



Agricultural Land Commission
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June 10, 2014

ALC File: #53639

Burnem and Gertrud Grant
PO Box 334
Pouce Coupe, BC
V0C 2C0

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution #197/2014 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 Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #197/2014

cc: Peace River Regional District (File #31/2014)



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53639.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Gordon Bednard	Planner
Jennifer Carson	Planner
Martin Collins	Regional Planner
Colin Fry	Chief Tribunal Officer

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

SUBDIVISION: To subdivide a 5.2 ha lot from the 64.6 ha subject property as divided by Landsfried Road.

PROPERTY INFORMATION:

Owners: Gertrud and Burnem Grant

Legal: PID: 011-883-006
The South East $\frac{1}{4}$ of Section 14, Township 23, Range 18, West of the 6th Meridian, Peace River District

Location: Tupper, – south of Pouce Coupe, east of Tomslake

Size: 64.6 ha

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:
- to preserve agricultural land;
 - 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. The Commission assessed the agricultural capability of the subject property.

Conclusion:

The Canada Land Inventory (CLI) soil capability rating for the subject property is 4X with small areas at the northeast and southwest corners having a O5W rating. The 4X and O5W ratings indicate that the property has moderate agricultural capability, with excess water (W), organic matter (O) and cumulative and minor adverse characteristics (X) being the limiting factors to agricultural development. Much of the property has been cleared.

The ~5 ha area proposed for subdivision is comprised primarily of O5W soils, suggesting low lying, wet organic soils. These soils have capability for agricultural development if drained and cultivated.

2. The Commission assessed the agricultural impacts of the proposed subdivision.

Conclusion:

The subdivision of a residential lot in an area of large farm parcels is not consistent with the objectives of the *Agricultural Land Commission Act (ALCA)*; to preserve agricultural land and encourage farming. Subdivision incrementally erodes the arable land base and introduces residents into farm areas, potentially resulting in conflicts between farmers and residents. Although the proposed lot is divided from the agricultural remainder by Landsfried Road, the Commission does not consider the road to be a significant impediment to developing the 5 ha lot for agriculture because the road carries very limited traffic.

IT WAS

MOVED BY: **Commissioner Bullock**

SECONDED BY: **Commissioner Miles**

THAT the application to subdivide a 5 ha lot from the 64 ha subject property be refused.

CARRIED

Resolution #/197/2014