



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

April 1, 2008

Reply to the attention of Jennifer Carson
ALC File: L-37794

Albert Holmes
Box 9
Fort Steele, BC V0B1N0

Dear Mr. Holmes:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 112/2008 outlining the Commission's decision as it relates to the above noted application.

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

Yours truly,

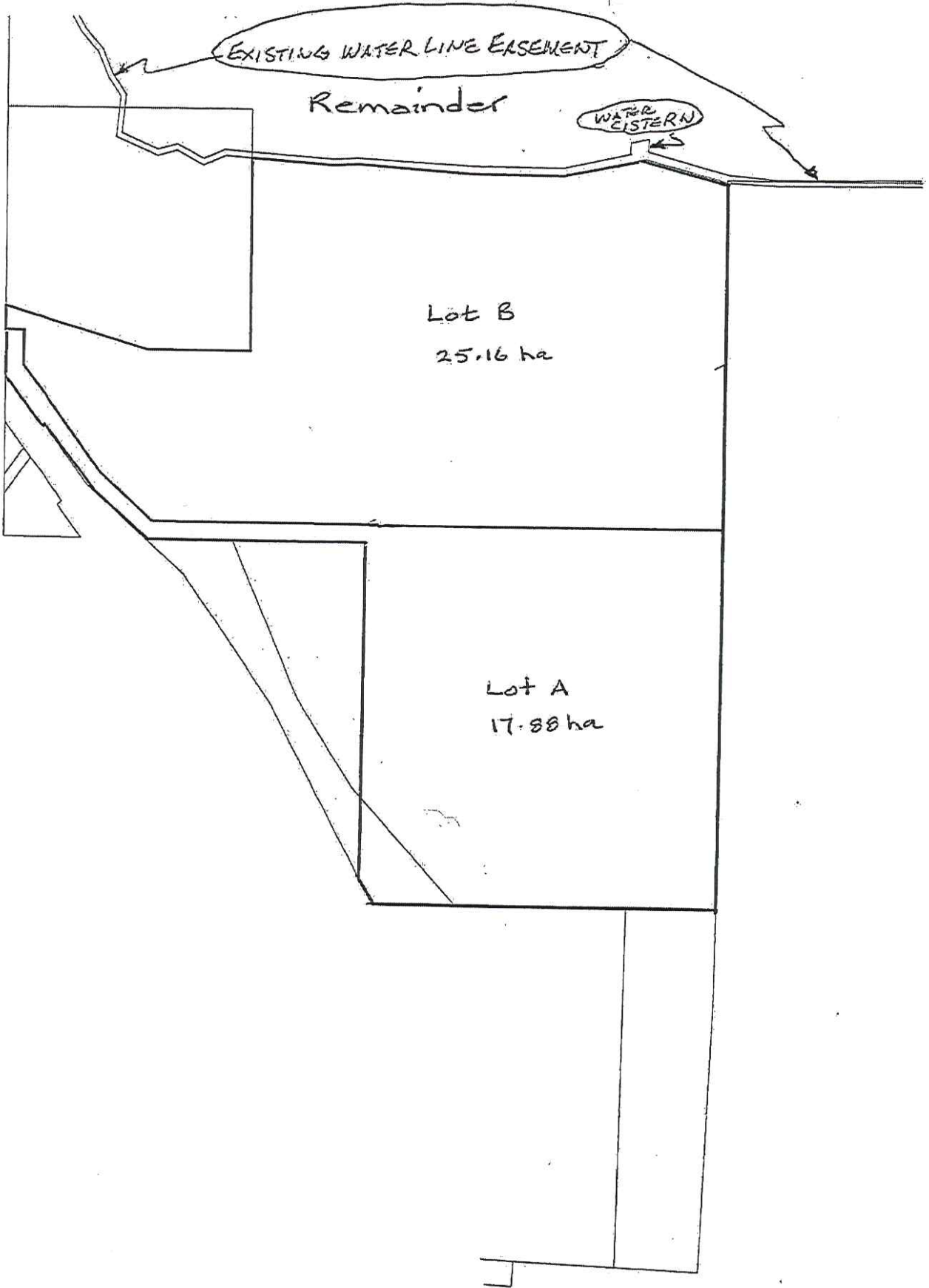
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

cc: Regional District of East Kootenay (P-707-340)
Capital West Development Corporation - 500-1505 West 2nd Avenue, Vancouver,
BC, V6H3Y4;

Enclosure: Minutes/Sketch Plan



EXISTING WATER LINE EASEMENT

Remainder

WATER EASEMENT

Lot B
25.16 ha

Lot A
17.88 ha



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- 37794
Applicant: Albert Holmes
Proposal: Subdivision for a Relative: To subdivide the 295 ha subject property to create a 17.9 ha parcel, a 25.2 ha parcel and a 252 ha remainder. One parcel is intended for the applicant's granddaughter. The Nature Conservancy may be interested in the remainder.
Legal: PID: 023-739-193
Lot B, District Lots 2312, 3005, 3057 and 10314, Kootenay District, Plan NEP58958
Location: Holmes Road, Fort Steele

Site Inspection

A site inspection was conducted on March 27, 2008. Those in attendance were:

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

The Commission met with Mr. Holmes on the subject property to discuss the application. Due to the size of the property, Mr. Holmes took the Commissioners in his vehicle to demonstrate where the subdivision lines were being proposed. Mr. Holmes mentioned that he grows some Christmas trees on the property, and will continue to do so if the subdivision application is approved. He also discussed the possibility of the Nature Conservancy being interested in purchasing the remainder of the property once the two proposed parcels have been subdivided off. The existing house would remain on the 17.9 ha parcel, and the other parcel would be given to the applicant's granddaughter. Mr. Holmes also spoke about the creation of the subject property through various consolidations, which was a condition of being permitted to put a campground close by on the canal flats. In discussion of the agricultural capability of the property, Mr. Holmes described his planting of 20,000 trees on a portion of the property all of which died as a result of lack of water. The Commission noted that the terrain was extremely hilly and stony.

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 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- 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.
- Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Subclasses

M	soil moisture deficiency	P	stoniness
T	topography	F	low fertility characteristics
X	cumulative and minor adverse		

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 discussed the location, hilly terrain,

stony soils and the lack of water for irrigation on the subject property, and believe that the subdivision proposal will not have an adverse impact on agriculture. The Commissioners also commented that the proposed parcels would be of sufficient size to support agricultural activity. The Commission believes the proposal would not adversely 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 not adversely impact agriculture.

IT WAS

MOVED BY: Commissioner Griffin
SECONDED BY: Commissioner Marshall

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- 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 # 112/2008