



**Agricultural Land Commission**  
133-4940 Canada Way  
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December 18, 2012

ALC File: # 52813

Danielle Doucet  
5768 Trans Canada Hwy W  
Cherry Creek, BC  
V2C 6C3

Dear Ms. Doucet:

**Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #402/2012 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

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.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure(s): Minutes of Resolution #402/2012

cc: Thompson-Nicola Regional District (File: ALR53)

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52813.

### COMMISSION MEMBERS PRESENT:

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

### COMMISSION STAFF PRESENT:

Liz Sutton	Land Use Planner
Brian Underhill	Executive Director

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**PROPOSAL:** To subdivide the 33.2 ha parcel into one 8.0 ha lot and one 25.2 ha lot.  
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

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### LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- (a) to preserve agricultural land;
  - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
  - (c) 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.
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### COMMISSION CONSIDERATION

After considering the file information the Commission concluded as follows:

1. 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 CLI ratings applicable to the subject property are Class 5MT and Class 4MF:

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

Limitations: (M) moisture deficiency, (T) topography, and (F) low fertility.

The subject property is located in an area of predominantly agricultural parcels within the ALR. The CLI ratings are characteristic of agricultural lands in the area and are generally more productive in larger parcels.

**Conclusion:**

The property has agricultural capability similar to other lands in the area being used for agriculture.

2. The Commission also considered whether the property was suitable for agriculture. This consideration included details such as property size, surrounding land use and limitations to agriculture.

**Conclusion:**

The Commission did not believe there are external factors that render the land unsuitable for agricultural use. In addition, subdivision would reduce the agricultural options of the subject property.

3. The mandate of the Commission is to preserve agricultural land and to encourage farming within the Agricultural Land Reserve. The applicant does not provide any agricultural rationale to support the proposed non-farm use.

**Conclusion:**

The proposal for non-farm use is inconsistent with objective of the *Agricultural Land Commission Act* to preserve and encourage agriculture.

**IT WAS**

**MOVED BY:** Commissioner Dyson  
**SECONDED BY:** Commissioner Thibeault

THAT the request be refused.

**CARRIED**

**Resolution #402/2012**