



Agricultural Land Commission
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November 28, 2007

Reply to the attention of Simone Rivers
ALC File: B-37521

Shawn Andersen
c/o 20906 Highway 16 W
Burns Lake, BC V0J1E0

Dear Mr. Andersen:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 617/2007 outlining the Commission's decision as it relates to the above noted application.

Should you wish to proceed as outlined in the minutes, please submit the enclosed inclusion application to the Regional District of Bulkley-Nechako. When you have received confirmation that the property has been included into the ALR 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 (1037)

Enclosure: Minutes/Sketch Plan/



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- 37521
Applicant: Shawn and Sivert Andersen
Proposal: To subdivide a 7.1 ha parcel from the 57.8 ha parent property.
Legal: PID: 015-314-383
District Lot 6598, East 1/2 of, Range 5 Coast District, Except Plan PRP13183
Location: Located at 20524 Hutter Road, approximately 20 km northwest of Burns Lake

Site Inspection

A site inspection was conducted on November 21, 2007. Those in attendance were:

- William Norton Chair, North Panel
- John Kendrew Commissioner
- Denise Dowswell Commissioner
- Simone Rivers Staff
- Shawn Andersen Applicant

The Commission visited the subject property and saw the location of the existing home, which the applicant wishes to sell. The house was located on a lower portion of the property. The Commission drove to the upper portion of the property which was largely forested. The applicant mentioned that he owned other lands in the area and the Commission then visited a property that as not in the ALR, but had been cleared and appeared to have agricultural capability similar to that of the subject property. Mr. Andersen provided the Commission with a map showing his other ALR holdings in the area. This map does not show the extent of the applicant's non-ALR lands.

Mr. Andersen confirmed that the staff report dated November, 2007 was received and no errors were identified.

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 Capability

The Commission believed that the subject property had agricultural capability and was correctly designated as ALR.

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 there are external factors that render the land unsuitable for agricultural use.

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 is generally reluctant to create rural residential lots such as the one proposed in areas of larger agricultural holdings. It believes that these lots can be incompatible with surrounding farming operations.

Assessment of Other Factors

In discussion with the applicant the Commission became aware that the applicant owned additional land in the surrounding area, some that was in the ALR and some that was outside of it. Mr. Andersen took the Commission to view one of these properties that was near the subject property. The Commission noted that the property had been cleared and appeared to have agricultural capability

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 inclusion of nearby land will mitigate the possible negative impacts of the subdivision.

IT WAS

MOVED BY: Commissioner Kendrew

SECONDED BY: Commissioner Norton

THAT the application be refused as proposed.

AND THAT the Commission would allow the subdivision as proposed subject to the inclusion of the East ½ of District Lot 6599, Range 5, Coast District into the Agricultural Land Reserve.

AND THAT the approval is subject to the following conditions:

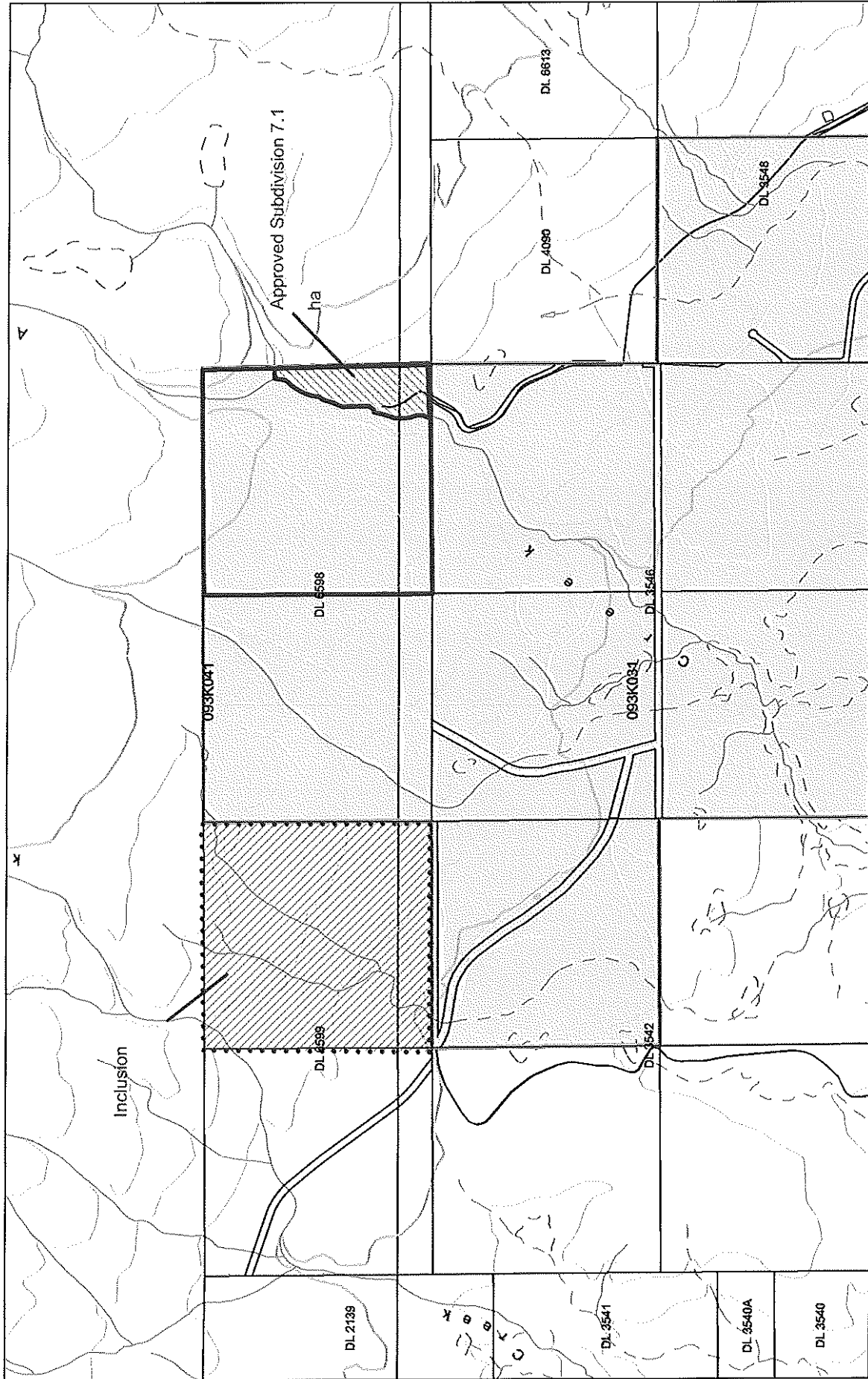
- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 617/2007

Resolution # 617/2007

File No.: B-37521



Scale: 1: 20,000

BCGS Mapsheet(s): 93K.031

