



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

December 13, 2010

Reply to the attention of Ron Wallace
ALC File: 51880

Alan and Shirley Boon
288 Goose Lake Road
Box 143, Knutsford, BC
V0E 2A0

Dear Sir/Madam:

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2805/2010** 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 'KB Underhill', is written over the printed name.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Thompson-Nicola Regional District (No. ALR00026)

RW
/51880d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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: 51880
Applicant: Alan & Shirley Boon
Proposal: To subdivide 8 ha from a 50 ha parcel currently used for summer grazing. The proposed subdivision straddles Goose Lake Road and borders Long Lake Road. Goose Lake Road cuts through the proposed subdivision, creating two small parcels (5 ha and 3 ha) and a remaining 40 ha parcel.
Legal: Parcel A (K10061F) and Plan E11689) of Sections 17 and 18 Township 19 Range 17 West of the 6th Meridian Kamloops Division Yale District Except Plan 41961
Location: 288 Goose Lake Road

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

The Commissioners and staff viewed the subject property. The applicant, Alan Boon, was planning to attend the site inspection, but was unable to at the time.

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 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
- Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Subclasses

- P stoniness
- R shallow soil / bedrock outcroppings
- 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. The Commission observed from the site inspection that the property has topographic limitations and that the proposed subdivision includes property on both sides of Goose Lake Road. However, the Commission is generally reluctant to create small rural residential sized properties in agricultural areas such as that in which the subject property is located. Furthermore the Commission does not believe that Goose Lake Road is an impediment to the use of the property as a single unit. Lastly, the Commission does not wish to increase expectations that future requests for subdivision by a road for other properties would be accepted.

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 # 2805/2010