



Agricultural Land Commission
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July 18, 2011

Reply to the attention of Jennifer Carson
ALC File: #52188

Michael Kidston Land Surveying Ltd
Box 970
100 Mile House, BC
V0K 2E0

Dear Mr. Kidston:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 245/2011 outlining the Commission's decision as it relates to the above noted application. As agent acting on behalf of a landowner(s), it is your responsibility to advise your client(s) of this correspondence.

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: CRD(4035-20-H158)

JC/
52188d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 27, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Roger Mayer	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowsell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Jennifer Carson	Land Use Planner
Eamonn Watson	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

APPLICATION ID: #52188

PROPOSAL: To subdivide 11.8 ha into a 6.4 ha lot and a 5.4 ha lot.
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Parcel ID: 027-456-994
Legal Description: Lot 1 District Lot 2965 Lillooet District Plan KAP86303
Civic Address: Canim-Hendrix Lake Road & Back Valley Road
Size: 11.8 ha
Area in ALR: 11.8 ha
Current Land Use: Vacant
Farm Classification: No
(BC Assessment)
Property Owner(s): Thomas Grafe
Purchase Date: The applicant's family has owned the property since 1982; the applicant purchased the property in 2003

COMMISSION CONSIDERATION:

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission 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.

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 improved agricultural capability ratings of the soil of the subject property are:

- 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		

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 and discussed that it does not believe this to be the case. The Commission discussed that while there exists some smaller ALR parcels in the area, it appears that they were created before the ALR was established. Furthermore, these parcels are separated from the subject property by Canim- Hendrix Lake Road. As to the applicant's discussion that the proposed parcels would meet the demand for hobby farms in the area, it has been the Commission's experience that smaller parcels are generally associated with less agricultural activity than larger lots. Furthermore, larger parcels have more agricultural options available to them, and as you decrease the size of a property it also decreases the types of agriculture that can occur on the property. The Commission believes that the subject property has more agricultural suitability as one property as opposed to if it were to be subdivided into two parcels.

Assessment of Potential Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. Commissioner Gillette, who is familiar with this area, advised the Commission that there are larger parcels in the surrounding area, and in general the Commission has not been in favour of subdividing these parcels into smaller units. Furthermore, the introduction of another residence into the area could have an adverse impact on the agricultural use of surrounding properties presently and in the future, through increasing land use conflicts to the detriment of agriculture.

Other Factors

The Commission also discussed the clarifications from the applicant who, upon receiving the staff report indicated that while he has owned the property since 2003, the property itself has been in the family since 1982. The applicant also corrected an error in the staff report which

stated that the property to the north was 32 ha, when it is in fact 15.6 ha. And lastly, the applicant explained that the subject property was created by a previous subdivision application which permitted the creation of the subject property from the property to the south as divided by the road. While the Commission appreciates the applicant taking the time to clarify these matters, the Commission did not believe that these factors affected its consideration of the agricultural merits of the proposal.

The Commission also discussed that the South Cariboo OCP places the subject property within an area with the minimum lot size of 32 ha.

CONCLUSIONS:

1. That the land under application has good agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use. This suitability would be reduced with subdivision of the property.
3. That the proposal will adversely 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 Dyson

SECONDED BY: Commissioner Dempsey

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 and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED

Resolution # 245/2011