



Agricultural Land Commission
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September 9, 2010

Reply to the attention of Simone Rivers
ALC File: 51837

Exton and Dodge Land Surveying Inc.
133 Borland Street
Williams Lake, BC
V2G 1R1

Attention: Doug Dodge

Re: Application for Non-farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2621/2010** 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 blue ink, appearing to read 'Brian Underhill', is written over the 'Per:' label.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Cariboo Regional District (1035-20-F250)

RW/
51837d1



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
	Lucille Dempsey	Commissioner
	Denise Dowswell	Commissioner
	Ron Wallace	Staff

For Consideration

Application: 51837
 Applicant: Terrance Fowler
 Agent: Exton & Dodge Land Surveying Inc.
 Proposal: To store RV's on a portion of the 7 ha property.
 Legal: Lot A District Lot 25 Cariboo District Plan 16230
 Location: 3217 Cariboo Highway 97 – South of Mission Ponds

Site Inspection

A site inspection was conducted on August 17, 2010. Those in attendance were:

- Richard Bullock Chair
- Gordon Gillette Vice Chair, Interior Panel
- Lucille Dempsey Commissioner
- Denise Dowswell Commissioner
- Ron Wallace Staff
- Doug Dodge Agent

The Commissioners and staff met with the proponent to view the site and discuss the application. The Commission noted that a portion of the subject property is being used for RV storage.

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

The Commission believes the unauthorized use of the property for RV storage represents a significant negative impact on the existing and potential agricultural capability of the subject property. The Commission does not believe this use is appropriate on ALR land and given that the land use is contravening regional district

bylaws, it would be appropriate for the regional district to bring the property's use into compliance with the bylaws, resulting in the removal of the storage facility from the property.

Conclusions

1. That the land under application is appropriately designated as ALR.
2. That a portion of land under application has been debilitated for agricultural use by unauthorized use as a RV storage facility, which contravenes regional district bylaws.
3. That the proposed unauthorized use is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Dowswell

SECONDED BY: Commissioner Dempsey

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, 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 # 2621/2010