



**Agricultural Land Commission**

133 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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June 6, 2012

Reply to the attention of Gordon Bednard  
ALC File: 52473

Conord and Lorraine Isenbecker  
9229 250 Road  
RR#1 Site 16, Comp 32,  
Fort St John, B.C.  
V1J 4H9

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution #20/2012 outlining the Commission's decision as it relates to the above noted application.

The applicant is 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.

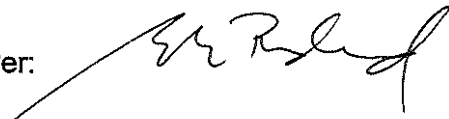
*S.33 (1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*

- (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.*

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District File: #133/2011



## PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 19, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

### COMMISSION MEMBERS PRESENT:

Gordon Gillette	Vice-Chair
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Gordon Bednard	Land Use Planner
Colin Fry	Executive Director

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### APPLICATION: #52473

**PROPOSAL: To subdivide a 9 ha lot from the 65 ha parcel for a retirement homesite.**

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

### 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.

After review of all file information presented the Commission has concluded as follows:

1. The parcel has good agricultural capability as indicated by CLI ratings of 8:2C -2:3T (30% of the property) and 7:3C 3:4X (70%) and is therefore suitable for agriculture. The property is also being used for agriculture.
2. There are no external factors that render the land unsuitable for agricultural use. The property lies in a farm area and the surrounding lands are a similar size and are used for agricultural purposes.
3. The proposal has potential to adversely impact existing or potential agricultural use of the property because if the homesite is subdivided then it is very likely that another homesite will be constructed on the agricultural remainder, reducing its agricultural potential. In addition the proposed 9 ha parcel is unlikely to be used for farming purposes, introducing either a residential or other use into this farm area. It is the Commission's experience that residential and other non-farm uses can create conflicts with farming, and raise expectations of land use change on surrounding lands.

4. The proposal will raise expectations for further residential parcelization of lands in a contiguous agricultural area.
5. The applicants do not appear to qualify for consideration under the ALC's Homesite Severance Policy, not having provided evidence that they purchased the property prior to December 21, 1972.
6. 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.

AND THAT the applicants 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.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

**CARRIED**

**Resolution # 20/2012**