



Agricultural Land Commission
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July 11, 2008

Reply to the attention of Jennifer Carson
ALC File: L-38154

Brian and Margaret Ironmonger
3856 Galloway Frontage Road
Elko, BC V0B1J0

Dear Mr. and Mrs. Ironmonger:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 330/2008 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 (P708-208)

Enclosure: Minutes/Sketch Plan

JC/38154d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 4, 2008 in Cranbrook, B.C.

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

For Consideration

Application: # L- 38154
Applicant: Brian and Margaret Ironmonger
Proposal: To subdivide the 9.5 ha subject property to create a 1.3 ha residential lot for sale purposes and an 8.2 ha farm remainder for the owners
Legal: PID: 007-465-254
 Lot 1, District Lot 6358, Kootenay District, Plan 10747
Location: 3856 Galloway Frontage Road, Baynes Lake

Site Inspection

A site inspection was conducted on June 4, 2008. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Jennifer Carson Staff
- Darrell Smith Ministry of Agriculture and Lands District Agrologist
- Brian Ironmonger Applicant
- Margaret Ironmonger Applicant

The Commission met with Mr. & Mrs. Ironmonger at the subject property to discuss the application. Mrs. Ironmonger brought the Commission to the area proposed for subdivision and explained that the reason that they do not want to pursue the previously approved subdivision (Application # L-16131) as it would allow access into the slough area, in which the Ironmonger's well is located. The Commission noted the rocky terrain of the property as well as the slough. The Commission also noticed that the proposed subdivision would divide the existing field currently used for the cattle and horses on the property. The Commission inquired as to whether Mrs. Ironmonger would consider a smaller parcel around the existing trailer so as to keep a larger portion of the field intact, to which she indicated her concurrence.

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 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

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. Given the prior decision to allow a subdivision of the subject property into a 4.2 ha parcel and a 5.3 ha parcel, the Commission does not believe that an amended lot size in the southeast corner adjacent to the highway would adversely impact existing or potential agricultural use of surrounding lands.

Conclusion

That the proposal will not adversely impact agriculture.

IT WAS

MOVED BY: Commissioner Griffin

SECONDED BY: Commissioner Purdy

THAT the application be refused as submitted.

AND THAT an alternate subdivision of one lot of approximately 0.2 ha encompassing the trailer located in the southeast corner of the property be approved.

AND THAT the approval is subject to the following conditions:

THAT Resolution #279/1998 be

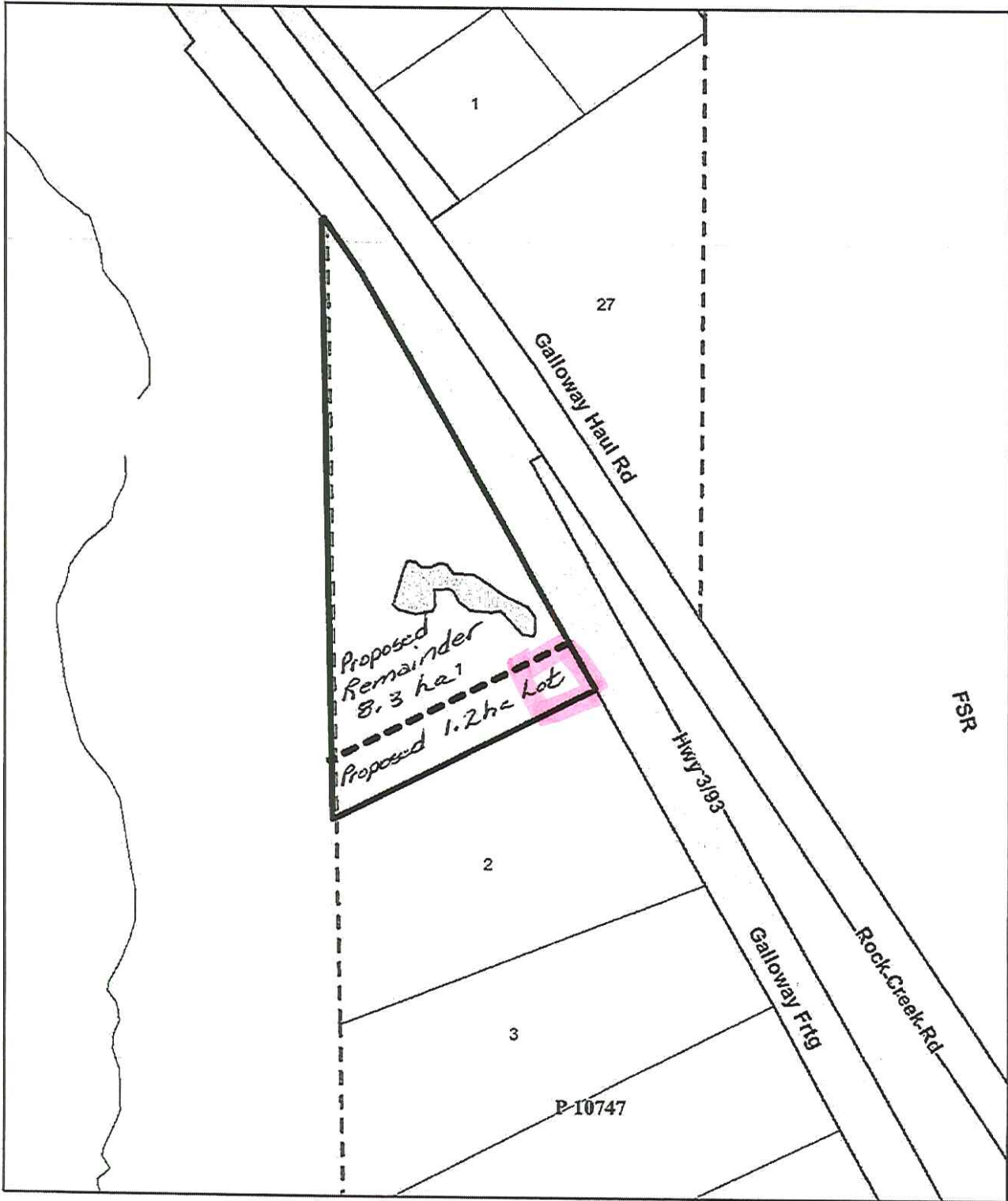
- rescinding of Resolution # 1444/83.
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 330/2008

PROPOSED SUBDIVISION



0 110 220 m.

Map center: 630968, 5467389



Scale: 1:6,000

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Approximate location of approved 0.2 ha lot (Resolution # 330/2008)