



Agricultural Land Commission
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September 13, 2010

Reply to the attention of Simone Rivers
ALC File: 51685

Richard & Sharon Antoniak
PO Box 140
Knutsford, BC
V0E 2A0

Dear Sir/Madam:

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2626/2010** outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Thomson-Nicola Regional District (ALR00016)

RW
51685d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on August 18, 2010 at Williams Lake, B.C.

PRESENT: Richard Bullock Chair
Gordon Gillette Vice Chair, Interior Panel
Denise Dowswell Commissioner
Ron Wallace Staff

ABSENT: Lucille Dempsey [recused herself] Commissioner

For Consideration

Application: 51685
Applicant: Richard & Sharon Antoniak
Proposal: To subdivide the 64 ha property into a 38.6 ha lot and a 27.6 ha lot. The applicants wish to subdivide the property in order to provide a lot for each of their sons.
Legal: The NW ¼ of Section 2, Township 19, Range 18, West of the 6th Meridian, Kamloops Division Yale District
Location: 3805 Goose Lake Road, Knutsford

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

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

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Subclasses

M soil moisture deficiency
P stoniness
T topography

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 Commissioners were concerned that the proposed subdivision would limit the range of farming activities that could be practiced on the property in the future. The Commission believes the proposal would impact existing or potential agricultural use of the subject property and the surrounding lands.

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 Dowswell

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*

(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, that the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter, and that if the applicant sells or transfers the property within one (1) year of the decision the new owner is not eligible to submit a request for reconsideration.

CARRIED
Resolution # 2626/2010