



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: F-37642

December 18, 2007

Nixon Family Farm Society
RR1 - G9 - C17
Winlaw, BC V0G2J0

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 685/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Regional District of Central Kootenay (HS-20314-000)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 1, 2007 in Cranbrook, B.C.

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

For Consideration

Application: # F- 37642
Applicant: Nixon Family Farm Society
Proposal: To subdivide the 160 ha parcel to create one (1) parcel of 6.1 ha.
Legal: PID: 012-938-157
Lot 1, District Lot 383, Kootenay District, Plan 726, EXCEPT Parts included in Plans 1064 and 1192
Location: 7030 Powell Road, Winlaw

Site Inspection

No site inspection was conducted.

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

The Commission carefully reviewed all of the file material including the comments from the regional district and the applicant for the proposed subdivision. The Commission noted that it was very familiar with the ALR areas in the vicinity of the subject property.

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 of the portion of the property proposed for subdivision is improvable to 70% Class 2 and 30% Class 4 with limitations of moisture deficiency and topography.

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 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The Commission considers the portion of the property under application to have high agricultural capability ratings indicating good potential for agricultural use.

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. This consideration included details such as property size, surrounding land use and limitations to agriculture. The subject property is an active farm property and is in an agricultural area. As such, the Commission did not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. In the Commission's view, reduction of parcel size generally reduces the available options for agricultural use. The Commission believed that the subject parcel had more agricultural potential as a whole unit and that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term. It was also noted that the location of the proposed subdivision would divide the existing pasture land on the property.

The Commission further believed that subdivision of the subject parcel would encourage further parcelization of properties within agricultural areas and may negatively impact present and future agricultural potential in the area.

The intent of the Act is to preserve and protect agricultural lands and farm communities in the long-term and the Commission felt that subdivision of the subject property as proposed was not in keeping with that mandate.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Purdy

SECONDED BY: Commissioner Marshall

THAT the application be refused.

CARRIED

Resolution # 685/2007