



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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April 16, 2012

Reply to the attention of Liz Sutton
ALC File: #52324

Daniel & Donna Schapansky
3152 Yellow Head Hwy
Clearwater, BC V0E 1N0

Dear Daniel and Donna Schapansky:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **114/2012** 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 (ALR00036)

JC/
52324d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

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

COMMISSION STAFF PRESENT:

Martin Collins	Regional Planner
Liz Sutton	Land Use Planner
Jennifer Carson	Land Use Planner
Colin Fry	Executive Director

APPLICATION ID: #52324

PROPOSAL: To subdivide 48.5 ha (29.7 ha ALR) into two lots with a minimum of 8 ha each and a 32 ha remainder lot. (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Parcel ID:	013-175-611
Legal Description:	District Lot 2054 Kamloops Division Yale District Except Those Portions Thereof Outlined Red and Green on Plan H861
Civic Address:	3152 Yellowhead Hwy s, Blackpool
Size:	48.5 ha
Area in ALR:	29.7 ha
Property Owner(s):	Daniel and Donna Schapansky
Purchase Date:	November 27, 2008

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.

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.

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

Subclasses

R	shallow soil / bedrock outcroppings	T	topography
I	inundation (flooding by streams, etc.)	W	excess water

Agricultural Suitability

The Commission noted that the land is currently used as a hobby farm and 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. Due to the limited agricultural capability of the land, the Commission noted that it is important that the land be retained in its current size in order to allow for future agricultural operations. Further, the Commission is not supportive of increasing the parcelization and resulting residential uses which can come into conflict with agricultural operations. The Commission believes the proposal would adversely impact existing or potential agricultural use of surrounding lands.

CONCLUSIONS:

1. That the land under application has limited agricultural capability but is still appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will negatively impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Dempsey

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 # 114/2012
