



Agricultural Land Commission
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April 15, 2008

Reply to the attention of Jennifer Carson
ALC File: Q-37870

Michael Price
5220 Almond Gardens Road
Grand Forks, BC V0H1H4

Dear Mr. Price:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 133/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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

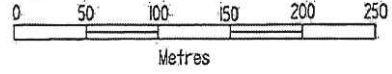
Per: 

Erik Karlsen, Chair

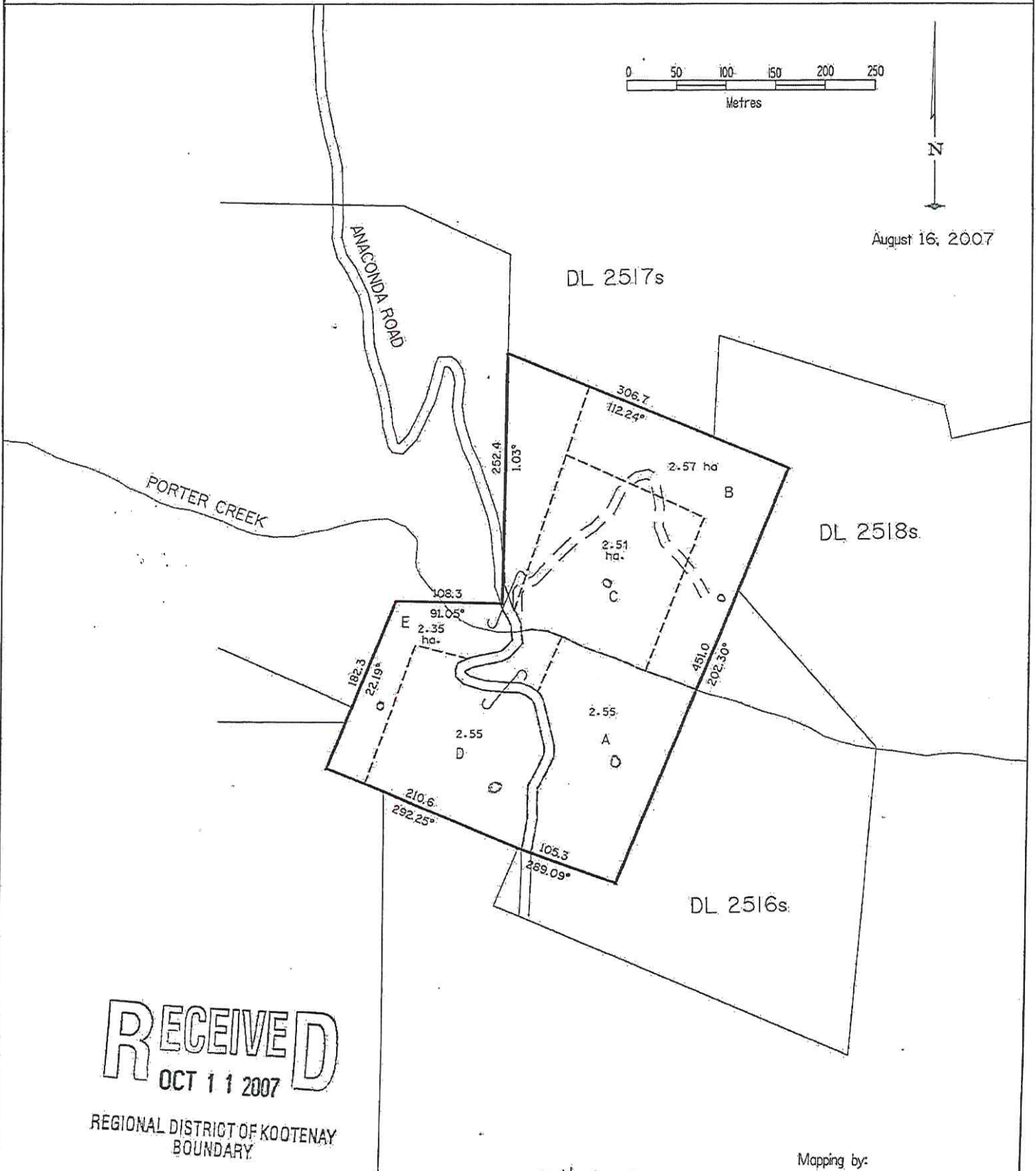
cc: Regional District of Kootenay-Boundary (E-2515s-06626-000)

Enclosure: Minutes/Sketch Plan

Proposed subdivision of D.L. 2515s S.D.Y.D



August 16, 2007



RECEIVED
OCT 11 2007

REGIONAL DISTRICT OF KOOTENAY
BOUNDARY

○ Houses

Mapping by:
Boundary Mapping and Design
Grand Forks BC

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 subject property is

- 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.
- Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

- P stoniness
- R shallow soil / bedrock outcroppings
- T topography

At the site visit, the Commission confirmed that the property was extremely limited in agricultural capability due to the topographical conditions.

Assessment of Other Factors

The Commissioners discussed the proposal and believe that, due to the severely limited agricultural capability of the subject property it had been inappropriately designated as ALR and would recommend an exclusion application. Furthermore, the Commission noted that the property combined with a few adjacent properties to the east, make up an isolated portion of ALR.

Conclusion

That the land under application has minimal agricultural capability and is perhaps not appropriately designated as ALR.

IT WAS

MOVED BY: Commissioner Purdy
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 # 133/2008