



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

September 24, 2009

Reply to the attention of Brandy Ridout
ALC File: L-38939 (45902)

Monroe Hunsicker
RR #2 4865Floyd Rd.
Invermere
VOA 1K2

Dear Sir:

Re: Application to subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution #823/2009 and a 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay (File: P 709 607)

MC/i/38939d1



A meeting was held by the Provincial Agricultural Land Commission on Thursday, September 17, 2009 by telephone conference call.

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

For Consideration

Application:	L-38939 (45902)
Applicant:	Don and Gloria Dehart
Agent:	Monroe Hunsicker
Proposal:	To subdivide the 2 ha subject property into two 1 ha lots.
Legal:	PID 009-803-386 Lot 1, DL 288, Kootenay District, Plan 14781
Location:	Between Invermere and Radium Hot Springs west of Highway 95

Site Inspection

No site inspection was conducted.

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 and Suitability

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 limited being comprised of

- 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.

The Commission also assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission noted that the narrow 2 ha lot adjoined similar sized parcels to the south and rough grazing land to the north and east (partially forested). The Commission believed that the parcel's small size and poor soils made it unsuitable for agricultural development.

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 believed that the impact of subdivision might be that adjoining 2 ha lot owners would request similar subdivision. However, since there is no active agricultural activity occurring on these lands, the impact of smaller lots would be negligible.

Conclusions

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

IT WAS

MOVED BY: Commissioner J. Thibeault

SECONDED BY: Commissioner C. Purdy

THAT the application to subdivide the 2 ha lot into two 1 ha lots be allowed

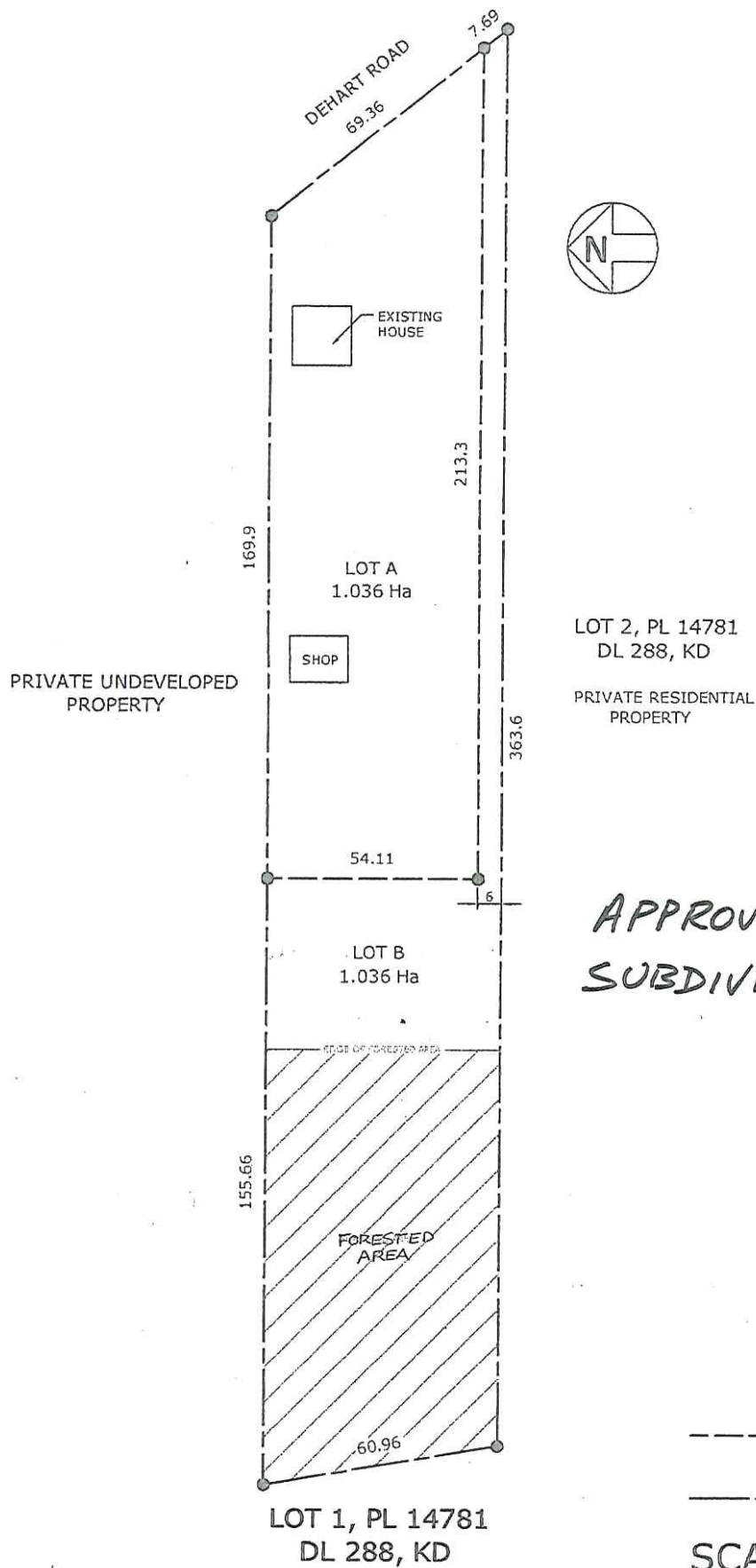
AND THAT the approval is subject to the following condition:

- 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

Resolution # 823/2009



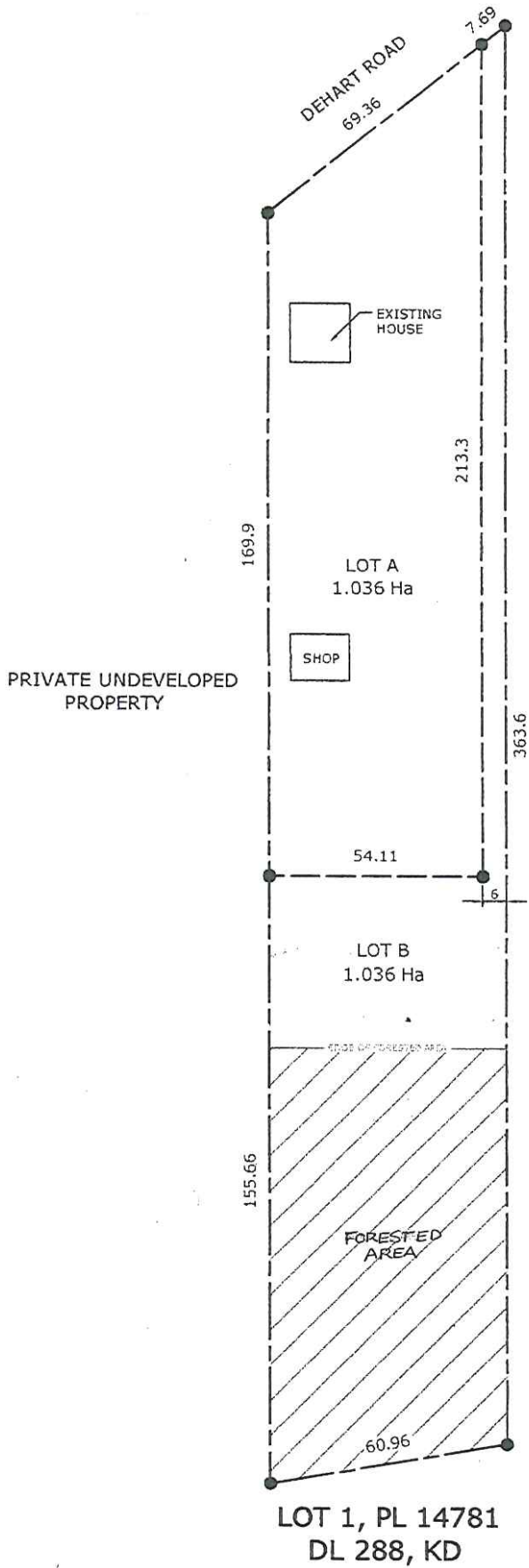
**APPROVED
SUBDIVISION**

----- = DIVISION LINE

————— = PROPERTY LINE

SCALE = 1:40

**ALC APPLICATION # L-38939
RESOLUTION #823/2009**



**APPROVED
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