



Agricultural Land Commission

133 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
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December 5, 2011

Reply to the attention of Liz Sutton
ALC File: 52304

Elske Veniga
Box 113
Horsefly, BC
V0L 1L0

Dear Ms. Veniga:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **335/2011** 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.

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: Cariboo Regional District (4035-20-F1109)

LS/
52304d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 24, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Commissioner
Gordon Gillette	Commissioner
Sylvia Pranger	Commissioner
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Liz Sutton	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

APPLICATION ID: #52304

PROPOSAL: To exclude 0.95 ha of land from the ALR leaving a 58.5 ha remainder.
Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*.

PROPERTY INFORMATION:

Parcel ID: 015-074-943
Legal Description: District Lot 3765 Cariboo District, Except Plan 28691
Civic Address: Horsefly, BC
Size: 59.5 ha
Area in ALR: 59.5 ha
Current Land Use: Vacant
Farm Classification: Yes No
(BC Assessment)

PROPERTY OWNER INFORMATION:

1. Melville Davies

DATE PROPERTY ACQUIRED: September 3, 2010

SITE INSPECTION MEETING:

No site inspection was conducted.

Elske Veniga confirmed that the staff report dated September 14, 2011 was received and no errors were identified.

EXCLUSION MEETING:

On November 18, 2011 the Commission provided notice of the exclusion meeting to the applicant's agent. The Agent waived the opportunity to meet with the Commission for an exclusion meeting.

The exclusion meeting was held on November 24, 2011 at the office of the Agricultural Land Commission in Burnaby. Those in attendance were all those Commissioners and Staff noted above.

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 improved 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.
- 40% Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
- 20% Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

The limiting subclasses are topography 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. The Commission believes the proposal would negatively impact existing or potential agricultural use of surrounding lands. Exclusion of the subject property would create a pocket of non-ALR land within a cohesive ALR block.

CONCLUSIONS:

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the proposal will negatively impact agriculture by introducing a pocket of non-ALR land within a cohesive ALR block.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Jerry Thibeault
SECONDED BY: Commissioner Lucille Dempsey

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.

CARRIED

Resolution # 335/2011