



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

March 27, 2012

Reply to the attention of Lily Ford
ALC File: 52439

Gerald and Elizabeth Hope
RR #5 Westside Road
Invermere, B.C.
V0A 1K5

Dear Sir/Madam:

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution #109/2012 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 the Regional District of East Kootenay.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay File: P711 513

MC/52439d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 22, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jerry Thibeault	Commissioner
Gord Gillette	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Martin Collins	Regional Planner
Lily Ford	Planner
Colin Fry	Executive Director

APPLICATION ID: #52439

PROPOSAL: To subdivide a 0.25 ha lot from the 4.5 ha property for a family member.

(Application submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

PROPERTY

Owner: Gerald and Elizabeth Hope
Date of Acquisition: June 1976
Parcel ID: 015-882-381
Title No. XG24359
Legal Description: Parcel A (see21375I) Lot 10, DL 375, KD, Plan 1232, Except Part included in plan NEP20683.
Civic Address: 127 Westside Rd., Invermere
Size: 4.5 ha
Area in ALR: 4.5 ha
Current Land Use: Residence, pasture, outbuildings
Farm Classification: Yes No
(BC Assessment)

COMMISSION CONSIDERATION:

Context

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission as: (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.

Agricultural Capability

Based on the information contained in Map (Scale 1:50,000) of the Canada Land Inventory (CLI) mapping, the improved agricultural capability ratings for the property are (4T).

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The limiting subclass is T - topography

These ratings and limitations suggest that portions of the property have some capability for agricultural development.

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 property lies on the edge of the Toby Benches northwest of Invermere. Rural residential uses predominate in this area. The small size and narrow configuration (60 meters wide) of the property limits the parcel's suitability for farm uses.

Assessment of Potential Impact on Agriculture

The Commission assessed the impact of the subdivision proposal against its mandate of preserving agricultural land and encouraging agriculture. The Commission believed that the subdivision of a small 0.25 ha area from the 4.5 ha parcel would have little, if any, impact on the potential to use the remainder of the property for agriculture. No new house sites are proposed for the parcel. In addition, little agricultural activity is occurring in the area.

Other Factors

The Commission has endorsed the adjoining Toby Benches "Land Use Strategy" which recognises the limited potential for agriculture in the area west of Invermere, and supports rural residential subdivision.

CONCLUSIONS:

1. That the property under application has limited agricultural capability for soil based agriculture.
2. The land is appropriately designated as ALR or is suitable for agricultural use.
3. That the proposed subdivision would have little, if any, impact on the agricultural capability of the remainder of the property because of its small size and location within the existing homesite area .

IT WAS

MOVED BY: **Commissioner** Jerry Thibeault

SECONDED BY: **Commissioner** Lucille Dempsey

THAT the application to subdivide a 0.25 ha lot from the 4.5 ha property be allowed.

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

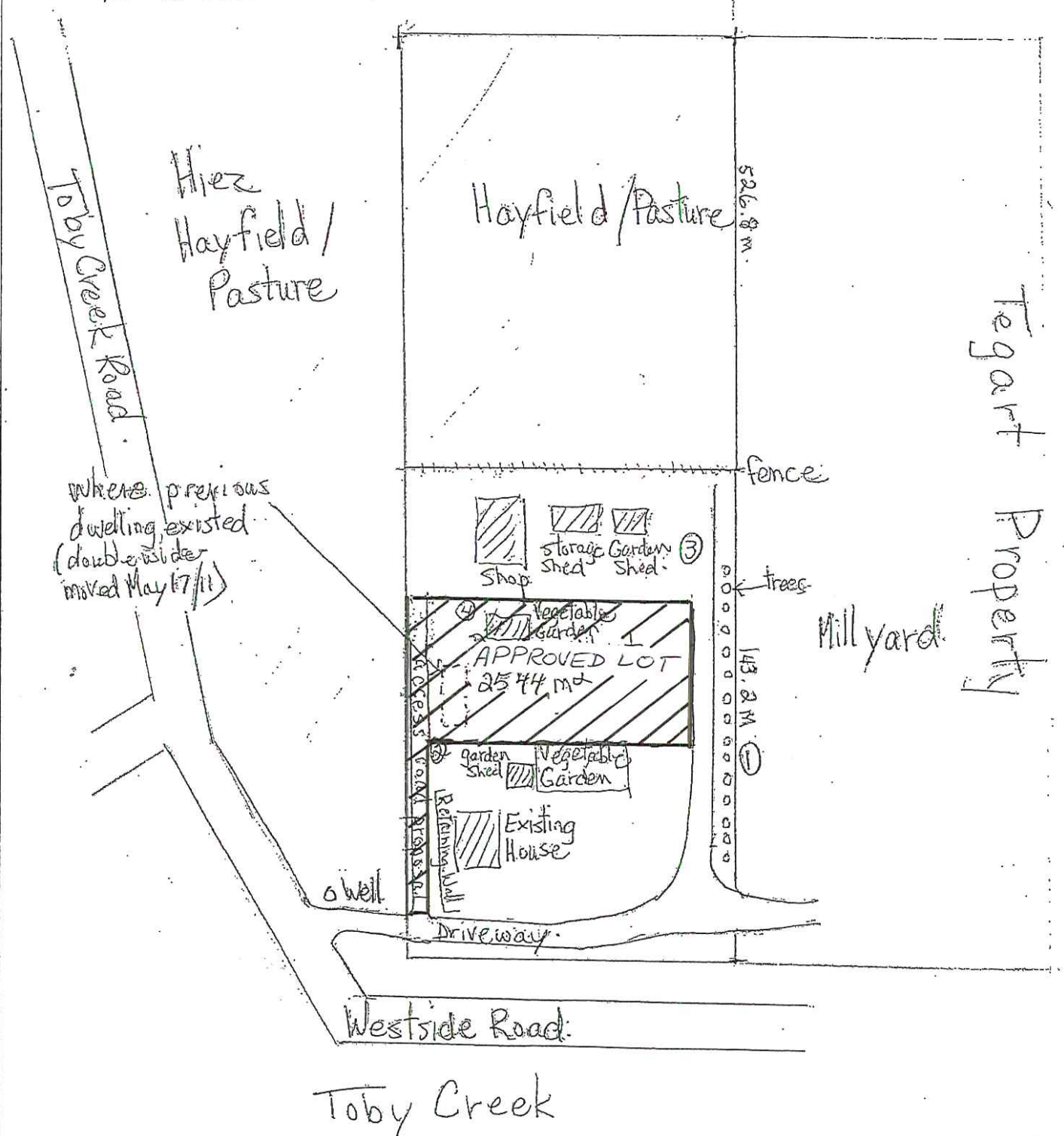
Resolution #109/2012

Gerry Hope
Parcel A
District Lot 21375-1
Plan 1232
10.90 Acres Total

Photos
① ② ③ ④

67.056 m.

Grasslands.



ALC APPLICATION # 52439

RESOLUTION # 109/2012

SKETCH PLAN - APPROVED 0.25ha LOT