



Agricultural Land Commission
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March 11, 2014

ALC File: #53401

Dave and Sharie Wertz
5667 Gilbert Road
Smithers, BC V0J 2N0

Dear Mr. and Mrs. Wertz:

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

Please find attached the Minutes of Resolution #39/2014 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision.

Further correspondence with respect to this application is to be directed to Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosures: Minutes of Resolution #39/2014
Sketch plan

cc: Regional District of Bulkley-Nechako (File #1149)

53401d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 23, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53401.

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
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Planner
Liz Sutton	Planner
Jennifer Carson	Planner
Colin Fry	Executive Director

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

To subdivide the 64.8 ha property into two parcels: one of 42.5 ha and the other of 22.3 ha.

PROPERTY INFORMATION:

Owner: Dave and Sharie Wertz

Legal: PID: 010-922-164
District Lot 4765, Range 5, Coast District

Location: Gilbert Road, Smithers

Size: 64.8 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

After considering the 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 improved agricultural capability ratings identified on Canadian Land Inventory (CLI) map sheet 93L/14 for the subject property is 70% Class 4PT and 30% Class 5TM.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

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

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

Conclusion: The subject property has agricultural capability.

2. The Commission reviewed the information submitted by the applicant and the Regional District of Bulkley-Nechako as well as the mapping available. The Commission considered that although the agricultural capability is similar on the two proposed parcels, the topographical break (steep ridge) makes it difficult to farm that parcel as a single unit. Although the Commission is generally not supportive of reducing the size of agricultural parcels, in this particular case, subdivision would still result in two useful farm parcels.

Conclusion:

The Commission believes the steep ridge is an impediment to farming the subject property as one unit.

IT WAS

MOVED BY: **Commissioner Thibeault**
SECONDED BY: **Commissioner Dempsey**

THAT the proposal to subdivide the subject property be approved.

AND THAT the final approval is subject to:

1. The subdivision being in substantial compliance with the plan submitted with the application; and
2. The subdivision plan being completed within three (3) years from the date of the Commission's letter communicating this decision.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution #39/2014



**ALC #53401 (Wertz)
Approved Subdivision
Resolution #39/2014**

ALR Application #1149
Electoral Area "A"

Sharie and Dave Wertz

Specific Location

