



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

November 17, 2005

Reply to the attention of Simone Rivers

Kenneth and Brenda MacKenzie
PO Box 83
Valemount, BC – V0E 2Z0

Dear Mr. and Mrs. MacKenzie:

**Re: Application # N-36117-0
The South ½ of District Lot 7353, Cariboo District.**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude the 64 ha property mentioned above from the ALR. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on November 2, 2005.

The Commission considered your proposal in the context of the Commission position on the Robson Valley-Canoe Official Community Plan (OCP) which has recently been updated by the Fraser-Fort George Regional District. At the time you made your application this plan had not been considered by the Commission. Upon reviewing the (OCP), the Commission did not endorse the proposed non-farm designation for this area and instead requested that the designation be changed to Agricultural/Resource to help encourage farming and to achieve consistency with the Act.

Furthermore, upon visiting the property, the Commission noted that the property had long term agricultural potential due to its size and the previous agricultural improvements made to the property.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution #608/2005.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

A handwritten signature in black ink, appearing to read 'E. Karlsen', is written over the 'per:' label.

Erik Karlsen, Chair

cc: Regional District of Fraser-Fort George – File # ALR7353

SR/eg

1136117d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on November 2, 2005 at the Traveller’s Inn, 800 111 Avenue, Dawson Creek, BC

PRESENT: Frank Read Chair
Harold Kerr Commissioner

ABSENT: Grant Huffman Commissioner

STAFF: Simone Rivers, Regional Research Officer
Roger Cheetham, Planner

For Consideration

Simone Rivers presented the staff report dated October 17, 2005 regarding application #N-36117-0. Mr. MacKenzie confirmed that he received the staff report and did not identify any errors.

Site Inspection

A site inspection was conducted on November 2, 2005. Those in attendance were:

- Commissioners Read & Kerr
- Agricultural Land Commission Staff: Simone Rivers, Regional Research Officer and Roger Cheetham, Planner
- Applicant: Kenneth MacKenzie

The Commission viewed the property with Mr. MacKenzie. They observed that the property had been improved for agricultural use and was quite flat.

The site inspection lasted from 8:00 a.m. to 8:30 a.m.

Commission Discussion

The Commission considered the proposal in the context of the Commission position on the Robson Valley-Canoe Official Community Plan (OCP) which has recently been updated by the Fraser-Fort George Regional District. At the time the application was made this plan had not been considered by the Commission. Upon reviewing the (OCP), the Commission did not endorse the proposed non-farm designation for this area and instead requested that the designation be changed to Agricultural/Resource to help encourage farming and to achieve consistency with the Act.

Furthermore, upon visiting the property, the Commission noted that the property had long term agricultural potential due to its size and the previous agricultural improvements made to the property.

IT WAS

MOVED BY: Commissioner Kerr
SECONDED BY: Commissioner Read

Page 2

THAT the staff report be received and the application to exclude 64 ha described as the South ½ of District Lot 7353, Cariboo District be refused on the grounds that the property has good agricultural capability and is located in an area where the Commission did not endorse non-farm designation in the recently updated Robson Valley-Canoe Official Community Plan.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # N – 36117 –0
Applicant: Kenneth & Brenda MacKenzie

DATE RECEIVED: June 27, 2005

DATE PREPARED: October 17, 2005

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To exclude 64 ha from the ALR in order to subdivide the land.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The owners of the property wish to exclude the land in order to develop 32 residential lots.

At the time of application, the Robson-Valley-Canoe Official Community plan was being revised and had not yet been considered by the Regional Board. The Draft Plan included residential development in the area of this application. The subject property belongs to a block of ALR land (approximately 400 ha) immediately west of the Village of Valemount that has been the subject of many subdivision and exclusion applications since 1978.

The Commission visited Valemount in June 2005 and viewed this area, west of Valemount. As a result of this site inspection, the Commission decided not to endorse the non-farm designation proposed for part of the area west of Valemount (see attached map for Resolution #279/2005). This area, which the Commission requested be changed to Agricultural/Resource, includes the subject property. The Commission's comments as per Resolution # 279/2005 are as follows "*the Commission noted the area's agricultural potential as borne out by the agricultural capability mapping, and the conclusions of the fine tuning review undertaken in the late 1970's which retained the area within the ALR*"

The Commission recently refused an exclusion application for property directly south of the subject property (file # 35703 – Grizzly Logging) and made the following comments in the decision letter, . "*After reviewing the Valemount 2020 Vision Implementation Strategy (VVIS) and the Robson-Valley-Canoe Upstream Official Community Plan in the context of the VVIS, the Commission has concluded that the area within which the subject property is located has agricultural capability. The Commission noted that the VVIS encourages smart growth focused on the village. The Commission has seen no evidence of any strong community need for rural residential subdivisions such as those proposed in the application that would override the agricultural considerations. The Commission has thus concluded that the area should be designated as Agriculture/Resource.*

The Regional District of Fraser-Fort George held a public meeting with regards to this application. No letters of opposition were received. One question about water supply was raised at the meeting.

Local Government:

Regional District of Fraser-Fort George

Legal Description of Property:

PID: 015-200-949
District Lot 7353, South 1/2, Cariboo District

Purchase Date:

April 2004

Location of Property:

Valemount

Size of Property:

64.0 ha (The entire property is in the ALR).

Present use of the Property:

Residence, 3/4 forested and 1/4 pasture. There is a house, barn and six small outbuildings

Surrounding Land Uses:

WEST: Forested (ALR)
SOUTH: Proposed 2.8 ha lot subdivision 1/2 forested, 1/2 pasture (ALR)
EAST: Hobby farm, 1/2 forested and 1/2 pasture (ALR)
NORTH: Crown land (forested) (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 83D/14
The majority of the property is identified as having the following agricultural capability ratings: 7:4M-3:5M (7:3C-3:4M).

Official Community Plan and Designation:

Robson Valley - Canoe Official Community Plan - Agriculture / Resource (Ag/Res)

Zoning Bylaw and Designation:

Bylaw no. 833 designates the area as Rural 5 (RU5).
Minimum lot size 60 ha.

RELEVANT APPLICATIONS:

Application #35703-0

Applicant: Grizzly Logging
Decision Date: September 15, 2005
Proposal: To exclude the subject land from the ALR to facilitate subdivision of the property. The proposed plan is to create 13 lots ranging from 1 ha to 4.2 ha.
Decision: Refused on the grounds that there has been no demonstrated need for rural residential subdivision in this area.

Application #34113-0

Applicant: Water and Land BC Inc.

Decision Date: March 22, 2002

Proposal: To exclude 3 properties totaling 128.9 ha from the Agricultural Land Reserve for the purpose of developing a 52 lot subdivision to provide a rural residential inventory of lots from 0.8 to 2.0 ha in size.

Decision: Refused the exclusion of the whole property. Permitted the exclusion of Phases I, II and III and the greenbelt areas at present. The remainder of property is excluded in principle only at this time pending receipt and review of the development plans.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of Fraser-Fort George Board: The Regional Board recommends approval

Local Government Planning Staff: Staff noted that a revised Community Plan was under way which proposed a Special Management Area for land to the west of the Village of Valemount. The rationale of designating this area for residential development included ease of construction, close proximity to the McLennon River for long-term community water supply, close proximity to the Village for rural residential lots, and low capability for agriculture without significant irrigation. While the new community Plan is proposing to direct residential development into this area, it discourages small lot development in areas of the valley that have higher agricultural values.

OTHER COMMENTS:

District Agrologist, Ministry of Agriculture, and Lands: Ministry of Agriculture and Lands staff recommends that *"the Commission inspect the site and provide a decision on exclusion of the entire special management area or specific portions of the area. One ALC decision on the entire area will be efficient for all agencies and provide all landowners a level playing field."*

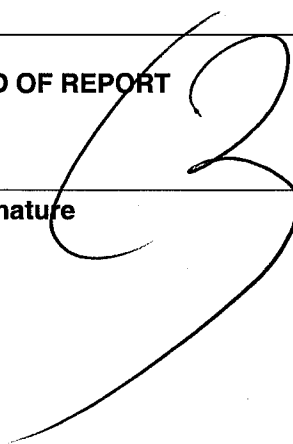
STAFF COMMENTS:

Staff note that the local government and Ministry of Agriculture and Lands comments on this application were made prior to the decision (Resolution # 279/2005) not to endorse the "Special Management Area" designation for the area of this property west of Valemount. In light of this decision, staff recommend refusal of the application as proposed.

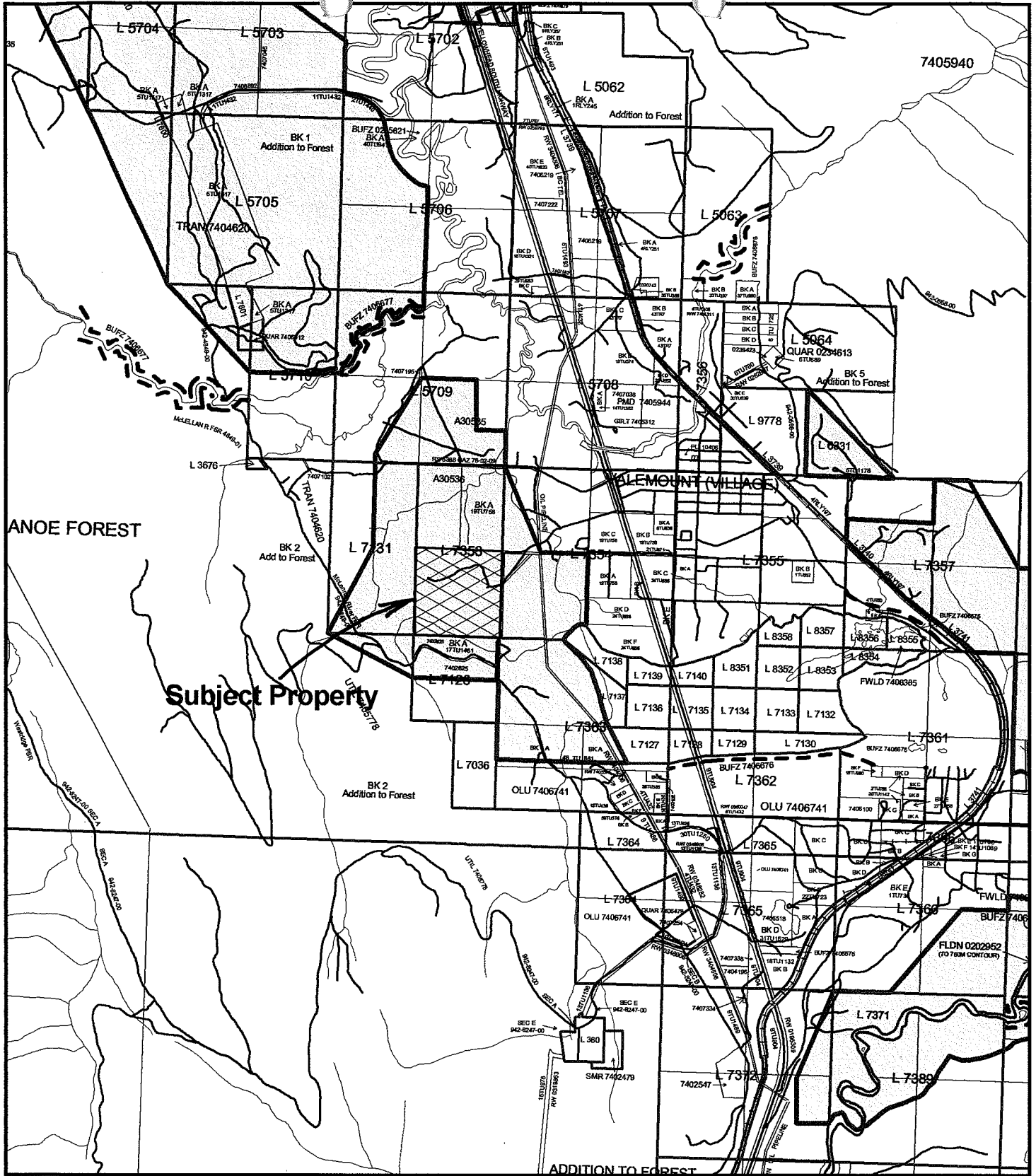
END OF REPORT

Signature

Date



Oct 18/05



ALC CONTEXT MAP
Application # 36117

Map Scale: 1: 50000

ALC File #: 02-05-36117
NTS Map Sheet #: 83D/14
Regional District: Fraser-Fort George