



Agricultural Land Commission
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October 28, 2008

Reply to the attention of Jennifer Carson
ALC File: F-38299

Gregory Garbula
Box 96
Crawford Bay, BC V0B1E0

Dear Mr. Garbula:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 644/2008 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.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from Certificate of Title KW172548.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsten, Chair

Enclosure: Minutes/Sketch Plan




cc: Regional District of Central Kootenay (A0817A-05820-200)

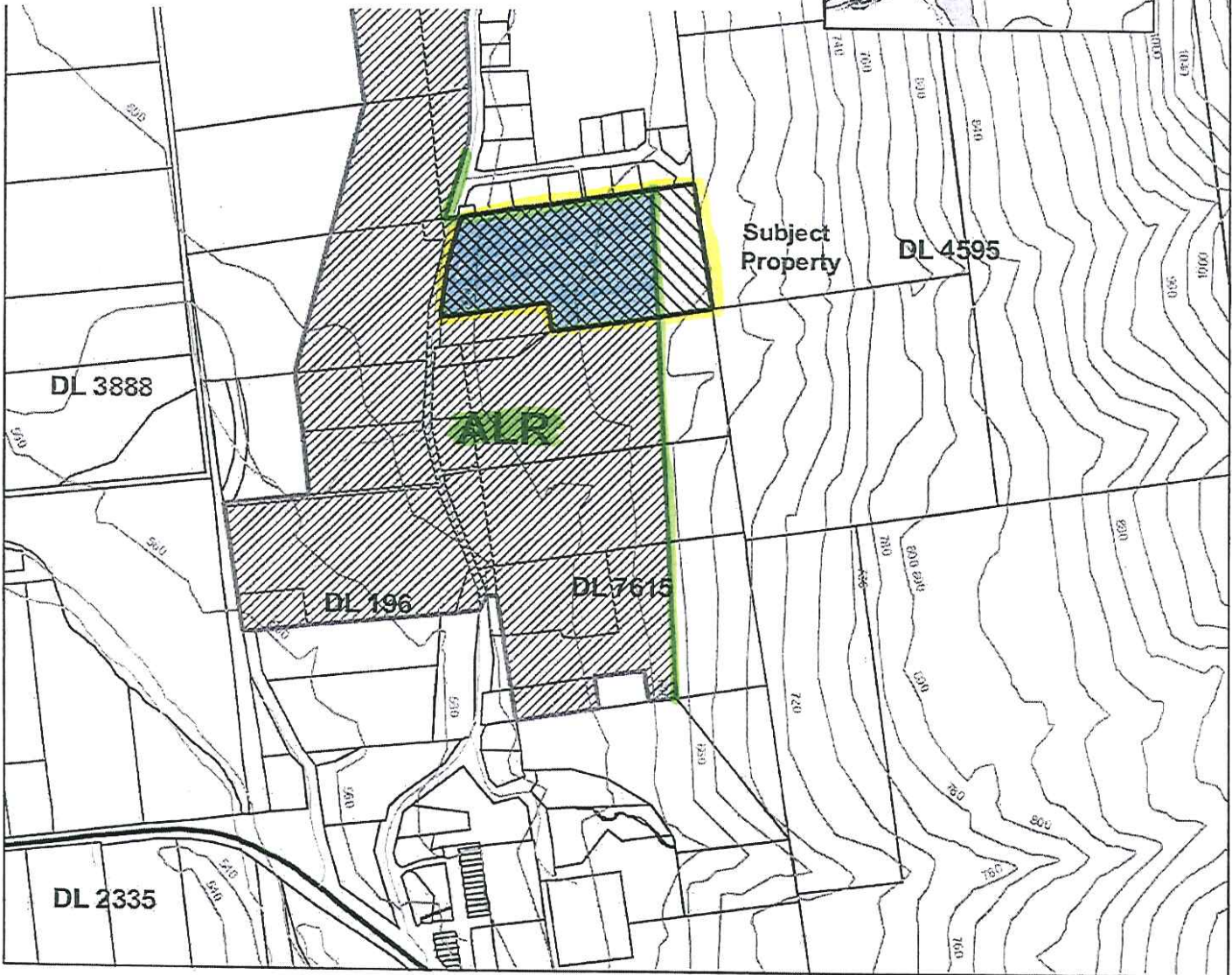
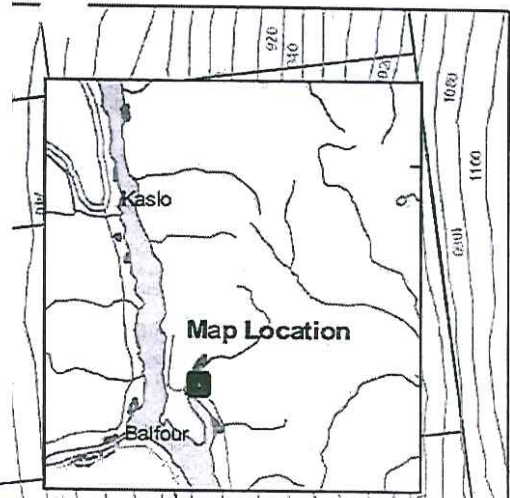
BC Land Title & Survey,
BC Assessment,

JC/
i/38299d1

Application # F-38299 (Parcel 85 Holdings Ltd.)
Resolution #644/2008

LEGEND

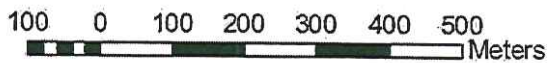
-  Subject Property
-  ALR Boundary
-  ALC approved area for exclusion from ALR



ALC File #: 02-2008-38299
Mapsheet #: 82F.066
Map Produced: September 4, 2008
Regional District: Central Kootenay

Context Map

Map Scale: 1:10,000





MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 1, 2008 in Crawford Bay, B.C.

PRESENT:	Roger Mayer	Commissioner
	Carmen Purdy	Commissioner
	D. Grant Griffin	Commissioner
	Jennifer Carson	Staff

For Consideration

Application: # F- 38299
 Applicant: Parcel 85 Holdings Inc
 Agent: Gregory Garbula
 Proposal: To exclude the 7.5 ha property from the ALR in order to facilitate subdivision.
 Legal: PID: 025-482-467
 Location: Lot 2, District Lot 196 and 7615, Kootenay District, Plan NEP71828
 Crawford Bay

Site Inspection

A site inspection was conducted on October 1, 2008. Those in attendance were:

- Roger Mayer Commissioner
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Jennifer Carson Staff
- Gregory Garbula Agent

The Commission drove through the property with the agent and viewed the topographical and stoniness limitations to farming the property. Mr. Garbula also showed the Commission a property north of the golf course that he was thinking about excluding in the future and the Commission explained that this property had good agricultural capability.

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 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.

Subclasses

C adverse climate

T topography

Upon viewing the subject property the Commission believes that the land does not have high agricultural capability due to the topographical constraints, the stoniness and that the property is on a north facing slope. However, the Commission also comments that in viewing the other properties within the ALR in the area, this one was unique in its combination of limitations.

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 does not believe that the proposal 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 Purdy

SECONDED BY: Commissioner Mayer

THAT the application be allowed.

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 # 644/2008