



Agricultural Land Commission
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April 7, 2010

Reply to the attention of Martin Collins
ALC File: 50991

Thomas and Donna Yost
3310 Pineridge Road
Kimberly, B.C.
V1A 2L5

Dear Sir/Madam:

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2318/2010 and a sketch plan 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.

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 709 411

MC/50991d1



A meeting was held by the Provincial Agricultural Land Commission on March 24th, 2010 at Cranbrook, B.C.

PRESENT:	Barry Minor	Chair, Kootenay Panel
	Jerry Thibeault	Commissioner
	Roger Mayer	Commissioner
	Martin Collins	Staff

For Consideration

Application: 50991
Applicant: Thomas and Donna Yost
Proposal: To subdivide the 4.8 ha property into two lots (2.3 ha and 2.5 ha)
Legal: PID 027-997-359 Lot A, DL 15905, KD, Plan EPP2831
Location: Pineridge Road, Rural Kimberly

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 improvable to (6:4T 2:3T 2:6T)

- 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.
- Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

The limiting subclass is topography.

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 believed that the small size and rural residential uses of adjoining parcels precluded agricultural uses being developed on the property.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the subdivision proposal against the long term goal of preserving agricultural land. The Commission believed the proposed subdivision lot sizes would have little, if any, effect on agriculture, because there was no agricultural development in the surrounding area.

Assessment of Other Factors

The Commission noted that it had approved all previous subdivisions in the Pineridge Road area on the grounds the land is not suitable for agricultural development due to small parcel sizes, poor soils and rough topography. It was also noted that the local APC does not support this subdivision proposal because of concerns about increasing residential density in the area.

Conclusions

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

IT WAS

MOVED BY: Commissioner B. Minor
SECONDED BY: Commissioner J. Thibeault

THAT the application to subdivide the 4.8 ha property into two lots be approved.

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.

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 # 2318/2010

PLAN OF PROPOSED SUBDIVISION OF LOT B, DL 15905, KOOTENAY DISTRICT, PLAN EPP2831

BCGS 82G.071

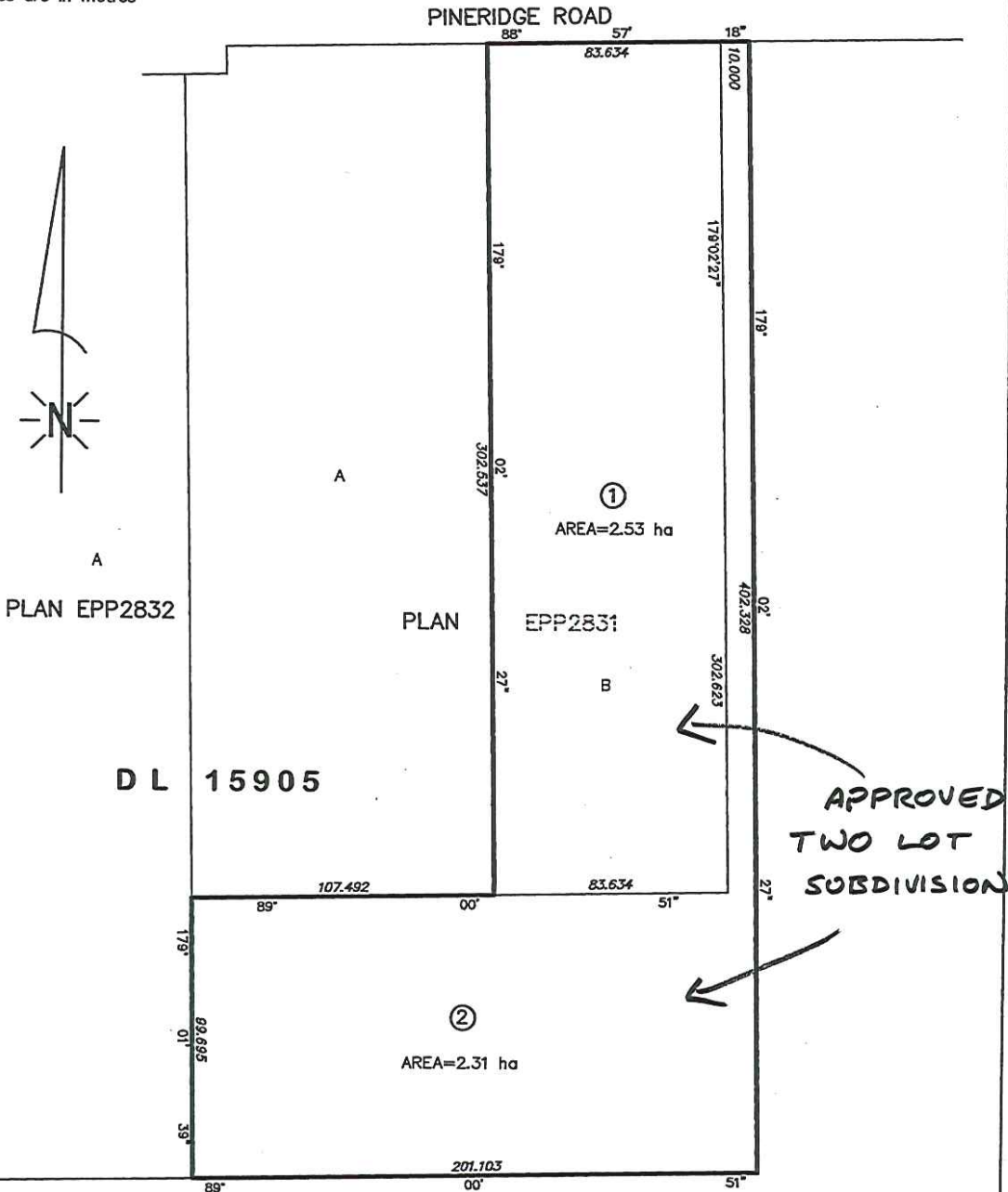
30m 0 30 60 90m

The intended plot size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1:1500

B	A	A
PLAN	EPP2833	PLAN EPP2834

LEGEND

All distances are in metres



UNSURVEYED CROWN LAND

ALC APPLICATION # 50991
RESOLUTION # 2318/2010

GARRETT WINKEL LAND SURVEYING LTD.
 127C KOOTENAY STREET NORTH
 CRANBROOK BC V1C 3T5
 PHONE: (250) 489-1182
 09012-YOST-PSUB

This plan lies within the Regional District of East Kootenay

September 3, 2009