

April 24, 2007

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

Reply to the attention of Terra Kaethler ALC File: #L - 36619

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

Dear Sir/Madam:

Re: Reconsideration Request of Resolution #358/2006

Please find attached the Minutes of Resolution # 154/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of East Kootenay (#P706 305)

Enclosure: Minutes

TK/lv

36619d2.

A meeting was held by the Provincial Agricultural Land Commission on March 26, 2007.

PRESENT:

Monika Marshall

Chair, Kootenay Panel

Carmen Purdy D. Grant Griffin

Commissioner Commissioner

Roger Cheetham

Staff

For Consideration

Application:

L - 36619

Applicant:

Patricia M. and James Gordon Ryan

Original Proposal:

To subdivide a 7.9 ha parcel from the 160 ha property. Allowed, under Resolution #358/2006, subject to the applicants' proposal to

commitment to improve the irrigation system to enhance the existing

cattle operation.

Current Proposal:

To remove the condition of approval of a commitment to improve the

irrigation system to enhance the existing cattle operation. The

applicant has investigated irrigation options and has concluded that it

is economically impractical.

Legal:

PID: 026-324-245

Lot 1, District Lot 2047, Kootenay District, Plan NEP78332

Location:

3494 Mission Wycliffe Road, Cranbrook

Site Inspection

A site inspection was conducted on March 26, 2007. Those in attendance were:

Carmen Purdy

Commissioner

• D. Grant Griffin

Commissioner

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
- 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

The Commission considered the points made in the reconsideration request from the applicant regarding the expense of complying with the Commission's condition of approval under Resolution #358/2006 and further noted that water may be obtainable from the lake at certain times.

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The Commission does not believe the proposal would impact existing or potential agricultural use of surrounding lands as it is located in an area of smaller property sizes.

IT WAS

MOVED BY: SECONDED BY: Commissioner Purdy

Commissioner Griffin

THAT the request be remove the condition of approval under Resolution #358/2006 be approved.

This decision does not relieve the owner or occupier of the responsibility to comply 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.

CARRIED Resolution # 154/2007