



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

December 18, 2012

ALC File: # 52761

Linda Bartsch
5762 Horsefly Road
PO Box 264
Horsefly, BC
V0L 1L0

Dear Ms. Bartsch:

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

Please find attached the Minutes of Resolution #390/2012 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly. The Commission draws your attention to sections 33(1) of the *Agricultural Land Commission Act*.

Section 33(1) of the *Agricultural Land Commission Act* 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 Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure(s): Minutes of Resolution #390/2012
cc: Cariboo Regional District (File: 4035-20-F20120020)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52761.

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:

Liz Sutton	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

PROPOSAL: To subdivide the 39 ha property along Vedder Creek to create two approximately equal-sized lots.

(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

SITE INSPECTION

A site inspection of the property was conducted on October 19, 2012. Those in attendance included Commissioner Gillette, Piers and Louise Harry (applicants), and Stefanie and Florian Krumsiek (prospective purchasers of the proposed new lot). Photographs of the property were taken during the inspection.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before the vote. Commissioner Gillette gave a verbal account of the site inspection and spoke to the photographs.

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. 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 CLI improved ratings applicable to the subject property are Class 6TP, Class 5PT, Class 3C, and Class 5IW:

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.

Limitations: (T) topography, (P) stoniness, (C) climate, (I) inundation/flooding, and (W) excess water.

The subject property is located in an area of predominantly large agricultural parcels within the ALR. The diversity of agricultural capability of the property generally leads to a greater range of agricultural opportunities and is characteristic of agricultural lands in the area.

Conclusion:

The agricultural capability of the subject property is similar to other agricultural lands in the area.

Conclusion:

Subdivision would reduce the agricultural options of the subject property.

2. The Commission commends the intentions of the Krumsieks to farm the southern portion of the property, however there are other options such as leasing that would not require the creation of another parcel within the ALR.

Conclusion:

The Commission is not convinced of the necessity to create a new parcel in order for the land to be brought into production.

IT WAS
MOVED BY: **Commissioner Johnson**
SECONDED BY: **Commissioner Thibeault**

THAT the request be refused.

CARRIED
Resolution #390/2012