



Agricultural Land Commission
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October 28, 2008

Reply to the attention of Jennifer Carson
ALC File: L-38382

Treck and Nancy Wells
RR5 - 4220 Horsethief Road
Invermere, BC V0A1K5

Dear Mr. and Mrs. Wells:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 638/2008 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

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay (P-708-617)

JC/
i/38382d1

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 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclass

T topography

While on the property the Commission noted that the majority of the property was quite flat and thus the property had fair agricultural capability if irrigation water were available.

Assessment of Agricultural Suitability

The Commission assessed whether 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 viewed that there did not appear to be substantial agricultural activity in the area as the property is situated on the edge of town. It was also noted that there are numerous lots in the area of a similar size to the proposed lot size. Furthermore, the Commission believes that retaining the two 1.1 ha properties would act as a good buffer between the adjacent residential area and surrounding agricultural land. The Commission believes the proposal would not adversely impact existing or potential agricultural use of surrounding lands if the new home is situated in the northwest corner of the proposed lot. However, the Commission would likely not support further subdivision of these proposed lots as the 1.1 ha lots will provide a good buffer between residential properties and larger agricultural properties.

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 not adversely impact agriculture.

IT WAS

MOVED BY: Commissioner Purdy

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 # 638/2008