



**Agricultural Land Commission**  
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May 18, 2007

Reply to the attention of Simone Rivers  
ALC File: D-36905

Sherry Gordon  
13145 22 A Avenue  
Surrey, B.C. V4A 8Y5

Dear Ms. Gordon:

**Re: Request for Reconsideration**

This is further to your letter of February 20, 2007 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #634/2006.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 203/2007 outlining its latest decision.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

  
Erik Karlsen, Chair

cc: Cariboo Regional District (4035-20-L076)  
Gus Horn, Box 51, 100 Mile House, B.C. V0K 2E0

SR/eg  
i/36905d2



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 25, 2007 at the offices of the Cariboo Regional District, Williams Lake, B.C.

**PRESENT:** Grant Huffman  
Holly Campbell  
Gordon Gillette  
Simone Rivers  
Brian Underhill

Chair, Interior Panel  
Commissioner  
Commissioner  
Staff  
Staff

### For Consideration

Application: # D- 36905  
Applicant: Christian Horn  
Agent: Gus Horn and Sherry Gordon  
Proposal: To alter the condition of Resolution # 634/2006 by removing the requirement to register a restrictive covenant restricting residential building on the remainder of the property. The applicants are proposing an alternative solution which allows for a 0.4 ha homesite (the location of which would be restricted by covenant) on the remainder of the subject property.

Legal: PID: 003-915-981  
The Fractional South ½ of District Lot 2918, Lillooet District, EXCEPT Plans 20349 and H11861

Location: Horse Lake Road

### Site Inspection

A site inspection was conducted on November 22, 2006. A second site inspection was not conducted.

### 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

In reviewing the applicant's request for reconsideration dated February 20, 2007, the Commission recalled its visit to the property and original discussion about this proposal. The Commission recalled that the subject property has excellent agricultural capability and its view that allowing a subdivision would reduce the agricultural capability of the property and negatively impact the agricultural capability of the subject property. It also

recalled that although the applicant asked for consideration under the Commission's *Homesite Severance Policy*, that he is not asking for subdivision of the existing homesite but the creation of a new lot on a property with excellent agricultural capability that does not currently have any residential development. The Commission further recalled that it was concerned that by allowing a subdivision in the location favoured by the applicant that this would effectively allow the construction of two homes on the property (one on the new lot and one on the remainder) further alienating good agricultural land from production.

In making its original decision, the Commission considered requiring a covenant to bind the titles of the remainder of the subject property with that of the applicant's current homesite property so that they could not be sold separately but decided that requiring the registration of a no-build covenant on the remainder would achieve the same purpose while leaving the applicants more flexibility for the properties eventual sale.

The Commission does not believe it would be beneficial to agriculture to allow a home to be built or placed on the remainder of the property should a homesite lot be subdivided from it.

### **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.

The Commission considered what persons may be affected by the reconsideration.

### **IT WAS**

**MOVED BY:** Commissioner Huffman  
**SECONDED BY:** Commissioner Campbell

THAT no persons are affected by the reconsideration.

AND THAT Resolution #634/2006 be confirmed.

### **CARRIED**

**Resolution # 203/2007**