



Agricultural Land Commission
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June 18th, 2010

Reply to the attention of Simone Rivers
ALC File: #51620

W.D. McIntosh Land Surveying Ltd.
PO Box 1250
Vanderhoof, B.C.
V0J 3A0

Dear Sir:

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2462/2010 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of Bulkley Nechako File: #1085

MC/51620d1

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 expressed concern about the proposed subdivision, believing that the severance of 16 ha from the 89 ha parent parcel represented a substantial loss of grazing land from the subject property, and which on its own, did not constitute a suitable sized farm parcel for this area (given the prevailing soil and climate conditions).

In addition it is the Commission's experience that the 16 ha subject property would likely come under further pressure to subdivide, using the rationale that the parcel is not large enough for agricultural uses. Generally it is the Commission's view that the most appropriate way to preserve agricultural capability and encourage agricultural uses on ALR land is to retain parcels as large as possible, particularly in areas where soil and climate conditions restrict agricultural uses to seasonal grazing, pasture, or hay production.

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 negatively 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 Jim Collins
SECONDED BY: Commissioner William Norton

THAT the application to subdivide a 16 ha lot from the 89 ha property be refused as proposed.

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.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED
Resolution # 2462/2010