



**Agricultural Land Commission**  
133-4740 Canada Way  
Burnaby, British Columbia V5G 4K6  
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December 13, 2011

Reply to the attention of Gordon Bednard  
ALC File: 52364

Scott and Stacy Ebert  
11411 – 92<sup>nd</sup> Street  
Fort St. John, BC  
V1J 5E8

Dear Sir and Madam:

Re: **Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 464/2011 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in blue ink, appearing to read 'Brian Underhill', is written over the printed name.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District Attn: Jodi Maclean

GB/  
52364d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on October 26, 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
Richard Bullock	Commissioner

### COMMISSION STAFF PRESENT:

Gordon Bednard	Land Use Planner
Colin Fry	Executive Director

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### APPLICATION ID: # 52364

**PROPOSAL:** To subdivide a 4 ha residential lot from the 62 ha property as divided by a ravine and a hydro transmission line.

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

### PROPERTY INFORMATION:

**Parcel ID:** 014-939-932

**Legal Description:** The North East 1/4 of, Section 21, Township 83, Range 18, W6M, Peace River District, EXCEPT Plan A938

**Size:** 62

**Area in ALR:** 54

**Current Land Use:** 50 % in hay production, dwelling under construction, remainder covered by trees/scrub.

**Farm Classification:** No  
(BC Assessment)

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### PROPERTY OWNER INFORMATION:

1. Scott and Stacy Ebert

**DATE PROPERTY ACQUIRED:** September 2011 (purchased from Taurus Ventures (Scott Ebert - Director))

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### SITE INSPECTION MEETING:

A site inspection meeting was conducted on October 4, 2011 following which a report was prepared.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before the vote. The site inspection meeting report constitutes a written record of the site inspection meeting and has been provided to all Commission members recorded above.

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## **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 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

#### Subclasses

C      adverse climate  
T      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. The property is separated from non-farm commercial and residential land use by the Highway to the north. The ravine on the west side of the subject land leads to the Peace River to the south. While the ravine area is not itself arable due to its steepness, it tapers out to the north and therefore does not create an impassible barrier to the use of the arable portions of the land for farming.

### **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 is not generally supportive of the subdivision of agricultural land as it believes that smaller parcels are less able to support a wide range of agricultural activities. As well, in the experience of the Commission, the introduction of

residential size properties into agricultural areas often leads to conflicts between these uses, usually to the detriment of farming.

**CONCLUSIONS:**

1. That the land under application has agricultural capability and is 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 therefore inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Jim Collins

**SECONDED BY:** Commissioner Gordon Gillette

THAT the application be refused for the above reasons.

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 # 464/2011**