



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

October 6, 2008

Reply to the attention of Simone Rivers
ALC File: D-38124

Robert & Monica Seguin
3489 Durrell Road
Quesnel, BC V2J3H5

Dear Mr. and Mrs. Seguin:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 575/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink that reads 'Simone Rivers'. The signature is written in a cursive, flowing style.

Erik Karlsen, Chair

cc: Cariboo Regional District (4035-20-A154)

Enclosure: Minutes/

SBR/
38124d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 17, 2008 at Merritt, B.C.

PRESENT:	Grant Huffman	Chair, Interior Panel
	Holly Campbell	Commissioner
	Gordon Gillette	Commissioner
	Simone Rivers	Staff

For Consideration

Application: # D- 38124
Applicant: Robert & Monica Seguin
Proposal: To subdivide the 107 ha subject property to create four lots total: two (2) 1.3 ha parcels in the north-west corner of the subject property adjoining Dale Lake Road, one (1) 12.0 ha parcel in the north-east corner of the subject property accessed from Durrell Road after subdivision the remainder will be 92.0 ha
Legal: PID: 024-108-901
 Lot 1, District Lots 3661 and 3975, Cariboo District, Plan PGP42270
Location: 3489 Durrell Road - 5 km south of Dragon Lake

Site Inspection

A site inspection was conducted on September 16, 2008. Those in attendance were:

- Grant Huffman Chair, Interior Panel
- Holly Campbell Commissioner
- Gordon Gillette Commissioner
- Simone Rivers Staff
- Monica Seguin Applicant

The Commission visited the areas of the property that were under application for subdivision. The applicants had previously subdivided one lot from the property by doing a boundary adjustment. The larger lot requested was on part of the property that hadn't been cleared for agricultural use. The two smaller lots were separated from a hay field by a small ridge and row of trees.

Ms. Seguin confirmed that the staff report dated June 10, 2008 was received and no errors were identified.

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.

Discussion

Assessment of Agricultural Capability

The agricultural capability of the soil of the majority of the subject property is rated as 60% Class 3TD – 40% Class 5 TP with limitations of D- undesirable soil structure, T- Topography and P-Stoniness.

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

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

The Commission believes the property has agricultural capability and is correctly designated as ALR.

Assessment of 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 notes that there are small lots in this area of ALR but also that there are many large holdings that are being used for agriculture. The Commission does not believe there are external factors that render the portions of the property under application unsuitable for agricultural use.

The Commission notes that the larger area, proposed for subdivision, while not as well developed for agricultural use as other portions of the property can be used in conjunction with the remainder of the property. The Commission believes that the entire property can be used as a single agricultural unit.

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, when it considers applications for subdivision, generally takes the view that rural residential lots are not consistent with long term agricultural activity and productivity. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands by introducing another permanent resident into the farm area which may be incompatible or conflict with typical farm practices. It further believes that the proposal would impact existing or potential agricultural use of the subject property by permanently removing portions of the property from the potential for production.

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 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 Gillette
SECONDED BY: Commissioner Campbell

THAT the application be refused.

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 # 575/2008