



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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July 12, 2011

Reply to the attention of Gordon Bednard  
ALC File:#52238

Daniel and Penny McLean  
Box 613  
Dawson Creek, BC  
V1G 4H4

Dear Sir and Madam:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 259/2011 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 'B. Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District file 50/2011

GB/  
/52238d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on May 26, 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 Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Gordon Bednard      Land Use Planner

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### APPLICATION ID: #52238

**PROPOSAL:** The purpose of the subdivision is to make the parcels more attractive for real-estate sale (from RD report). The applicants state that they would like access to three lots off Braden Road and 2 off the Highway, and assert that the proposal is similar to a subdivision which was allowed to the west on Section 31.

### PROPERTY INFORMATION:

**Parcel ID:** 011-408-031.

**Legal Description:** North 1/2 of Section 29 Township 60 Range 17 West of the 6th Meridian  
Peace River District, Except Plan PGP45537

**Civic Address:** Kiskatinaw, Mile 22 near Lebell Subdivision

**Size:** 313.8 ha (in two lots)

**Area in ALR:** 282.2 ha

**Current Land Use:** Hay production with some uncleared land.

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### PROPERTY OWNER INFORMATION:

1. Daniel Harold McLean (Joint Tenant)
2. Penny Marlene McLean (Joint Tenant)

**DATE PROPERTY ACQUIRED:** November 1999

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## **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 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.

#### Subclasses

X cumulative and minor adverse

### **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. This property is within a rural area containing both land developed for farming and uncleared areas. There appear to be no residential growth pressures for increased subdivision of lands in the area. Therefore the Commission does not believe there are external factors that render the land unsuitable for agricultural use.

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

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission is generally not supportive of subdivision of lands with agricultural capabilities which indicate that the land would be suitable for agricultural development. The Commission believes that increased parcelization of lands in rural farming areas may introduce non-agricultural residential use which would lead to land use conflicts. Such conflicts would negatively impact existing or potential agricultural use of the subject and surrounding lands. As well, it is the Commission's belief that dividing agricultural land limits future farm options, and increases the per-acre cost of farmland.

**IT WAS**

**MOVED BY:** Commissioner Jim Collins  
**SECONDED BY:** Commissioner Denise Dowswell

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

That therefore the application be refused for the above reasons.

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 # 259/2011**