



Agricultural Land Commission
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March 16, 2006

Reply to the attention of Simone Rivers

Ted and Carlenne Bartlett
4016 Torgerson Road West
Merritt, B.C. V1K 1N8

Dear Mr. and Mrs. Bartlett:

**Re: Application #ZZ- 36432-0
District Lot 1022, Kamloops Division of Yale District, Except 1) Parcel B (Plan B1111), 2) Plans 23138, H18100, KAP47369 and KAP48418**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above described property into a 12.3 ha lot and a 15.7 ha lot. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives and show them the property on March 6, 2006.

The Commission noted that the property had good agricultural capability and was, where possible, improved for agricultural. Throughout its history, the Commission has adopted a long-term approach towards the preservation of agricultural land. Agricultural land is not defined on the basis of present use or parcel size (e.g. a 10 ha lot that is not providing a full-time farm income does not for that reason alone justify subdivision).

In addition, subdivision into the lot sizes that you have proposed would reduce the agricultural potential of the land which could result in further pressures to subdivide lands nearby into rural residential parcels. The Commission's mandate is to preserve agricultural land and encourage farming and it did not believe your proposal was consistent with that mandate.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution **#57/2006**.

Yours truly,
PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (#ALR-N-81)
SBR/lv/36432d1

IT WAS

MOVED BY: Commissioner Read

SECONDED BY: Commissioner Campbell

THAT the staff report be received and the application to subdivide the 28 ha property described as District Lot 1022, Kamloops Division Yale District, Except 1) Parcel B (Plan B1111), 2) Plans 23138, H18100. KAP47369 and KAP48418 into a 12.8 ha lot and a 15.7 ha lot be refused on the grounds the property had good agricultural capability and the Commission did not want to set a precedent by allowing rural residential subdivision in this area.

CARRIED



Staff Report
Application # ZZ – 36432 – 0
Applicants: Ted & Carlenne Bartlett

DATE RECEIVED: December 23, 2005

DATE PREPARED: February 9, 2006

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 28 property into a 12.3 ha lot and a 15.7 ha lot.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicants are requesting subdivision for the following reasons, as stated in their application: They purchased the farm in 2002 with the intention of producing hay. However, they have not been able to produce more than 4500 bales since they started. They can not make enough money to continue to produce the hay and expect their income to decline as fuel prices increase. They state that the 12.3 ha parcel that they wish to subdivide from the farm has very poor soil. It is made up of mainly sand and gravel and requires an almost constant supply of water to produce any quantity of hay. They are willing to put a clause in the purchase contract that the purchaser agrees not to further subdivide the 12.3 ha parcel. They state that they have had several local residents express interest in purchasing a parcel of this size for a hobby farm.

Application ZZ-36398-0 is a subdivision application for an adjacent property that is also being considered by the Commission at this time.

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 011-850-167

District Lot 1022, Kamloops Division of Yale District, Except 1) Parcel B (Plan B1111), 2) Plans 23138, H18100, KAP47369 and KAP48418

Purchase Date:

December, 2002

Location of Property:

West of Merritt (Canford)

Size of Property:

28 ha (The entire property is in the ALR).

Present use of the Property:

Hay farm

Surrounding Land Uses:

WEST: Sunshine Valley Road and application # ZZ-36398-0 (ALR)
SOUTH: Torgerson Road (ALR)
EAST: 9.2 ha hobby farm (ALR)
NORTH: Nicola River (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 92I/ 2 &3
The majority of the property is identified as having Prime Dominant ratings.

Zoning Bylaw and Designation:

Zoning Bylaw No. 940 designates the parcel as RL-1 (Rural)
Minimum parcel size 4 ha.

PREVIOUS APPLICATIONS:

Application #04110-0

Applicant: Ronald & Helen Woods
Decision Date: May 10, 1977
Proposal: To subdivide the 74 ha property into one 70 ha lot and one 4 ha lot
Decision: Refused on the grounds that the introduction of a 4 ha parcel into an area of large parcels used for grazing could form a residential intrusion into the rural community. Parcels in this area with this agricultural capability should be retained for grazing purposes in the largest possible units.

Application #04110-1

Applicant: Ronald & Helen Woods
Decision Date: October 5, 1977
Proposal: To subdivide the 74 ha property into one 70 ha lot and one 4 ha lot
Decision: Allowed due to the location and soils of the proposed lot.

RELEVANT APPLICATIONS:

Application #36205-0

Applicant: Post, Dirk & Darlene
Decision Date: November 24, 2005
Proposal: To subdivide the 51 ha property into one 1.4 ha lot, three 4 ha lots and a 37.6 ha lot.
Decision: Refused on the grounds that the property had good agricultural capability. The Commission allowed the subdivision of the 1.4 ha parcel consisting of the land north of Petit Creek Road that contains the mobile home and small feedlot.

Application #36397-0

Applicant: Claus & Christa Neels
Proposal: To include land into the ALR This inclusion application is being made in conjunction with Application # ZZ- 36397-0
Decision: *Pending*

Application #36398-0

Applicant: Claus & Christa Neels
Proposal: To subdivide the 65.5 ha property into a 25.6 ha lot, a 12.4 ha lot, a 4.0 ha lot, a 10.6 ha lot and a 12.9 ha lot.
Decision: *Pending*

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Thompson-Nicola Regional Board: Standard fencing resolution

STAFF COMMENTS:

Agricultural Capability: 90% Class 4MP - 10% Class 5WI (70% Class 3P-20% Class 1 – [10% Class 6WI])

Class 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

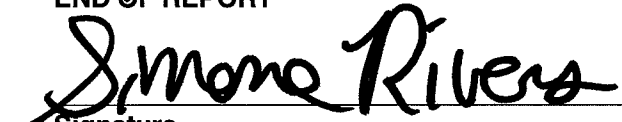
Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

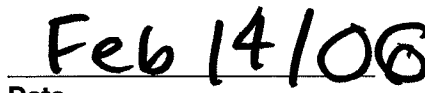
Subclasses

M	soil moisture deficiency	P	stoniness
I	inundation (flooding by streams, etc.)	W	excess water

Staff recommend a site visit to determine the agricultural capability of the parcel and the impact of the subdivision on surrounding agricultural operations.

END OF REPORT


Signature


Date

THOMPSON-NICOLA REGIONAL DISTRICT
PLANNING DEPARTMENT

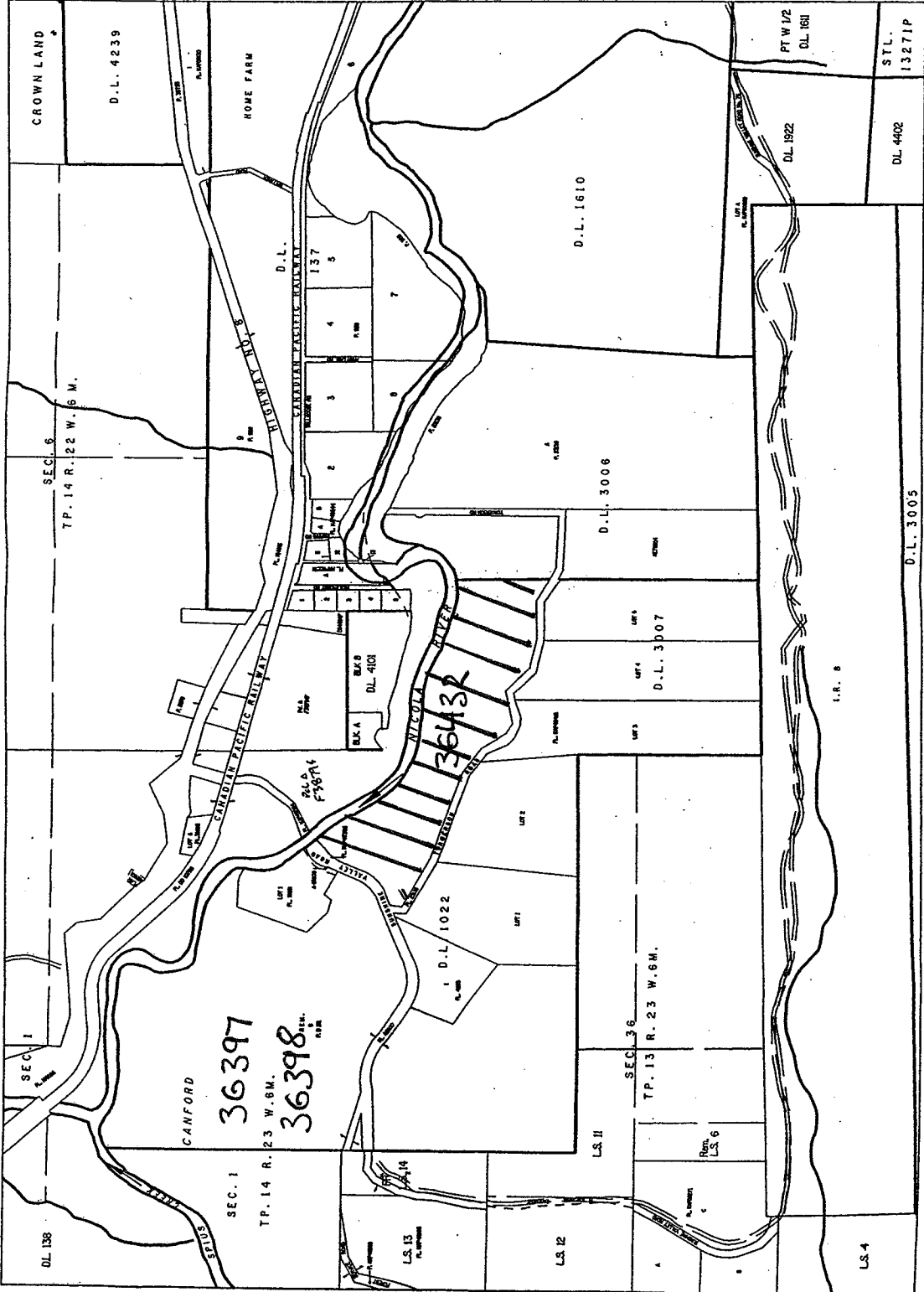
LATEST REVISIONS
BY: []
DATE RECEIVED: 11-1989

PLEASE NOTE:
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user only and is not to be used for
any other purpose. It is the user's
responsibility to verify the information
is correct.

SCALE: 1:2000
METRES

DATE: 11-1989

PROJECT: CANFORD
SUBJECT: 36397, 36398
SHEET: 7



D.L. 3005

D.L. 4402

D.L. 13271P