



Agricultural Land Commission
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September 18, 2009

Reply to the attention of Simone Rivers
ALC File: N-38751

Rebecca Louise Weaver
36161 Horrocks Road
Prince George, BC V2N 5Z6

Dear Ms. Weaver:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 304/2009 outlining the Commission's decision as it relates to the above noted application.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the printed name below.

Erik Karlsen, Chair

Enclosure: Minutes

cc: Regional District of Fraser-Fort George (ALR 4578 NW ¼)
BC Assessment, Prince George

SBR/
i/38751d1



A meeting was held by the Provincial Agricultural Land Commission on June 19, 2009 at the offices of the Regional District of Fraser-Fort George, Prince George, BC

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Erik Karlsen	Chair, ALC
	Roger Cheetham	Staff

For Consideration

Application: N-38751
 Applicant: Rebecca Louise Weaver
 Proposal: To developed a recreational retreat center including campground, cabins, recreational trails and retail space
 Legal: PID: 015-113-469
 Location: The North West ¼ of District Lot 4578, Cariboo District
 Camp Creek Road, South of Prince George

Site Inspection

A site inspection was conducted on June 18, 2009. Those in attendance were:

- William Norton Chair, North Panel
- Denise Dowswell Commissioner
- Roger Cheetham Staff
- Mike Ellison Husband of the applicant

The Commission walked part of the property in the vicinity of the area where it is proposed to site a campground. The Commission noted that the agricultural capability of this area is limited with undulating terrain. It also noted that the portion of the property south of Camp Creek Road is farmed and under hay.

Commissioner Eligible to Vote

Commissioner Karlsen was not present at the site inspection. It was confirmed that a summary of the site inspection was provided thus establishing the Commissioner's eligibility to vote on the application.

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 bulk of subject property is rated as Class 4 and 5 with topography and undesirable soil structure limitations. A small area is rated as Class 7 with topography limitations.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Class 7 – Land in this class has no capability for arable or sustained natural grazing

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 did not believe that there are external factors that render the land unsuitable for agricultural use. With regard to the proposed development the Commission considered that the proposed camp grounds, cabins and trails would not cause a major impact on agriculture and would help farm viability. However it was not in favor of the proposed office and country store which it considered would result in the introduction of non-farm uses into a rural area with undesirable consequences for agriculture. The Commission, however, recognized that it was possible for the applicant to establish a farm retail outlet selling on-farm product as provided for by BC Regulation 171/2002.

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 did not believe that the camp ground, cabins and trails would impact existing or potential agricultural use of surrounding lands. However it was concerned about the potential of the proposed country store to cause negative impacts on the subject and surrounding properties. It considered that a commercial outlet would only be appropriate within the terms and conditions of BC Regulation 171/2002.

Assessment of Other Factors

The Commission noted that the Regional Board, the Advisory Planning Commission and the local government staff all supported the application. It further noted that Ministry of Agriculture and Lands had no objection, noting that grazing in the area proposed for the development is limited due to environmental/riparian reasons.

IT WAS

MOVED BY: Commissioner Norton

SECONDED BY: Commissioner Dowswell

THAT the application be refused as proposed.

AND THAT an alternative proposal restricted to the camp ground, cabins and walking paths be approved subject to the following conditions:

- the submission of and approval by the Agricultural Land Commission of a plan showing the location of the facilities
- a maximum of 20 camping sites and 12 cabins
- a maximum floor area of 60m² for the cabins
- the development being confined to the areas north of Camp Creek Road.
- the development must be completed within two (2) years from the date of this decision.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

Resolution # 304/2009