



Agricultural Land Commission
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December 11, 2006

Reply to the attention of Gordon Bednard
ALC File: #L - 36447

Vernon & Sharon Barr
PO Box 137
Jaffray, BC V0B 1T0

Dear Sir and Madam:

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

Please find attached the Minutes of Resolution # 600/2006 outlining the Commission's decision as it relates to your request for reconsideration of the above application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of East Kootenay (P-705-215)
Richard & Joanne Thom - 832-17A Street, South, Cranbrook, BC, V1C6M2

GB/lv/Encl.: Minutes/Sketch Plan
3647d2

Provincial Agricultural Land Commission

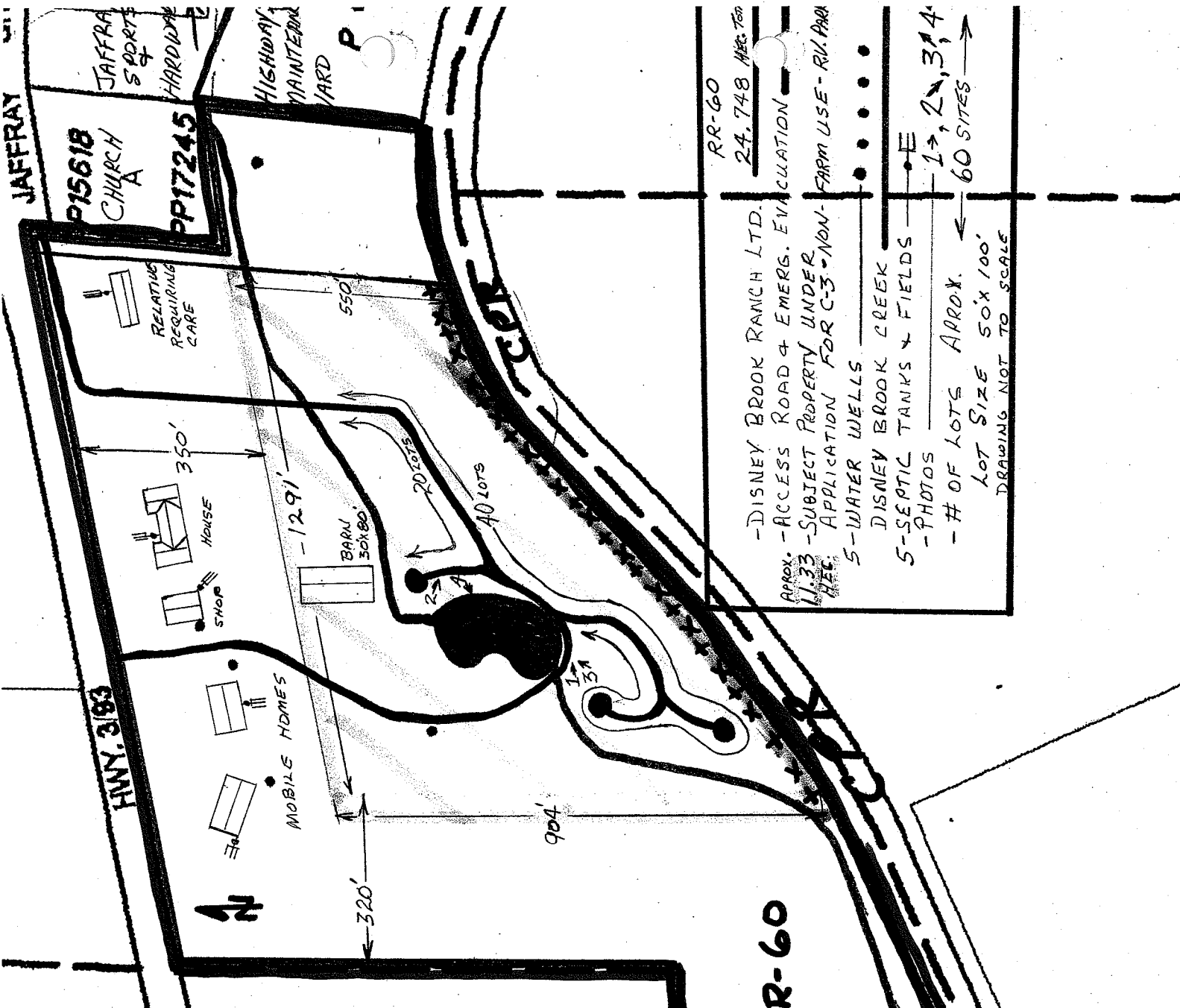
Application: L-36447-1
Resolution # 600/2006

Subject property.

11.3 ha area approved for non-farm use within the ALR.

Location of buffer vegetation.

Location of fencing.



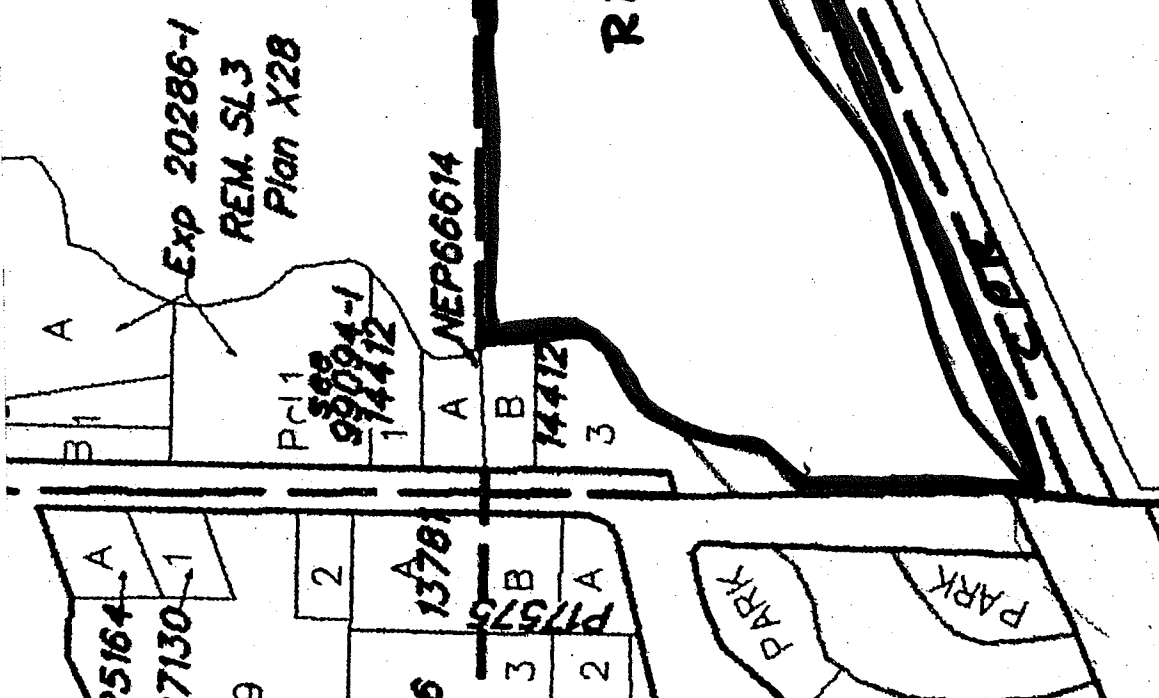
RR-60
24.748 HECTARES

- DISNEY BROOK RANCH LTD.
- ACCESS ROAD & EMERG. EVACUATION

APPROX. 11.33 - SUBJECT PROPERTY UNDER REG. APPLICATION FOR C-3 - NON-FARM USE - RU PARK

5 - WATER WELLS
DISNEY BROOK CREEK
5 - SEPTIC TANKS & FIELDS
- PHOTOS

- # OF LOTS APPROX. 1, 2, 3, 4
LOT SIZE 50' x 100'
DRAWING NOT TO SCALE



JAFFRAY
P15618
CHURCH
PP17245
HARDWAY
HIGHWAY
MAINTENANCE
YARD

RR-60

PARK



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 17, 2006 at Cranbrook, B.C.

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

For Consideration

Application: # L - 36447
 Applicant: Vernon & Sharon Barr
 Proposal: Request for reconsideration based on the short visit the Commission previously made to the property and the fact that there was snow on the ground when they were last there.
 Legal: PID: 016-418-077
 District Lot 6206, Kootenay District, EXCEPT 1) Parcel a (Explanatory Plan 20286I), 2) Part included in Plans 2272, 2345, 2465, 2756, 4905, 4981, 8789, 15618 and NEP69200
 Location: South of Highway 93, Jaffray

Site Inspection

A site inspection was conducted on October 17, 2006. Those in attendance were:

Monika Marshall	Chair, Kootenay Panel
Carmen Purdy	Commissioner
Erik Karlsen	Chair, ALC
Gordon Bednard	Staff
Vern and Sharon Barr	landowners
Rich Thom	landowner

The Commission made a thorough tour of the property and discussed the proposed development of the site at length with the owners.

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 Commission noted that the land was classified as improved class 4 and 3 (mixed secondary and prime). The Commission recalled that during the initial onsite inspection in March of 2006, there was snow on the ground which lessened the ability of the Commission to assess the agricultural capability of the property. During the onsite inspection in October of 2006, the Commission were able to spend more time and get a better look at the soils of the property, which were found to be very poor (gravelly) in the area proposed for the RV development.

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 does not believe the proposal would impact existing or potential agricultural use of the subject site, however had concerns that intensive recreational use might negatively affect surrounding lands, especially to the south of the subject property.

Conclusions

1. That the land under application has limited agricultural capability in the area proposed for development.
2. That the proposal may not impact agricultural use except on the adjacent lands to the south.

IT WAS

MOVED BY: Commissioner Carmen Purdy

SECONDED BY: Commissioner Erik Karlsen

THAT the application be reconsidered and approved for the above reasons.

AND THAT the approval is subject to the following conditions:

The proposed RV facility be limited to the area as shown on the drawing submitted with the application;

The construction of fencing and planting and maintenance of vegetative screening along the southern boundary of the property to effectively restrict access by site users to lands beyond the subject property. Construction of the fence and planting of the vegetative screen must precede the development of the RV facility.

AND THAT the approval is granted to the applicant only must be acted upon within three (3) years from the date of this decision.

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 # 600/2006