



Agricultural Land Commission
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June 17, 2010

Reply to the attention of Terra Kaethler
ALC File: 51653

Richard Parsons, Paula Bedford
9039 Pighin Road
Cranbrook, BC V1C 7C9

Dear Mr. Parsons and Ms. Bedford:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2514 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of East Kootenay, 19-24th Ave. S., Cranbrook, V1C 3H8

TK/
/51653d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 14, 2010 at the offices of the Ministry of Environment located at 205 Industrial Road, Cranbrook, B.C.

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

For Consideration

Application:	#51653
Applicant:	Richard Parsons, Paula Bedford
Proposal:	To subdivide as divided Pighin Road, creating two lots of 34.0 ha and 29.0 ha
Legal:	016-309-987 Sublot 13 District Lot 341 Kootenay District Plan X40
Location:	9039 Pighin Road - Wycliffe area

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, or the BC Land Inventory (BCLI), ‘Land Capability Classification for Agriculture in B.C.’ system.

The agricultural capability of the subject property is improvable to Class 3, 4, 5 and 6 with the limitations of stoniness, topography and a combination of two of the following: undesirable soil structure, salts, moisture deficiency or low fertility.

- 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 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

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 # 2514