



**Agricultural Land Commission**  
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November 30, 2011

Reply to the attention of Gordon Bednard  
ALC File: 52271

Terry and Norma Walker  
Box 187  
Pouce Coupe, BC  
V0C 2C0

Dear Sir and Madam:

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

Please find attached the Minutes of Resolution # 440/2011 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District Attn: Owen Bloor file# 62/2011

GB/  
52271d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on October 26, 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
Richard Bullock	Commissioner

### COMMISSION STAFF PRESENT:

Gordon Bednard	Land Use Planner
Colin Fry	Executive Director

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### APPLICATION ID: #52271

**PROPOSAL:** To subdivide the parent parcel of 17.1ha into 4 x 4.3 ha lots to develop home-sites for the applicant's children  
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*) Subdivision

### PROPERTY INFORMATION:

**Parcel ID:** 014-450-721

**Legal Description:** Parcel A (N38279) of the South East 1/4 of Section 5 Township 77 Range 14 West of the 6th Meridian Peace River District

**Size:** 17.1 ha

**Area in ALR:** 17.1 ha

**Current Land Use:** Residence and limited hay production on a portion of the land

**Farm Classification:** No  
(BC Assessment)

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### PROPERTY OWNER INFORMATION:

1. Terry and Norma Walker

**DATE PROPERTY ACQUIRED:** 1980

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### SITE INSPECTION MEETING:

A site inspection meeting was conducted on June 13, 2011 following which a report was prepared.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before the vote. The site inspection meeting report constitutes a written record of the site inspection meeting and has been provided to all Commission members recorded above.

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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 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

#### **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. This property is within an area dedicated to agriculture. Most dwellings in the area are farm dwellings. There is little to no non-agricultural development in the area which would have an impact on farm development with the exception of oil and gas activities.

#### **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 within the ALR as the subsequent increase in the residential component of an area often leads to conflicts between farm operations and residents. The Commission believes that residential land use is better accommodated in areas designated and zoned for such use, outside the ALR. In the case of this application, the Commission believes the proposal would impact existing or potential agricultural use of the subject and surrounding lands.



## Other Factors

### 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 for the above reasons, the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

### IT WAS

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

THAT 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 # 440/2011**