



**Agricultural Land Commission**  
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April 9, 2010

Reply to the attention of Martin Collins  
ALC File: 50993

James and Patricia Ryan  
3494 Mission Wycliffe Road  
Wycliffe, B.C.  
V1C 6H3

Dear Sir/Madam:

**Re: Application to Subdivide within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 2333/2010 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

Enclosure: Minutes

cc: Regional District of East Kootenay File: P 709 334

MC/ 50993 d1



## **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 20% 4SP, 70% 8:5TP 2:6TP and 10% 6TP.

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 limiting subclasses are 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 noted that the large Clearview subdivision of 2 ha lots adjoins the subject property to the east. However, it 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 the applicant's contention that this property was among the largest in the area. However, it believes that larger parcels offer a wider range of agricultural options and are more likely to be used for agriculture in the long term. The proposed subdivision would sever the large hayfield resulting in lower production and potentially increase pressure to continue to subdivide the resulting parcels.

While the Commission appreciated the applicant's reasons for subdivision it believed that the proposed subdivision was not supportive of agriculture. It did note that there were other, undeveloped portions of the property which might be better suited for subdivision. The Commission indicated that it was prepared to consider a revised subdivision proposal for a smaller portion of the property which is not agriculturally developed, and has poorer capability for agriculture.

### **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the subdivision as proposed will negatively impact agriculture.

4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner R. Mayer

**SECONDED BY:** Commissioner J. Thibeault

THAT the application be refused as proposed.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
  - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

**CARRIED**

**Resolution # 2333/2010**