



**Agricultural Land Commission**  
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January 5, 2011

Reply to the attention of Martin Collins  
ALC File: 51862

Ronald Peterson  
PO Box 518  
Taylor, B.C.  
V0C 2K0

Dear Sir:

**Re: Application to subdivide within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #2821/2010 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 'Brian Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District (file: 80/2010)

MC51862/d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on December 10, 2010 in Prince George, B.C.**

<b>PRESENT:</b>	Denise Dowswell	Commissioner
	Jim Collins	Commissioner
	Lucille Dempsey	Commissioner
	Martin Collins	Staff

### **For Consideration**

Application: 51862  
Applicant: Ronald Peterson  
Proposal: To subdivide the 120 ha parcel into two 65 ha parcels.  
Legal: PID 003-913-953 S ½, Sec. 13, Twp 82, R. 18, W6M, PRD  
Location: South of Taylor – 232 Road

### **Site Visit**

The Commissioners (and staff) noted above, (including Richard Bullock, Chair) met with Bonnie Adolph on Wednesday, October 20<sup>th</sup>, 2010 and viewed the property. It was noted that the southerly half of the property was cleared and used for agriculture, but the northerly half was unimproved bush.

### **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 4X.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The limiting subclasses are cumulative and minor.

### **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. The adjoining and nearby parcels are large, and used for agriculture.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of subdividing this ½ section into two ¼ sections. During the on-site discussion with Ms Adolph no agricultural rationale was provided in support of the proposed subdivision. In view of this the Commission expressed concern that subdivision would not result in the clearing and agricultural use of the northerly 65 ha, and that instead a new home would be constructed on land currently improved and used for agriculture. It is the Commission's view that retaining parcels in larger sizes helps limit the impacts of residential uses, and increases the potential that the land will be used for agriculture.

### **Assessment of Other Factors**

The Commission noted that it had previously refused the same subdivision request in 2006.

The Commission also discussed in what circumstances it might approve subdivision of full and ½ sections into ¼ sections. In other circumstances, the Commission recalled it permitted subdivision when there was opportunity to consolidate other parcels in a farm operation; or when the subdivision clearly enhanced agriculture, through lease or rental agreements with other farm operators.

### **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR and is suitable for agricultural use.
2. That the proposal has potential to negatively impact agriculture.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

### **IT WAS**

**MOVED BY:** Commissioner J. Collins  
**SECONDED BY:** Commissioner D. Dowswell

THAT the application be refused as proposed.

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.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**  
**Resolution # 2821/2010**