



Agricultural Land Commission
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April 1, 2008

Reply to the attention of Jennifer Carson
ALC File: L-37795

Brian and Patricia Adams
8601 Holmes Road
Fort Steele, BC V0B1N0

Dear Mr. Adams:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 113/2008 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-707-339)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 27, 2008 in Cranbrook, B.C.

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

For Consideration

Application: # L- 37795
Applicant: Brian and Patricia Adams
Proposal: Subdivision for a Relative: To subdivide the 9.4 ha subject property, to create one (1) 2.9 ha lot for the owners' son, leaving a 6.5 ha remainder home site for the owners.
Legal: PID: 015-093-689
Location: Lot 2, District Lot 332, Kootenay District, Plan 2845
8601 Holmes Road, Fort Steele

Site Inspection

A site inspection was conducted on March 27, 2008. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Roger Cheetham Staff
- Jennifer Carson Staff
- Mr. Adams Applicant

The Commission met with Mr. Adams on the subject property to discuss the application. Mr. Adams mentioned that the whole property is fenced and that there are many large boulders from glacier movement on the property which, combined with the stony soils, makes it difficult to farm the property. Mr. Adams also discussed the difficulty in finding water, which is why he was proposing to include the existing well with the smaller property which would be given to his son. Mr. Adams also showed pictures of when their house was being built as it demonstrated the amount of rock present on the property. In order to have a garden on the property, Mr. Adams explained that they had to have imported topsoil. Furthermore, Mr. Adams mentioned that the property to the north had recently sold their cattle.

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 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.

Subclasses

M	soil moisture deficiency	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 Commissioners discussed the problems associated with the introduction of more residential development into rural areas such as the area within which the subject property is located, as it may increase the potential conflict for surrounding agricultural properties and Crown land grazing. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands.

Assessment of Other Factors

The Commissioners indicated that they would also like to point out that the Commission has a policy which allows a family member to move into a modular home as a second dwelling on the property should the applicant wish to have his son move to the property.

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 Griffin
SECONDED BY: Commissioner Marshall

THAT the application be refused.

CARRIED

Resolution # 113/2008