



Agricultural Land Commission
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May 4, 2009

Reply to the attention of Ron Wallace
ALC File: YY-38276

Linda Ronayne
Site 2 – Comp 0 – Erickson Road
Pemberton, BC – V0N 2L2

Dear Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #121/2009 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, appearing to read 'Erik Karlsen', written over a horizontal line.

Erik Karlsen, Chair

Enclosure: Minutes

cc:

RW/
i/YY-38276d1

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. In the Pemberton Valley, the ratings are taken from the *Soil survey of the Pemberton Valley, British Columbia January 1980* (Resource Analysis Bulletin 16).

The agricultural capability of the soil of the subject property is dominantly improvable to Class (2) adjoining the Lillooet River and Class (1) farther away from the river.

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 Commissioners also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commissioners considered that the creation of a rural residential lot as proposed would reduce the agricultural potential of the total property to an unacceptable level. The Commissioners considered that it would be possible to reduce but not totally eliminate the impact of the proposal by creating a rural residential lot consisting primarily of accreted land plus a minimal area along the driveway and around the residence and septic field. The Commissioners concluded that the only way to ensure an overall benefit to agriculture would be to extend the proposed consolidation to encompass both Lots 4 and 5 with the remainder of Lot 6.

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.
5. That it would be possible to modify the proposal in a way which would not only reduce the impact of creating a parcel for the existing residence but also create a long term benefit for agriculture.

IT WAS

MOVED BY: Commissioner Tomlinson
SECONDED BY: Commissioner Bose

THAT the application to resubdivide the land be refused as submitted;

AND THAT the applicant be advised that the Commission would be prepared to allow a resubdivision of Lots 4, 5 and 6...Plan 1417 provided that it

- extends to the current natural boundary of Lillooet River,
- defines the western boundary of the most easterly parcel so as to avoid existing farmland while encompassing the existing driveway, residence and curtilage (including septic field) together with accreted land not surveyed as part of the original Lot 6, and
- consolidates the balance of Lots 5 and 6 with Lot 4...Plan 1417;

AND THAT the applicant be advised that the Commission has no preference as to whether all or part of the accreted land to the north of the family member residence and curtilage forms part of the rural residential parcel or of the consolidated farm parcel, provided that the boundary is located with a view to encouraging the eventual preparation of most of the accreted land for agricultural production;

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 substantially 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 #121/2009