



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

November 14, 2011

Reply to the attention of Liz Sutton
ALC File: 52166

Dediluke Land Surveying Inc
4801 Keith Avenue
Terrace, BC
V8G 1K6

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **354/2011** 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.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

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

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Regional District of Kitimat-Stikine (File #3370 20 #290)

LS/
52166d1



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: #52166

PROPOSAL: Proposal for boundary adjustment between DL 1115 (Pintea), DL 1114 Lot B (Thompson), and DL 1114 Lot 5 (Webb) so that DL 1115 will have frontage on the east side of Merkley Road. Pintea then proposes to subdivide DL 1115 into six 4.0 ha to 5.6 ha parcels and one 38.5 ha remainder.

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

PROPERTY INFORMATION:

Parcel 1

Parcel ID:	005-439-213
Legal Description:	District Lot 1115 Range 5 Coast District Except Plan 11665
Civic Address:	Merkley Road, Terrace
Size:	64.6 ha
Area in ALR:	21 ha
Current Land Use:	Vacant

Parcel 2

Parcel ID:	007-700-873
Legal Description:	Lot 5 District Lot 1114 Range 5 Coast District Plan 8492
Civic Address:	Merkley Road, Terrace
Size:	14.8 ha
Area in ALR:	5.4 ha
Current Land Use:	Residential

Parcel 3

Parcel ID: 005-812-844
Legal Description: Lot B, District Lot 1114, Range 5 Coast District, Plan 9800
Civic Address: Merkley Road, Terrace
Size: 11.8 ha
Area in ALR: 7.8 ha
Current Land Use: Residential

PROPERTY OWNER INFORMATION:

1. Christine Pintea
2. Brent and Allison Webb
3. Thompson

DATE PROPERTY ACQUIRED: 1. February 8, 2011
2. March 29, 1996
3. March 20, 2007

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

- 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.
- Class 7 – Land in this class has no capability for arable or sustained natural grazing

With limiting subclasses of moisture deficiency, undesirable soil structure, and topography.

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. Insert details. The Commission does not believe the proposal would impact existing or potential agricultural use of surrounding lands.

Other Factors

By adjusting the boundary of DL 1115 to align with Merkley Road, road access is gained to the proposed subdivision.

CONCLUSIONS:

1. That the land under application is suitable for agricultural use.
2. That the proposal will not negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Jim Collins

SECONDED BY: Commissioner Jerry Thibeault

THAT the application be allowed as proposed

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 354/2011

**Resolution #354/2011 (52166 – Pinteá, Webb, Thompson) ALR
Allowed Boundary Adjustment and Subdivision**

PLAN OF PROPOSED SUBDIVISION OF
PARTS OF DISTRICT LOT 1115
EXCEPT PLAN 11665,
PART OF LOT B, DL1114, PLAN 9800
AND
PART OF LOT 5, DL 1114, PLAN 8492,
ALL IN RANGE 5, COAST DISTRICT.
(NORTH TERRACE)

SCALE 1:7500



DIMENSIONS APPROXIMATE ONLY-
SUBJECT TO LEGAL SURVEY

NORTH, SOUTH AND EAST BOUNDARIES OF DL 1115
ARE IMPRACTICAL FOR CONSTRUCTION OF THROUGH-ROADS.

LOT 1 DESIGN ALLOWS FUTURE SUBDIVISION OF NW PORTION
LEAVING 4.0 ha PORTION OF EAST SIDE OF ROAD.

VARIANCE FOR ROAD FRONTAGE REQUIRED FOR LOTS 2-6 AND REM.

PROPOSAL: NOV. 17, 2010
DEDLUKE LAND SURVEYING INC.
TERRACE AND NANAIMO, B.C.
F 2264Y10
C 2264D.DAT

