



**Agricultural Land Commission**  
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August 28, 2007

Reply to the attention of Simone Rivers  
ALC File: #P - 37273

Jeanette Thomson  
5151 Merkley Road  
Terrace, BC V8G 0B5

Dear Madam:

Re: Application to subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 408/2007 outlining the Commission's decision as it relates to the above noted application.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Dediluke Land Surveying Inc 4801 Keith Avenue Terrace, BC V8G1K6  
Regional District of Kitimat-Stikine (3370-20-275)

Enclosure: Minutes

RC/lv/37273d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on 10<sup>th</sup> August 2007 at the Northwest Regional Airport, Terrace-Kitimat, Terrace, B.C.

<b>PRESENT:</b>	Erik Karlsen	Acting Chair, North Panel
	John Kendrew	Commissioner
	William Norton	Commissioner
	Roger Cheetham	Staff

### For Consideration

Application: # P- 37273  
Applicant: Jeanette Thomson  
Agent: Dediluke Land Surveying Inc  
Proposal: To subdivide the 11.75 ha parcel to create two (2) lots, one (1) at 4.78 ha and one (1) at 6.97 ha in size.  
Legal: PID: 005-812-844  
Lot B, District Lot 1114, Range 5 Coast District, Plan 9800  
Location: Located at 5151 Merkley Road, Terrace

### Site Inspection

A site inspection was conducted on 10<sup>th</sup> August 2007. Those in attendance were:

- Erik Karlsen Acting Chair, North Panel
- John Kendrew Commissioner
- William Norton Commissioner
- Roger Cheetham Staff
- Mike Thomson Applicant
- Ted Pellegrino Regional District Staff
- Ken Newman Regional District Staff

The Commission noted that the subject property and the area in which it is located comprises rural residential parcels under trees with limited agricultural activity. Mr. Thomson indicated that the soils are difficult to manage forming a hard cement-like layer in the dryer months and experiencing drainage difficulties in wetter months.

### Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They 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.

The Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from or to include land into the ALR or to subdivide or use land in the ALR for non-farm purposes.

### Discussion

#### **Assessment of 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 rated as Class 5, improvable to Class 4 with soil moisture deficiency and an undesirable soil structure. Soils with this rating are generally limited to producing perennial forage or other specially adapted crops. With improvement and with special management practices an additional restricted range of crops can be grown.

#### **Assessment of Agricultural Suitability**

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission noted that the property is within an area of rural residential subdivisions on the outskirts of the City of Terrace that offers opportunities for small lot agriculture.

#### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission considered the proposal to be consistent with the agricultural potential of this area for small lot agriculture.

#### **Conclusions**

1. That the land under application has limited agricultural capability for small lot agriculture.
2. That the land under application is suitable for small lot agricultural use.
3. That the proposal will not impact agricultural potential.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land and encourage agriculture.

#### **IT WAS**

**MOVED BY:** Commissioner Erik Karlsen  
**SECONDED BY:** Commissioner William Norton

THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application drawn by Dediluke Land Surveying Inc.
- 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 # 408/2007**



**Staff Report**  
**Application # P – 37273**  
**Applicant: Jeanette Thomson**  
**Agent: Dediluke Land Surveying Inc**

**DATE RECEIVED:** March 6, 2007

**DATE PREPARED:** March 26, 2007

**TO:** Chair and Commissioners -- North Panel

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To subdivide the 11.75 ha parcel to create two (2) lots, one (1) at 4.78 ha and one (1) at 6.97 ha in size.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

**Local Government:**

Regional District of Kitimat-Stikine

**Legal Description of Property:**

PID: 005-812-844  
Lot B, District Lot 1114, Range 5 Coast District, Plan 9800

**Purchase Date:**

March 1983

**Location of Property:**

Located at 5151 Merkley Road, Terrace

**Size of Property:**

0 ha (The entire property is in the ALR).

**Present use of the Property:**

Residential storage buildings

**Surrounding Land Uses:**

**WEST:** Residential  
**SOUTH:** Residential, South West agriculture (outside ALR)  
**EAST:** Vacant  
**NORTH:** Vacant, North East agriculture (outside ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 103I/10  
The majority of the property is identified as having Prime Dominant ratings.

**Zoning Bylaw and Designation:**

Greater Terrace Zoning Bylaw No. 37  
Designation: N/A  
Minimum Lot Size: 10.0 ha

**PREVIOUS APPLICATIONS:**

**Application #06540-0**

**Applicant:** Thomson,  
**Decision Date:** July 11, 1978  
**Proposal:** To subdivide the property into one 9.1 ha lot and two 4.0 ha lots.  
**Decision:** Allowed

**Application #06540-1**

**Applicant:** Thomson,  
**Decision Date:** March 14, 1979  
**Proposal:** To subdivide the property into one 10.9 ha lot, one 4 ha lot and one 0.8 ha lot due to a highways request.  
**Decision:** Allowed

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Kitimat-Stikine Regional District Board:** The Regional Board forwarded the application with a recommendation of no objections.

**STAFF COMMENTS:**

Staff note the following:

- The subject property is forested as are the majority of the surrounding properties.
- The Commission previously allowed the applicant to subdivide the subject property with no objections.
- The majority of the ALR will remain in one property.
- The proposed properties are similar in size to surrounding lots both in and outside of the ALR.

**ATTACHMENTS:**

- Letter from the Regional District of Kitimat-Stikine describing the proposal.
- Sketch showing proposed subdivision plan (submitted by the agent for the applicant)
- ALC Context Map 1031.057 - 1:10,000 (Created by ALC Staff)
- Airphoto - 1:5,000 (Created by ALC Staff)

**END OF REPORT**

*Simone Rivers*

Signature

*March 29, 2007*

Date