



**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

October 15, 2012

Reply to the attention of Liz Sutton  
ALC File: 52617

Attn: Gina Hidber  
HBH Land Surveying Inc  
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 #254/2012 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 Bulkley-Nechako (File: 1119)

LS/52617d1.



## PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on September 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

### COMMISSION MEMBERS PRESENT:

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

### COMMISSION STAFF PRESENT:

Liz Sutton	Land Use Planner
Colin Fry	Executive Director

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### APPLICATION: #52617

**PROPOSAL:** To subdivide approximately 17 ha from the 130.7 ha subject property for the applicant's son.  
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

### PROPERTY INFORMATION:

**Parcel ID:** 012-182-915  
**Legal Description:** District Lot 857, Range 5, Coast District  
**Civic Address:** 17774 and 18023 Telkwa High Road, Smithers  
**Size ha:** 130.7  
**Area in ALR ha:** 130.7  
**Current Land Use:** Cattle farm, residential (two dwellings)  
**Farm Classification:** Yes  
(BC Assessment)

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**PROPERTY OWNER INFORMATION:** Helen Bruhjell

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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.

After reviewing the file information the Commission has concluded as follows:

Although the applicant has only been registered as owner of the property since 2006, the applicant has lived continuously on the property with her husband since 1957. Until 2006, the property title was registered in the name of the applicant's husband. Due to the extended occupation of the applicant on the property, the Commission believes the applicant would qualify for consideration of subdivision under the ALC's Homesite Severance Policy ("the policy"). Although the applicant is eligible for subdivision pursuant to the policy, the proposal does not meet the criteria of the policy as the proposed lot is to be created for the applicant's son.

**Conclusion:** The Commission is amenable to allowing the subdivision in lieu of any future application for subdivision pursuant to the ALC Homesite Severance Policy.

**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. The applicant qualifies for subdivision under the ALC Homesite Severance Policy.

**IT WAS**

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

THAT the application to subdivide 17 ha from the 130.7 ha subject property for the applicant's son be allowed as proposed.

AND THAT the approval subject to the following conditions:

- the applicant agrees in writing to forgo any future application for subdivision pursuant to the ALC Homesite Severance Policy;
- the subdivision be in substantial compliance with the plan submitted with the application; and
- 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 # 254/2012**

DL 862  
Farm - Agriculture

Tp 2A  
Farm - Agriculture

Fr Sec 28 Tp 2  
Farm - Agriculture

807.69

**ALC #52617 (Bruhjell)**  
**Resolution #254/2012**

Block A DL 859  
Plan 6702  
Farm - Agriculture

Rem DL 857  
North of Telkwa High Road

Farm - Agriculture

Pre  
This pan

Telkwa High Road Plan 6702

802.94

921.87

142.88

28.25

396.51  
25.0m Road Dedication 2.24ha  
383.36

Existing Barn

Existing Shop

Existing House

Rem DL 856  
Farm - Agriculture

DL 857

**ALC**  
**Approved Lot**  
**+/- 17 ha**

$a=14.45$   
(5.54 acres)  
 $a=15.71$

178.97

355.89

Telkwa High Road  
 $a=51.83$  71.89  
 $a=47.68$  91.48

Prestr  
Trail Ric

561.38

631.81

Existing House

Rem DL 857  
South of Telkwa High Road

6.0m Waterline  
Easement

Pump House

29.97

Lot 1  
Plan 6400  
Residential

Lot 2  
Plan 6400  
Residential

Easement Plan 708

Rer

DL 1152

Farm - Agriculture

DL 1153

Farm - Agriculture

This plan lies wi  
This plan lies wi

195.00

594.76

170.24

48.83