



**Agricultural Land Commission**  
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April 15, 2008

Reply to the attention of Terra Kaethler  
ALC File: Q-37736

Walter & Lisa Siewert  
RR#2, S-120, C-21  
Rock Creek, BC V0H1V0

Dear Mrs. and Mr. Siewert:

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

Please find attached the Minutes of Resolution # 122/2008 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 Kootenay-Boundary (E-2454-06580)

Enclosure: Minutes



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on March 25, 2008 in Grand Forks, B.C.**

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

### **For Consideration**

Application:        # Q- 37736  
Applicant:         Walter & Lisa Siewert  
Proposal:          To subdivide the 0.8 ha property into one lot of 0.4 ha with one  
                          remainder of approximately 0.4 ha.  
Legal:              PID: 008-559-210  
                          Lot A, District Lot 862, Similkameen Division of Yale District, Plan  
                          16637  
Location:          South Kettle Valley Road

### **Site Inspection**

A site inspection was conducted on March 25, 2008. Those in attendance were:

- Monika Marshall                                      Chair, Kootenay Panel
- Carmen Purdy    Commissioner
- D. Grant Griffin    Commissioner
- Roger Cheetham    Staff
- Jennifer Carson    Staff
- Lisa Siewert    Applicant

The Commission met with Lisa Siewert on the subject property to discuss the application and view the property. Mrs. Siewert explained that her family is growing up and as a result her and her husband would like to build themselves a smaller house and be able to subdivide and sell the existing house. Mrs. Siewert also mentioned that the real estate agent they dealt with when purchasing the property told them that multi-family dwellings would be allowed on the property. Mrs. Siewert also explained that the properties next door were only one acre or smaller and that in her opinion the subject property is not appropriate for agriculture. The Commissioners asked whether Mrs. Siewert and her husband knew that the property was in the ALR when they bought it, to which she answered in the affirmative.

### **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 improved rating of the agricultural capability of the soil of the subject property is

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

#### Subclasses

M soil moisture deficiency

#### **Assessment of Agricultural Suitability**

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does 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. When discussing the application, the Commissioners identified that despite its small size the property has a reasonable agricultural capability (improvable to Class 2), is relatively flat and has access to water. The Commission believes the proposal would negatively impact existing or potential agricultural use of surrounding lands.

#### **Assessment of Other Factors**

The Commissioners noted that the local government was not in support of the proposal.

**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 negatively 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 # 122/2008**