



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

5<sup>th</sup> December, 2011

Reply to the attention of Roger Cheetham  
ALC File: 52420

Mr. and Mrs. Davis  
P.O. Box 371  
Valemount, BC  
V0E 2Z0

Dear Mr. and Mrs. Davis:

**Re: Application for Subdivision in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 387/2011 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', written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of Fraser Fort George (ALR 6015/NE1/4)

rc/  
52420d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 26<sup>th</sup>, 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

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### APPLICATION ID: #52420

APPLICANT: Vern and Helen Davis

PROPOSAL: To subdivide a 16 ha parcel from a 59.3 ha subject property along Highway 16E  
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

### PROPERTY INFORMATION:

PID: 003-750-787

The north east ¼ of District Lot 6015 Cariboo District Except Plan 22312

CURRENT LAND USE: Structures include a residence, barn, hayshed and shop, some pasture, corrals and some wooded areas.

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<b>SITE INSPECTION MEETING:</b>
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A site inspection meeting was conducted on 30<sup>th</sup> August 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.

**Discussion****Assessment of Agricultural Capability**

Based on the information contained in Map 83E.04 (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 bulk of the property has Unimproved and Improved ratings of 7:3C – 3:4T. The eastern corner has Unimproved and Improved ratings of 7:5P and a very small area in the western corner has Unimproved and Improved ratings of 7T

**Class and Subclass Descriptions**

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.

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

Class 7 – Land in this class has no capability for arable or sustained natural grazing

C	adverse climate
P	stoniness
T	topography

**Assessment of Agricultural Suitability**

The Commission noted that the property is located within an extensive agricultural area and there are not any external factors that render the land unsuitable for agricultural use. With regard to the subject property the Commission recognized that it suffers from drainage problems and a portion of the property is within a hazard zone. However the Commission did not believe that these issues have a major impact on the suitability of the property for agriculture.

**Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the Highway 16E does not prevent the use of both sides of the property as one farm unit and that the size of the subject property is consistent with other parcels in the area. The Commission was of the view that the proposed subdivision would reduce the carrying capacity of the property for livestock and would reduce the potential range of agricultural options for the property.

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

## IT WAS

**MOVED BY:** Commissioner D. Dowswell  
**SECONDED BY:** Commissioner J. Collins

THAT the application be refused

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.

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 # 387/2011**