



**Agricultural Land Commission**  
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October 8, 2008

Reply to the attention of Simone Rivers  
ALC File: W-38272

Jim and Evelyn Nichols  
Box 268 - 1139 Jackfish Lake Road  
Chetwynd, BC V0C1J0

Dear Sir/Madam:

**Re: Application to Subdivide within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 598/2008 outlining the Commission's decision as it relates to the above noted application. Also attached is a sketch plan illustrating the Commission's decision.

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: Peace River Regional District (074/2008)

Enclosure: Minutes/Sketch Plan

MC/  
i/38272d1



A meeting was held by the Provincial Agricultural Land Commission on September 24, 2008 at Chetwynd, B.C.

**PRESENT:** William Norton Chair, North Panel  
Denise Dowswell Commissioner  
John Kendrew Commissioner  
Martin Collins Staff

### For Consideration

Application: # W- 38272  
Applicant: Jim and Evelyn Nichols  
Proposal: To subdivide and adjust the boundaries of the three subject properties to create nine new properties ranging in size from 1.8 ha to 156 ha.  
Legal: 1. PID: 008-634-408  
Block B of District Lot 2576, Peace River District, EXCEPT The most Southerly 24.384 metres in parallel width thereof  
2. PID: 008-634-301  
District Lot 2195, Peace River District, EXCEPT Plan 18354  
3. PID: 014-816-547  
District Lot 2555, Peace River District  
Location: 13151 Jackfish Lake Road - Big Lake, north of Chetwynd

### Site Inspection

A site inspection was conducted on Wednesday, September 24<sup>th</sup>, 2006. Those in attendance were:

- William Norton Chair, North Panel
- Denise Dowswell Commissioner
- John Kendrew Commissioner
- Martin Collins Staff
- Jim and Evelyn Nichols, Applicants

Jim Nichols confirmed that the staff report dated September 5, 2008 was received and no errors were identified.

The Commission viewed the properties, noting that significant portions of DL 2555 did not lie within the ALR. In addition, significant ALR areas were also uncleared. The applicant indicated that much of the forested, swampy, low lying land was unsuitable for agriculture. Jim Nichols also amended the application indicating that he preferred that proposed lots 5,6 and 7 – lying north of Howe Rd. (2 ha each) to be amalgamated into a single 6 ha lot to be more consistent with rural parcel sizes in the area.

### 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.

The agricultural capability of the soil of the subject properties is;

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

The limiting factor on these soils is excess water.

### **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 does not believe the reconfigured property boundaries would significantly affect or limit existing or potential agricultural use of the subject, or surrounding lands. Both the 2 ha lakeshore parcel and the 6 ha lot lay on the periphery of the farm operation and were not cleared or cultivated.

### **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 subdivision proposal will not significantly impact agriculture.

### **IT WAS**

**MOVED BY:** Commissioner J. Kendrew  
**SECONDED BY:** Commissioner W. Norton

THAT the application to subdivide the three subject properties into six lots be allowed.

AND THAT the approval is subject to the following conditions:

- 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 # 598/2008**

ALC APPLICATION W-38272  
RESOLUTION # 598/2008

