



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

June 6, 2009

Reply to the attention of Brandy Ridout
ALC File: L-38835

Gregory Whitman
Heavy Hauling Ltd
P.O. Box 235
Edgewater, BC V0A1E0

Dear Sir:

Re: Application Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 206/2009 and sketch plan 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:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written in a cursive style.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay (P 708 627)

MC/i/38835d1

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.

The agricultural capability rating of the subject property is;

- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately 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.

The limiting subclasses are stoniness and topography. The land has little, if any agricultural potential, given the severe topography and poor soils. No agricultural development has ever been undertaken on this or adjoining ALR lands.

An Agricultural Capability and Soils Assessment report (dated April 30, 2008) by David W. Yole was submitted with the application. The report confirmed the CLI information that approximately 30% of the property was arable (Class 2-4 soils) and the remainder (70%) was non arable. There are three distinct arable blocks which are separated by topographic breaks.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the subdivision proposal against the long term goal of preserving agricultural land. The Commission noted that the subdivision plan would place what arable land there is on separate parcels and that the subdivision boundaries would follow topographic breaks. It is possible that subdivision would result in some agricultural development as new landowners might clear and develop the better lands on each parcel for agriculture.

The Commission noted that the local Advisory Planning Committee supported the application subject to lake access being provided for a walking trail through the subdivided lands.

Conclusions

1. That the land under application has very limited agricultural capability and is largely unsuitable for agricultural uses.
2. That the subdivision proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner B. Minor
SECONDED BY: Commissioner C. Purdy

THAT the application to subdivide three 8 ha lots from the 39 ha property be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision must be completed within three (3) years from the date of this decision.
- That access be provided through the property to a nearby lake

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 # 206/2009

PLAN NEP

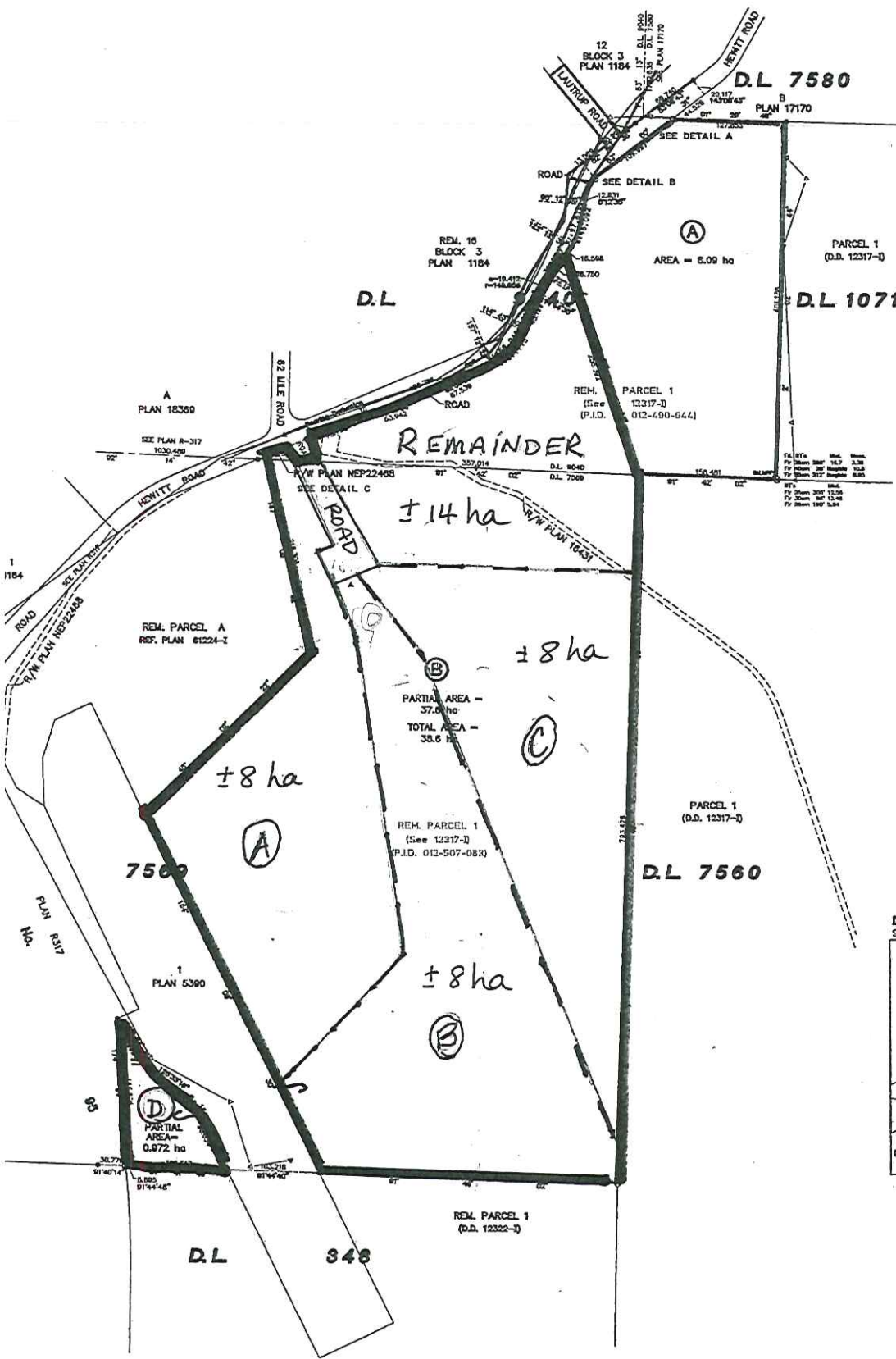
Deposited in the Land Title Office at Kamloops, B.C., this _____ day of _____, 2002.

Registrar

Approved under the Land Title Act this _____ day of _____, 2002.

Approving Officer, Ministry of Transportation

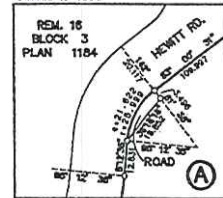
This plan lies within the East Kootenay Regional District



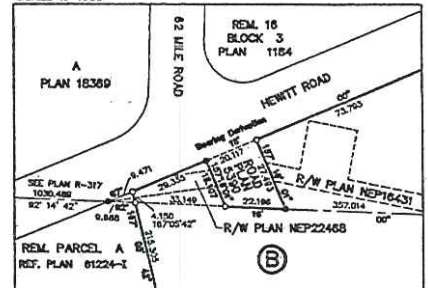
DETAIL A
NOT TO SCALE



DETAIL B
SCALE 1: 1000



DETAIL C
SCALE 1: 1000



I, M. Roger Parry, a British Columbia Land Surveyor, of Cranbrook, in British Columbia, certify that I was present at and personally supervised the survey represented by this plan, and that the survey and plan are correct. The survey was completed on the _____ day of _____, 2002.

PRELIMINARY
REGISTERED OFFICER OF THE LAND TITLE OFFICE OF B. C. L. S.