



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

September 22, 2009

Reply to the attention of Simone Rivers
ALC File: W-38621

Vladimir and Evguenia Gortman
842 ½ Ballstown Road
Lititz, 17543, PA, USA

Dear Mr. and Mrs. Gortman:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 724/2009 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink that reads 'Simone Rivers'. The signature is written in a cursive, flowing style.

Erik Karlsen, Chair

Enclosure: Minutes/

cc: Peace River Regional District (194/2008)

SBR/
38621d1



A meeting was held by the Provincial Agricultural Land Commission on August 27, 2009.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Erik Karlsen	Chair, ALC
	Simone Rivers	Staff

For Consideration

Application: W-38621
Applicant: Vladimir and Evguenia Gortman
Proposal: To subdivide the 192 ha property into three 64 ha properties
Legal: PID: 014-739-887
Parcel A (R44976), Section 17 & 20, Township 83, Range 25, West
of the 6th Meridian, Peace River District
Location: North of Hudson’s Hope

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the “Act”). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. 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.

Discussion

Assessment of Agricultural Capability

The agricultural capability of the soil of the majority of the subject property is 60% Class 5C – 40% Class 4X. A portion of the property is rated 80% Class 3x – 20% Class 4X with limitations of C-Climatic and X – cumulative and minor adverse characteristics.

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.

The Commission believes that the property has agricultural capability and is correctly designated as ALR. The capability ratings for the property are similar or slightly better than much of the agricultural land in the Peace River Regional District.

The Commission noted that according to the airphoto portions of the property had been cleared.

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use. The Commission noted that the land was not near any developed areas and was located some distance north of the District of Hudson's Hope. The Commission further noted that the majority of properties in the area were large pieces of land, half sections or sections, the Commission believed that the current property size was consistent with those in this area and was suitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. In the Commission's view, reduction of parcel size generally reduces the available options for agricultural use. The Commission believes that the subject property has more agricultural potential as a single unit and that any subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Norton
SECONDED BY: Commissioner Dowswell

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.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.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the*

reconsideration.

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED
Resolution # 724/2009