



**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

June 6, 2009

Reply to the attention of Brandy Ridout  
ALC File: L-38881

Fairmont Construction Ltd  
4865 Floyd Road  
Invermere, BC V0A1K2

Dear Sir:

**Re: Application to Subdivide land within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 203/2009 and sketch plan outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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 over a white background.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay (P 709 804)

JC/i/38881d1



## **Discussion**

### **Assessment of Agricultural Capability and Suitability**

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 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

The limitations to agricultural development are topography. The property is located in a steeply sloped creek valley. The adjoining properties in the valley bottom are similar small parcels which are not used for agriculture.

### **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 does not believe that the proposal would negatively impact existing or potential agricultural use of surrounding or nearby ALR lands.

### **Conclusions**

1. That the land under application has very limited agricultural capability and is unsuitable for 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 2.2 ha lot into two 1.1 ha lots 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.

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 # 203/2009**

This lot is a residential property which has recently been subdivided within the ALR. The owners have a small garden which they brought in soil for.

LOT 5

LOT A, Plan 8288, KD  
(8931 HIGHWAY 93/95, INVERMERE, BC)

This lot is a residential property only.

LOT 6, DL 288  
KOOTENAY DISTRICT  
PLAN 15932  
CURRENT AREA = 2.086 Ha

PARCEL 2  
(REMAINDER LOT)  
AREA = 2.75 ACRES

PARCEL 1  
AREA = 2.73 ACRES

STODDART CREEK RD

HIGHWAY 93/95 EASEMENT

ALC APPLICATION L-38881  
RESOLUTION # 203/2009  
APPROVED SUBDIVISION

