



Provincial Agricultural Land Commission - Staff Report

Application: 51838

Applicant: Giesbrecht Dairies Ltd
Local Government: Regional District of Fraser-Fort George
Proposal: To exclude the 65 ha property from the ALR.

BACKGROUND INFORMATION

The land has been partially cleared by applicant for production, but he states that it has proved to not be viable farmland. Applicant has not indicated any future land use proposals if land is excluded from the ALR but is requesting exclusion on the basis of poor capability. The applicant has offered to include other lands into the ALR that he also owns on the basis that these lands have better capability than the subject property.

PROPERTY INFORMATION

PID: 025-869-183
Legal Description: Block C, District Lot 1540, Cariboo District
Property Area: 65.0 ha
ALR Area: 65.0 ha
Purchase Date: February 24, 2004
Location: East off the end of Foes Road - Blackwater area
Owner: Giesbrecht Dairies Ltd

LAND USE

Current Land Use:
 Partly forested and partly logged. The logged area has not been improved for agricultural use.

Surrounding Land Uses:
 North: Undeveloped Crown Land
 East: Uncleared property - owned by applicant
 South: Hay production - owned by applicant
 West: Foes Road subdivision

PROPOSAL DETAILS

Exclusion Area: 65.0 ha
Agricultural Capability:
 The majority of the area under application is rated as: Secondary
Source: CLI
Mapsheet: 93G.086

RELEVANT APPLICATIONS

Application ID: 44864 **Legacy #:** 38022
Applicant: Giesbrecht Dairies Ltd
Proposal: To include 55.0 ha into the Agricultural Land Reserve
Decision:

Resolution #	Decision Date	Decision Description
270/2008	May 6, 2008	Allowed.

RELEVANT APPLICATIONS

Application ID: 42602

Legacy #: 36418

Applicant: Giesbrecht Dairies Ltd

Proposal: To use 10 to 14 ha of the property as a log sort yard and run a temporary sawmill utilizing wood from off the farm.

Decision:

Resolution #	Decision Date	Decision Description
21/2006	January 26, 2006	To allow the use of 16 ha of the property as a log sort yar and to run a temporary sawmill utilizing wood purchased from off the farm subject to the use being restricted to four years and the use being restricted to 16 ha of the property.

Application ID: 42376

Legacy #: 23332

Applicant: Lands , Parks & Housing

Proposal: Include 65.2 ha into ALR

Decision:

Resolution #	Decision Date	Decision Description
1377/1990	April 19, 1990	This resolution number is used to enter statistical information relating to the area approved for inclusion and subsequent decision by Cabinet. 65.2 ha was approved for inclusion into the ALR by OIC.

Application ID: 42081

Legacy #: 36072

Applicant: Giesbrecht Dairies Ltd

Proposal: To include the non-ALR portion of DL 1868 (38.5 ha) into the ALR

Decision:

Resolution #	Decision Date	Decision Description
480/2005	September 15, 2005	To allow the inclusion of the non-ALR portion of DL 1868 (38.5 ha) into the ALR.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Chilako River-Nechako OCP Bylaw no. 1586

Designation: Ag/Res

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Zoning Bylaw no. 833

Zoning Designation: Rural 3

Minimum Lot Size: 60.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

Regional District of Fraser-Fort George Council: The Regional Board forwarded the application with a recommendation fo support.

Ministry of Agriculture and Lands

Ministry of Agriculture and Lands Staff: MAL staff made the following comments about the proposal.

"MAL supports the aplication to trade a parcel located in the ALR for an equal size parcel located outside the ALR There are two specific reasons for the support:

1. The parcel being added to the ALR is 75% developed and partially irrigated while the parcel being excluded is only roughly cleared
2. By completing the trade of parcels, it solidifies the larger farm package which is currently for sale. The sale of on block 1500 acre ranch is beneficial to agricultural.

Overall this application has a net benefit to agriculture"

LOCAL GOVERNMENT INFORMATION

Comments and Recommendations:

Other

Mud River/Beaverley Farmers Institute:

"We do not oppose this proposal, but do have concerns regarding the initial acquisition of the property through the Agricultural Land Lease program. We were of the understanding that all land granted under the Ag Lease program was deemed arable. It is concerning to see an Ag Lease go through the whole process, only to be removed from the ALR. We do approve of the inclusion of the parcel into the ALR, if this exclusion is accepted.

ALC STAFF COMMENTS

The applicant states that he has attempted to improve the property for agricultural use but that it has limited agricultural capability and the improvements have not been successful. He has offered to include an alternate property into the ALR if this one is excluded. According to the airphoto the alternate property is largely cleared and improved for agriculture. Staff recommend that the Commission visit both properties when reviewing this application.

A comment from the local Farmer's Institute raised the question of why the property was sold as an agricultural lease if the capability of the property was not good. The Commission notes that while the property was Crown land that was sold through the agricultural lease program, it was not land that had been included into the ALR. This land was always in the ALR because the capability ratings are 40% Class 5TD, 30% Class 4T and 30% Class 4D with limitations of stoniness and undesirable soil structure.

One letter of opposition to the proposal was received in response to this application. Specific reasons for the opposition were not stated.

ATTACHMENTS

51838 local gov public meeting minutes.pdf
51838 local government report.pdf
51838 maps.pdf
51838 proposal description.pdf
51838 proposal sketch.pdf

END OF REPORT

Prepared by: Simone Rivers - September 14, 2010