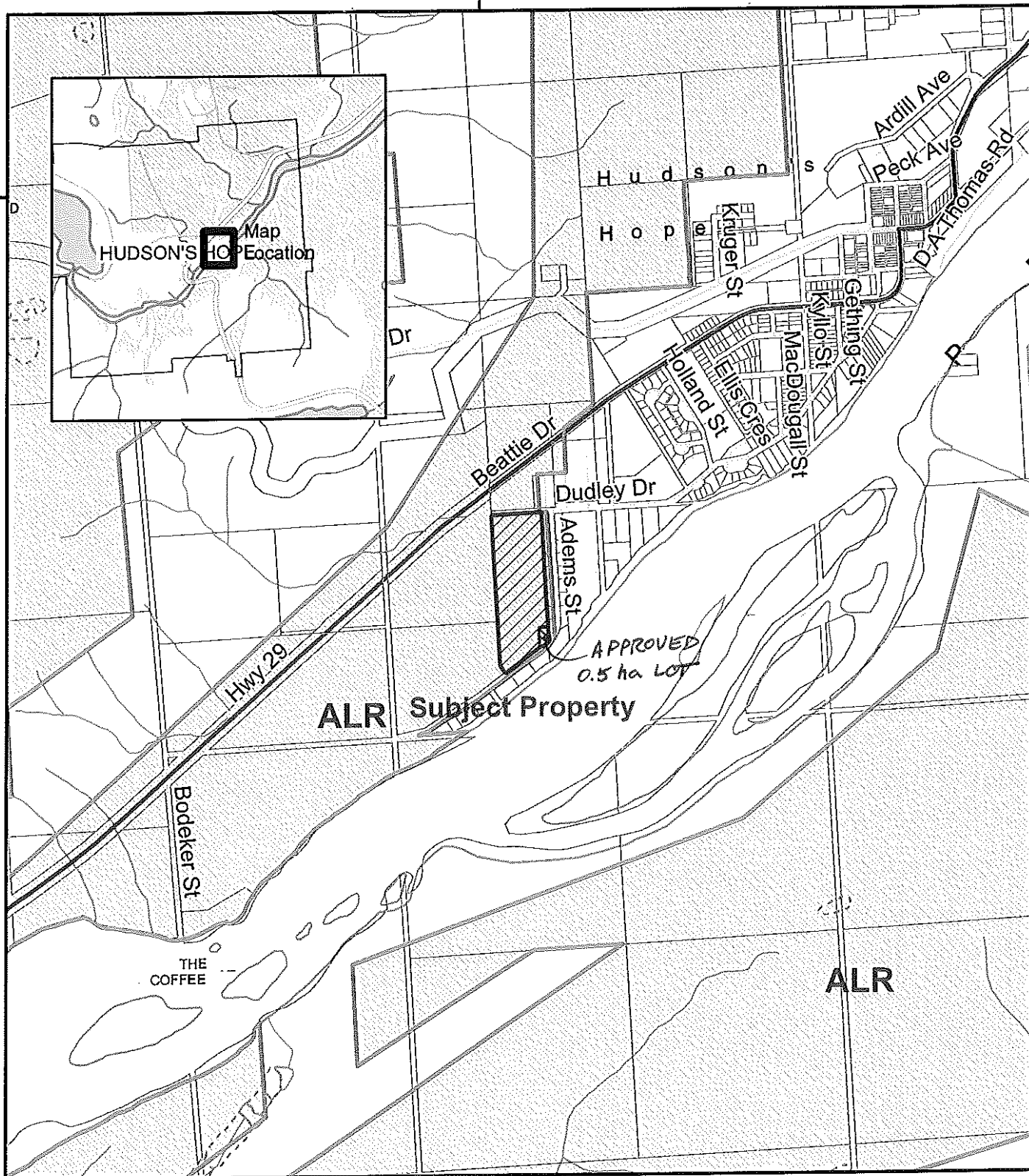
cc: District of Hudson's Hope (004770-000)

Enclosure: Minutes/Sketch Plan

SBR/lv
37311d2

121°56'0"W

56°20'N



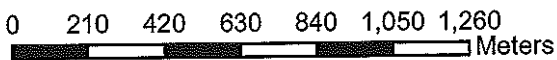
RESOLUTION # 536/2007

121°56'0"W



ALC Context Map

Map Scale: 1:20,000



ALC File #: 21-2007-37311

Mapsheet #: 94A.001

Map Produced: Apr 19, 2007

Regional District: Peace River





MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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

PRESENT:	David Craven	Commissioner
	John Kendrew	Commissioner (Acting Vice Chair)
	William Norton	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

For Consideration

Application: # W- 37311
Applicant: Steven and Sarah Palfy
Proposal: The Commission is being asked to reconsider its decision to refuse to subdivide a 1 ha and two 0.5 ha residential lots from the 9.7 ha property. The District of Hudson's Hope has written in support of the original subdivision proposal to help the District accommodate a shortage of residential lots in the community.
Legal: PID: 014-741-741
That part of the Fractional South West 1/4, Section 13, Township 81, Range 26, W6M, Peace River District, Plan B5652, EXCEPT Plans 17554 and 30078
Location: 9925 Adams Street, Hudson's Hope

Site Inspection

The Commission recalled its June 25th, 2007 site inspection.

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 recalled its original assessment of the property's agricultural capability, confirming that the land had very good soils for agricultural development. However, the Commission also recalled that the area proposed for subdivision (on which the home is located) is divided from the remnant by a topographic break.

Although significant portions of the property are under forest cover, the Commission recalled no substantive soil or topographic reason why the land remains uncleared.

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 nearby suburban development renders the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the three lot subdivision against the long term goal of preserving agricultural land. The Commission believes subdivision would negatively affect the potential agricultural use of surrounding lands, by increasing non farm pressures on farm parcels. The subdivision of the existing homesite would result in the construction of a home and yard on the arable farm remnant, reducing its agricultural capacity. The subdivision of two smaller residential parcels could have the effect of raising expectations of land use change, and precipitate conflict between new residents and farm activity. It is the Commission's experience that subdivision of farmland tends to reduce agricultural activity and limit agricultural investment.

Assessment of Other Factors

The Commission discussed the District of Hudson Hope's September 7, 2007 letter provided in support of the reconsideration of the proposal. The letter indicated that there was a housing shortage in the District because its land supply is constrained by the Agricultural Land Reserve. The Commission recalled its recent review (2005) of the District's Official Community Plan, noting that there appeared to be substantial areas available for residential uses. Also, the OCP did not designate any portion of the subject property for residential uses.

However, the Commission did appreciate that the areas proposed for subdivision were divided from the remainder by a topographic break. Therefore it was prepared to allow the subdivision of a single 0.5 ha lot fronting Adams St. The Commission believes that the addition of a single lot in this area will not excessively affect the land's agricultural capability.

Conclusions

1. That the land under application for subdivision has agricultural capability, is appropriately designated as ALR, and is suitable for agricultural use.
2. That the three lot subdivision proposal will negatively affect the agricultural capability of the property.
3. That the District of Hudson's Hope has sufficient land for urban residential uses for the foreseeable future.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land and encourage farming.

IT WAS

MOVED BY: Commissioner J. Kendrew

SECONDED BY: Commissioner B. Norton

THAT there are no persons affected by the reconsideration request; and

THAT the decision to refuse the three lot subdivision (one 1 ha and two 0.5 ha lots) be reconfirmed. However, the Commission allowed the subdivision of a single 0.5 ha lot subject to the following conditions:

- the subdivision be in substantial compliance with the attached sketch plan
- the construction of a fence schedule D fence on the north and west property boundary of the new lot.
- 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 # 536/2007