



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

November 21, 2013

ALC File: #52851

Daryl and Cheryl Ireland
RR#2, Site 19, Comp 21
2933 - 216 Road
Dawson Creek, BC
V1G 4E8

Dear Mr. and Mrs. Ireland:

Re: Reconsideration Request – ALC Resolution #432/2012

Please find attached the response of the Agricultural Land Commission with respect to your Request for Reconsideration.

Further correspondence with respect to this application is to be directed to Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Response to Request

cc: Peace River Regional District (File: 129/2012)

52851m1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to the Request for Reconsideration of Application #52851.

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
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REQUEST FOR RECONSIDERATION

The Commission received correspondence dated April 24, 2013 requesting reconsideration of its decision recorded as Resolution #432/2012, by which the proposal to subdivide the 64.7 ha property into one 25.7 ha lot and one 39 ha lot was refused.

Owners: Daryl and Cheryl Ireland

Original Proposal: (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)
Subdivide the 64.7 ha property into one 25.7 ha lot and one 39 ha lot

Legal: PID: 014-459-647
Northwest ¼ of Section 21, Township 79, Range 15, West of the 6th Meridian, Peace River District

Location: Kilkerran

Original Decision: Refused as the proposal was inconsistent with the purposes of the *Agricultural Land Commission Act* to preserve agricultural land and to encourage agriculture.

Current Request: To reconsider the original proposal based on the applicants' April 15, 2013 letter to which was attached an April 15, 2013 letter from the prospective owners, Jordy and Amanda Fossum, as to their plans to use the land for cattle production.

LEGISLATIVE CONTEXT FOR COMMISSION RECONSIDERATION

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.

DECISION REGARDING THE REQUEST FOR RECONSIDERATION

The Commission does not believe that the applicants have provided evidence that was not available at the time of the previous decision. The Commission was aware of the capability of the land to be used for cattle and forage production and the applicants' desire to provide a home site and farming opportunity for their daughter and son-in-law. The Commission is also aware that a variety of agricultural activities can, and does, take place on properties of all sizes in the ALR. However, on lots containing lands with agricultural capability limitations, it is the experience of the Commission that larger lots are more suitable for agriculture in the long term.

The Commission remains of the belief that the proposed subdivision is not in the best interest of the long-term future of agriculture. The Commission must take a long term (multi-generational) perspective in fulfilling its mandate. While subdivision may make land available to more people in the short term, it also makes the land more attractive to persons who are simply looking for a residential lot and are not interested in farming.

The Commission reminds the applicants that under the ALC Regulations, their daughter and son-in-law would be permitted to locate and occupy a manufactured home on the property and utilize all, or a portion, of the land for their proposed cattle operation without subdividing the property.

Conclusion:

The Commission decided not to reconsider Resolution #432/2012.