



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 11, 2011

Reply to the attention of Jennifer Carson
ALC File: #52020

Roberta McCallum
2286 Garden Drive
Vancouver, B.C. V5N 4X2

Dear Ms. McCallum:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **231/2011** outlining the Commission's decision as it relates to the above noted application.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from Certificate of Title STC00452909.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

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/Sketch Plan

cc: TNRD (ALR00018)
Land Titles Office
BC Assessment

JC/
52020d1



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: #52020

PROPOSAL: EXCLUSION - to convert a previously occupied building into two strata lots.
(Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Parcel ID: 005-278-473
Legal Description: Lot 41 Section 11 Township 22 Range 15 West of the 6th Meridian
Kamloops Division Yale District Plan 26002
Civic Address: 7333 Cahilty Crescent, Whitecroft
Size: 0.4 ha
Area in ALR: 0.4 ha
Current Land Use: Residential
Farm Classification: No
(BC Assessment)
Property Owner: Roberta McCallum
Purchase Date: December 2001

EXCLUSION MEETING:

The applicant reviewed the staff report prepared for this application and made some comments regarding the soil quality being poor and submitted some photographs. Believing that the Commission had sufficient information to make a decision, Ms. McCallum waived her right to an exclusion meeting by way of an email received on May 16, 2011.

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 agricultural capability of the soil of the subject property is
Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Subclasses

P stoniness
T topography

Agricultural Suitability

The Commission noted that the property is 0.4 ha. Due to its small size, and secondary agricultural capability the Commission believes that this property is not suitable for agriculture. Furthermore, the Commission noted that the surrounding properties are also of a similar size and are also not suitable for agriculture.

Assessment of Potential Impact on Agriculture

The Commission believes that due to the small size of the property coupled with the surrounding properties of a similar size, exclusion of the subject property would not have an adverse impact on agriculture.

Other Factors

The Commission also discussed that the subject property and the surrounding properties were created prior to the introduction of the ALR and therefore some or all of the properties may not be subject to the Act despite their current ALR status. The other small lots in the area are also of little agricultural value due to their size, agricultural capability and location. As a result the Commission does not believe that these small lots are appropriately situated within the ALR. As such the Commission suggests that it would entertain a block exclusion application from the TNRD for those lots lying north of Strachan road and directly east and west of Cahilty Crescent and Cahilty Road. The Commission has directed staff to prepare a map clearly illustrating the properties it is willing to exclude. In the meantime, should the owners of the properties within this designated area wish to be excluded from the ALR, the Commission suggests that Criteria #1 of Decision Making to the CEO would be appropriate in this circumstance. This Criteria states that "exclusion, subdivision, non farm use and inclusion applications that fulfill a requirement of the Commission contained in a previous decision made by resolution" can be approved by the CEO (Resolution #008N/2011).

CONCLUSION:

That the land under application and the surrounding lots are not appropriately designated as ALR.

IT WAS

MOVED BY: Commissioner Gillette

SECONDED BY: Commissioner Miles

THAT the application be allowed.

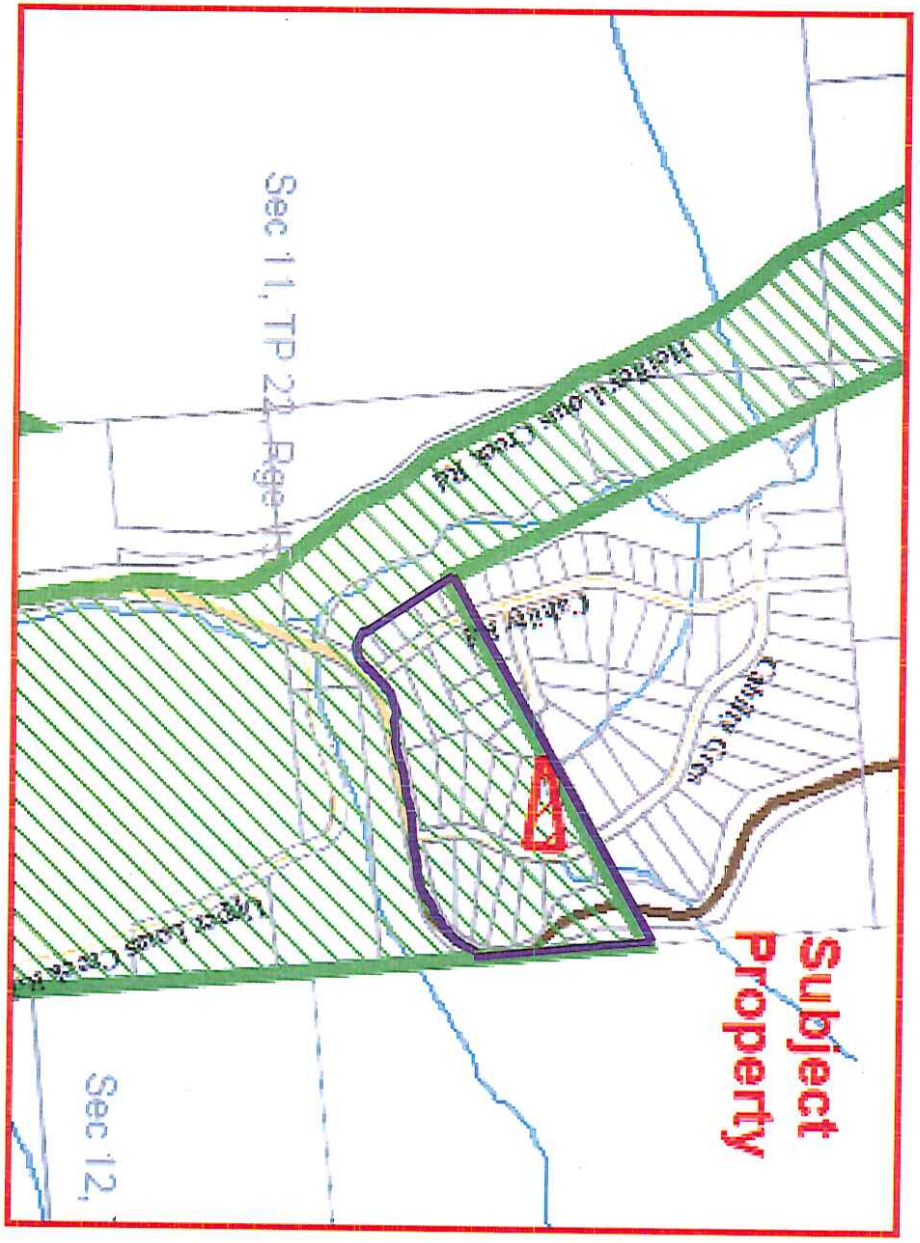
AND THAT the Commission delegates to the CEO the ability to approve the exclusion of the surrounding properties described as lots lying north of Strachan road and directly east and west of Cahilty Crescent and Cahilty Road through Criteria #1 of the Delegation to CEO (Resolution #008N/2011). These lots are clearly outlined in the appended map.




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 # 231/2011

ALC Application #52020
Applicant: Roberta McCallum
Resolution # 231/2011



- Legend**
-  Subject property approved for exclusion
 -  Area proposed for exclusion
 -  ALR Boundary