



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

December 10, 2008

Reply to the attention of Simone Rivers
ALC File: W-38581

Kenneth and Sharon Bassett
Box 2293
Dawson Creek, BC V1G4L1

Dear Mr. and Mrs. Bassett:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 778/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Simone Rivers
Erik Karlsen, Chair

Enclosure: Minutes/

cc: Peace River Regional District (169/2008)

SBR/
i/38581d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on December 3, 2008 in Fort St. John B.C.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Simone Rivers	Staff

For Consideration

Application:	# W- 38581
Applicant:	Kenneth and Sharon Bassett
Proposal:	To subdivide an 8 ha lot from the 64 ha property.
Legal:	PID: 014-330-954
	South East $\frac{1}{4}$ of Section 18, Township 78, Range 16, W6M, Peace River District, EXCEPT Plan H572
Location:	4220 - 208 Road, Arras

Site Inspection

A site inspection was conducted on December 2, 2008. Those in attendance were:

- William Norton Chair, North Panel
- Denise Dowswell Commissioner
- Simone Rivers Staff
- Sharon Bassett Applicant

The Commission met the applicant on the subject property. She explained that they wished to subdivide around the two existing houses on the property and include the yard and lagoon. The size of the proposed lot estimated to be between 10-20 acres. The Commission noted that only a small portion of the property had been cleared.

Mrs. Bassett confirmed that the staff report dated November 5, 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 only a small portion of the property was cleared for agricultural use. However, much of the surrounding lands had been cleared and improved. The Commission believes that the subject had agricultural capability similar to surrounding lands 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 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, when it considers applications for subdivision generally takes the view that subdivision is not consistent with long term agricultural activity and productivity. Subdivision erodes the productive capacity of the parent farm parcel and the creation of a new lot can lead to the creation of a new homesite, which means that less land is available for agricultural use in the long run. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands and of the subject property. In this case the Commission believes that any subdivision of the property will have a negative impact on agriculture.

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 Dowswell

SECONDED BY: Commissioner Norton

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.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution # 778/2008