



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

July 12, 2006

Reply to the attention of Ron Wallace

Patricia M. and James Gordon Ryan
3494 Mission Wycliffe Road
Cranbrook, BC V1C 7E3

Dear Sir/Madam:

Re: **Application # L - 36619**
Lot 1, District Lot 2047, Kootenay District, Plan NEP78332

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide a 7.9 ha parcel from the above noted property as divided by Mission Wycliffe Road. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on June 27, 2006. The Commission found the meeting and site visit informative.

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- A commitment to improve the water (irrigation) system to enhance the existing cattle operation. Please forward to the Commission a development plan showing how this objective would be achieved. In light of the costs involved in developing a water system for the farm, the Commission is prepared to finalize the approved subdivision prior to completing this condition of approval.
- compliance with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment. The Commission suggests you contact the Regional District of East Kootenay at your earliest convenience.

The decision noted above is recorded as Resolution #358/2006.

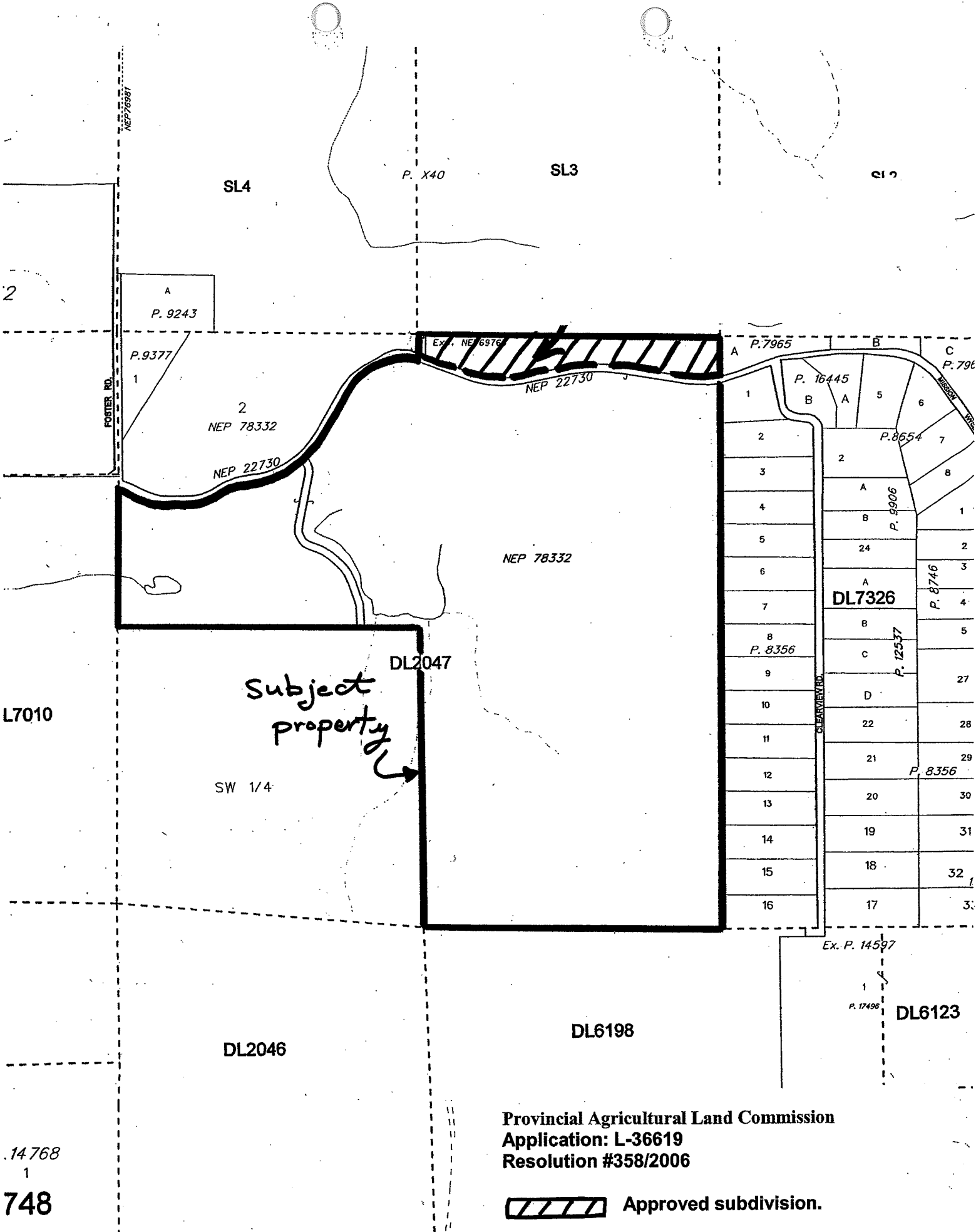
Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval (except for the improved water system for the farm, noted above) have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of East Kootenay (# P706 305)
RW/lv/Encl./36619d1



14768
1
748

Provincial Agricultural Land Commission
Application: L-36619
Resolution #358/2006

 Approved subdivision.

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on June 27, 2006 in Cranbrook, B.C.

PRESENT: Monika Marshall Chair
 Carmen Purdy Commissioner

STAFF: Ron Wallace, Land Use Planner

For Consideration

Ron Wallace presented the staff report dated May 18, 2006 regarding application #L-36619, Patricia and James Gordon Ryan. The application is to subdivide 7.9 ha from the 160 ha property as divided by a road.

Site Inspection

A site inspection was conducted on June 27, 2006. Those in attendance were:

- Commissioners Marshall & Purdy
- Agricultural Land Commission Staff: Ron Wallace, Land Use Planner
- Applicants Patricia and James Ryan

The site inspection lasted from 5:00 p.m. to 5:30 p.m.

Commission Discussion

To allow the proposed subdivision as it was demonstrated that this area of the property, north of the road, was not useful for the operation of the whole farm. This decision was subject to the applicants' proposal to use the proceeds of the subdivision to pay for a water system to enhance their existing cattle operation. It was felt the impact to local agriculture of this subdivision would be minimal due to the existence of roughly fifty (50) 2 ha lots to the east of the subject property that were created prior to the ALR.

IT WAS

MOVED BY: Commissioner C. Purdy
SECONDED BY: Commissioner M. Marshall

THAT the staff report be received and the application be approved subject to a commitment from the applicants to upgrade a water system to enhance their existing cattle operation.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # L – 36619
Applicant: Patricia M. and James Gordon Ryan

DATE PREPARED: May 18, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: To subdivide a 7.9 ha parcel from the 160 ha subject property as divided by a road

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicants state that they wish to subdivide this portion from their ranch so that it can be sold as a rural residential lot. They stated that the area is fenced from the main farm is heavily treed and has very little pasture. They also stated that it is very dry. The applicants would use the proceeds of the subdivision to pay for a water system to enhance their existing cattle operation.

Local Government:

Regional District of East Kootenay

Legal Description of Property:

1. PID: 026-324-245
Lot 1, District Lot 2047, Kootenay District, Plan NEP78332;

Purchase Date:

November 1993

Location of Property:

3494 Mission Wycliffe Road, Cranbrook

Size of Property:

158.6 ha (The entire property is in the ALR).

Present use of the Property:

Vacant

Surrounding Land Uses:

WEST: Ryan Ranch, cattle and hay (ALR)
SOUTH: Vacant land (ALR)
EAST: Residential (ALR)
NORTH: Residential (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 82G/12
The majority of the property is identified as having Secondary ratings.

Zoning Bylaw and Designation:

Wycliffe Land Use Bylaw No. 873, 1989 designates the property as RR-60 Rural Resource.
Minimum Parcel Size 60 ha.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of East Kootenay Board: the Board passed a resolution in support of the application.

Advisory Planning Commission: The APC for Area C recommends the application be approved. Upon review of the application and in view of its location the committee decided that it made eminent sense for them to support the request.

Agricultural Advisory Commission: the AAC recommends the application be accepted as presented

STAFF COMMENTS:

Agricultural Capability: The property has several different capability polygons. The area proposed for subdivision is rated as 100% Class 4 ST improved to 60% Class 3T - 40% Class 4TP

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.

Subclasses:
S - Cumulative and minor adverse characteristics
T- Topography
P- Stoniness

Staff recommends a site visit to determine the agricultural capability of the proposed subdivision as well as the nature of surrounding agricultural operations.

END OF REPORT



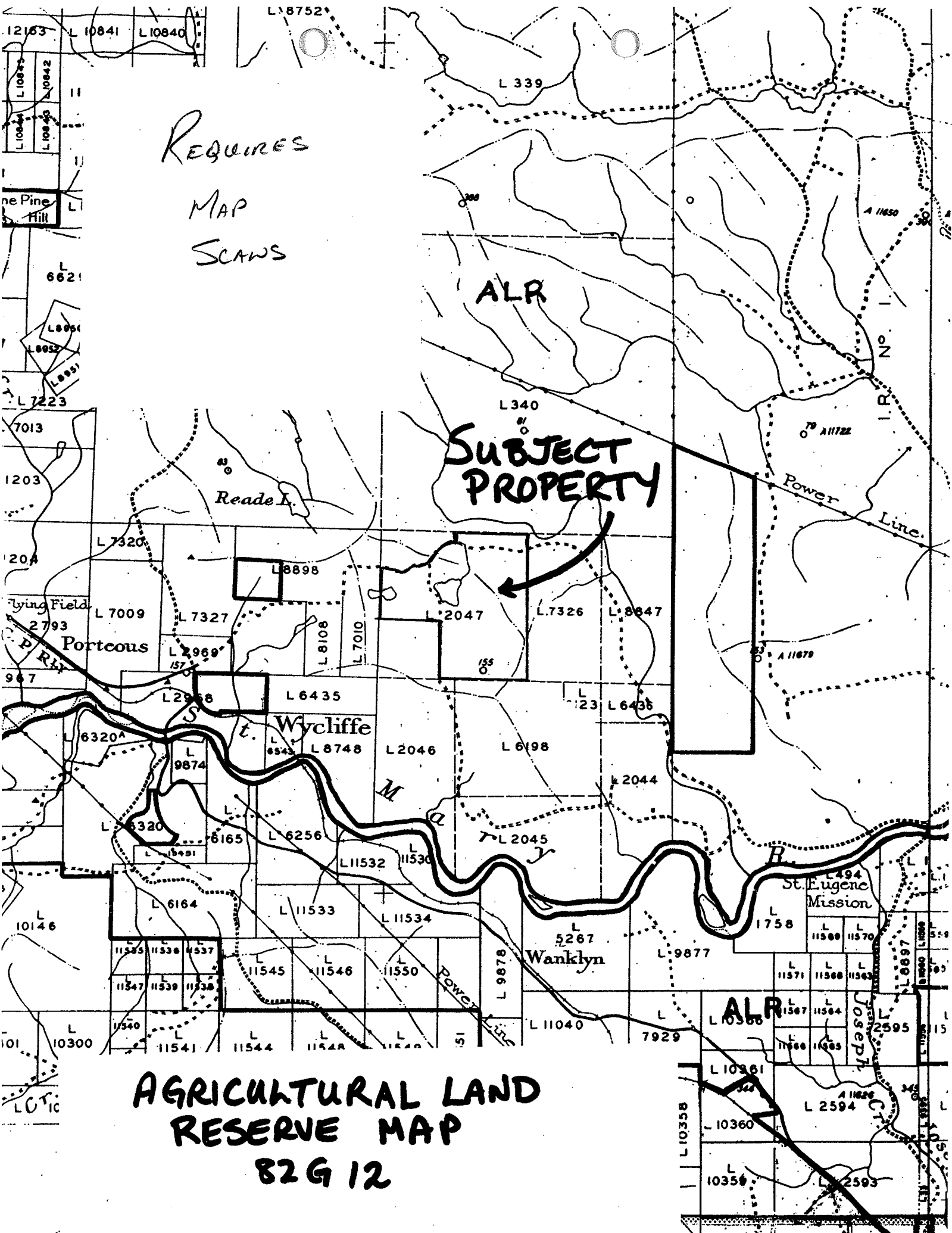
Signature

Date 19 May 2006

REQUIRES
MAP
SCANS

ALR

SUBJECT
PROPERTY



AGRICULTURAL LAND
RESERVE MAP
82 G 12