



Agricultural Land Commission
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July 11, 2008

Reply to the attention of Jennifer Carson
ALC File: F-38052

Grace Fehr
#1 Renata
Castlegar, BC V1N4V8

Dear Ms. Fehr:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 307/2008 outlining the Commission's decision as it relates to the above noted application.

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: Regional District of Central Kootenay (A087J-07954-000)

Enclosure: Minutes/Sketch Plan

JC/38052d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 4, 2008 in Cranbrook, B.C.

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

For Consideration

Application: # F- 38052
Applicant: Grace Fehr
Proposal: To subdivide the 20.8 ha parcel to create two (2) 2.0 ha parcels with a remaining parcel of 16.8 ha.
Legal: PID: 008-013-888
 Parcel B (see14451I), Block 5, District Lot 5817, Kootenay District, Plan 824
Location: Castlegar

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

The Commission noted that in conjunction with a review of the ALR in the Renata area in 2003, it endorsed the findings of a consultants report. Among other discussions, the report recommended that within Renata " all of the area, which is approximately 200 ha in extent, is recommended for exclusion. Some of the area has been farmed historically and remnant orchards remain. With irrigation some areas can achieve Class 3 and some small areas, Class 2. However, the bulk of the area has Class 6 and 7 ratings with limited opportunity for improvement. The consultant suggests that a combination of inaccessibility in terms of road access to markets and services and parcelization (parcel sizes range from less than 1 ha to perhaps 7ha) renders the area as a whole of insufficient potential to justify retention within the reserve."

Conclusions

Based on its previous position in the Renata area, the Commission believed that the subdivision proposal as submitted would not create an adverse impact upon the ALR.

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:

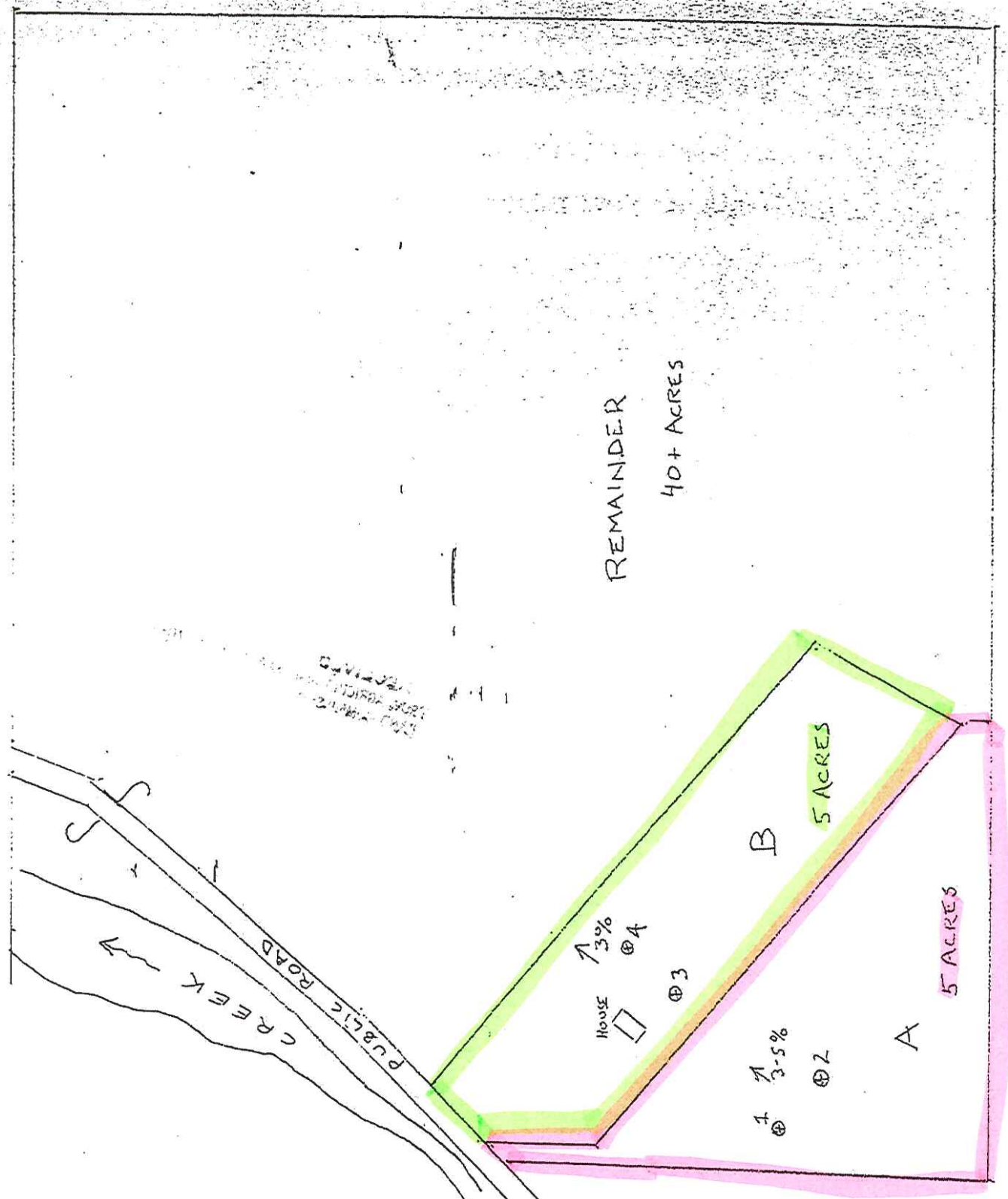
- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 307/2008

SOIL OBSERVATION PIT LOCATIONS



Approved
subdivision
layout
(Resolution
307/2008)