



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: N-37942

May 29, 2008

Gary Klymyk
3880 Williams Road, E
Prince George, BC V2N5Z3

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 281/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Regional District of Fraser-Fort George (ALR-4591/4592)

Enclosure: Minutes

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A meeting was held by the Provincial Agricultural Land Commission on May 6, 2008 at the offices of the Regional District of Fraser-Fort George located at 155 George Street, Prince George, B.C.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Simone Rivers	Staff
	Terra Kaethler	Staff

For Consideration

Application: # N- 37942
 Applicant: Gary Klymyk
 Proposal: To subdivide the 49.0 ha subject parcel to create one (1) smaller parcel of approximately 17.0 ha for the landowner. It is proposed to subdivide along the gully that splits the parcel into northern and southern portions.
 Legal: PID: 006-272-533
 Location: Parcel A, District Lot 4591 and 4592, Cariboo District, Plan 27915 South of Red Road

Site Inspection

A site inspection was conducted on May 6, 2008. Those in attendance were:

- William Norton Chair, North Panel
- Denise Dowswell Commissioner
- Simone Rivers Staff
- Terra Kaethler Staff
- Gary Klymyk Applicant

The Commission met with the applicant and walked the property. It was noted that the property consisted of several fields divided by trees and a gully. It was also noted that a road crossed the gully to connect the fields.

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

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is identified as Class 4 and Class 5 with limitations of undesirable soil structure, topography, and excess water.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

The Commission recognized the variation in agricultural capability on the subject property. However, in light of this variability, it was held that subdivision would further serve to compromise the agricultural potential of the subject property. Further, the Commission considered that the agricultural capability ratings for this property are similar to surrounding lands in the area.

Assessment of Agricultural Suitability

The Commission considered whether the property was suitable for agriculture. This consideration included details such as property size, surrounding land uses and other external limitations to agriculture. The Commission did not believe there were 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. Although the Commission recognized that the property was divided by a gully, it noted at the site visit that a road was in place to connect the field areas, and as such, it did not believe that the gully imposed a significant impediment to farming the property as a whole. The Commission believed that the subject parcel had more agricultural value as a single unit and that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

The Commission also noted that the parcel had been originally consolidated as a condition of a previous subdivision application in 1976, and it did not believe that subdivision as proposed was warranted. The intent of the Act is to preserve and protect agricultural lands and farm communities in the long-term and the Commission felt that subdivision of the subject property as proposed was not in keeping with that mandate.

Conclusions

1. That the land under application has agricultural capability.
2. That the land under application is suitable for agricultural use.
3. That the proposal will negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Norton

SECONDED BY: Commissioner Dowswell

THAT the application be refused.

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 # 281/2008