



Agricultural Land Commission
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Reply to the attention of Gordon Bednard
ALC File: X-38709

April 14, 2009

Brian and Katherine Hanson
Box 1073
Cochrane, AB T4C1B1

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 107/2009 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes

cc: Powell River Regional District (599)

TK/
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A meeting was held by the Provincial Agricultural Land Commission on March 27, 2009, in Powell River, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Jennifer Dyson	Commissioner
	Roger Cheetham	Staff

For Consideration

Application: # X- 38709
 Applicant: Brian and Katherine Hanson
 Proposal: To subdivide the 3.7 ha property into 2 ha and 1.7 ha
 Legal: PID: 027-653-889
 Lot 4, District Lot 220, Texada Island, Plan BCP37755
 Location: Texada Island

Site Inspection

A site inspection was conducted on March 27, 2009. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Jennifer Dyson Commissioner
- Roger Cheetham Staff
- Brian and Katherine Hanson Applicants
- David Murphy Electoral Area Director

The Commission met with the applicants and walked the property. It was noted that the East side of the property had limited agricultural capability due to steep topography. However, the West portion of the property appeared to have more agricultural potential.

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, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is identified as Class 3 with limitations of topography and stoniness. Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

The Commission considered that the soil capability ratings reflected prime capability for agricultural use. Although at the site visit the Commissioner's viewed portions of the property that had limited potential for agriculture, it was of the view that the property as a whole could still support a broad range of agricultural activity in its present size.

It was noted that should the property be put into agricultural production in the future, the eastern area of the property with lower agricultural capability may be the best location to place farm buildings and other associated structures, to keep the more productive land to the west intact for agricultural use.

As such, the Commission believed that subdivision of the property would decrease the agricultural potential of the property.

Assessment of Agricultural Suitability

The Commission considered whether the property is suitable for agriculture, which included details such as property size, surrounding land use and external limitations to agriculture. The Commission considered that with the exception of lands adjacent to the west, the subject property is in a large block of ALR lands and that agricultural ratings of the property are similar to surrounding parcels in the area. Further, the majority of surrounding parcels are larger than the current size of the subject property.

Although the property is divided by Central High Road, the Commission did not believe that this presented a substantial barrier to the agricultural use of the property as a whole.

Therefore, the Commission did 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. In the Commission's view, reduction of parcel size generally reduces the available options for agricultural use. The Commission believed that the subject parcel had more agricultural potential as a single unit and that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

Further, the Commission believed that the proposed subdivision would encourage further parcelization of ALR properties within the area and may negatively impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has agricultural capability.
2. That the land under application is suitable for agricultural use.
3. That the proposal will negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Craven

SECONDED BY: Commissioner Dyson

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 # 107/2009