



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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June 18<sup>th</sup>, 2010

Reply to the attention of Simone Rivers  
ALC File: #51693

R.G. Holtby  
Regency Consultants Ltd.  
2533 Copper Ridge Drive  
West Kelowna, B.C.  
V4E 2X6

Dear Sir:

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

Please find attached the Minutes of Resolution # 2483/2010 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: 

Brian Underhill, Executive Director

Enclosure: Minutes

cc: City of Prince George

MC/51693d1



**A meeting was held by the Provincial Agricultural Land Commission on June 4, 2010 at Fort St John, B.C.**

<b>PRESENT:</b>	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Jim Collins	Commissioner
	Martin Collins	Staff

**For Consideration**

Application: #51693  
 Applicant: Dwain and Catherine Textor  
 Agent: Bob Holtby PAg  
 Proposal: To subdivide the 64 ha property into two 32 ha lots.  
 Legal: PID 013-688-715 S ½ of DL 7862, Cariboo District  
 Location: City of Prince George

**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 property is:

- 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.

The limiting subclasses are topography and excessive wetness. The CLI ratings are confirmed by the existing agricultural development (pasture, grazing, hay production) on the majority of the property.

It was noted that a large portion of the property was improved for agriculture and the subdivision application proposed to divide the improved area into two roughly equal sized areas.

### **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 noted that nearby there are rural residential lots (to the southwest). However, it does not believe the proximity of these parcels render the subject 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 that subdivision of arable land has the effect of reducing both productive capacity and the likelihood that the land will be used for agricultural purposes. Furthermore, smaller parcels also tend to come under greater subdivision pressure. In particular the Commission was concerned that the subdivision proposal would sever the agriculturally improved portion of the property in two roughly equal sized parts.

### **Assessment of Other Factors**

The Commission also recalled that it had previously refused the subdivision of the subject property into three lots (in 2007).

### **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 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 Denise Dowswell

**SECONDED BY:** Commissioner William Norton

THAT the application to subdivide the 64 ha property into two 32 ha lots 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 # 2483/2010**