



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

June 18, 2014

ALC File: #53662

Robert and Tanya Foster
PO Box 2447 Station Main
Dawson Creek, BC,
V1G 4T9

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution #239/2014 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 blue ink, appearing to read 'Colin J. Fry', is written over a white background.

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #239/2014

cc: Peace River Regional District (File #32/2014)

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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 #53662.

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 1.8 ha lot from the 63.7 ha subject property for the applicant's daughter.

PROPERTY INFORMATION:

Owners: Robert and Tanya Foster

Legal: PID:013-864-246
NE ¼ of Section 27, Township 78, Range 15, West of the 6th Meridian, Peace River District, Except Parcel A (63961M).

Location: Rolla, north of Dawson Creek

Size: 63.7 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 2C and 3C indicating that the property has good agricultural capability, with severe climate (C) being the limiting factor to agricultural development. The majority of the property cleared and developed for agriculture. The proposed 1.8 ha lot lies is forested, used for a residence and located at the southeast corner of the property, adjacent to several residential lots (not in the ALR).

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

Conclusion:

The subdivision of a residential lot in an area of large farm parcels is not consistent with the objectives of the *Agricultural Land Commission Act (ALCA)*; to preserve agricultural land and encourage farming. Subdivision incrementally erodes the arable land base and introduces residents into farm areas, potentially resulting in conflicts between farmers and residents. In this application the proposed 1.8 ha lot severs one of the two homesites from the property and does not affect any cultivated land. However, it permanently introduces a non-farm resident into this farming area and raises the possibility of another residence being developed on arable land (by this landowner, or a subsequent one).

Retaining the 1.8 ha homesite with the subject property helps ensure that a future owner of the property has access to a homesite for a family member or farm help.

IT WAS

MOVED BY: **Commissioner Thibeault**
SECONDED BY: **Commissioner Dempsey**

THAT the application to subdivide a 1.8 ha lot from the 63.7 ha subject property be refused.

CARRIED

Resolution #239/2014