



Agricultural Land Commission
133-4940 Canada Way
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www.alc.gov.bc.ca

May 24, 2013

ALC File: # 53053

Justin & Susan Wentzell
RR#1 120 Newgate-Kikomun Road
Elko Rural, BC V0B 1J0

Dear Mr. & Mrs. Wentzell:

Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 84/2013 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 Lindsay McCoubrey (lindsay.mccoubrey@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a white background. The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #84/2013

cc: Regional District of East Kootenay (File: P 712 221)



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 21, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53053.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Roger Cheetham	Regional Planner
Lindsay McCoubrey	Land Use Planner
Eamonn Watson	Land Use Planner
Colin Fry	Executive Director

PROPOSAL

To operate a Recreational Vehicle (RV) campground as a Non-farm Use on 4.0 ha of the 15.8 ha subject property.

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Owner: Justin & Susan Wentzell

Legal: PID: 009-365-991
Lot 1, District Lot 11493, Kootenay District, Plan 16032

Location: Rural Elko, Regional District of East Kootenay

Size: 15.8 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

The Commission reviewed the Draft Koochanusa OCP, which designates the subject property as Rural Resource.

After considering the information, the Commission concluded as follows:

1. Resolution #2638/2012 concerning the review of the Lake Koochanusa OCP 2nd draft details the Commission's concern with regards to authorizing Commercial-Recreation west of Koochanusa Lake prior to measures being put in place to control the activities of Off-road vehicles, especially given the potential effect on agriculture.

Conclusion: The proposal for an RV campground west of Koochanusa Lake is contrary to the Commission's position on limiting Commercial-Recreation activities in this area.

2. Further introduction of RV campgrounds would increase the recreation and commercial use of land within the Agricultural Land Reserve on the west side of Koochanusa Lake and may lead to further pressures on agricultural activities in the area.

Conclusion: The introduction of additional commercial and recreational uses west of Koochanusa Lake would be inconsistent with the objective of the *Agricultural Land Commission Act* to preserve and encourage agriculture.

3. 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 ratings identified on Canadian Land Inventory (CLI) map sheet 82G/6 for the subject property are predominately Class 3 with small portions of Class 5 and Class 6.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

Class 6 - land is important in its natural state as grazing land. These lands cannot be cultivated due to soil and/or climate limitations.

The limiting subclasses associated with this parcel of land are M (moisture deficiency) and T (topographic limitations).

Conclusion: The subject property has good agricultural capability and the introduction of a RV campground on 4.0 ha of the 15.8 ha property would reduce the potential for agriculture to operate on the remainder.

IT WAS

MOVED BY: Commissioner Miles

SECONDED BY: Commissioner Dyson

THAT the request to use 4.0 ha for the purpose of an RV Campground be refused.

CARRIED

Resolution #84/2013