



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

May 31, 2007

Reply to the attention of Terra Kaethler
ALC File: #L - 37286

George and Jeanette Lautrup
PO Box 15 - 5585 Highway 95
Edgewater, BC V0A 1E0

Dear Mr. and Mrs. Lautrup:

Re: **Application to subdivide in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 232/2007 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

cc: Regional District of East Kootenay (#P707-602)

Enclosure: Minutes/Sketch Plan

TK/lv
37286d1.

L 7565

L 7581

L 9051

PLAN 1768

BLOCK 4

1184

PLAN

A PLAN

2026

PLAN 5

1184

PLAN 16

1164

A PLAN 2027

BLOCK 8

L 9040

PLAN 11

1164

PLAN R273

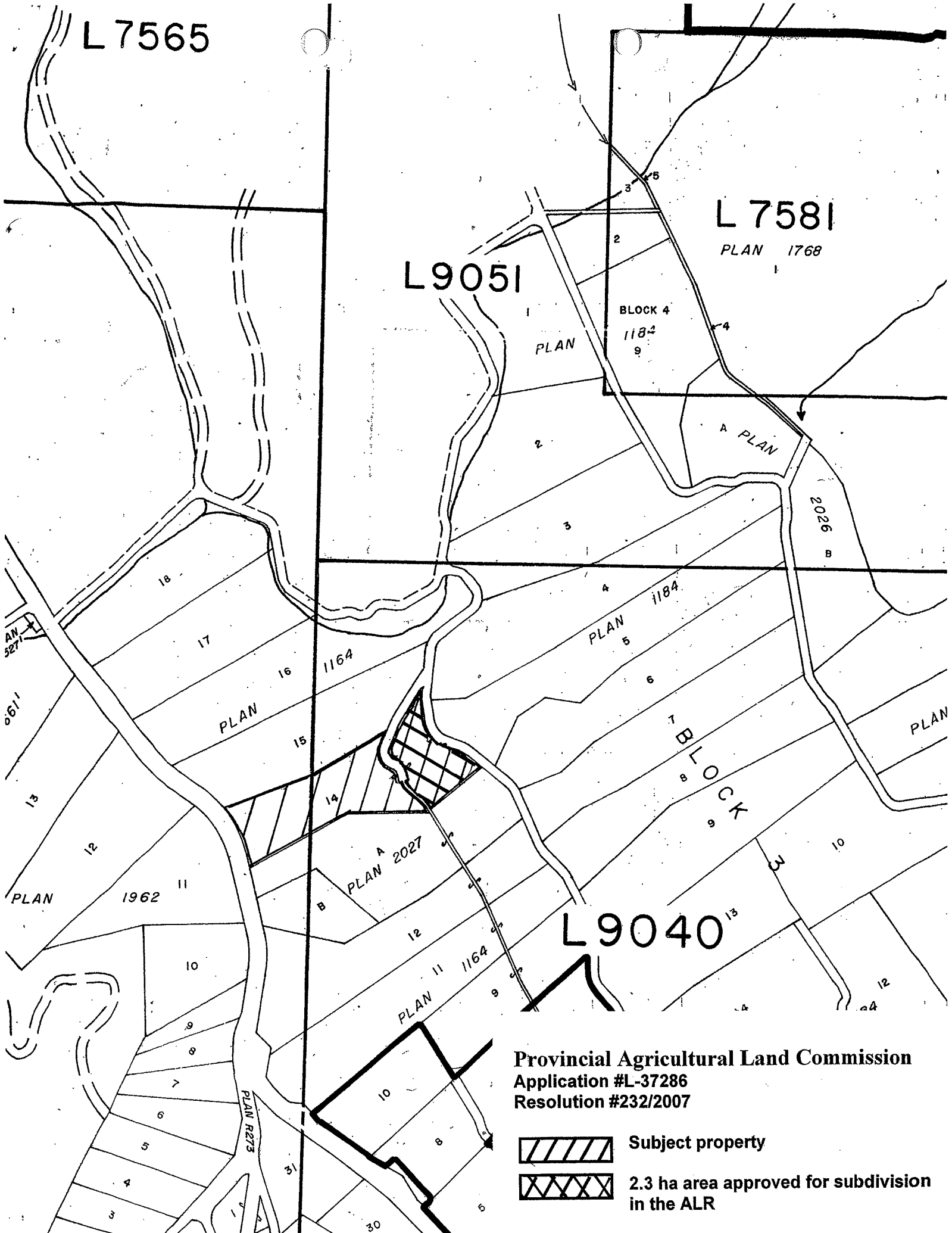
Provincial Agricultural Land Commission
Application #L-37286
Resolution #232/2007



Subject property



2.3 ha area approved for subdivision
in the ALR



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 soil of the majority of the subject property is Class 4 with a limitation of topography. Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Assessment of Agricultural Suitability

The Commission considered whether the property was suitable for agriculture. This consideration included details such as property size, surrounding land use and limitations to agriculture. Although suitable for agriculture in most respects, the Commission noted that the existence of a large ridge through the property essentially divided it into two separate lots.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. Because of the presence of the steep ridge, the Commission did not believe the proposal would negatively impact existing or potential agricultural use of the subject property.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the existence of a large ridge through the property limits its suitability for agricultural use as a single unit.
3. That the proposal will not negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Marshall

SECONDED BY: Commissioner Purdy

THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application.
- The sawmill be removed and the land reclaimed to the same or better agricultural standard as existed pre-construction.
- 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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 232/2007



Staff Report
Application # L – 37286
Applicant: George and Jeanette Laustrup
Location: Edgewater

DATE RECEIVED: March 12, 2007

DATE PREPARED: May 2, 2007

TO: Chair and Commissioners – Kootenay Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide a 2.3 ha lot from the 7.7 ha subject property. The subdivision of the proposed 2.3 ha lot would follow the height of land and road right-of-way and contain the existing sawmill.

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

BACKGROUND INFORMATION:

Local Government:

District of Elkford

Legal Description of Property:

PID: 015-926-681
Lot 14, District Lot 353 and 9040, Kootenay District, Plan 1164

Purchase Date:

September 1997

Location of Property:

5550 Highway 95, Edgewater

Size of Property:

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

Present use of the Property:

Sawmill on site, and hayfield

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Treed hillside, hayfield, Highway 95
SOUTH: Treed hillside
EAST: Treed hillside
NORTH: Treed hillside

Agricultural Capability:

Data Source: Agricultural Capability Map # 82K/9
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Steamboat-Jubilee Mountain OCP Bylaw 1926
Designation: RR, Rural Resources

Zoning Bylaw and Designation:

Upper Columbia Valley Zoning Bylaw No. 900
Designation: A-2, Rural Residential (Country) Zone
Minimum Lot Size: 8.0 ha

PREVIOUS APPLICATIONS:

Application #32039-0

Applicant: George & Jeanette Lautrup
Decision Date: May 29, 1998
Proposal: To use the easterly portion of the property to set up a portable sawmill to cut railroad ties small squares and fire wood. The waste would be chopped and hauled to Golden. The area close to Highway 95 would be left as is for the short term.
Decision: Allowed subject to reclamation of the land to the same or better agricultural standards when the use ceases on this site.

RELEVANT APPLICATIONS:

Application #29132-0

Applicant: Karl & Gertraud Broz
Decision Date: August 10, 1994
Proposal: To subdivide a 2 ha lot from the 7.8 ha subject property for their daughter.
Decision: Allowed on the grounds that the land has topographic limitations and there would be no harm to agriculture to create a rural residential holding in the area.

Application #32038-0

Applicant: Gregory Whitman Heavy Hauling Ltd.
Decision Date: May 29, 1998
Proposal: To subdivide the 15.2 ha and 31.8 ha subject properties into 5 lots (3 ha, 12.2 ha, 1 ha, 8 ha and 22.8 ha) as separated by existing deeded lots and a realignment of property boundaries.
Decision: Allowed subject to consolidation of Parcel 1, DL 9040 with the remainder of Parcel 1, DL 7569.

Application #37285-0

Applicant: George and Jeanette Lautrup
Decision Date: Currently before the Commission.
Proposal: Non-farm use to convert the existing cabin motel site into an eight (8) site recreational vehicle campground.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:


East Kootenay Regional District Board: Forwarded the application with a recommendation of support.

Advisory Planning Commission for Area 'F' & 'G': Support.

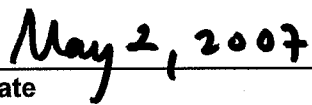
ATTACHMENTS:

- ALR Base Map and Constituent Map
- Sketch of proposed subdivision
- Air photo

END OF REPORT



Signature



Date