



Agricultural Land Commission
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October 8, 2008

Reply to the attention of Simone Rivers
ALC File: W-38273

Henry and Betty Reimer
Box 273
Prespatou, BC V0C 2S0

Dear Sir/Madam:

Re: **Application to Subdivide Land within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 587/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Peace River Regional District (075/2008)

Enclosure: Minutes

MC/
i/38273d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 24, 2008 at Chetwynd, B.C.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	John Kendrew	Commissioner
	Martin Collins	Staff

For Consideration

Application: # W- 38273
Applicant: Henry and Betty Reimer
Proposal: To subdivide the 128 ha parcel into two 64 ha lots lengthwise. 60.6 ha of the subject property is in the ALR.
Legal: PID: 014-708-574
District Lot 698, East 1/2 of, Peace River District
Location: 22023 Triad Road, Prespatou

Site Inspection

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

- William Norton Chair, North Panel
- Denise Dowswell Commissioner
- John Kendrew Commissioner
- Martin Collins Staff
- Berry Reimer Applicant

Betty Reimer confirmed that the staff report dated September 4, 2008 was received and no errors were identified.

The Commissioners viewed the property noting that portions (lying to the north and south extremities) of lay outside the ALR due to swampy conditions. The Commissioners were advised that the purpose of the subdivision was to provide the two homes on the property with their own titles. No information was provided as to when the second home was constructed. The 1997 orthophoto does not show the second home.

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

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 agricultural capability of the soil of the subject property is;

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The CLI rating and site visit confirmed that the ALR portion of the property has agricultural capability.

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 does not believe there are external factors that render the land unsuitable for agricultural use.

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 was concerned about the proposed subdivision because its experience is that larger parcels are more suitable for agriculture (and more likely to be used for agriculture). The Commission noted that only half of the 128 ha parcel was arable, and that 64 ha was a typical parcel size in the region. As such it did not believe that subdivision into two 32 ha "arable" areas would enhance agriculture. Furthermore the Commission noted that each of the proposed new parcels was bisected by an angled road, further reducing their agricultural utility.

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 subdivision 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 W. Norton
SECONDED BY: Commissioner J. Kendrew

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 # 587/2008