



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

October 29, 2008

Reply to the attention of Jennifer Carson
ALC File: F-38415

Darren and Barbara Ostrander
140 Evergreen Way SW
Calgary, Alberta T2Y3K8

Dear Mr. and Mrs. Ostrander:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 642/2008 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 Central Kootenay (A0824B-02465-970)

JC/
i/38415d1

Application # F-38415 (Ostrander)
Resolution #642/2008

LEGEND

- Approved subdivision
- ALR boundary

Crown Land

PID: 018-821-524
Lot A District Lot 812
Kootenay
District Plan NEP21402

Future
Subdivision
PLAN

195

197

Crown Land
Watershed
trees

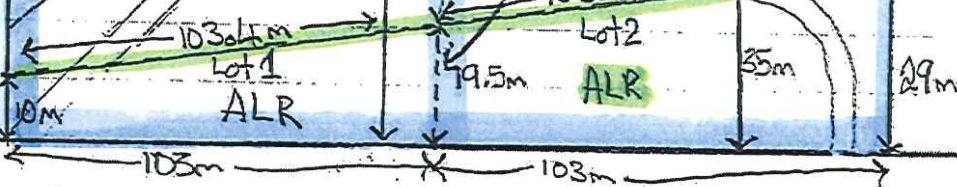
Land is
Raw, treed

Pat Kelly
house

Proposed subdivision
with in ALR

Proposed
building
site

Proposed
building
site



Jackson Road

Wanda
house

trees

tree



A meeting was held by the Provincial Agricultural Land Commission on September 30, 2008 in Creston, B.C.

PRESENT: Roger Mayer Commissioner
Carmen Purdy Commissioner
D. Grant Griffin Commissioner
Jennifer Carson Staff

For Consideration

Application: # F- 38415
Applicant: Darren and Barbara Ostrander
Proposal: To subdivide the 16.1 ha subject property into approximately two equal parcels.
Legal: PID: 018-827-527
Location: Lot A, District Lot 812, Kootenay District, Plan NEP21402
Jackson Road

Site Inspection

A site inspection was conducted on September 30, 2008. Those in attendance were:

- Roger Mayer Commissioner
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Jennifer Carson Staff

The Commission noted that the applicant had been notified and was agreeable to the Commission viewing the property in his absence. The Commission walked a portion of the ALR component of the property and identified the approximate location of the ALR boundary.

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 ratings for the subject property are:

- 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.
- 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

Subclasses

P	stoniness	D	undesirable soil structure
E	erosion	T	topography

The ALR portion of the property is Class 3TP and 4TD and represents a small portion of the property.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. Due to the fact that it is only a small sliver of land within the ALR, the Commission believes the proposal would not adversely impact existing or potential agricultural use of surrounding lands.

Conclusion

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 # 642/2008