



Agricultural Land Commission
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July 3, 2008

Reply to the attention of Jennifer Carson
ALC File: F-38139

Gerhard and Heidi Wolters
4919 Packing Shed Road
Wynndel, BC V0B2N0

Dear Mr. & Mrs. Wolters:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 320/2008 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 (A0814C-06035-100)

Enclosure: Minutes

JC/38139d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 3, 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- 38139
Applicant: Gerhard and Heidi Wolters
Proposal: To subdivide the 1.0 ha subject property in half to create two (2) 0.5
 ha parcels
Legal: PID: 008-414-386
 Lot A, District Lot 9552, Kootenay District, Plan 15112
Location: 4919 Packing Shed Road, Wynndel

Site Inspection

A site inspection was conducted on June 3, 2008. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Jennifer Carson Staff
- Gerhard & Heidi Wolters Staff

The Commission met with Mr. & Mrs. Wolters at the subject property to discuss the application. The applicants explained that they have community water and discussed their proposal with the Commission. The applicants purchased the property in 2006 at which time the realtor told them it was subdividable, however, the Commission explained that this was not the case as the property is within the ALR. Mrs. Wolters brought up the comments made by the Creston Valley Agricultural Society which commented that the subdivision would adversely affect agriculture in the area. The Commission explained that the comments made could be related to concerns with increased parcelization resulting in increased density of people which could cause problems for surrounding farmers.

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 Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Subclasses

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 Commission noted that while the property was had variable topography, it has relatively good agricultural potential and thus it would be in the best interest of agriculture to keep the property as one unit. 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 # 320/2008