



Agricultural Land Commission
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www.alc.gov.bc.ca

October 11, 2007

Reply to the attention of Terra Kaethler
ALC File: # Q - 37472

Janice Engbers
1540 Second Avenue
Trail, BC V1R 1M4

Dear Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 509/2007 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', written over a white background.

Erik Karlsen, Chair

cc: Regional District of Kootenay-Boundary (B-TWP9A-10928-000)

Enclosure: Minutes/Sketch Plan

TK/lv/37472d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 4, 2007 in Nelson, B.C.

PRESENT:	Monika Marshall	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	D. Grant Griffin	Commissioner
	Terra Kaethler	Staff

For Consideration

Application: # Q- 37472
Applicant: Sara's Tackle Ltd., Inc No. BC0312028
Agent: Janice Engbers
Proposal: To subdivide the 30.7 ha subject property, to create three lots of 10 ha each
Legal: PID: 009-713-441
Sublot 163, Township 9A, Kootenay District, Plan X63, EXCEPT
1) Parcel A, Plan 53312I, 2) Plans 6603 and NEP65562
Location: Highway 22, South of Rossland

Site Inspection

A site inspection was conducted on September 4, 2007. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Terra Kaethler Staff
- Dan Olsen, Ann Olsen Applicants

The Commission met with the applicants and viewed both ends of the property. The Commission noted that the property was forested, rocky and had topographical limitations.

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 subject property is improvable to Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both. Limitations include stoniness and moisture deficiency.

Based on the agricultural ratings and limitations, and the observations noted at the site visit, the Commission considered that the property had marginal capability for agriculture.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission does not believe the proposal would impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has limited agricultural capability.
2. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Purdy
SECONDED BY: Commissioner Marshall

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 subdivision must be completed within three (3) years from the date of this decision.

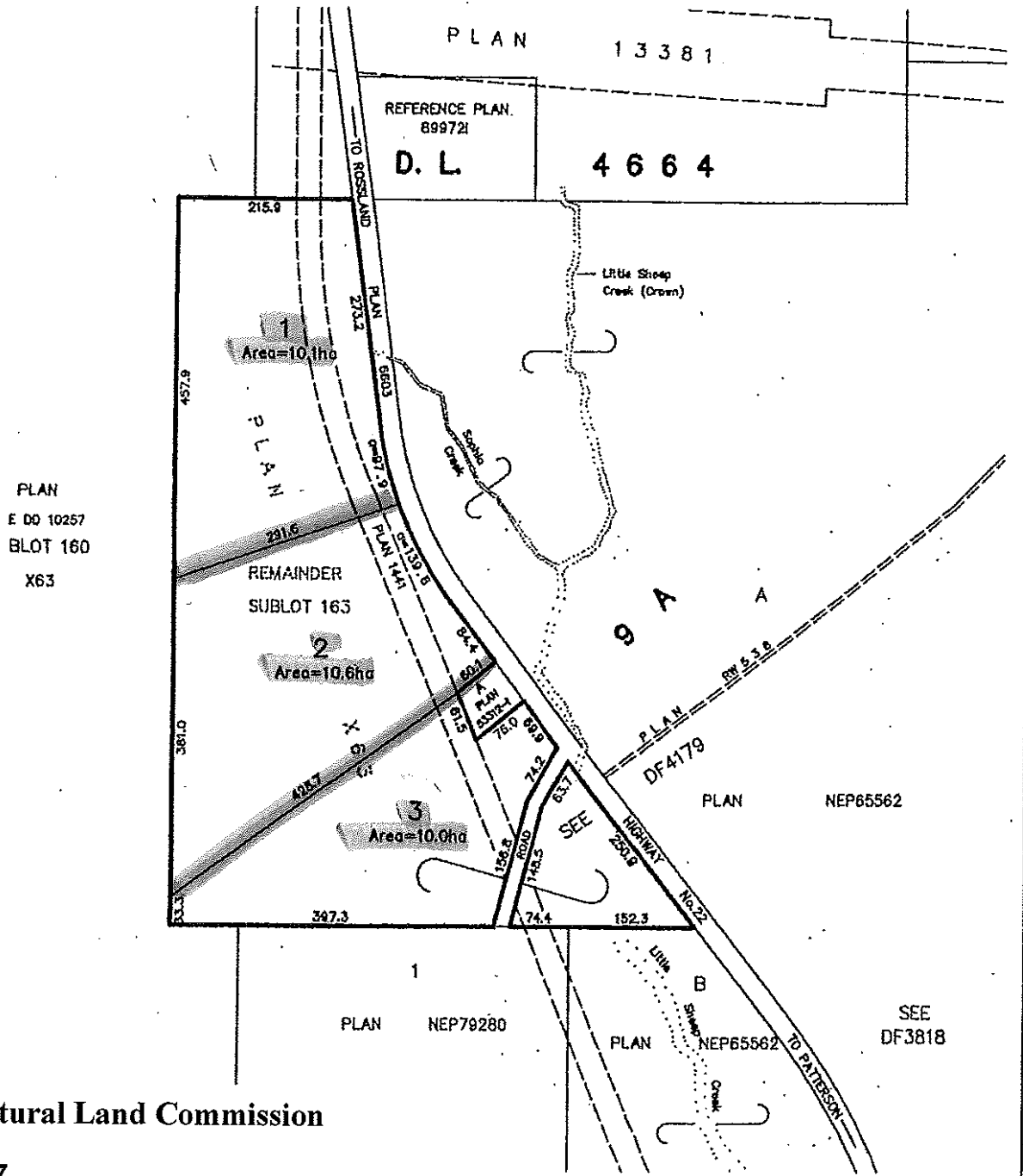
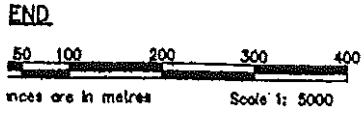
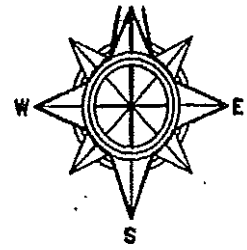
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 509/2007

PLAN OF PROPOSED SUBDIVISION
 BLOT 163 (Y) 9A, KOOTENAY DISTRICT
 EXCEPT PARCEL A, PLAN 533
 PLANS 6603 AND NEP65562.

Proposed Subdivision Plan



Provincial Agricultural Land Commission
 Application # 37472
 Resolution # 509/2007



Subject Property



Approved three (3) lots of approximately 10 ha each