



Agricultural Land Commission
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May 14, 2008

Reply to the attention of Jennifer Carson
ALC File: H-37712

Jane Doel
#2 - 2322 Campbell Road
Golden, BC V0A1H7

Dear Ms. Doel:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 242/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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

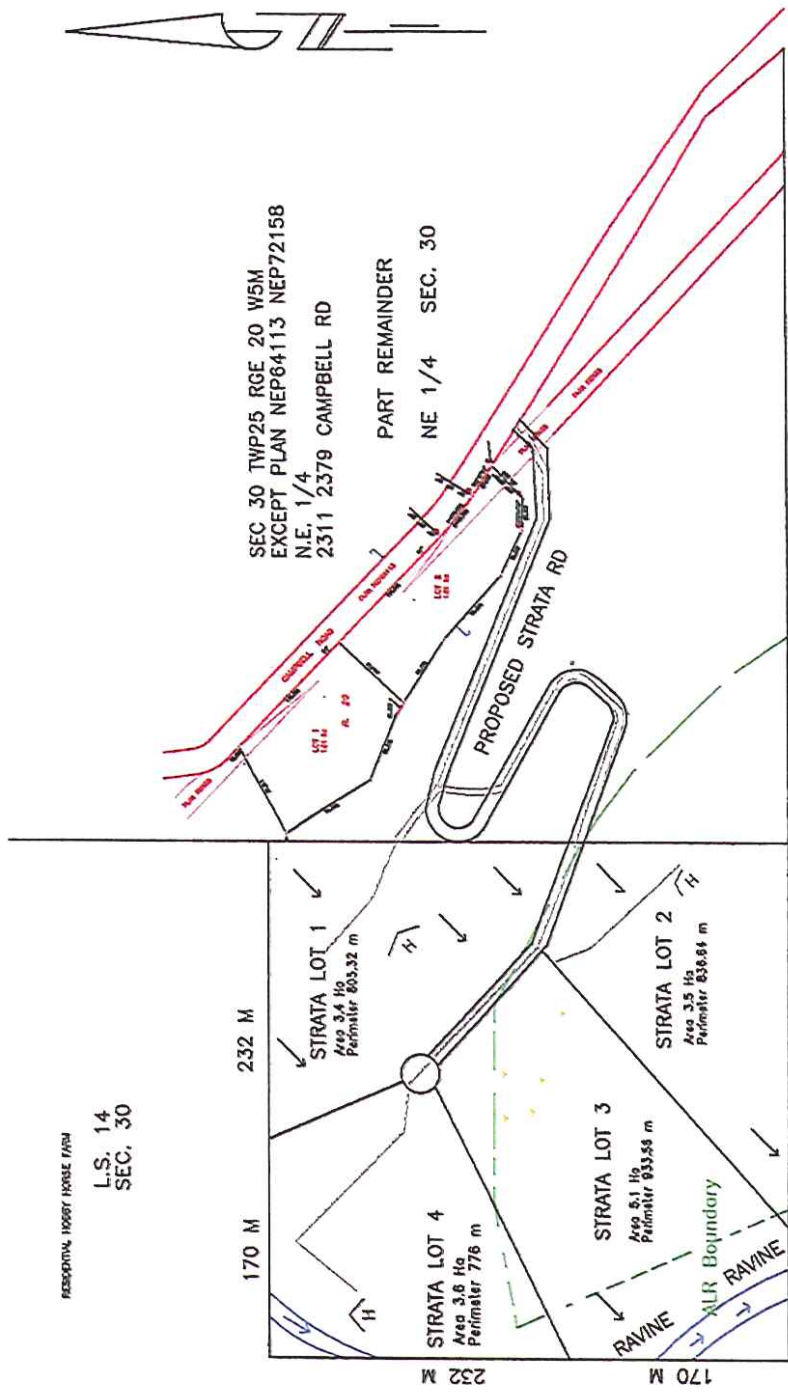
Per: 

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (LC2366-A)

Enclosure: Minutes/Sketch Plan

JC/37712d1



- present driveways
- direction of slope
- a.l.r. boundary
- building
- marsh

LEGAL DESCRIPTION
P.I.D. -013-532-022
2322 CAMPBELL RD
LS 11, SECTION 30, TWP 25
RGE 20 W5M K.L.D.

OWNERSHIP
E&L WHITWELL 1/3 INT
N MEYER 1/3 INT
C TRINKWON 1/6TH INT
J DOEL 1/6TH INT



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 6, 2008 in Invermere, B.C.

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

For Consideration

Application: # H- 37712
Applicant: Jane Doel
Proposal: To subdivide the 16.2 ha property into 4 parcels of 3.4 ha, 3.5 ha, 3.6 ha and 5.1 ha as a strata subdivision. The remainder of the property would be used as road allowance to access the properties. Approximately 7.7 ha of the subject property is within the ALR.
Legal: PID: 013-532-022
 Legal Subdivision 11, Section 30, Township 25, Range 20, West of the 5th Meridian, Kootenay District
Location: South of Town of Golden between Nicholson and Parson in the McMurdo area

Site Inspection

A site inspection was conducted on May 6, 2008. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Jennifer Carson Staff
- Darrell Smith Regional Agrologist
- Jane Doel Applicant
- Eric Whitwell Applicant
- Nelli Tolber-Meyer Applicant
- Carl Trinkwon Applicant

The Commission met with the applicants to discuss the application and view the subject property. The Commission noted severe topographical and stoniness limitations to agricultural utilization of the property. The applicants explained that they are proposing to subdivide the property into four parcels which have been arranged to accommodate existing buildings and good building sites and allow each owner to have their own lot. The Commission noted that most of the ALR would be encompassed within two of the proposed parcels.

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 improved ratings for the agricultural capability of the soil of the subject property are:

- Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
- Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
- Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.
- Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

- P stoniness
- T topography

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable 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 property has very limited agricultural capability due to topographical limitations and extreme stoniness and as such, the Commission does not believe the proposal would have an adverse impact existing or potential agricultural use of surrounding lands.

Other Considerations

While the Commission does not have an issue with the current proposed subdivision, it would suggest that lots 2 & 3 should encompass all of the ALR and that lots 1 & 4 should be completely out of the ALR as it could be more convenient for future dealings.

Conclusion

That the proposal will not adversely impact agriculture.

IT WAS

MOVED BY: Commissioner Marshall

SECONDED BY: Commissioner Griffin

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application or as was indicated in the discussion following the ALR boundary so that lots 2 & 3 should contain all of the ALR and that lots 1 & 4 should be completely out of the ALR
- 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 # 242/2008