



Agricultural Land Commission
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June 5, 2009

Reply to the attention of Brandy Ridout
ALC File: H-38696

Bruce Woodbury
Box 221
Canal Flats, BC V0B1B0

Dear Sir:

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 209/2009 and sketch plan 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

Enclosure: Minutes/Sketch Plan

cc: Columbia Shuswap Regional District (LC2405A)

mc/i/38696d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 26, 2009 at Invermere, B.C.

PRESENT:	Barry Minor	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	Jerry Thibeault	Commissioner
	Martin Collins	Staff

For Consideration

Application: # H- 38696
Applicant: Martha Harper
Agent: Bruce Woodbury
Proposal: To subdivide the 10.6 ha property into a parcel of 2.6 ha with a remainder parcel of 8.0 ha.
Legal: PID: 013-148-893
Lot 4, Section 15, Township 25, Range 20, West of the 5th Meridian, Kootenay District, Plan 8267
Location: 2900 Campbell Road, south of Golden

Site Inspection

A site inspection was conducted on Tuesday, May 26th, 2009. Those in attendance were:

- Barry Minor Chair, Kootenay Panel
- Carmen Purdy Commissioner
- Jerry Thibeault Commissioner
- Martin Collins Staff
- Martha Harper Applicant
- Liz Spence-Noble Applicant
- Dean Young Applicant
- Bruce Woodbury Agent

The agent confirmed that the staff report dated January 29th, 2009 was received and no errors were identified.

The Commission viewed the wooded property, noting that the subdivision followed a ravine that naturally divided the property as per the proposed subdivision. A hydro line right of way and a small field up by the road were the only cleared areas on the property. No agricultural activity was occurring.

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.

The agricultural capability of the soil of the subject property is;

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.

The limiting subclasses are severe topography and stoniness.

Assessment of Agricultural Suitability

The Commission assessed whether 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 does not believe that the proposal would have any impact on the existing or potential agricultural use of the subject property or surrounding lands.

Conclusions

1. That the land under application has limited agricultural capability and is largely unsuitable for agricultural use.
2. That the subdivision proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner B. Minor

SECONDED BY: Commissioner C. Purdy

THAT the application to subdivide a 2.6 ha lot from the 10.6 ha property be allowed,

AND THAT the approval is subject to the following conditions:

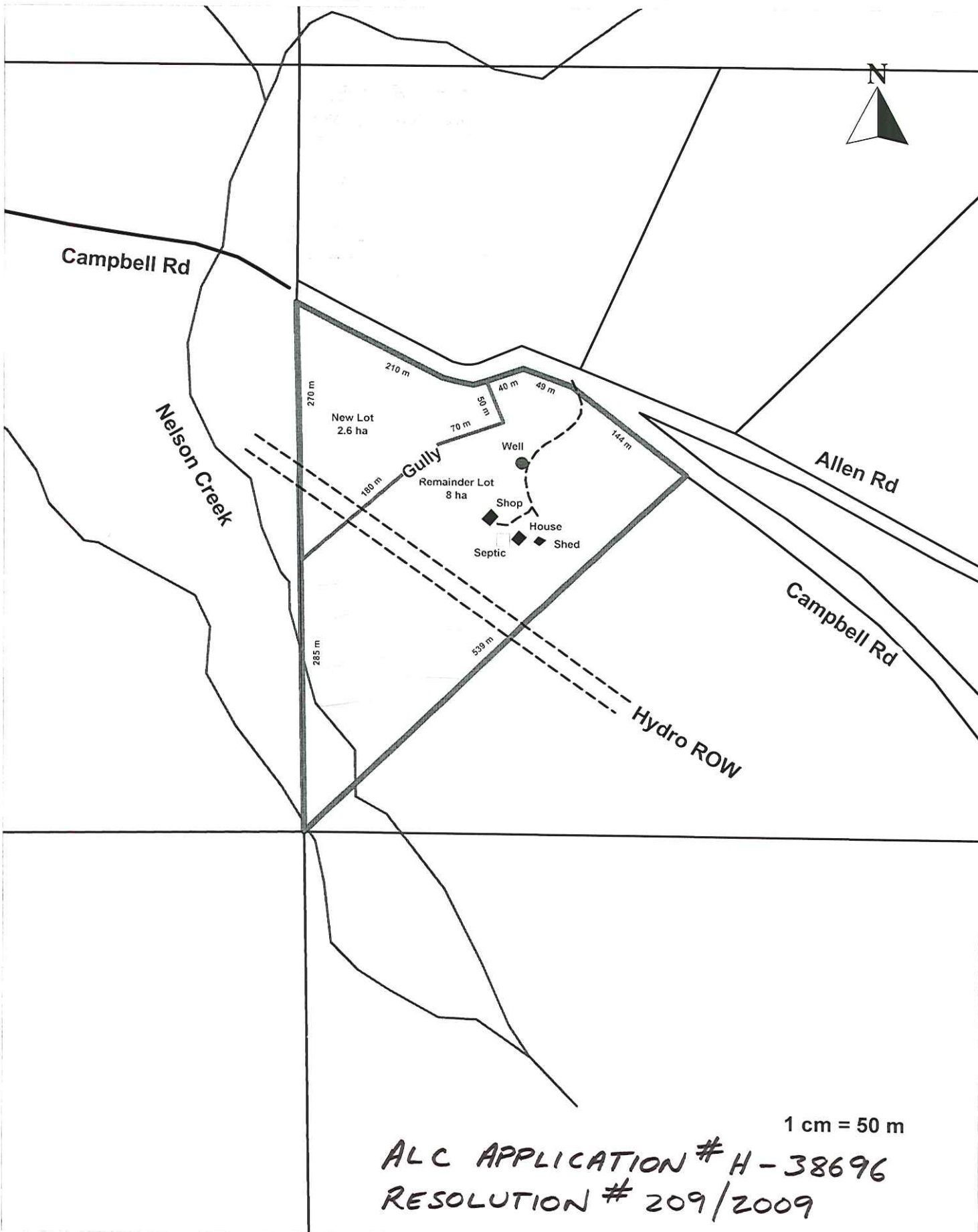
- the subdivision must be completed within three (3) years from the date of this decision.

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Application # H-38696

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 # 209/2009

Harper 2 Lot Subdivision



ALC APPLICATION # H-38696
RESOLUTION # 209/2009

APPROVED SUBDIVISION