



**Agricultural Land Commission**  
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Reply to the attention of Terra Kaethler  
ALC File: L-37676

December 17, 2007

Dan and Marlene May  
7235 Highway 3/93  
Cranbrook, BC V1C7B2

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution # 674/2007 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 East Kootenay (P707-333)  
Frank and Rhonda Elzinga - 7225 Highway 3/93, Cranbrook, BC, V1C7B2;

Enclosure: Minutes

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## 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.**

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

### For Consideration

Application: # L- 37676  
 Applicant: Dan and Marlene May, Frank and Rhonda Elzinga  
 Proposal: To subdivide the 59.5 ha subject property to create a 23.1 ha lot and a 36.4 ha lot to provide separate title for each of the families who own the land.  
 Legal: PID: 010-657-240  
 Lot 1, District Lot 2313A, Kootenay District, Plan 12065  
 Location: 7225 Highway 3/93, Mayook Area

### Site Inspection

A site inspection was conducted on November 1, 2007. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Terra Kaethler Staff
- Roger Cheetham Staff
- Darrell Smith Agrologist, Ministry of Agriculture and Lands
- Frank Elzinga Applicant

The Commission met with the applicant at the house site and viewed the property. The applicant informed the Commission that two families bought the property in 2006 and built two homes on the property. The Commission noted that the western part of the property consists of benches and steep topography, while the eastern side was relatively flat and a portion of it was cleared.

### 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 of the soil of the western portion of the subject property is identified as Class 6 with limitations of topography. The majority of the agricultural capability of the soil of the eastern portion of the subject property is identified as improvable to Class 2.

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 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

The Commission recognizes the variation in agricultural capability on the subject property. However, in light of this variability, it was held that subdivision would further serve to compromise agricultural potential. Further, it noted that a portion of the property is rated as Class 2, which is considered prime for agriculture.

### **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. Therefore, the Commission believed that the subject parcel had more agricultural value as a single unit than as two separate parcels and that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

Further, the Commission noted that the subject property is in a grazing area of predominantly large parcels. The current parcel size of approximately 60.0 ha is the minimum lot size in this area. The Commission believed that the proposed subdivision would encourage further parcelization of agricultural areas and may impact existing or potential agricultural use of surrounding lands.

The intent of the Act is to preserve and protect agricultural lands and farming communities in the long-term and the Commission felt that subdivision of the subject property 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 proposal will impact agriculture.

**IT WAS**

**MOVED BY:** Commissioner Marshall

**SECONDED BY:** Commissioner Griffin

THAT the application be refused.

**CARRIED**

**Resolution # 674/2007**