



Agricultural Land Commission
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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-38880

Arco Investments Ltd.
#301, 1313 - 7th Avenue
PO Box 657
Invermere, BC V0A1K0

Dear Sir/Madam:

Re: Application to Subdivide Land within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 202/2009 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: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay (P 708 801)

MC/i/38880d1



A meeting was held by the Provincial Agricultural Land Commission on May 26, 2009 at Invermere, B.C.

PRESENT:	Barry Minor	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	Jerry Thibeault	Commissioner
	Martin Collins	Staff

For Consideration

Application:	# L- 38880
Applicant:	Arco Investments Ltd.
Proposal:	To subdivide a 2.8 ha parcel into two lots - 1.8 ha and 1 ha.
Legal:	PID: 008-731-888
Location:	Lot 19, District Lot 7569, Block 1, Kootenay District, Plan 1183 Edgewater

Site Inspection

A site inspection was conducted on Tuesday May 26th, 2009. Those in attendance were:

- Barry Minor Chair, Kootenay Panel
- Carmen Purdy Commissioner
- Jerry Thibeault Commissioner
- Martin Collins Staff
- Andrea Rainbow Applicant

Andrea Rainbow confirmed that the staff report dated April 20, 2009 was received and no errors were identified.

The Commission viewed the property noting the existing residence and a gently sloping hayfield. Only 1.6 ha of the property is irrigated due to limited irrigation rights.

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.

The agricultural capability of the soil 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.

The limiting subclass for the soil is stoniness.

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. The subject property and many of the surrounding parcels are used for pasture and hay production.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The surrounding properties are typically ~2 ha in size. Subdividing the subject property and surrounding lands into 1 ha lots would not substantially affect the hobby farm, small scale agricultural activities currently being undertaken in this area.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR and is suitable for small scale agricultural use.
2. That the subdivision proposal will not impact agriculture.

IT WAS

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

THAT the application to subdivide the 2.8 ha lot into a 1.8 ha lot and a 1 ha lot be allowed subject to the following condition.

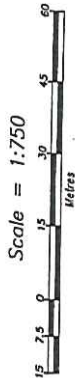
- the subdivision must be completed within three (3) years from the date of this decision.

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

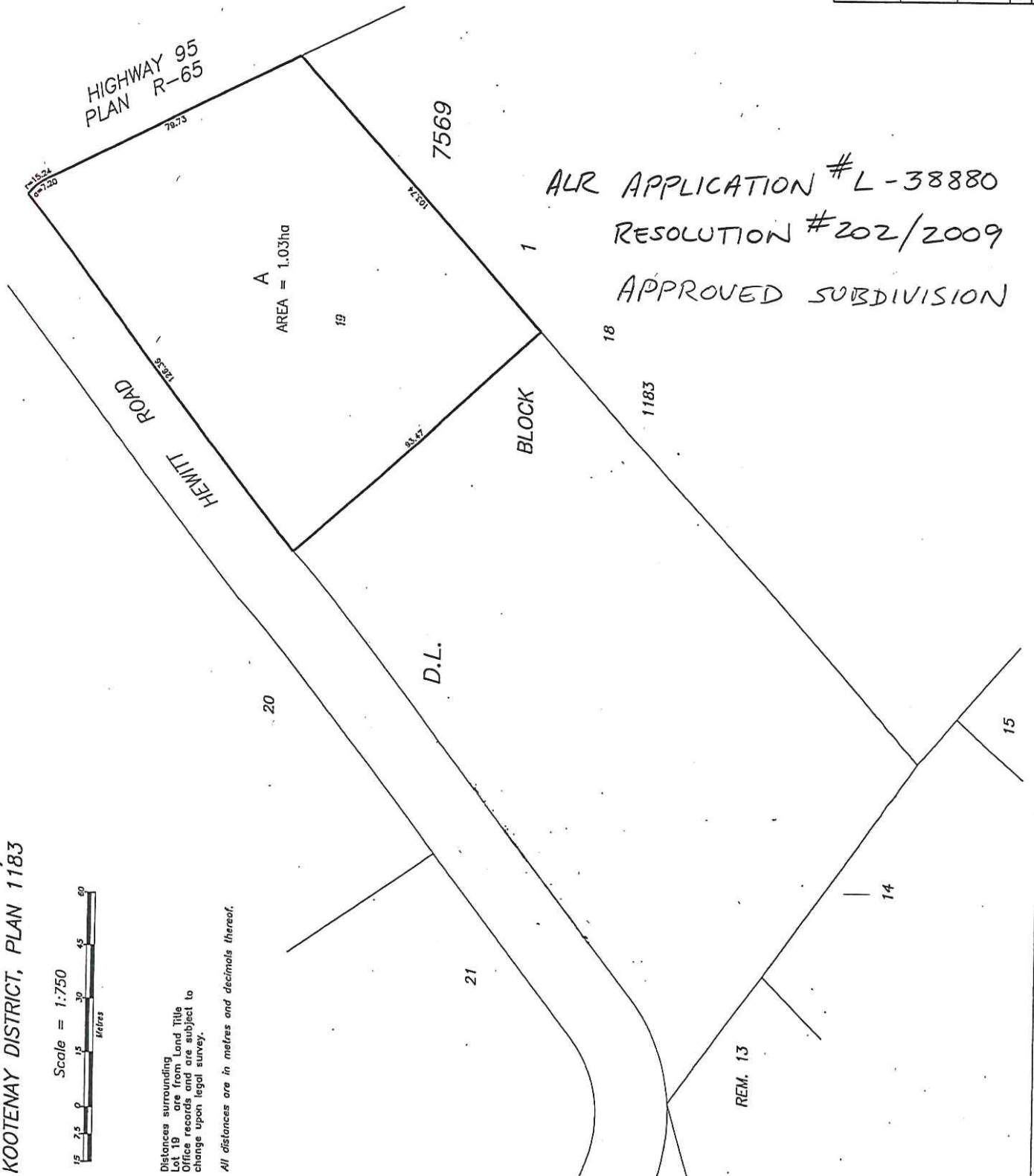
Resolution # 202/2009

SKETCH PLAN OF PART OF LOT 19,
 BLOCK 1, DISTRICT LOT 7569,
 KOOTENAY DISTRICT, PLAN 1183



Distances surrounding
 Lot 19 are from Land Title
 Office records and are subject to
 change upon legal survey.

All distances are in metres and decimals thereof.



ALR APPLICATION # L-38880
 RESOLUTION # 202/2009
 APPROVED SUBDIVISION

FOCUS
 Engineering • Planning • Geomatics

PROJECT		BILL RAINBOW	
PROJECT NO. 030400343		DATE	
SHEET NO.		DATE	SCALE
		JUNE 13, 2009	1:1000
		PROJECT	PROJECT
		030400343-SK1	