



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

May 16, 2008

Reply to the attention of Jennifer Carson
ALC File: F-38051

Herb Dumont & Sharon Valin
Box 85
Burton, BC V0G1E0

Dear Mr. Dumont and Ms. Valin:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 257/2008 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 (A0810K-02453-000)

Enclosure: Minutes

JC/38051d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 8, 2008 in Nakusp, B.C.

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

For Consideration

Application: # F- 38051
Applicant: Herb Dumont & Sharon Valin
Proposal: To subdivide the 2.4 ha subject property into two lots of 1.0 ha and
 1.4 ha.
Legal: PID: 016-023-471
 Lot 12, District Lot 7698, Kootenay District, Plan 847, Except Part
 included in Plan 7275
Location: Lakeview Park Road and Highway 6, Burton

Site Inspection

A site inspection was conducted on May 8, 2008. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Jennifer Carson Staff
- Sharon Valin Applicant
- Herb Dumont Applicant

The Commission met with the applicants to discuss the application and view the subject property. The applicants explained that they had moved from Calgary four years prior and were finding that the property was too large for them to maintain. The applicants indicated that the previous owners had horses and pigs. Furthermore, the applicants have a garden on the property and confirmed that the agricultural capability of the property was excellent.

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 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Subclasses

M soil moisture deficiency

The Commission confirmed that the CLI ratings for the subject property appear appropriate.

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 Commission discussed the subject property and has decided that no subdivision of the property would be appropriate as parcelization of a property with such high agricultural capability would be inappropriate. The Commission believes the proposal would 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 # 257/2008