



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

July 18, 2011

Reply to the attention of Jennifer Carson
ALC File: #52008

Theresa and Dale Pelton
RR #2
Box 2701
417 Ritchie Road
Clearwater, BC
V0E 1N0

Dear Mrs. and Mr. Pelton:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 248/2011 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, appearing to read 'Brian Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: District of Clearwater, PO Box 157, 132 Clearwater Station Road , Clearwater, British Columbia, V0E 1N0 (ALR-10-01)

JC/
52008d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

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

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Roger Mayer	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Jennifer Carson	Land Use Planner
Eamonn Watson	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

APPLICATION ID: #52008

PROPOSAL: SUBDIVISION - Proposal to subdivide 1.6 ha from a 4 ha property.
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Parcel ID: 001-536-478
Legal Description: Lot 1 District Lot 1722 Kamloops Division Yale District Plan 27488
Civic Address: 417 Ritchie Road, Clearwater
Size: 4.0 ha
Area in ALR: 4.0 ha
Current Land Use: Residential - house and garage
Farm Classification: No
(BC Assessment)
Property Owner(s): Dale & Theresa Pelton
Purchase Date: June 1987

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), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The improved agricultural capability ratings of the soil of the subject property are:
Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Subclasses

M soil moisture deficiency

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 any external factors that render the land unsuitable for agricultural use. As the property has good agricultural capability with improvements, it is more suitable for agriculture in its current size than if it was subdivided. In the Commission's view, reduction of parcel size generally reduces the available options for agricultural use. The Commission believed that the subject parcel had more agricultural potential and suitability as a single unit.

CONCLUSIONS:

1. That the land under application has good agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Dyson

SECONDED BY: Commissioner Collins

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 and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED
Resolution # 248/2011