



Agricultural Land Commission
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September 24, 2009

Reply to the attention of Brandy Ridout
ALC File: L-39003 (45979)

Mike and Krista Knight
8272 Betts Road
Wardner, B.C.
V0B 2J0

Dear Sir/Madam:

Re: Application to subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution #826/2009 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 709 305

MC/i/39003d1

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 large property lies in a rural area adjacent to similar size parcels. As such 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 subject property and surrounding lands were not developed for agriculture (i.e. cleared and cultivated or in pasture). Therefore the Commission believed that the subdivision of a single parcel would have little, if any impact on the agricultural (grazing) use of surrounding lands. However, it is possible that subdivision will raise expectations of similar subdivision.

Assessment of Other Factors

The Commission expressed concern about the configuration of the proposed lot. It noted that the proposed 2.8 ha represented an awkward intrusion into the parcel, potentially making it difficult to develop a farm operation on the remnant. Instead the Commission supported the subdivision of a larger ~ 5 ha lot that extends to the east boundary of DL 11762.

Conclusions

1. That the land under application has limited agricultural capability.
2. That the subdivision proposal as configured will negatively impact agriculture.

IT WAS

MOVED BY: Commissioner J. Thibeault

SECONDED BY: Commissioner C. Purdy

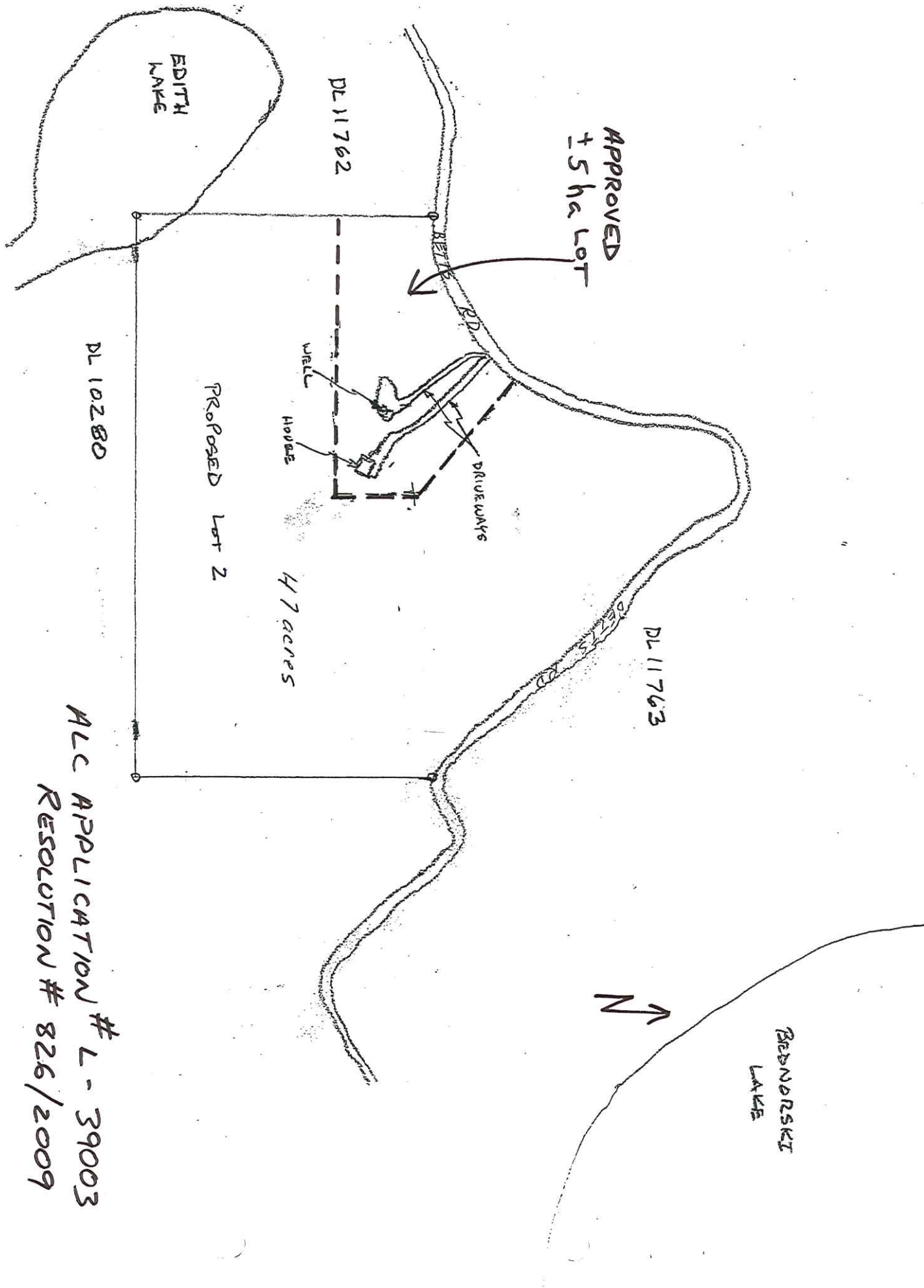
THAT the application to subdivide a 2.8 ha lot from the 19 ha property be refused as proposed. However, the Commission would allow the subdivision of a slightly larger parcel of approximately 5 ha containing the existing home and extending to the east boundary of DL 11762.

AND THAT the approval is subject to the subdivision being 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 # 826/2009



ALC APPLICATION # L - 39003
RESOLUTION # 826/2009