



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

May 23, 2012

Reply to the attention of Gordon Bednard
ALC File: 52633

Henry and Sandra Braun
PO Box 243
Prespatou, B.C.
V0C 2S0

Dear Sir/Madam:

Re: Application for Subdivision in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #199/2012 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.*
- (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.*

Be advised a revised proposal does not constitute new information and will not be considered as a basis for reconsideration. The time limited for submitting a request for reconsideration is one (1) year from the date of the decision letter.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District File: 193/2011



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 17, 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

APPLICATION: ID: #52633

PROPOSAL: To subdivide two ~4 ha lots from the 64 ha property for the applicant's children. The applicants indicate that the proposed properties are not feasible for farming because they are severed from the main field by a road and oil lease.

(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 8 ha area proposed for the homesites has agricultural capability as indicated by a CLI rating of 7:5W 3:4X and is therefore suitable for agriculture. The land has been partially cleared and improved for agriculture
2. There are no external factors that render the land unsuitable for agricultural use. The property lies in a rural area where agriculture predominates;
3. The surrounding land uses do not impair the parcel from being used for agriculture because the properties are similar in size and rural in nature, and thus are compatible;

4. The subdivision of small lots is not generally supported by the Commission because of concerns about the erosion of agricultural capability and the introduction of non farmers into agricultural areas. It is the Commission's experience that rural residents are incompatible with farm operations because of differences in expectations, which can result in conflicts with farmers.
5. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land, and encourage farming.
6. It was noted that the applicant owned other cultivated farmed parcels in the area (nearer to Prespatou) that are not contiguous with the subject property, and are not in the Agricultural Land Reserve. The Commission believed that there may be opportunity to discuss potential inclusion options relative to subdivision. It is suggested that the applicants contact the ALC staff to discuss options.

IT WAS

MOVED BY:

Commissioner J. Thibeault

SECONDED BY:

Commissioner D. Dowswell

THAT the application be refused as proposed.

CARRIED

Resolution #199/2012