



Agricultural Land Commission
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July 7, 2008

Reply to the attention of Simone Rivers
ALC File: W-37336

Peter L Sorg
General Delivery
Arras, BC V0C 1B0

Dear Mr. Sorg:

Re: Request for Reconsideration

This is further to your letter of May 12, 2008 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #522/2007.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 366/2008 outlining its latest decision.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Simone Rivers', is written over the printed name 'Erik Karlsen, Chair'.

Erik Karlsen, Chair

cc: Peace River Regional District (29/2007)

Enclosure: Minutes/

SBR/
i/37336d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 19, 2008 at the offices of the Peace River Regional District, Dawson Creek.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	John Kendrew	Commissioner
	Simone Rivers	Staff

For Consideration

Application: # W- 37336
Applicant: Peter L Sorg
Proposal: To reconsider the previous decision to refuse subdivision of a 1.6 ha lot from the subject property.
Legal: PID: 007-799-152
Parcel B (Plan 17269) of the East ½ of Section 8, Township 78, Range 17, West of the 6th Meridian, Peace River District
Location: West Arras, 22 km west of Dawson Creek along Highway 97S.

Site Inspection

A third 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 file information the Commission recalled its two previous visits to the property as well as the previous reconsideration request submitted by the applicant. The Commission considered the applicant's most recent request of May 12, 2008 and also reviewed all of the information in the file.

Assessment of Agricultural Capability

The Commission notes that only part of the property is in the ALR. The Commission believes that the ALR portion of the subject property has agricultural capability and is correctly designated as ALR. The Commission notes that the area proposed for subdivision is entirely within the ALR.

Assessment of Agricultural Suitability

The Commission assessed whether the 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 land proposed for subdivision can be utilized as part of the larger subject property for farm purposes and the property is located in an area of predominantly large agricultural holdings.

Assessment of Other Factors

The Commission discussed the information provided in the applicant's submission that stated that a family member wishes to build a home on the land and start a market garden. The Commission is supportive of this type of agricultural development within the ALR and notes that refusal of a subdivision is not to be considered as discouragement of a market garden concept. However, the Commission is reluctant to create a stand alone property when no agricultural development has taken place. The Commission also discussed that the Regulations allow the placement of a mobile or manufactured home on a property for a member of the owner's immediate family. Therefore, the Commission believes the regulations do not prohibit a family member from living on the 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 as subdivision will reduce the long term agricultural potential of the subject property.
4. That the proposal is inconsistent with the purpose of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Norton
SECONDED BY: Commissioner Dowswell

THAT Commission Resolution # 522/2007 be reconfirmed.

CARRIED

Resolution # 366/2008