



Agricultural Land Commission
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September 10, 2010

Reply to the attention of Simone Rivers
ALC File: 51833

Exton and Dodge Land Surveying Inc.
133 Borland Street
Williams Lake, BC
V2G 1R1

Attention: Doug Dodge

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2624/2010** outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Cariboo Regional District (4036-20-D093)

RW
51833d1



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: 51833
 Applicant: Lillian Mirus
 Agent: Exton & Dodge Land Surveying Inc.
 Proposal: To subdivide the 22.4 ha lot into a 4 ha lot and an 18.4 ha lot. The applicant would sell one of the lots.
 Legal: Lot B District Lot 8864 Cariboo District Plan 29894
 Location: 749 Campbell Road, Williams Lake

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
- Doug Dodge Agent

The Commissioners and staff met with the proponents at the south east corner of the property on Campbell Road. The Commission viewed the property by driving along Campbell Road and noted that it is largely forested flat land. The Commission also noted there is a marshy area at the north of the property with more limited capability (Class 6 and 7).

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

Subclasses

- P stoniness
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 Commission, when it considers applications for subdivision generally takes the view that subdivision is not consistent with long term agricultural activity and productivity. The Commission believed that the subject parcel has 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. In this case the Commission believes that any subdivision of the property will have a negative impact on agriculture.

Assessment of Other Factors

The Commission recalled that it had recently reviewed the ALR on Fox Mountain in the context of the Williams Lake Fringe Area Official Community Plan. Although the Regional District had identified some ALR lands as being suitable for future subdivision and rural residential designation, the Commission did not agree with this assessment and did not endorse this aspect of the plan. In its comments to the Cariboo Regional District the Commission stated that *"the Commission recognized that the parcels designated as RR1 are smaller than 32 ha, and given their size and location, unlikely to be used as the building blocks of a larger ranch operation. That being said, the Commission believed that retaining the parcels in their current size better preserved their agricultural capability and encouraged their agricultural use."* Upon review of the

current application the Commission did not believe that subdivision of this property was in keeping with its mandate.

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 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 Dowswell

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 # 2624/2010