



Agricultural Land Commission
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December 16, 2011

Reply to the attention of Gordon Bednard
ALC File: 52432

Clay & Katrina Bassett
PO Box 2467
Dawson Creek, BC
V1G 4T9

Dear Sir and Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 474/2011 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in blue ink, appearing to read 'B. Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District Attn: Jodi Maclean file # 114/2011

GB/
52432d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

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

APPLICATION ID: # 52432

PROPOSAL: To subdivide a 2 ha lot from the 20 ha parcel. The proposed lot is occupied by a mobile home which is under renovation for the applicant's daughter.

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

PROPERTY INFORMATION:

Parcel ID: 004-275-217

Legal Description: The North West 1/4 of Section 13 Township 78 Range 17 West of the 6th Meridian Peace River District, Except PlanA2035 and Parcel A (106877M)

Size: 20 ha

Area in ALR: 20 ha

Current Land Use: permanent dwelling and mobile home (daughter), forested and cleared hayland/pasture

Farm Classification: No
(BC Assessment)

PROPERTY OWNER INFORMATION:

1. Clay and Katarina Bassett

DATE PROPERTY ACQUIRED: August 1995

SITE INSPECTION MEETING:

A site inspection meeting was conducted on October 4, 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.

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. The property is located in an agricultural area with active large-acreage farms located on three sides.

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 the creation of small residential lots in the ALR from larger properties with the capability to be developed for agriculture. This property has agricultural capability consistent with adjacent properties which are in active agricultural use and the creation of a residential lot would, in the long term, increase the likelihood of conflict between residential and agricultural land use. The Commission believes the proposal would negatively impact existing or potential agricultural use of the subject and surrounding lands.

Other factors

The Commission understands that the mobile has been on the property for some time, for the use of the sons of the applicants, and is located in an area of the property as yet uncleared and developed for agriculture. The Commission's concerns are for the long term, and there can be no assurance that the proposed residential lot will be retained by the family in the future. Sale of a small lot could introduce a resident unsympathetic to agricultural land use in the area. As well, a future owner of the parent parcel may wish to increase agricultural use of the land by the removal of the mobile and expansion of the pasture/hay area into this part of the property. A separate lot would preclude this expansion.

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 negatively impact agriculture.
4. That the proposal is therefore inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Jim Collins
SECONDED BY: Commissioner Jerry Thibeault

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 # 474/2011