



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

October 4, 2012

Reply to the Attention of Liz Sutton  
ALC File: #52736

Exton and Dodge Land Surveying Inc.  
133 Borland Street  
Williams Lake, BC V2G 1R1  
Attention: Doug Dodge

Dear Mr. Dodge:

**RE: Application to Subdivide Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #56/2012 outlining the Commission's decision as it relates to the above noted application. The Commission draws your attention to sections 33(1) and 30.1 of the *Agricultural Land Commission Act*.

As agent, it is your responsibility to notify your client(s) accordingly.

**SECTION 33(1) - RECONSIDERATION OF DECISIONS**

Section 33(1) of the *Agricultural Land Commission Act* provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

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 as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Cariboo Regional District (File: 4035-20-D-2012007)



## 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:

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

### COMMISSION STAFF:

|                   |                    |
|-------------------|--------------------|
| Lindsay McCoubrey | Land Use Planner   |
| Liz Sutton        | Land Use Planner   |
| Colin Fry         | Executive Director |

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### APPLICATION ID: #52736

**PROPOSAL:** Subdivide a 0.04 ha lot from the 50 ha property.  
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

### PROPERTY INFORMATION:

|                           |  |
|---------------------------|--|
| <b>Parcel ID:</b>         | 025-511-602  |
| <b>Legal Description:</b> | Lot 1, District Lots 8861 and 8862, Cariboo District, Plan BCP1973 |
| <b>Civic Address:</b>     | 1785 Hilltop Road, North of Williams Lake                          |
| <b>Size (ha):</b>         | 50   |
| <b>Area in ALR (ha):</b>  | 34.2   |
| <b>Current Land Use:</b>  | Hay production; Northwest portion (not in the ALR) is forested.    |
| <b>Farm Status:</b>       | Yes  |
| <b>Property Owners:</b>   | Sharon Jacobson  |

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### BACKGROUND:

The purpose of the proposed subdivision is to create a small lot around an existing communications tower erected pursuant to Section 3(1)(m) of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*). The applicant would keep ownership of the proposed small lot and sell the remainder.

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**LEGISLATIVE CONTEXT FOR 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.

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**COMMISSION CONSIDERATION:**

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

- 1) The current location and size of the communication tower, as a non-farm use, does not adversely impact existing or potential agricultural use of the subject property and the surrounding lands.

**Conclusion:** The Commission is of the opinion that subdivision to isolate a non-farm use is not a valid reason for subdivision within the Agricultural Land Reserve. The proposed subdivision would fragment the current working landscape and therefore is not consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Collins  
**SECONDED BY:** Commissioner Thibeault

THAT the application be refused.

**CARRIED**  
**Resolution #56/2012**