



Agricultural Land Commission
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November 28, 2007

Reply to the attention of Simone Rivers
ALC File: B-37519

Ann McVey
1206 Sunrise Drive
Qualicum Beach, BC V9K2B9

Dear Ms. McVey

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 615/2007 outlining the Commission's decision as it relates to the above noted application.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink that reads "Simone Rivers". The signature is written in a cursive, flowing style.

Erik Karlsen, Chair

cc: Regional District of Bulkley-Nechako (1039)

Enclosure: Minutes/Sketch Plan



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 22, 2007 at the offices of the Ministry of Agriculture and Lands, Prince George, B.C.

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

For Consideration

Application: # B- 37519
 Applicant: 359039 BC Ltd.
 Agent: Ann McVey
 Proposal: To subdivide a 2.95 ha lot from the parent property which contains
 the Mountainview Mobile Home Park.
 Legal: PID: 010-302-549
 Block 1, Section 17, Township 4, Range 5 Coast District, Plan
 5806, Except Plan 8753
 Location: Located at 95 Laidlaw Road approximately 3 km southwest of
 Smithers.

Site Inspection

A site inspection was conducted on November 20, 2007. Those in attendance were:

- William Norton Chair, North Panel
- John Kendrew Commissioner
- Denise Dowswell Commissioner
- Simone Rivers Staff
- Steve Howard Surveyor representing the applicant.

The Commission noted that part of the property had been developed as a mobile home park. The portion of the property under application was located on a lower bench next to the river and had not been developed.

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

Assessment of Agricultural Suitability

The Commission assessed whether 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 that the property is suitable for agriculture due to its odd shape, small size and location next to the existing mobile home park and sewage lagoon.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission does not believe the proposal would impact existing or potential agricultural use of surrounding lands. The subject property is located adjacent to small lots to the north, Highway 16 to the east and the river to the west.

Assessment of Other Factors

The Commission recalled a previous decision to allow the expansion of the mobile home park by an additional 44 spaces and to utilize a portion of the undeveloped area for a 30 space RV park and small convenience store. Approval for this proposal was given subject to the construction of a fence along the southern boundary of the property as well as a 15 m vegetative buffer along the southwesterly boundary of the property. The Commission had no objection to a new owner of the subdivided property pursuing non-farm use on the new lot as allowed by this previous decision (Commission Resolution # 145/1997)

Conclusions

1. That the land under application has limited agricultural capability.
2. That the land under application is not suitable for agricultural use.
3. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Kendrew
SECONDED BY: Commissioner Dowswell

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.
- A future owner of the property may pursue non-farm use on the property as allowed by Commission Resolution # 145/1997. An new non-farm use application or exclusion application will have to be made should the owner wish to pursuer uses other than those previously approved (other than agriculture).

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 # 615/2007

Provincial Agricultural Land Commission

Application #B-37519
Resolution # 615/2007

-  Subject Property
-  Approved subdivision into a 2.95 ha lot

PROPOSED SUBDIVISION PLAN
OF PART OF BLOCK 1, Sec. 17, Tp. 4, RANGE 5,
COAST DISTRICT, PLAN 5806 EXCEPT PLAN 8753.

B.C.G.S. 93L075
SCALE 1:2000

