



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

November 14, 2011

Reply to the attention of Liz Sutton
ALC File: 52389

Betty J Barton
3682 Hawthorn Avenue
Terrace, BC
V8g 5E2

Dear Ms. Barton:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **353/2011** 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink that reads "Liz Sutton". The signature is written in a cursive, flowing style.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of Kitimat-Stikine (3370 20 #291)
BC Assessment

LS/
52389d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

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

COMMISSION MEMBERS PRESENT:

Gordon Gillette	Chair
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Roger Cheetham	Regional Planner
Liz Sutton	Land Use Planner
Colin Fry	Executive Director

APPLICATION ID: #52389

PROPOSAL: To permit a new second house in addition to retaining an existing cabin. The new dwelling would consist of a main house and an adjoining guest wing

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Parcel ID:	004-585-674
Legal Description:	District Lot 4117 Range 5 Coast District Except Plans 5500 and 1941
Civic Address:	Terrace, BC
Size:	53.3
Area in ALR:	53.3
Current Land Use:	Vacant, cabin

PROPERTY OWNER INFORMATION:

1. Wolfgang & Gabrielle Von der Burg

DATE PROPERTY ACQUIRED: July 15, 2010

SITE INSPECTION MEETING:

No site inspection was conducted.

Betty Barton (Agent) received the staff report dated September 21, 2011 and confirmed that there were no errors.

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) system.

The agricultural capability of the soil of the subject property is

- 40% Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- 60% Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

With limiting subclasses of moisture deficiency and excess water.

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 Potential Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. Since the property owners do not reside permanently on the property, the addition of the second dwelling will not greatly impact the number of people on the property. In addition, the position of the new dwelling is located between two benches, in an area that would be not utilized for agriculture. The Commission does not believe the proposal would negatively impact existing or potential agricultural use of surrounding lands.

CONCLUSIONS:

1. That the land under application is suitable for agricultural use.
2. That the proposal will not negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Jim Collins
SECONDED BY: Commissioner Lucille Dempsey

THAT the application be allowed as proposed.

AND THAT the approval is subject to the following conditions:

- the existing cabin cannot be replaced or enlarged.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 353/2011