



Agricultural Land Commission
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October 6, 2008

Reply to the attention of Simone Rivers
ALC File: D-38309

Christine & Garnett Hart
PO Box 1224
100 Mile House, BC V0K2E0

Dear Mrs. and Mr. Hart:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 576/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

cc: Cariboo Regional District (4035-20-L084)

Enclosure: Minutes/

SBR/
38309d1

Discussion

Assessment of Agricultural Capability

The Commission noted that only portions of the property had been cleared and that some of the cleared areas had grown back in recent years. However, the Commission believed that the property has agricultural capability and is 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. The property is located in an area of predominantly large holdings. Smaller properties exist near lake shores but the Commission does not believe that these reduce the suitability of the subject property 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, when it considers applications for subdivision generally takes the view that subdivision is not consistent with long term agricultural activity and productivity. It is the Commission's experience that subdivision of large parcels is correlated with less agricultural activity rather than more and in the Commission believes the proposal would impact existing or potential agricultural use of the subject property and surrounding lands.

Assessment of Other Factors

The Commission is aware of the personal and family circumstances that have led to this application and although sympathetic to the reasons for which the applicants have made the request, the Commission does not believe that allowing subdivision is in keeping with its mandate to preserve agricultural land.

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 proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Gillette
SECONDED BY: Commissioner Huffman

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 # 576/2008