



Agricultural Land Commission
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www.alc.gov.bc.ca

October 2, 2013

ALC File: #53162

Timber Valley Studio Farm Ltd.
4335 Hinkelman Road
PO Box 113
McBride, BC
V0J 2E0

Dear Sirs:

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

Please find attached the Minutes of Resolution #239/2013 and a sketch plan as it relates to the above noted application.

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.

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

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #239/2013

cc: Fraser Fort George Regional District

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MINUTES OF THE 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 Application #53162.

COMMISSION MEMBERS PRESENT:

Gordon Gillette	Acting Chair
Jerry Thibeault	Commissioner
Denise Dowswell	Commissioner
Lucille Dempsey	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Gordon Bednard	Land Use Planner
Lindsay McCoubrey	Land Use Planner

PROPOSAL Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*

To subdivide a 4 ha lot from the 13.3 ha property to sever dual ownership and place each of the existing homes on its own title. One applicant has lived on the property since 1973, the other purchased an interest in the property in the early 1980's. Two homes and attendant outbuildings occupy the property, which also contains a 4.8 ha hayfield to be retained with the northerly 9.3 ha lot.

PROPERTY INFORMATION:

Owner: Timber Valley Studio Farm Ltd.

Legal: PID: 011-247-827 Lot 1, DL 7225, Cariboo District, Plan 17877

Location: McBride

Size: 13.3 ha

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.
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COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. The Commission considered the agricultural capability of the 13.3 ha property.

Conclusion:

The Canada Land Inventory rating for the 13.3 ha property is 6:4X - 4:5P, indicating that the land has capability for soil based agriculture with limitations of stoniness and other, cumulative and unspecified soil restrictions. Airphotos indicate that that ~5 ha is improved for agriculture and would be retained with the 9.3 ha remainder. The majority of the property is forested.

2. The Commission considered the agricultural impacts of subdividing a 4 ha lot to sever the two homesites.

Conclusion:

The Commission noted that the applicant does not qualify for consideration under its Homesite Severance Policy, having purchased the property after December 21, 1972.

The Commission expressed concerns about dual ownership, and the construction of two homes, on a single property because it inevitably results in the property owners seeking to subdivide to secure each home on its own separate title. This is why the Commission often refuses to permit more than one home on a single parcel. Other "two home" subdivision applications have been refused.

However, the Commission did not believe that there were any substantive negative impacts arising from the proposed subdivision. The subject parcel is relatively small from an agricultural perspective (for this region), and the developed agricultural land is retained as a unit on the 9.3 ha lot. There are no additional residential impacts because the number of residences remains constant.

IT WAS

MOVED BY: Commissioner Thibeault
SECONDED BY: Commissioner Dowswell

THAT the proposal to subdivide a 4 ha lot from the 13.3 ha property be allowed.

AND THAT the final approval is subject to:

1. The applicant submitting the following documentation for Commission review and approval prior to final approval:
 - a. The Preliminary Layout Approval (PLA) specifying the requirements for subdivision identified by the Approving Officer from the Ministry of Transportation and Infrastructure

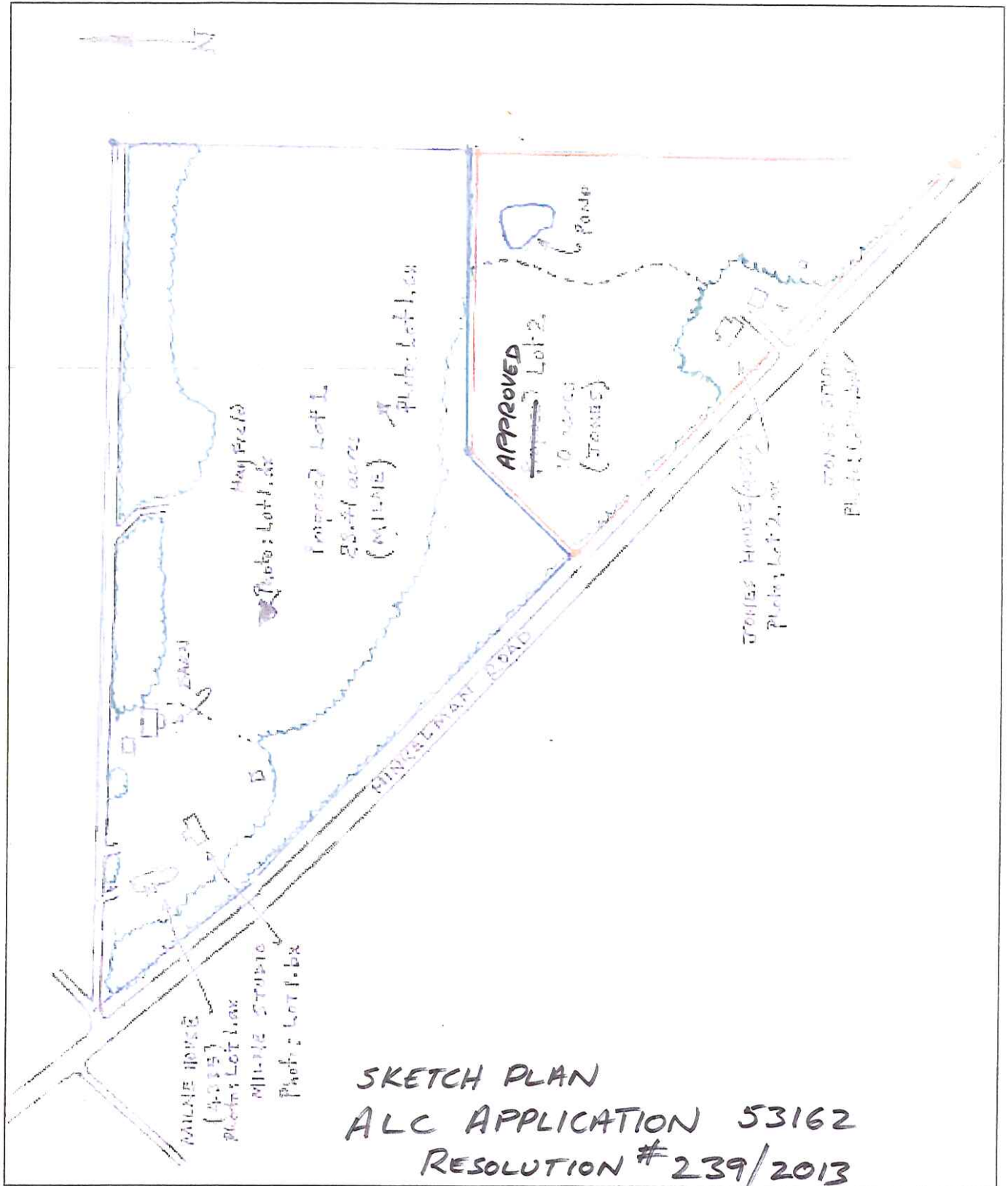
- b. The requirements for subdivision specified by the local government that are not identified in the PLA; and
- c. The requirements for subdivision specified by any other person or body having jurisdiction over the land under an enactment.

The Commission will be primarily concerned with any conditions of approval it believes will result in either a substantial deviation from the plan submitted with the application and to which this preliminary approval is granted or conditions it believes are inconsistent with the purposes of the *Agricultural Land Commission Act* to preserve agricultural land and encourage farming.

Final approval is contingent on the Commission's acceptance of the conditions of approval. The final survey plan should not be prepared in advance of receiving the Commission's written acceptance of the conditions of approval.

AND FINALLY THAT 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 #239/2013



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LAND COMMISSION