



**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

December 11, 2008

Reply to the attention of Simone Rivers  
ALC File: W-38328

David & Shelley Stenton  
Box 6772  
Fort St John, BC V1J4J2

Dear Mr. and Mrs. Stenton:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 784/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:   
Erik Karlsen, Chair

Enclosure: Minutes/

cc: Peace River Regional District (88/2008)

SBR/  
i/38328d1



A meeting was held by the Provincial Agricultural Land Commission on December 3, 2008 in Fort St. John, B.C.

<b>PRESENT:</b>	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Simone Rivers	Staff

**For Consideration**

Application: # W- 38328  
Applicant: David & Shelley Stenton  
Proposal: To subdivide a 12.9 ha homesite from the 61.9 ha subject property.  
Legal: PID: 014-590-948  
The North East ¼ of Section 17, Township 85, Range 19, W6M, Peace River District  
Location: 273 Road about 4 km east of Charlie Lake and 11 km north of the Alaska Highway

**Site Inspection**

A site inspection was conducted on December 3, 2008. Those in attendance were:

- William Norton            Chair, North Panel
- Denise Dowswell        Commissioner
- Simone Rivers          Staff
- David Stenton          Applicant

The applicant explained that he wished to subdivide the existing home and sell the remainder as he no longer wished to have as much land. The Commission noted that the property was in an area of predominantly large holdings and that over half of the property had been cleared for agricultural use. The existing homesite was located at the top of a rise and the property sloped away to the west. The cleared land was largely located on the lower western portion of the property.

Mr. Stenton confirmed that the staff report dated September 3, 2008 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 60% Class 4X – 40% Class 5C with limitations of X- cumulative minor adverse characteristics and C- adverse climate.

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

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

The Commission believes that the property has agricultural capability and is correctly designated as ALR.

### **Assessment of Agricultural Suitability**

The Commission assessed whether 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. The property is located in an area of predominantly large holdings.

### **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 subdivision is not consistent with long term agricultural activity and productivity as subdivision erodes the productive capacity of the parent farm parcel. Furthermore, the Commission does not believe that there are any bio-physical reasons why the property can not be farmed as a single unit. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands and of the subject property.

### **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**

**MOVED BY:** Commissioner Norton

**SECONDED BY:** Commissioner Dowswell

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
  - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

**CARRIED**  
**Resolution # 784/2008**