

# An Opinion on a Re-application for a Non-Farm Use Permit on ALR Land

**Client: Shurlog Homes Ltd.**

**Date: May 31, 2018**

## 1.0 Introduction

Surelog Homes Ltd. has operated a log home building business on ALR lands described as:

That part of the SW ¼ Section 34, Twp 21, Range 10, W6M, KDYD,  
Except Plans B3299, 5599, 9944, 13675, 14816, KAP 53820, PID 014-  
072-947.

The property is owned by Trevor Schaafsma who actively farms the surrounding land.

An aerial view of the site is shown in Figure 1:

**Figure 1: Aerial View of the Subject Parcel**



This parcel has been used for some time as a site for log home construction located in an old gravel pit. It has been operating under the approval of the Agricultural Land Commission as a non-farm use under the following conditions following the September 21, 1998 decision:

1. clean up of the site to a condition not less than that which preceded the operation;
2. that prior to operation start-up an irrevocable letter of credit in the amount of \$10,000 is made available to the Agricultural Land Commission to cover the costs of associated site clean-up should it become necessary, and to correct any impact that the log home operation might have on the farm operation - this might include drainage, soil erosion, and other such issues;
3. that the approval be for a five year period at which time you are required to submit detailed report outlining the specifics of the operation (i.e. footprint, hours of operation, comment from the land owner regarding any impact that the operation might have on the farm, etc.) for Commission review prior to any consideration for further extension;
4. that all potential soil polluting substances (such as chemical or petroleum products) be disposed of off-site in a responsible manner;

5. that no gravel or fill material of any kind shall be brought on to the property without Commission approval;
6. that no permanent structures be located within the subject area.

and was last renewed for a five-year term in February 15, 2008. While that approval expired in 2013, the Irrevocable Line of Credit for \$10,000 has remained in place according to Mr. Hall.

Mr. Hall suspended production of log homes some time ago and failed to renew the approval apparently because of health issues and adverse financial circumstances. In short, he was unsure whether he wished to continue the business. While his equipment and structures have remained on site, they have been unused. I observed this condition during my site visit on February 22, 2018. I also observed that all conditions of the original permit have been observed.

It is now his intent to restart the business on the current site. I provided a Letter of Opinion on March 4, 2018 to accompany Mr. Hall's request for a continuance of his Non-Farm Use Permit. That request was denied and a new application for a Non-Farm Use Permit was requested. This report provides an opinion on that new application.

## **2.0 Qualifications**

I am a licensed Agrologist and have been a full member of the B.C. Institute of Agrologists since 1971 (except 2001-2002). I am a graduate from the University of British Columbia with a Bachelor of Science degree in 1967, specializing in Agriculture Economics, and a Master of Science degree in 1972, specializing in Farm Management. My thesis for my Master's degree was entitled *Resource Allocation for the Median Peace River Farm in British Columbia*

I have been involved in the work of the Agricultural Land Commission since 1974 when the reserve boundaries were proclaimed. At that time, I was District Agriculturist for the British Columbia Ministry of Agriculture in Prince George. In October 1978 I entered private practice and have provided professional opinions for clients who have sought amendments to the Agricultural Land Reserve boundaries, subdivision within the ALR, or who have needed assistance in compliance with requests from the Commission.

I have also written and spoken of the need to address the unintended consequences of the provincial land use policy.

All agricultural assessments, whether they are for feasibility or management purposes, start with the soils. Past that point one needs an understanding of plant science, animal science and farm management to properly assess the farming potential of any site. I have demonstrated that understanding throughout my career.

During my years in both public and private practice, Courts and Review Boards have accepted me as an expert regarding farming practices in British Columbia. Consequently, I feel qualified to provide an assessment of a proposal under the *Agricultural Land Commission Act*. My qualifications and experience allow me to comment on the value of agricultural land and the practices of farming on that land. While not formally trained in soil science, I have been exposed to the principles of that discipline through short courses, field trips, and by accompanying pedologists during soils assessments.

Consequently, I believe I am qualified to comment on the two main purposes of the Agricultural Land Commission. That is: to preserve agricultural land, and to encourage farming on agricultural land in collaboration with other communities of interest.

I am currently a member of the Environmental Appeal Board and the Forest Appeals Commission. Following these appointments, I have received training in Administrative Law and the Rules of Natural Justice.

Since the inception of the Application Portal, I have been identified in the application as the “Agent.” The reader should note that I do not act as an agent in the normal use of the term. That is, I have no fiduciary responsibility to the applicant.

Section 3 of the Code of Ethics of the BC Institute of Agrologists includes the paragraph:

- ensure that they provide an objective expert opinion and not an opinion that advocates for their client or employer or a particular partisan position.

Given the complexity of the Portal, it is more expeditious for me to enter the data and forward correspondence than to expect the applicants to learn the procedure for what may be a one time process.

I have requested that the Commission use the term “Consultant” rather than “Agent” as it more accurately describes the work performed. Given the refusal to amend the title, I am content in the understanding that I am acting in concert with the requirements of my profession whatever term is used.

### **3.0 Agricultural Capability of the Subject Parcel**

The site lies on a gravel bench above farm land which is typical of the landforms in the area. Photograph 1 illustrates the soils.



**Photograph 1: Profile of Soils in the Subject Parcel**

The minutes from the original Permit describe the area as “... the area proposed for the log home operation is located in an area of the property that has exposed bedrock or gravel deposits - has been used for gravel extraction in the past.”

I concur with that assessment.

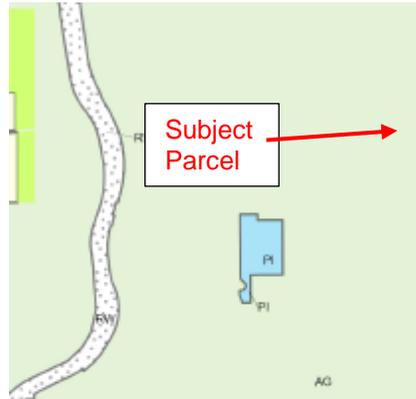
Further to the arability assessment, Mr. Schaafsma has been actively farming the adjoining land (see Figure 1) and sees no conflict between his farming activities and the

log home construction business. In fact, he plans to use part of the area as a machinery shed.

#### 4.0 Local Government Concerns

Apparently, there is no zoning in the Carlin or White Lake area. There is an Official Community Plan that covers the subject parcel as shown in Figure 2.

**Figure 2: OCP Designation of Subject Area**



As shown, the area is designated “AG” for Agriculture.

#### 5.0 Summary and Conclusion

The current application wishes to restore the Non-Farm Use permit that has been in place for many years. There is no indication from my inspections that the permit holder has done anything to interfere with the farming activities on the adjoining land.

The landforms in this area have the gravelly areas above the arable land due to the ancient glacial activity. Consequently, the location of commercial or industrial activity above farms is common.

As I commented in my original assessment of this property:

I can find no evidence of conflict between the current non farm use and the adjacent farming operations. There is nothing in the operations that, in my opinion, will preclude successful reclamation of the site following relocation.

In summary, I see no effect on agriculture from continuation of this non-farm use of the property.

I continue to hold this opinion.

Again, I remain available to discuss my findings and opinions in this report.

Respectfully submitted,