



Agricultural Land Commission
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November 9, 2006

Reply to the attention of Gordon Bednard
ALC File: F-35716

Paul & Joan Hampaul
2012 - 20th Street N.W.
Calgary, AB T2M 3V9

Dear Sir/Madam:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 550/2006 outlining the Commission's decision as it relates to your request for reconsideration of the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Central Kootenay (#A0413Hs-21371-800)

GB/lv/Encl.: Minutes
35716d2



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 27, 2006 at Nelson, B.C.

PRESENT: Monika Marshall Chair, Kootenay Panel
 Carmen Purdy Commissioner
 Erik Karlsen Chair, ALC
 Gordon Bednard Staff, ALC

For Consideration

Application: # F- 35716-1
Applicant: Paul & Joan Hampaul

Proposal: To allow tourist accommodation of up to 100 guests to supplement
 farm income.
Legal: PID: 012-009-407
 Lot 8, District Lot 3459, Kootenay District, Plan 12552
Location: North of Winlaw, Slocan Valley

Site Inspection

A site inspection was conducted on September 27, 2006. Those in attendance were:

Monika Marshall	Chair, Kootenay Panel
Carmen Purdy	Commissioner
Erik Karlsen	Chair, ALC
Gordon Bednard	Staff, ALC
Stan Combs	Regional Agrologist, Ministry of Agriculture and Lands
Paul Hampaul	Landowner

The Commission visited the subject property on September 27, 2006 in response to a request from the applicant for the Commission to reconsider the seasonal accommodation aspect of that previous application, which requested seasonal accommodation for up to 100 persons. The Commission recalled having previously visited the property on May 11, 2005 in the company of the landowner.

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

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, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system. The agricultural capability ratings identified as 7:2C-3:5PM.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believes the proposal will impact existing or potential agricultural use of the subject property and surrounding lands.

Conclusions

1. That the land under application has agricultural capability (improvable to 70% class 2) and is therefore appropriately designated as ALR.
2. That the land under application is suitable for agricultural use being located in a predominantly agricultural area with active agricultural operations.
3. That the proposal will impact agriculture by the introduction of a large number of recreational land users.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Carmen Purdy

SECONDED BY: Commissioner Monika Marshall

THAT the accommodation aspect of the application be reconsidered and refused as proposed.

CARRIED

Resolution # 550/2006