



**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

May 16, 2008

Reply to the attention of Jennifer Carson  
ALC File: F-38053

Anthony Salway  
2954 Six Mile Road  
Nelson, BC V1L6W3

Dear Mr. Salway:

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

Please find attached the Minutes of Resolution # 261/2008 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

  
Erik Karlsen, Chair

cc: Regional District of Central Kootenay (A0807Hs-20379-000)

Enclosure: Minutes

JC/38053d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

---

A meeting was held by the Provincial Agricultural Land Commission on May 9, 2008 in Castlegar, B.C.

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

### For Consideration

Application:       # F- 38053  
Applicant:         Donald Blunderfield  
Agent:             Anthony Salway  
Proposal:         To subdivide the 4.4 ha subject property to create two (2) 2.2 ha lots.  
Legal:             PID: 016-052-552  
                      Lot 169, District Lot 383, Kootenay District, Plan 1022  
Location:         River Road and Brooks Road. South Slocan

### Site Inspection

A site inspection was conducted on May 9, 2008. Those in attendance were:

- Monika Marshall             Chair, Kootenay Panel
- Carmen Purdy                Commissioner
- D. Grant Griffin             Commissioner
- Jennifer Carson             Staff
- Tony Salway                 Agent

The Commission met with Mr. Salway to discuss the application and view the subject property. The Commission also briefly met the potential purchaser of the proposed parcel which contains the existing building. Mr. Salway explained that the lower portion of the property by the Slocan River floods seasonally. Mr. Blunderfield, the owner of the subject property has done wetland improvement projects to minimize erosion and provide wetland habitat. Mr. Salway also discussed the agricultural history of the area of apple orchards planted by British settlers and then berry plants cultivated by Dukabors for making jam. Mr. Salway also mentioned that the property has access to 500 gallons per day for domestic use and one acre foot of water for irrigation purposes from Jerome Creek. Furthermore, Mr. Salway mentioned that the applicant has access to the lower portion of the property for cattle to graze by the river.

### 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 2 – Land in this class has minor limitations that require good ongoing management practices or slightly 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	T	topography
I	inundation (flooding by streams, etc.)	W	excess water

### **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 Commission noted that the property has good agricultural capability and thus should not be subject to parcelization. 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 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 Griffin

**SECONDED BY:** Commissioner Purdy

THAT the application be refused.

### **CARRIED**

**Resolution # 261/2008**