



**Agricultural Land Commission**  
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April 11, 2014

ALC File: #53506

Gerhard and Mathide Janssen  
RR #1, Site 16, comp 59  
Fort St John, BC  
V1J 4M6

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

Please find attached the Minutes of Resolution #124/2014 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 Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #124/2014

cc: Peace River Regional District (File 196/2013)

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53506.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

### COMMISSION STAFF PRESENT:

Gordon Bednard	Planner
Jennifer Carson	Planner
Lindsay McCoubrey	Planner
Colin Fry	Chief Tribunal Officer

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

To subdivide a 4 ha lot containing the existing home from the 64 ha property and sell the remainder.

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### PROPERTY INFORMATION:

**Owner:** Gerhard and Mathide Janssen

**Legal:** PID: 024-936-421  
Lot 1, Section 30, Twp 85, R 18, W6M Peace River District Plan PGP46345

**Location:** North of Fort St John

**Size:** 64 ha

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### 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. The Commission assessed the agricultural capability of the subject property.

**Conclusion:**

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 are 7:3C 3:4X.

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

The limiting subclasses associated with this parcel are X (a combination of soil factors with no one factor dominating) and climate (C).

The Commission confirmed that the subject property has agricultural capability.

2. The Commission assessed the agricultural impacts of the proposed subdivision.

**Conclusion:**

The Commission does not believe that the subdivision of a four ha lot is supportive of agriculture. Its experience is that ~4 ha parcels of are not used for agriculture in this region. In addition, if the subdivision severs the homesite (as in this case), it is likely that a new homesite will be constructed on the remainder, alienating arable land for a new homesite, septic pond and access.

The Commission is generally not supportive of introducing non-farm residents into rural areas. Rural residential intrusion can raise expectations of further subdivision, erodes farm capability, and increases the potential for conflict between residents and farmers.

**IT WAS**

**MOVED BY:** Commissioner Johnson

**SECONDED BY:** Commissioner Dyson

THAT the application to subdivide a 4 ha lot from the 64 ha property be refused.

**CARRIED**

**Resolution #124/2014**