



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
www.alc.gov.bc.ca

June 6, 2007

Reply to the attention of Terra Kaethler  
ALC File: # F - 37209

George and Margo Wilson  
PO Box - 1026 Airport Road  
Salmo, BC V0G 1Z0

Dear Sir/Madam:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 238/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans and a copy of a draft covenant to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept the concurrent registration of the covenant and plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Regional District of Central Kootenay (#A0702G-01343-000)

Enclosure: Minutes/Sketch Plan

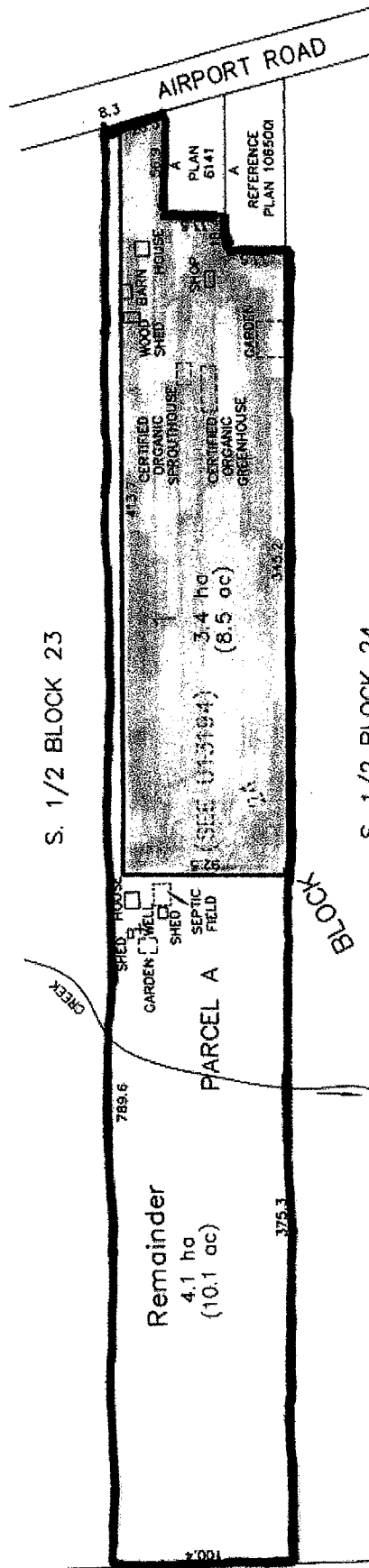
TK/iv  
37209d1.

SKETCH PLAN SHOWING  
 PROPOSED SUBDIVISION OF  
 PARCEL A (SEE U13194) OF BLOCK 24.  
 D.L. 273, KOOTENAY DISTRICT

SCALE = 1:2500



NOTE  
 Improvements on this plan are copied  
 from a sketch supplied by the owner.  
 No survey was performed on site to  
 locate features on this plan.  
 Dimensions are metric.



9 PLAN 2075

KANGO LAND SURVEYS  
 Jerome Hango  
 BC Land Surveyor  
 2824 9th Avenue  
 Castlegar, BC V1N 2Z1  
 Ph. 365-6342  
 Fax 365-0685  
 File 1630.79

December 14, 2006

Provincial Agricultural Land Commission  
 Application # 37209  
 Resolution #238/2007

Subject Property



3.4 ha lot approved for subdivision





## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

---

A meeting was held by the Provincial Agricultural Land Commission on May 3, 2007 in Nelson, B.C.

**PRESENT:**     Monika Marshall                                     Chair, Kootenay Panel  
                  Carmen Purdy   Commissioner  
                  D. Grant Griffin                                     Commissioner  
                  Terra Kaethler                                       Staff

### For Consideration

Application:       # F - 37209  
Applicant:         George and Margo Wilson  
Proposal:          To subdivide the 7.5 ha lot into two lots, one at 4.1 ha and one at 3.4 ha.  
Legal:             PID: 005-477-263  
                      Parcel A (SeeU13194), District Lot 273, Block 24, Kootenay District, EXCEPT Plan R151  
Location:          1026 Airport Road, Salmo

### Site Inspection

A site inspection was conducted on May 3, 2007. Those in attendance were:

- Monika Marshall             Chair, Kootenay Panel
- Carmen Purdy                Commissioner
- D. Grant Griffin             Commissioner
- Terra Kaethler              Staff
- George, Margo Wilson       Applicants

The Commission met with the applicants and walked the property. The Commission noted the greenhouse and sprouthouse facilities on the front portion of the property and the forested creekbed on the back portion. There were two dwellings on the property.

The applicants discussed that they want to expand the proposed subdivision line to 70 feet beyond the fence line. The applicants stated that their farm operation has grown in capacity beyond what they can manage successfully. The proposed subdivision would allow them to sell the farm operation and move to the remnant portion of property, which would allow their continued involvement in the farm and facilitate the training of the new owners.

The applicants confirmed that the staff report dated January 29, 2007 was received and no errors were identified.

### 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 on a scale of 1 to 7.

The agricultural capability of the area to be subdivided is identified as 100% Class 2C (improved). The agricultural capability of the remnant subdivision is identified as 70% Class 5IW and 30 % Class 7PI.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Class 7 – Land in this class has no capability for arable or sustained natural grazing

#### Subclasses

C	adverse climate
P	stoniness
I	inundation (flooding by streams, etc.)
W	excess water

The Commission reviewed the 1976 subdivision application by the former owner (ALC file #00569), which was refused. The Commission noted that previous Commission members had not had the opportunity to walk the property in conjunction with the decision made in 1976.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. As the land with higher agricultural capability will be maintained within one parcel, the Commission did not believe the proposal would impact existing or potential agricultural use of the subject property or surrounding lands.

The Commission appreciated the small scale agricultural operation on the subject property. However, the Commission recognized the valuable agricultural capability of the front portion of the property. Therefore, the Commission discussed that a covenant be placed on the proposed front lot, restricting the number of permanent dwellings to one.

### **Conclusions**

1. That the land under application has agricultural capability on a portion of the subject property.
2. That the proposal will not impact agriculture.

#### **IT WAS**

**MOVED BY:** Commissioner Marshall

**SECONDED BY:** Commissioner Purdy

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the registration of a covenant for the purpose of limiting the number of permanent dwellings to no more than one (1) dwelling.
- the subdivision must be completed 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 # 238/2007**



**Staff Report**  
**Application # F – 37209**  
**Applicant: George and Margo Wilson**

**DATE RECEIVED:** January 29, 2007

**DATE PREPARED:** April 23, 2007

**TO:** Chair and Commissioners – Kootenay Panel

**FROM:** Terra Kaethler, Land Use Planner

**PROPOSAL:** To subdivide the 7.5 ha lot into two lots, one at 4.1 ha and one at 3.4 ha.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

**Local Government:**

Regional District of Central Kootenay

**Legal Description of Property:**

PID: 005-477-263

Parcel A (SeeU13194), District Lot 273, Block 24, Kootenay District, EXCEPT Plan R151

**Purchase Date:**

11/01/1986

**Location of Property:**

1026 Airport Road, Salmo

**Size of Property:**

7.5 ha (The entire property is in the ALR).

**Present use of the Property:**

2 residences and several outbuildings, greenhouse, sprouthouse

**Surrounding Land Uses:**

**WEST:** Forest and River  
**SOUTH:** Hayfield  
**EAST:** Airport Road and Residential  
**NORTH:** Hayfield

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82F/3  
The majority of the property is identified as having Mixed Prime and Secondary ratings. It appears that the portion to the east of the creek is identified as improvable to Class 3; the portion to the West is identified as improvable to Class 5-7, with subclasses of stoniness, excess water and inundation.

**Official Community Plan and Designation:** N/A

**Zoning Bylaw and Designation:** N/A

**PREVIOUS APPLICATIONS:**

**Application #00569-0**

**Applicant:** Ryckewaert, P.

**Decision Date:** 1976

**Proposal:** The file has been recalled and will be available at the site visit.

**Decision:**

**RELEVANT APPLICATIONS:**

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional District of Central Kootenay Board:** Supports the application

**Local Government Staff:** No comment

**STAFF COMMENTS:**

The application did not include an explanation of the reason for subdivision. However, it appears that the parcel to be subdivided to the west of the creek, has low agricultural capability and may be in a flood plain. The site visit may help clarify the purpose of the subdivision and the potential impact on agriculture.

**ATTACHMENTS:**

- Aerial Photograph
- Sketch plan of proposed subdivision
- ALC Ag Cap Map No. 82F/3
- ALR Map #82F.014
- Letter from Applicant 4/18/07

END OF REPORT



