



Agricultural Land Commission
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October 20, 2009

Reply to the attention of Simone Rivers
ALC File: 50121

Larry Randle
Deputy Corporate Officer
c/o Village of Chase
P.O. Box 440
Chase, BC V0E 1M0

Dear Mr. Randle:

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

Please find attached the Minutes of Resolution # **905/2009** 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', is written over the printed name.

Erik Karlsen, Chair

Enclosure: Minutes/

cc:

SBR/
/50121d1

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 noted that although a portion of the property had been developed for use as sewage lagoons for the Village of Chase, that portions of the property not in used for sewage lagoons were used for agriculture. A portion of the property was leased to a neighbouring landowner and in agricultural use and a portion of the property was used for rodeo grounds. Surrounding properties are all of similar size and in use 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 considered that the proposed use is to be temporary and would only be on site for two years. However, the Commission was concerned about the impact that two years of non-farm use would have on the soil and long term agricultural capability of this portion of the property. The Commission believed that the proposed non-farm use, although temporary would have a negative impact on the future agricultural capability of the subject property. The Commission further believes the development associated with the proposal would impact existing or potential agricultural use of surrounding lands.

Assessment of Other Factors

The Commission recalled that it had specifically stated in 1994, when it reviewed a previous application (ZZ-28262), that the use of the property to store recyclables would have a negative impact on surrounding land owners and agricultural operations. The Commission believes that the view taken in 1994 is still valid.

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 have a negative impact on 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 Gillette

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 # 905/2009