



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: N-38082

September 3, 2008

L & M Engineering Ltd
1210 - 4th Avenue
Prince George, BC V2L3J4

Dear Sir/Madam:

Re: Application to Subdivide Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 442/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Regional District of Fraser-Fort George (ALR956)

Enclosure: Minutes

TK/
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A meeting was held by the Provincial Agricultural Land Commission on July 24, 2008 in Terrace, B.C.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	John Kendrew	Commissioner
	Terra Kaethler	Staff

For Consideration

Application: # N- 38082
 Applicant: Gordon and Catherine Rahn
 Agent: L & M Engineering Ltd
 Proposal: To subdivide the 31 ha property into 3 lots: 2 lots of approximately 9.5 ha and one lot of 11 ha.
 Legal: PID: 015-076-962
 District Lot 956, West 1/2 of the South West 1/4, Cariboo District
 Location: 7645 and 7655 Pedscalny Road

Site Inspection

A site inspection was conducted on July 22, 2008. Those in attendance were:

- William Norton Chair, North Panel
- Denise Dowswell Commissioner
- John Kendrew Commissioner
- Terra Kaethler Staff
- Gordon Rahn Applicant
- Cathy Rahn Applicant
- Heather Oland L & M engineering Ltd.
- Pascal Charest L & M engineering Ltd.

The Commission met with the proponents and viewed the property. It was noted that the property was currently leased for hay production and it was the applicants' intention that this use would not change with the subdivision. The Commission further noted that there was a mobile home residence on the property, occupied by the applicants' daughter.

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.

Assessment of Other Factors

The Commission further recalled that it was involved in the review of the Tabor-Lake Stone Creek OCP in 2004 and that the subject area was designated as Agricultural/ Resource lands and not identified as having potential to subdivide.

Conclusions

1. That the land under application has agricultural capability.
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 Norton
SECONDED BY: Commissioner Kendrew

THAT the application be refused as proposed.

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. The time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED

Resolution # 442/2008