



Agricultural Land Commission
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September 8, 2010

Reply to the attention of Simone Rivers
ALC File: 51716

Caroline Gilson
Double OO Ranch Ltd.
P.O. Box 680
150 Mile House, BC
V0K 2G0

Dear Madam:

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2620/2010** 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 'B Underhill', is written over the 'Per:' label.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Cariboo Regional District (File #4035-20-F249)

RW
/51716d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on August 18, 2010 at Williams Lake, B.C.

PRESENT:	Richard Bullock	Chair
	Gordon Gillette	Vice Chair, Interior Panel
	Lucille Dempsey	Commissioner
	Denise Dowswell	Commissioner
	Ron Wallace	Staff

For Consideration

Application: 51716
Applicant: Double OO Ranch Ltd.
Proposal: To subdivide the 61 ha property into a 9 ha lot and a 52 ha lot as divided by Mission Road.
Legal: Lot 2, District Lots 28 and 175, Cariboo District, Plan 33595
Location: 3260 Cariboo Highway 97 C

Site Inspection

A site inspection was conducted on August 17, 2010. Those in attendance were:

- Richard Bullock Chair
- Gordon Gillette Vice Chair, Interior Panel
- Lucille Dempsey Commissioner
- Denise Dowswell Commissioner
- Ron Wallace Staff
- Caroline Gilson Applicant

The Commissioners and staff met with the applicant to discuss the proposed subdivision. It was noted that the proposed subdivision would create a ±9 ha pie shaped lot to the north of Mission Road and that Ms. Gilson would live in the new house on the property. There is an existing house on the property adjacent to Highway 97C. Generally the property was seen as good agricultural land for hay and grazing.

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

- 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.
- Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Subclasses

P	stoniness
T	topography
X	cumulative and minor adverse
I	inundation (flooding by streams, etc.)
W	excess water

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 Commissioners were concerned that the proposed subdivision would limit the range of farming activities that could be practiced on the property in the future. Another concern was that if this subdivision were permitted it would heighten the expectations of other property owners in the area to be able to do the same. The Commission believes the proposal would impact existing or potential agricultural use of the subject property and the surrounding lands.

Assessment of Other Factors

The Commission has compassion for Ms. Gilson with regards to the difficult family circumstances. It is important to note that the Commission does not base its decisions on the personal circumstances of the applicant.

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 negatively 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 Gillette
SECONDED BY: Commissioner Dempsey

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, that the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter, and that if the applicant sells or transfers the property within one (1) year of the decision the new owner is not eligible to submit a request for reconsideration.

CARRIED
Resolution # 2620/2010