



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

April 16, 2012

Reply to the attention of Liz Sutton  
ALC File: #52577

Gina Hidber  
c/o HBH Land Surveying Inc  
PO Box 536  
3883 – 3<sup>rd</sup> Avenue  
Smithers, BC  
V0J 2N0

Dear Ms. Hidber:

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

Please find attached the Minutes of Resolution # **118/2012** 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.

Please send two (2) paper prints of the final survey plans 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 plan.

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 that reads 'Liz Sutton'. The signature is written in a cursive, flowing style.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Regional District of Kitimat-Stikine (3370 20 # 294)

JC/  
52577d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on March 20, 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:

Liz Sutton	Land Use Planner
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### APPLICATION ID: #52577

**PROPOSAL:** To subdivide 16.2 ha from a 62.8 ha property for the purpose of creating a parcel for an immediate family member. (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

### PROPERTY INFORMATION:

<b>Parcel ID:</b>	015-728-897
<b>Legal Description:</b>	District Lot 2286 Cassiar District EXCEPT Plan 1464
<b>Civic Address:</b>	Kispiox Valley north of Hazelton
<b>Size:</b>	62.8 ha
<b>Area in ALR:</b>	62.8 ha
<b>Property Owner(s):</b>	Sandra McHarg
<b>Purchase Date:</b>	March 15, 1976

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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.

### 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.

The agricultural capability of the soil of the subject property is

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.

#### Subclasses

M soil moisture deficiency  
P stoniness  
T topography

#### Other Factors

The applicant has provided proof that she qualifies for consideration under the Homesite Severance Policy. The Commission discussed the previous approval under the Homesite Severance Policy that was not acted upon. The Commission believes that the applicant has the right to consideration under the Homesite Severance Policy, and therefore could be permitted one of the subdivisions but not both.

Furthermore, there is one existing approval for subdivision on the subject property which must be rescinded should this application be allowed.

#### CONCLUSIONS:

1. The applicant qualifies for consideration under the Homesite Severance policy
2. There is one existing approval for subdivision on the subject property which must be rescinded should this application be allowed.

#### IT WAS

**MOVED BY:** Commissioner Gillette  
**SECONDED BY:** Commissioner Thibeault

THAT the application be allowed.

AND THAT Resolution #676/1998 be rescinded should the applicant wish to pursue Resolution #118/2012.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- compliance with the Homesite Severance Policy
- the subdivision 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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

**CARRIED**

**Resolution # 118/2012**

**SKETCH PLAN OF PROPOSED SUBDIVISION**  
 Of District Lot 2286, Coastal District,  
 Except Plan 1464.

8025 934/012

SCALE:



The bounded plot area of this plan is defined in width by  
 500mm in height (0.5m) when plotted at a scale of 1:2000.

**LEGEND:**

All distances are horizontal ground-level dimensions in metres and  
 depths thereof unless otherwise noted.



**ALC #52577 (McHarg/Evans)  
 Resolution #118/2012**

DL 1054 DL 1050  
 DL 1050A  
 DL 316  
 Present Use - Residential and Farm  
 Woodstock District and Small Livestock  
 Stokes Road Road Location to be Determined from Survey



Present Use - Residential  
 roads, Outcrops by Mill Loch,  
 250m<sup>2</sup> area and boundary of the Home Site Entrance

Present Use - Residential  
 20 year old Trees on Old Fields

Rem DL 2286  
 43.4ha (107.3acres)

DL 1051

**Approved Lot A**

Proposed Lot A  
 16.2 ha (40 acres)  
 Existing C64h

Road Dedication  
 Area 3.80ha (9.39acres)

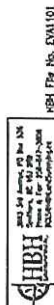
SWISS LOOSE BOARD

25m Road Dedication

DL 2525

Present Use - Residential Some Future Land for Homes

DL 2524



MBI File No. EWA1101

This plan lies within the Agricultural Land Reserve.  
 This plan lies within the Regional District of Kootenai Shire.