



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

April 11, 2014

ALC File: #53532

Lance and PennyLane MacDonald
PO Box 5002
Lacombe Alberta
T4L 1W7

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

Please find attached the Minutes of Resolution #125/2014 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which 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 is to be directed to Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #125/2014

cc: Peace River Regional District (File 201/2013)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53532.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Gordon Bednard	Planner
Jennifer Carson	Planner
Lindsay McCoubrey	Planner
Colin Fry	Chief Tribunal Officer

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

To subdivide a 4 ha lot containing the existing home from the 64.7 ha property.

PROPERTY INFORMATION:

Owner: Lance and Pennylane MacDonald

Legal: PID: 003-521-575
NE ¼, Section 12, Twp 82, R 18, W6M Peace River District

Location: South of Taylor

Size: 64.7 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 file information the Commission concluded as follows:

1. The Commission assessed the agricultural capability of the subject property.

Conclusion:

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system,.

The improved agricultural capability rating identified on Canadian Land Inventory (CLI) map is 4X. Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations. The limiting subclasses associated with this parcel are X (a combination of cumulative and minor limitations with no one factor dominating).

The Commission confirmed that the subject property has agricultural capability.

2. The Commission assessed the agricultural impacts of the proposed subdivision.

Conclusion:

The Commission does not believe that the subdivision of a four ha lot is supportive of agriculture. Its experience is that 4 ha parcels are not used for agriculture in this region. In addition, the proposed subdivision severs the homesite and it is likely that a new homesite will be constructed on the remainder (by the next landowner), alienating arable land for a new homesite, septic pond and access.

The Commission is generally not supportive of introducing non-farm residents into farm areas. Rural residential intrusion can raise expectations of further subdivision, erodes farm capability, and increases the potential for conflict between residents and farmers.

IT WAS

MOVED BY: Commissioner Johnson

SECONDED BY: Commissioner Dyson

THAT the application to subdivide a 4 ha lot from the 64.7 ha property be refused.

CARRIED

Resolution #125/2014