



Agricultural Land Commission
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April 15, 2008

Reply to the attention of Jennifer Carson
ALC File: L-37793

Kenneth and Cheryl Johnson
8967 Wycliffe Cherry Creek Road
Cranbrook, BC V1C7C9

Dear Mr. and Mrs. Johnson:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 138/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karsen, Chair

cc: Regional District of East Kootenay (P-707-338)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 27, 2008 in Cranbrook, B.C.

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

For Consideration

Application: # L- 37793
Applicant: Kenneth and Cheryl Johnson
Proposal: To subdivide the 64.2 ha subject property to create one (1) 16.2 ha retirement home site, and a 48 ha remainder containing the productive hay land.
Legal: PID: 011-096-624
Location: Sublot 14, District Lot 341, Kootenay District, Plan X40
8967 Wycliffe-Cherry Creek Road, Wycliffe area

Site Inspection

A site inspection was conducted on March 26, 2008. Those in attendance were:

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

The Commission met with Mr. Johnson on the subject property to discuss the application. Mr. Johnson explained that he was farming the property and had built his house on the portion with the least agricultural capability. He mentioned that his farm was the last one on the irrigation district. Mr. Johnson explained that he wishes to subdivide the portion around his house as he would like to keep his home and because the 16 ha parcel being proposed would allow him to retain the less suitable agricultural land for raising his horses, leaving intact the hayfield which contains the better agricultural land. Also discussed onsite was that the neighbour on the eastern adjacent property had built a second dwelling on the subject property for farm purposes and asked the Commission to look into whether this complies with the policy on accommodation for farm help.

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 ratings for the agricultural capability of the soil of the subject property are

- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately 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.
- Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Subclasses

- M soil moisture deficiency
- P stoniness
- T topography

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. The Commissioners believe that the subject property has agricultural potential as a farm unit. The Commission also noted that the surrounding parcels were of a similar size as the subject property currently is and thus the introduction of a smaller property into the area may have an adverse impact on the surrounding farm units. The Commissioners discussed the general desire to avoid the

fragmentation of agricultural land wherever possible. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands.

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 Marshall

SECONDED BY: Commissioner Griffin

THAT the application be refused.

CARRIED

Resolution # 138/2008