



Agricultural Land Commission

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November 15, 2011

Reply to the attention of Liz Sutton
ALC File: 51736

Teresa & Kai Gibbon
6952 Upper Louis Creek Rd
Heffley Creek, BC
V0E 1Z1

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **362/2011** outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink that reads 'Liz Sutton'. The signature is written in a cursive, flowing style.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Thompson-Nicola Regional District (ALR00012)

LS/
51736d2



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 27, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Gordon Gillette	Chair
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Roger Cheetham	Regional Planner
Liz Sutton	Land Use Planner
Colin Fry	Executive Director

APPLICATION ID: #51736

PROPOSAL: To reconsider subdivision of the 2 ha property into a 0.8 ha lot and a 1.2 ha lot in order to facilitate the building of a second dwelling on the property.

(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Parcel ID:	002-940-736
Legal Description:	Lot 2, Section 11, Township 22, Range 15, West of the 6th Meridian, Kamloops Division Yale District, Plan 34648
Civic Address:	6952 Upper Louis Creek Road, Heffley Creek
Size:	2 ha
Area in ALR:	2 ha

PROPERTY OWNER INFORMATION:

1. Teresa & Kai Gibbon

DATE PROPERTY ACQUIRED: September 26, 2003

SITE INSPECTION MEETING:

No site inspection was conducted.

COMMISSION CONSIDERATION:

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission 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.

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) system.

The agricultural capability of the soil of the subject property is

- 5% Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
- 5% Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
- 90% Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

With limiting subclasses of excess moisture, topography, and stoniness.

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 Potential 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 the introduction of smaller lots in this area could precipitate further subdivision applications resulting in the reduction of overall agricultural potential. It is a contention of the Commission that parcelization in agricultural areas can result in the introduction of incompatible residential influences which have negative implications for agricultural use. The Commission believes the proposal would negatively impact existing or potential agricultural use of surrounding lands.

CONCLUSIONS:

1. That the proposal will negatively impact agriculture.
2. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Gordon Gillette
SECONDED BY: Commissioner Lucille Dempsey

THAT the previous decision be reconfirmed and that application be refused due to potential residential intrusion into agricultural areas.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 362/2011