



Agricultural Land Commission
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April 6, 2010

Reply to the attention of Martin Collins
ALC File: 51593

George and Jean Terpsma
8621 Pighin Road
Cranbrook, B.C.
V1C 7C9

Dear Sir/Madam:

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution #2328/2010 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/fencing specifications

cc: Regional District of East Kootenay File: P 709 414

MC/51593d1

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 5SP improvable to (3P)

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately 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.

The primary limiting subclass is 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. However the small size and awkward triangular shape of the 0.6 ha area divided by Pighin Road does not lend itself to 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 did not believe that the introduction of a single small lot and a rural resident would have a substantive impact on the surrounding rural community. Farm activity in the area is not intensive. However the Commission was concerned about the potential for a future resident's dogs to have an impact on nearby livestock. Therefore, although it had no objection to the subdivision, it required that the 0.6 ha lot be fenced with a wire fabric fence to help ensure that the potential for pet trespass was minimized.

Conclusions

1. That the 0.6 ha portion of the property proposed for subdivision and divided from the remainder by Pighin road had very limited agricultural capability
2. That the subdivision proposal will not substantively impact agriculture provided the lot is fenced with a wire fabric fence.

IT WAS

MOVED BY: Commissioner R. Mayer

SECONDED BY: Commissioner B. MInor

THAT the application to subdivide a 0.6 ha lot from the 11.7 ha property be allowed.

AND THAT the approval is subject to the following conditions:

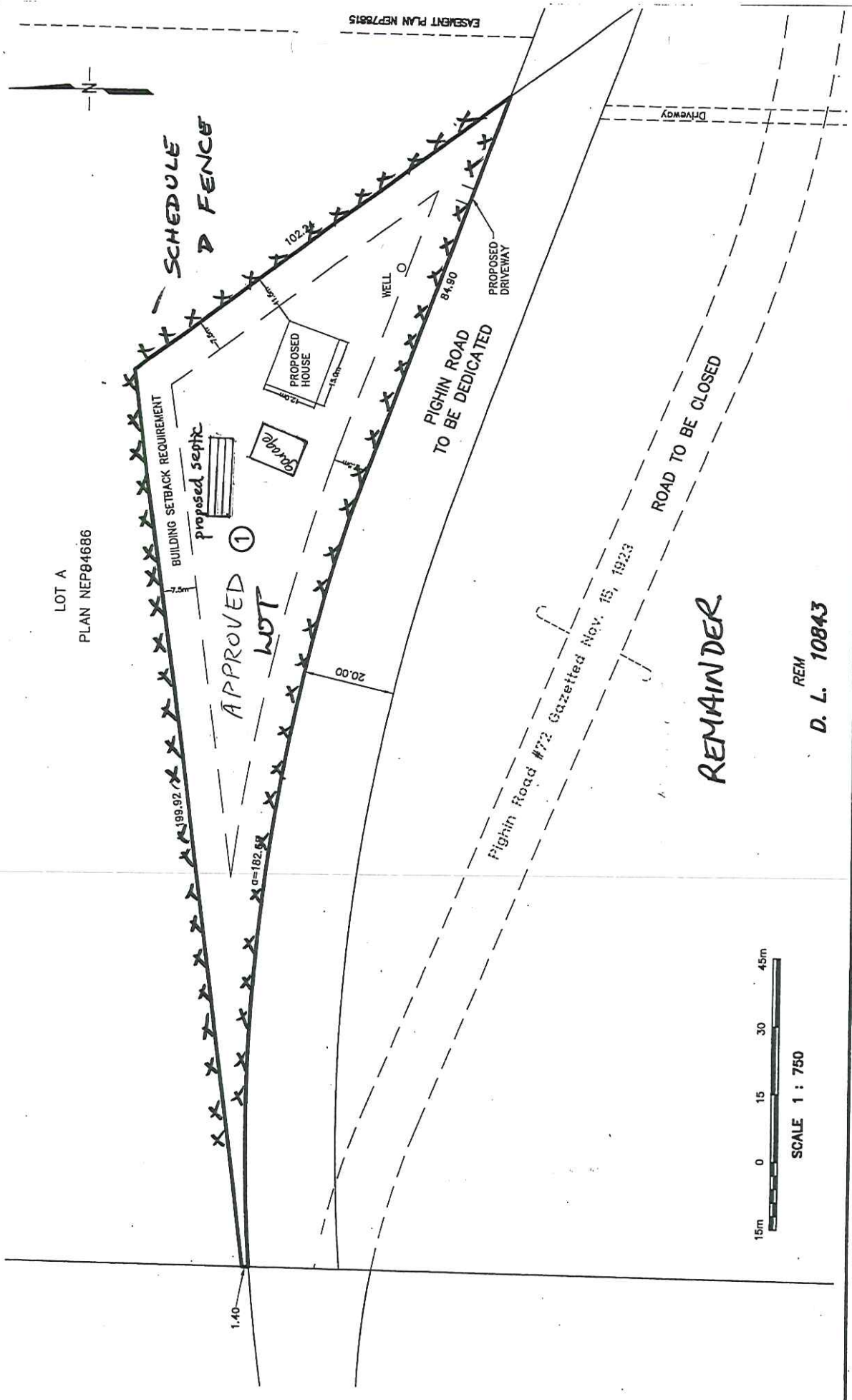
- the construction of a Schedule D (wire fabric) fence to help ensure that the impacts of the rural residence are mitigated (trespass by dogs and children).
- And that the subdivision and fence be completed within three years from the date of the resolution.

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 # 2328/2010

TERPSMA SUBDIVISION

LOT A
PLAN NEP84686



Pighin Road #72 Gazetted Nov. 15, 1923

REMAINDER

REM
D. L. 10843



SCALE 1 : 750

ALL APPLICATION # 51593
RESOLUTION # 2328/2010