



Agricultural Land Commission
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December 13, 2010

Reply to the attention of Ron Wallace
ALC File: 51860

Joe McBeth
3545 McKim Road
Pritchard, BC
V0E 2P0

Dear Sir:

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2813/2010** 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:

A handwritten signature in black ink, appearing to read 'B Underhill', written over a light blue horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Thompson-Nicola Regional District (ALR00027)

RW
/51860d1



A meeting was held by the Provincial Agricultural Land Commission on November 10, 2010 at Kamloops, B.C.

PRESENT:	Gordon Gillette	Vice Chair, Interior Panel
	Lucille Dempsey	Commissioner
	Roger Mayer	Commissioner
	Ron Wallace	Staff

For Consideration

Application: 51860
 Applicant: Jack & Lori McBeth
 Agent: Joe McBeth
 Proposal: To subdivide 16 ha from the 65 ha subject property, to provide a separate property and residence to family members.
 Legal: The SW ¼ Section 13 Township 19 Range 14 West of the 6th Meridian Kamloops Division Yale District Except Plan 24683
 Location: 3545 McKim road, Pritchard

Site Inspection

A site inspection was conducted on November 10, 2010. Those in attendance were:

- Richard Bullock Chair
- Gordon Gillette Vice Chair, Interior Panel
- Lucille Dempsey Commissioner
- Roger Mayer Commissioner
- Ron Wallace Staff
- Joe McBeth Applicant
- Jack McBeth Applicant

The Commissioners and staff met with the applicants to view the property and discuss the proposed subdivision. It was explained that the purpose of the application is to create a separate lot for Joe McBeth and his family to build a new home in which to live. It was noted the property has some topography and stoniness limitations but that these characteristics are common for land in the area.

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 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Subclasses

- C adverse climate
- P stoniness
- T topography

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. In the Commission's view, reduction of parcel size generally reduces the available options for agricultural use. The Commission believed that the subject parcel had 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.

Further, the Commission believed 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 intent of the Act is to preserve and protect agricultural lands and farm communities in the long-term and the Commission felt that the proposed subdivision was not in keeping with that 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 Mayer

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 # 2813/2010