

Agricultural Land Commission

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www.alc.gov.bc.ca

October 8, 2008

Reply to the attention of Simone Rivers ALC File: W-38304

Conord & Lorraine Isenbecker PO Box 6502 Fort St John, BC V1J1Z3

Dear Sir/Madam:

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 589/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Erik Karlsen, Chair

cc: Peace River Regional District (087/2008)

Enclosure: Minutes

MC/ i/38304d1



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

PRESENT: Wil

William Norton

Denise Dowswell John Kendrew

Martin Collins

Chair, North Panel

Commissioner Commissioner

Staff

For Consideration

Application:

W- 38304

Applicant:

Conord & Lorraine Isenbecker

Proposal:

Subdivision for a Relative: To subdivide 7.7 ha from the 60.8 ha

subject property so that the two owners can have separate title to

their portions of the property.

Legal:

PID: 005-170-427

The North East 1/4 of Section 27, Township 84, Range 18, West of

the 6th Meridian, Peace River District

Location:

Fines Avenue, North of Fort St. John

Site Inspection

A site inspection was conducted on Monday, September 22, 2008. Those in attendance were:

William Norton

Chair, North Panel

Denise Dowswell

Commissioner

John Kendrew

Commissioner

Martin Collins

Staff

Con Isenbecker

Applicant

Mr Isenbecker confirmed that the staff report dated August 29, 2008 was received and no errors were identified.

The Commission noted that the purpose of the application was to subdivide the existing home from the property

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:

- 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 property is;

- Class 2 Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

The information noted above and the site visit confirmed that the land had capability for agricultural development.

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 believes the subdivision would negatively impact existing or potential agricultural use of surrounding lands by severing 7.7 ha from the 61 ha property. In the Commission's view it was unlikely that the 7.7 ha area would be used for agriculture. In addition, creating a rural residential parcel in this area could raise expectations of further subdivision, and potentially result in conflicts between farming and residential uses. Heightened expectations and conflict both have the effect of reducing agricultural activity and decreasing agricultural investment.

Conclusions

- 1. That the land under application has agricultural capability, is appropriately designated as ALR and is suitable for agricultural use.
- 2. That the proposal will negatively impact agriculture.
- 3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: SECONDED BY:

Commissioner J. Kendrew Commissioner W. Norton

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.
 - (2) The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED Resolution # 589/2008