



Agricultural Land Commission
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April 9, 2014

ALC File: #53394

Victor Dick
13878 256th Road, Box 901
Charlie Lake, B.C.
V0C 1H0

Dear Mr. Dick:

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

Please find attached the Minutes of Resolution #107/2014 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

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.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #107/2014

cc: Peace River Regional District (File #099/2013)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 26, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53394.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Gordon Bednard	Planner
Jennifer Carson	Planner
Colin Fry	Chief Tribunal Officer

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

SUBDIVISION - To subdivide the 64.5 ha subject property into two parcels of 8 ha and 56.5 ha as divided by Stoddart Creek.

PROPERTY INFORMATION:

Owner: Victor Dick

Legal: PID: 014-772-001
The South West ¼ of Section 16, Township 86, Range 20, West of the 6th Meridian, Peace River District

Location: 13878 - 256 Road, Charlie Lake, north of Fort St. John

Size: 64.5 ha

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:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and

- (c) 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.
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COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. The Commission considered the overall agricultural capability of the subject property.

Conclusion: The Commission noted that the subject property has a Canada Land Inventory (CLI) soils capability rating of 50% 5C and 50% 7:5T – 3:6TP. The limiting subclasses are severe climate, stoniness and topography. Notwithstanding these limitations, the land is capable of agricultural uses and has been largely cleared and improved for agriculture.

2. The Commission assessed the agricultural impacts of the proposed two lot subdivision.

Conclusion: The Commission noted that the parcels in the area are predominantly $\frac{1}{4}$ sections. An 8 ha parcel is not a suitable size from an agricultural perspective in this region and likely would be used wholly for residential, or possibly hobby farm uses. Furthermore, an 8 ha lot may come under further pressures to subdivide.

3. The Commission considered the applicant' assertion that the 8 ha area cannot be accessed by farm equipment, due to the presence of the creek.

Conclusion: The Commission noted the file photos showing the creek to be perennial and an impediment to crossing for farm equipment. However the Commission did not believe that the road bridges that are currently used for access were so narrow as to impede the movement of all farm equipment. As such the Commission does not consider the creek to be a significant impediment to using the property as an agricultural unit.

IT WAS

MOVED BY: Commissioner Dempsey

SECONDED BY: Commissioner Gillette

THAT the proposal to subdivide the subject property into two lots as divided by the creek be refused.

CARRIED

Resolution #107/2014