



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: L-37612

December 17, 2007

Henry and Ann Fercho
RR1 - Site 4 - D-9
Wardner, BC V0B2J0

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 673/2007 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 (P-707-322)

Enclosure: Minutes

TK/37612d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 1, 2007 in Cranbrook, B.C.

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

For Consideration

Application:	# L- 37612
Applicant:	Henry and Ann Fercho
Proposal:	To exclude the 32.4 ha subject property for future subdivision on the grounds that the land has poor agricultural capability.
Legal:	PID: 016-480-627
Location:	The East 1/2, of District Lot 12242, Kootenay District 7750 Ha Ha Creek Forest Road, Mayook Area

Site Inspection

A site inspection was conducted on October 30, 2007. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Terra Kaethler Staff
- Roger Cheetham Staff
- Darrell Smith Agrologist, Ministry of Agriculture and Lands
- Henry Fercho Applicant

The Commission met with the applicant and viewed the property. The Commission noted that the property was hilly and treed and that it was surrounded by Crown land and a ranch property to the east. The applicant confirmed that the staff report dated October 16, 2007 was received and no errors were identified.

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

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. Although the Commission recognized that the subject property had limited capability for agriculture, the Commission noted that the subject property is in an area of predominantly large parcels and that the property to the east had been used as a cattle operation.

The Commission believed that the proposal may negatively impact existing or potential agricultural use of the subject property and surrounding lands and that it was in the best interest of agriculture in the area to retain the subject parcel in the ALR. Therefore, the Commission was not prepared to allow the application.

IT WAS

MOVED BY: Commissioner Griffin

SECONDED BY: Commissioner Marshall

THAT the application be refused.

CARRIED

Resolution # 673/2007