



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: L-37626

December 17, 2007

James Carl King
PO Box 2835 - RR4 - 2221 - 13th Avenue
Invermere, BC V0A1K0

Dear Sir:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 676/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: District of Invermere (King)

Enclosure: Minutes

TK/37626d1.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
 Terra Kaethler Staff
 Roger Cheetham Staff

For Consideration

Application: # L- 37626
Applicant: James Carl King
Proposal: To exclude the 1.6 ha subject property.
Legal: PID: 010-902-601
 Lot 1, Block K, District Lot 1092, Kootenay District, Plan 1052
Location: 2221 - 13th Ave, Invermere

Site Inspection

A site inspection was conducted on October 31, 2007. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Terra Kaethler Staff
- Roger Cheetham Staff
- James Carl King Applicant

The Commission met with the applicant and viewed the property. The Commission noted that the property was small, but adjacent to other agricultural/rural holdings of the same size. 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

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 identified as improvable to 70% Class 2X and 30% Class 6T:

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Subclasses

T topography
X cumulative and minor adverse

The Commission considered that the majority of the property had high agricultural capability and as such, that exclusion from the ALR was not justified.

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 external factors that may limit agricultural use. Although the parcel size is small, the Commission did not believe this warranted its exclusion. Further, the parcel is consistent with surrounding parcel sizes and in an area of small scale agriculture.

The Commission also noted that section 2.3 of the District's Official Community Plan is supportive of agriculture in this area. It further noted that it had concluded when commenting upon an earlier OCP in 1999 that this area has long-term potential for small lot agriculture. As such it should not be regarded as a possible area for the accommodation of long term residential growth in the District. Therefore, the Commission believed that the property is suitable for agricultural use.

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 believes that exclusion of the subject parcel would negatively impact present and future agricultural activity in the area.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.

4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Marshall

SECONDED BY: Commissioner Purdy

THAT the application be refused.

CARRIED

Resolution # 676/2007