



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

October 12, 2012

Reply to the attention of Ron Wallace
ALC File: # 52769

Village Ranch Ltd.
2087 Peterson Road
Box 481
Sorrento, BC V0E 2W0

Dear Sir/Madam:

Re: Application to Exclude Land from the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 82/2012 as it relates to the above noted application. The Commission draws your attention to sections 33(1) of the *Agricultural Land Commission Act*.

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 evidence 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.

Further correspondence with respect to this application should be directed to ALC Staff.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosure(s): Minutes of Resolution #82/2012

cc: Columbia-Shuswap Regional District (LC2460C)



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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. as it relates to Application #52769.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

COMMISSION STAFF PRESENT:

Ron Wallace	Land Use Planner
Brian Underhill	Executive Director

PROPOSAL

To exclude an approximately 3.24 – 4.05 ha (8 – 10 acre) portion of the subject property from the ALR for the purpose of constructing a church, a multi-use building, softball field, tennis courts, and a soccer field for the River of Life Community Church.

(Application for exclusion submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)

EXCLUSION MEETING

An exclusion meeting was held on August 22, 2012 at the site of the subject property between Greer Road and Highway #1, near Blind Bay. Those in attendance included the Commissioners Bullock, Miles and Johnson, ALC staff Ron Wallace and applicants John Born and Reuben Pauls.

It was discussed by the applicants that the subject area is not suitable for farming due to its crescent shape and narrowness which makes it difficult to maneuver large farm machinery. However, it was noted that the subject area, like the whole property, was in hay production.

The applicants explained that there is a shortage of recreational land in the community and that the purpose of the application is to provide for this need.

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
 - (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.

COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. The agricultural capability ratings identified on Canada Land Inventory (CLI) map 82L/14 is Class 2. The subclass limitations associated with the agricultural capability rating are (D) undesirable soil structure and (T) topography.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crop, or both.

Conclusion: The subject land has good agricultural capability and should remain in the ALR.

2. The applicants claim that due to the shape and narrow access to the subject area the use of large farming equipment is extremely difficult. As a result, farming of the subject area would require smaller machinery than is in operation for the rest of the property.

Conclusion: At the time of the on-site meeting the subject area, like the whole property, was in hay production and therefore is believed to be very suitable for agricultural use.

3. That there is a shortage of recreational land in the community and that the purpose of the application is to provide for this need.

Conclusion: The proposal is contrary to the South Shuswap Official Community Plan Bylaw No. 700 policies for areas designated A1 – Agriculture and the South Shuswap Zoning Bylaw No. 701 zone AR1 – Agriculture. The Commission believes changing the current use to institutional – by re-designating and rezoning the property – would negatively impact the agricultural potential of the area.

IT WAS

MOVED BY: Commissioner Miles
SECONDED BY: Commissioner Bullock

THAT the request to exclude an approximately 3.24 – 4.05 ha (8 – 10 acre) portion of the subject property from the ALR be refused.

AND THAT the applicant be advised that a revised proposal does not constitute new evidence and will not be considered as a basis for reconsideration, that the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter, and that if the applicant sells or transfers the property within one (1) year of the decision the new owner is not eligible to submit a request for reconsideration.

CARRIED

Resolution #82/2012