



**Agricultural Land Commission**  
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December 13, 2013

ALC File: # 53249

Paul and Helen Siemens  
PO Box 237  
Prespatou, BC  
V0C 2S0

Dear Sir and Madam:

**Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution # 333/2013 as it relates to the above noted application. The Commission has also attached a Sketch Plan depicting the decision.

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.

Further correspondence with respect to this application is to be directed to Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #333/2013  
Sketch Plan

cc: Peace River Regional District Attn: Johannes Bendle file# 024/2013

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53249.

### COMMISSION MEMBERS PRESENT:

Gordon Gillette	Vice-Chair
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Gordon Bednard	Land Use Planner
Lindsay McCoubrey	Land Use Planner

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### PROPOSAL

Subdivide the subject 129 ha parcel into two lots: one lot of 12 ha south of Triad Road and a remainder north of the road.

(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

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### PROPERTY INFORMATION:

**Owner:** Paul and Helen Siemens

**Legal:** West ½ of District Lot 698 Peace River District Except the East 80 feet.

**PID:** 014-708-582

**Location:** Prespatou

**Size:** 129ha

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### LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- to preserve agricultural land;
  - to encourage farming on agricultural land in collaboration with other communities of interest; and
  - 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.

## COMMISSION CONSIDERATION

The Commission reviewed a previous application involving the property to the east and adjacent to the subject property:

Application #52820 (Reimer, 2012) To subdivide the subject property into two lots. One lot would be 8 ha in size and would surround the owners dwelling. The other lot would be 121 ha including land on the north and south sides of Triad Road, containing lands both within and outside the ALR. The Commission allowed the proposal subject to inclusion into the ALR of all non-ALR lands to the south of Triad

After considering the above information and all submissions and background contained in the application, the Commission concluded as follows:

1. The subject property and the property to the east are similar in nature, and the proposals for subdivision also have common elements.
2. The subject property contains lands which are not in the ALR but which are presently under active farm management.
3. A portion of the subject property to the south of the road (in the area where the mobile home is located) appears to be less capable for agriculture and has not been developed as part of the active farming operation.

## IT WAS

**MOVED BY:** Commissioner Collins  
**SECONDED BY:** Commissioner Thibeault

THAT the proposal to subdivide the subject property along Triad road be refused as the Commission is not supportive of the division of agriculturally capable, active farmland into smaller lots. However, the Commission would allow the creation of a  $\pm 2$  ha lot surrounding the existing mobile home on the area south of the road, for the son of the property owner.

AND THAT the final approval for the 2 ha lot is subject to:

1. The applicant submitting the following documentation for Commission review and approval prior to final Commission approval:
  - a. The Preliminary Layout Approval (PLA) specifying the requirements for subdivision identified by the Approving Officer from the Ministry of Transportation and Infrastructure;
  - b. The requirements for subdivision specified by the local government that are not identified in the PLA; and

- c. The requirements for subdivision specified by any other person or body having jurisdiction over the land under an enactment.

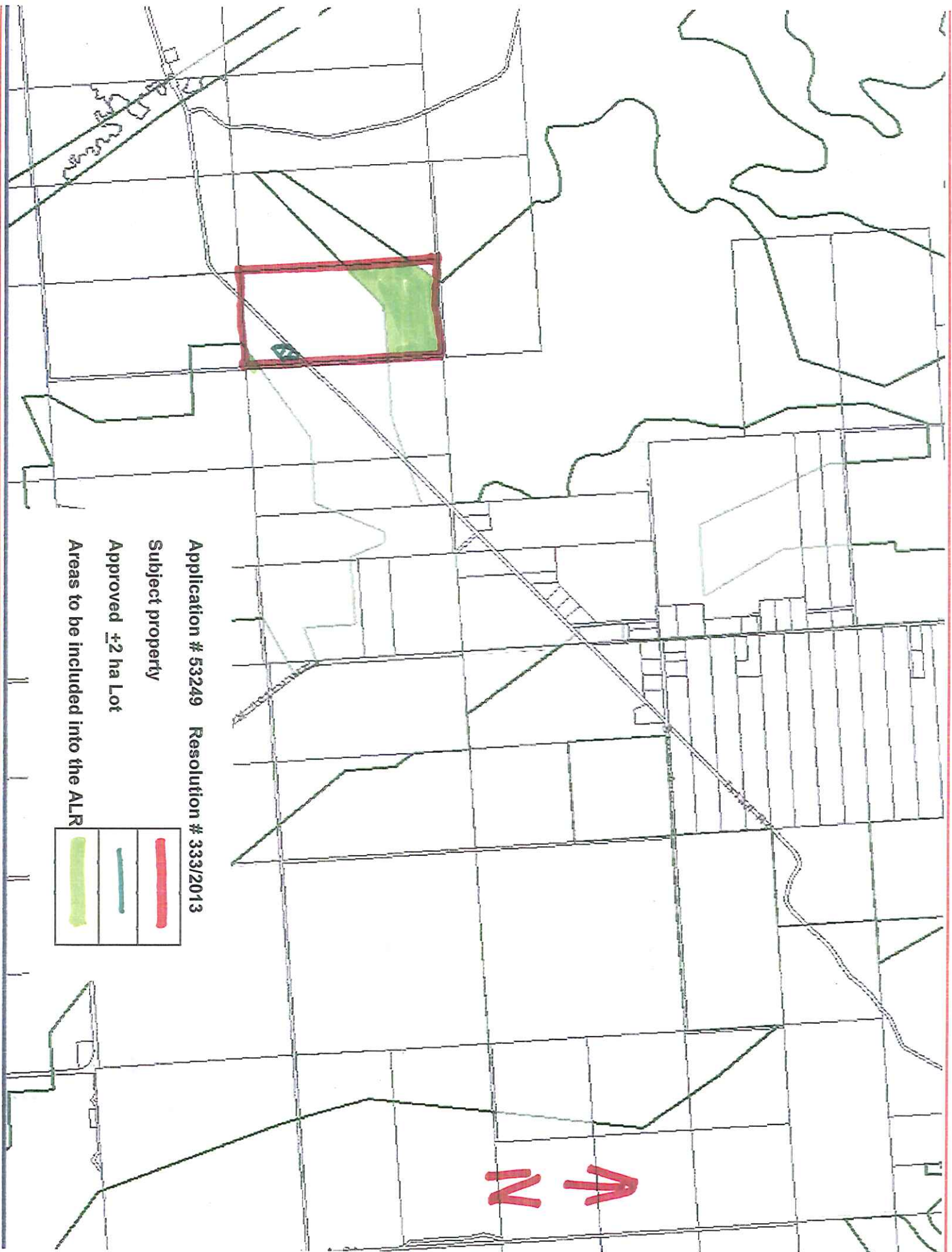
The Commission will be primarily concerned with any conditions of approval it believes will result in either a substantial deviation from the approved subdivision to which this preliminary approval is granted, or conditions that it believes are inconsistent with the purposes of the *Agricultural Land Commission Act* to preserve agricultural land and encourage farming.

Final approval by the Commission is contingent on the Commission's acceptance of the conditions of approval above (if any). The final survey plan should not be prepared in advance of receiving the Commission's written acceptance of the conditions of approval.

2. Submission of an application to include all non-ALR portions of the subject property into the ALR
3. The subdivision plan must be completed within three (3) years from the date of this decision;

AND FINALLY THAT 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 #333/2013**



Application # 53249 Resolution # 333/2013

Subject property

Approved +2 ha Lot

Areas to be included into the ALR

