



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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5th December, 2011

Reply to the attention of Roger Cheetham
ALC File: 52385

John Boys
P.O. Box 2660
Vanderhoof, BC
V0J 3A0

Dear Sir:

Re: Application for Subdivision in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **395/2011** outlining the Commission's decision as it relates to the above noted application.

Please send the lease document and the explanatory plan to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the lease.

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, appearing to read 'B Underhill', written over a light blue horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Regional District of Bulkley Nechako (ALR Appl. # 1112)

rc/
52385d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

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

COMMISSION STAFF PRESENT:

Colin Fry	Executive Director
Roger Cheetham	Regional Planner

APPLICATION ID: # 52385

APPLICANT: John Boyes

PROPOSAL: To subdivide a 115.9 ha property to create an approximately 2.0 ha parcel.

(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

PID: 014-842-726

The South ½ of Section 16 Township 19 Range 5 Coast District Except Thereout the most Southerly 66 feet in parallel width Thereof and Except Plans 9764 and PRP 43645

CURRENT LAND USE: A house and two sheds on the proposed 2.0 ha lot and a mobile home, chicken coop, tool shed and wood shed on the remainder.

SITE INSPECTION MEETING:

A site inspection meeting was conducted on 31st August 2011 following which a report was prepared. The Applicants approved the report in an e-mail dated 13th October 2011.

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.

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.

Discussion

Assessment of Agricultural Capability

Based on the information contained in Map 93K.1 (Scale 1:50,000) of the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system, the agricultural capability ratings are identified as being:

The unimproved and improved ratings of the property are 5:5T, 5:5D

Class and Subclass Descriptions

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

D undesirable soil structure
T topography

Assessment of Agricultural Suitability and Impact on Agriculture

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 noted that the property is within an area of relatively large properties at the northern edge of a large ALR block of land, the bulk of which is used for agriculture. Having regard to these considerations the Commission did not believe there are external factors that render the land unsuitable for agricultural use. Moreover, the introduction of an additional residential subdivision in a rural area would have a negative impact on agriculture in that it would reduce agricultural options and would increase potential for conflict between rural residents and agriculture.

The Commission noted that the reason for the application was to provide the owner's sister, who resides in the house, with security of tenure in the event that her brother sells the property. The Commission further noted that the sister had indicated in her 13th October 2011 e-mail that she was interested in pursuing a lifetime lease as another option to subdivision.

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.

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3. That the proposal will 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 J. Thibeault.

SECONDED BY: Commissioner D. Dowswell

THAT the application be refused as submitted

AND THAT a lifetime lease be approved subject to the following conditions:

- the lifetime lease be for a 2.0 ha area comprising the same area for which the application for subdivision was made as shown on the sketch plan attached to these minutes
- the lifetime lease must be completed within three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

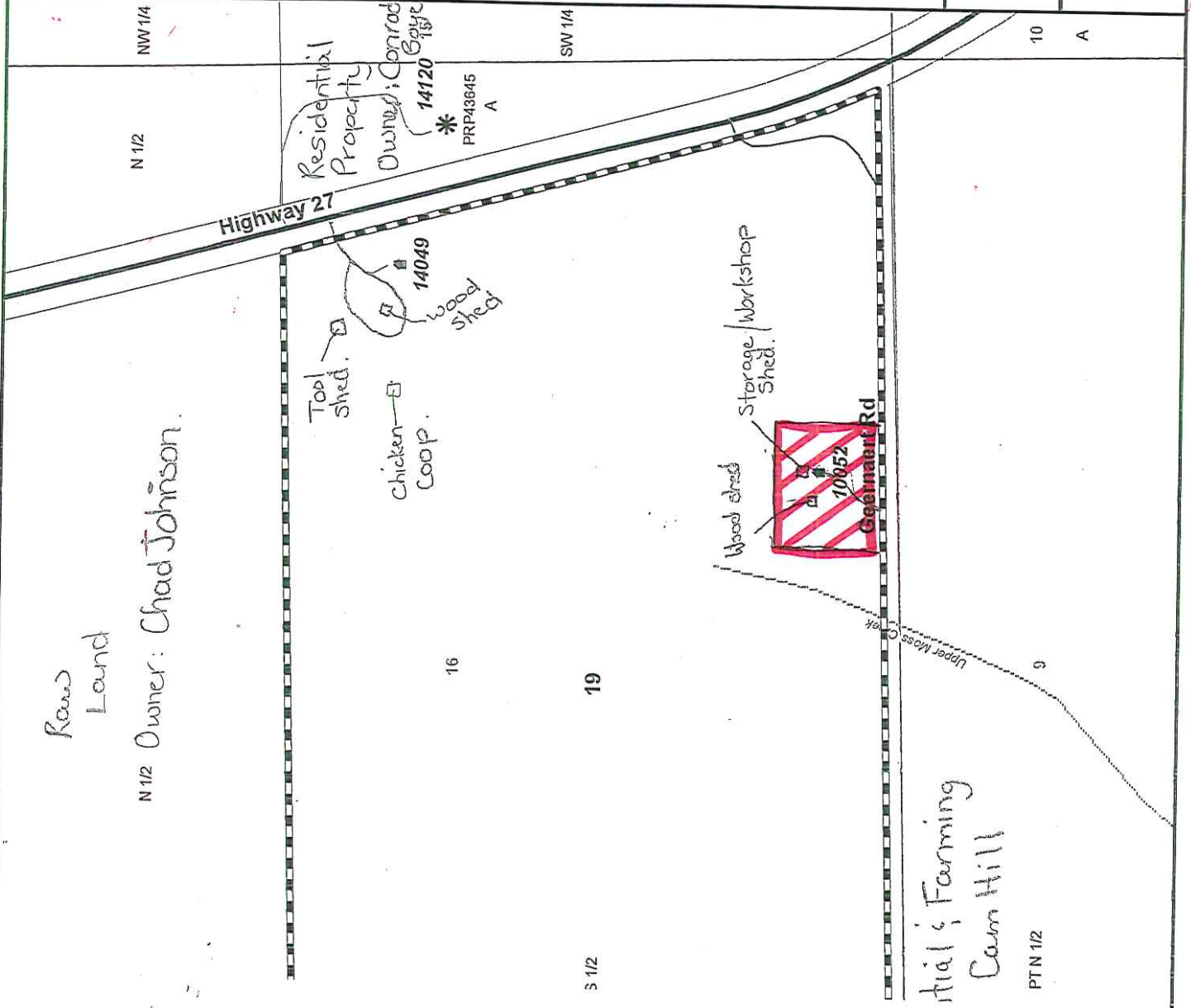
Resolution # 395/2011

Legend

- Civic Addressing**
- House
- Secondary suite
- Changed Address
- Mobile home
- Commercial building
- Tower
- Vacant property
- Church
- School
- Community Hall
- Transportation
- Forest Service Road
- Ferry
- Highway
- Major Secondary Road
- Secondary Road
- City Street
- Trail
- Driveways
- Railways
- Townships
- Waterbodies
- Lake
- River
- Welland
- Cadastral - Legal
- First Nations Reserve
- Municipal Boundary
- Electoral Area Boundary
- RDBN Boundary
- Parks

This map is an approximate representation and should only be used for reference purposes.

Created by the
Regional District of
Bulkley-Nechako
1 cm = 81 m



ALC APPLICATION #52385

Location of 2 ha area approved for lifetime lease

In terms of Resolution Number 395/2011