

October 6, 2008

Agricultural Land Commission

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www.alc.gov.bc.ca

Reply to the attention of Simone Rivers ALC File: D-38306

Lorne & Lynn Landry Box 635 100 Mile House, BC V0K2E0

Dear Mr. and Mrs. Landry:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 578/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Erik Karlsen, Chair

cc: Cariboo Regional District (4035-20-G260)

Enclosure: Minutes/

SBR/ 38306d1

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 Gordon Gillette

Commissioner Commissioner

Simone Rivers

Staff

For Consideration

Application:

D- 38306

Applicant:

Lorne & Lynn Landry

Proposal:

To subdivide the 120 ha property into an 88 ha property and a 32 ha

property.

Legal:

PID: 011-478-411

District Lot 716, Lillooet District

Location:

West of 108 Mile Resort on Tad 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 RiversMartin Collins

Staff Staff

Lorne Landry

Applicant

The Commission toured the property with the applicant. It walked throughout the portion of the property proposed for subdivision and noted that it had not been improved for agricultural use. However, the Commission also noted that this portion of the property was similar to the remainder.

Mr. Landry confirmed that the staff report dated August 13, 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
- 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 subject property is 80% Class 4T – 20% Class 3x improvable to 80% Class 4T – 20% Class 2C with limitations of T: Topography, C. Climate and X- cumulative and minor adverse characteristics.

- Class 2 Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 4 Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The Commission believes that the property has agricultural capability and is correctly designated as ALR. The Commission does not believe that there is a significant difference in capability between the portion of the property proposed for subdivision and the remainder of the property although the area proposed for subdivision had a few more topographical challenges.

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. The Commission noted that in its history it has considered very few subdivision applications in this area. It further noted that all previous applications in this area had been refused. The area generally has large agricultural holdings although some smaller properties exist as a result of survey corrections.

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 is generally reluctant to subdivide large properties, especially in areas where these types of properties predominate. It is the Commission's experience that subdivision tends to reduce, rather than increase, the likelihood that a property will be used for agriculture in the long term. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands and of the subject property.

The Commission is also concerned that subdivision would result in heightened expectations in this farm area, and precipitate similar applications. If routinely permitted, these types of subdivision would result in less farm activity and alienate farmland from potential agricultural uses.

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.

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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 # 578/2008