



Agricultural Land Commission
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5th April, 2010

Reply to the attention of Simone Rivers
ALC File:50334

Mark and Irene Froese
Box 607
McBride, BC
V0J 2E0

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2307/2010 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

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 a white background.

Erik Karlsen, Chair

Enclosure: Minutes

cc: Regional District of Fraser Fort George

rc/50334d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on 9th March 2010 in Smithers, B.C.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Jim Collins	Commissioner
	Roger Cheetham	Staff

For Consideration

Application:	#50334
Applicant:	Mark and Irene Froese
Agent:	N/A
Proposal:	To subdivide the 64 ha property into four 16 ha lots.
Legal:	PID: 015 228 258, District Lot 3535 Cariboo District, Except Plan 34402
Location:	955 Sansom Road, Southwest of McBride

Site Inspection No site inspection was conducted.

Meeting with Applicants

A meeting was conducted on 8th March 2010 at the Fraser Fort George Regional District offices in Prince George. Those in attendance were:

- | | |
|-------------------------|--------------------|
| • William Norton | Chair, North Panel |
| • Denise Dowswell | Commissioner |
| • Jim Collins | Commissioner |
| • Roger Cheetham | Staff |
| • Mark and Irene Froese | Applicants |

The applicants explained that they have farmed since 1979 and come from many generations of farmers. They have farmed a variety of products including dairy and beef cattle and vegetables. The proposed subdivisions are intended for three of their four children, their further intention being to give DL 3534 to the fourth child. The applicants pointed out that the subject property is stony and has consequently not been cleared. They emphasized that they wish to subdivide this property to avoid fragmenting their farm by developing the other parcels with greater agricultural potential. They indicated that they did not desire to consolidate any of their parcels as a condition of approval.

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 north east half of the subject property is rated as Class 4 with undesirable soil structure and excess water limitations. The south western half is rated as 60% Class 3 with undesirable soil structure and 40% Class 4 with undesirable soil structure and excess water limitations. However, the applicant indicated that these ratings are inaccurate and should be lower, the greater part of the property, in particular the southwestern half, having significant stoniness limitations.

- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

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.

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 proposed subdivision of the property would have any significant impact on the agricultural potential of the farm as a whole, having regard to the stoniness limitations of the subject property provided that consolidation of the better farm land takes place.

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, subject to the consolidation of the better farm land, the proposal will not have a negative impact on agriculture.
4. That, subject to consolidation, the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner D. Dowswell

SECONDED BY: Commissioner J. Collins

THAT the application be approved

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- consolidation of at least two parcels owned by the applicant to create a parcel of not less than 64 ha
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 2307/2010