



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-38398

Dean Lundy
5840 Redwing Crescent
Nanaimo, BC V9T6H9

Dear Mr. Lundy:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 577/2008 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:

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-L086)

Enclosure: Minutes/

SBR/
38398d1



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- 38398
 Applicant: Douglas Pederson and Brenda Norfolk
 Agent: Dean Lundy
 Proposal: To exclude part of the 53.7 ha subject property to create a 30.4 ha twenty-eight (28) lot subdivision.
 Legal: PID: 004-083-776
 Lot A, District Lot 3869, Lillooet District, Plan 30050, EXCEPT Plan 31549
 Location: 6016 Horse Lake Road, 100 Mile House

Site Inspection

A site inspection was conducted on September 17, 2008. Those in attendance were:

- Grant Huffman Chair, Interior Panel
- Holly Campbell Commissioner
- Gordon Gillette Commissioner
- Simone Rivers Staff
- Martin Collins Staff
- Doug Pederson Applicant
- Brenda Norfolk Applicant
- Dean Lundy Agent

The Commission viewed the property and drove through the part the applicants wished to exclude. The Commission noted that the portion under application had topographical challenges and that the property was divided into a lower portion, which was improved for agricultural use and an upper portion that had not been improved. The applicants explained their belief that this portion of the property had too many limitations to make further agricultural improvement viable.

Mr. Lundy confirmed that the staff report dated August 26, 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 Commission noted that the area under application had challenges to its agricultural development; however, it believed that this portion of the property had agricultural capability and was correctly designated as ALR. It noted that the CLI ratings list this property as being improvable to 70% Class 4P – 30% Class 6T with limitations of topography and stoniness.

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 notes that this area has a long history of ranching and that most of the nearby rural residential subdivisions are located outside of the ALR.

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 allow exclusion and extensive subdivision in areas where there are large holdings and active ranching is occurring. It is the Commission's experience that such developments can lead to conflicts and result in less agriculture in the overall area. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands.

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 Huffman
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 # 577/2008