



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

June 18, 2014

ALC File: #53661

Elizabeth and Curtis Brewster
PO Box 1542
Chetwynd, BC,
V0C 1J0

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution #240/2014 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:

A handwritten signature in black ink, appearing to read 'Martin Callin', is written over a white background.

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #240/2014

cc: Peace River Regional District (File #36/2014)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53661.

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
Colin Fry	Chief Tribunal Officer

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

SUBDIVISION: To subdivide a 12 ha lot from the 64.7 ha subject property for the applicant's daughter.

PROPERTY INFORMATION:

Owners: Curtis and Elizabeth Brewster

Legal: PID: 007-429-631
Lot A, DL 1909, Peace River District, Plan 25964

Location: West of Chetwynd

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:

The Canada Land Inventory (CLI) soil capability rating for the subject property is 5CW indicating that the property has moderate agricultural capability, with severe climate (C) and excessive wetness (W) being the limiting factors to agricultural development. About half the property is cleared and developed for agriculture, as is the proposed 12 ha lot.

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

Conclusion:

The subdivision of a rural residential lot is not consistent with the objectives of the *Agricultural Land Commission Act (ALCA)*; to preserve agricultural land and encourage farming. Subdivision erodes the arable land base, reducing the likelihood of agriculture, and introduces residents into farm areas, potentially resulting in conflicts between farmers and residents.

3. The Commission considered the applicant's request for subdivision to have their daughter live on the property.

Conclusion:

The Commission does not believe that it is necessary to subdivide to construct a new home and live on the property. The *Agricultural Land Commission Act* and regulation permit additional homes on a property for farm help or family (with conditions). An additional home will allow the applicant's daughter to reside on the farm without compromising the farm's integrity.

IT WAS

MOVED BY: Commissioner Miles
SECONDED BY: Commissioner Thibeault

THAT the application to subdivide a 12 ha lot from the 64.7 ha subject property be refused.

CARRIED Resolution #240/2014