



**Agricultural Land Commission**  
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May 16, 2008

Reply to the attention of Jennifer Carson  
ALC File: F-38050

Paul and Dianne Stooshnoff  
RR1 - Group 7 - Comp 7  
Winlaw, BC V0G2J0

Dear Mr. and Mrs. Stooshnoff:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 260/2008 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 Central Kootenay (A0811Hs-20319-400)

Enclosure: Minutes

JC/38050d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on May 9, 2008 in Castlegar, B.C.**

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

### **For Consideration**

Application:       # F- 38050  
Applicant:         Paul and Dianne Stooshnoff  
Proposal:          Subdivision for a Relative: To subdivide the 6.3 ha lot into three (3) 2.1 ha parcels for the applicants' two sons and keep the remaining third parcel for themselves.  
  
Legal:             PID: 011-407-484  
                      Lot 4, District Lot 383, Kootenay District, Plan 12944  
Location:         Graham Road and Highway No. 6, Winlaw

### **Site Inspection**

A site inspection was conducted on May 9, 2008. Those in attendance were:

- Monika Marshall             Chair, Kootenay Panel
- Carmen Purdy                Commissioner
- D. Grant Griffin             Commissioner
- Jennifer Carson             Staff
- Dianne Stooshnoff         Applicant
- Paul Stooshnoff             Applicant
- Matt Stooshnoff             Applicant's son
- Jeanette Stooshnoff        Applicant's daughter-in-law

The Commission met with the applicants to discuss the application and view the subject property. The applicants explained that they would like their sons to be able to move onto the property and build homes for their families. The applicants indicated that they have cattle, sheep and a garden on the property for personal use. The water source is from a creek, however, the applicants indicated that the proposed parcels would require their own wells. Furthermore, the applicants mentioned that there is a slough on the southeast corner of the property. The applicants indicated that the property has been in their family for 50 years. Commission staff discussed the ability for the applicants to put a modular home on the subject property for a family member. Mrs. Stooshnoff indicated that it would not work in this circumstance due to financial reasons.

### **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 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

#### Subclasses

M	soil moisture deficiency	T	topography
X	cumulative and minor adverse		

The Commission confirmed that the soil capability reflects the CLI mapping.

### **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 is currently being farmed and has good agricultural capability. As a result, the Commission believes the proposal would adversely impact existing or potential agricultural use of surrounding lands.

### **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 Purdy  
**SECONDED BY:** Commissioner Marshall

THAT the application be refused.

### **CARRIED**

**Resolution # 260/2008**