



**Agricultural Land Commission**  
3-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

September 22, 2009

Reply to the attention of Brandy Ridout  
ALC File: L-38940 (45903)

Philip and Judith Graham  
216 Edgeview Place  
Calgary Alberta,  
T3A 4W9

Dear Sir/Madam:

**Re: Application to subdivide within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 824/2009 and a 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a horizontal line.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay File: P 709 509

MC/i/38940/d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on Thursday, September 17, 2009 by telephone conference call.

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

### **For Consideration**

Application:	L-38940
Applicant:	Philip and Judith Graham
Proposal:	To subdivide a 1 ha lot into two 0.5 ha lots
Legal:	PID 010-482-814 Lot 2, DL8, KD, Plan 13897
Location:	Windermere

### **Site Inspection**

No site inspection was conducted.

### **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 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The limiting subclasses are moisture deficit (M) and topography (T)

### **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 believes that the parcel's small size, the adjoining small lot subdivision and the First Nations Reserve lands (to the south and east) render this property unsuitable for agricultural uses.

### **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 noted that it is possible that the landowners of the adjoining 1 ha lots might have their expectations raised that their properties might be permitted similar subdivision. However, given the location of the properties and their size, further subdivision in this area would have no substantive impacts on agricultural potential.

### **Conclusions**

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

### **IT WAS**

**MOVED BY:** Commissioner J. Thibeault

**SECONDED BY:** Commissioner C. Purdy

THAT the application to subdivide the 1 ha parcel into two 0.5 ha lots be allowed.

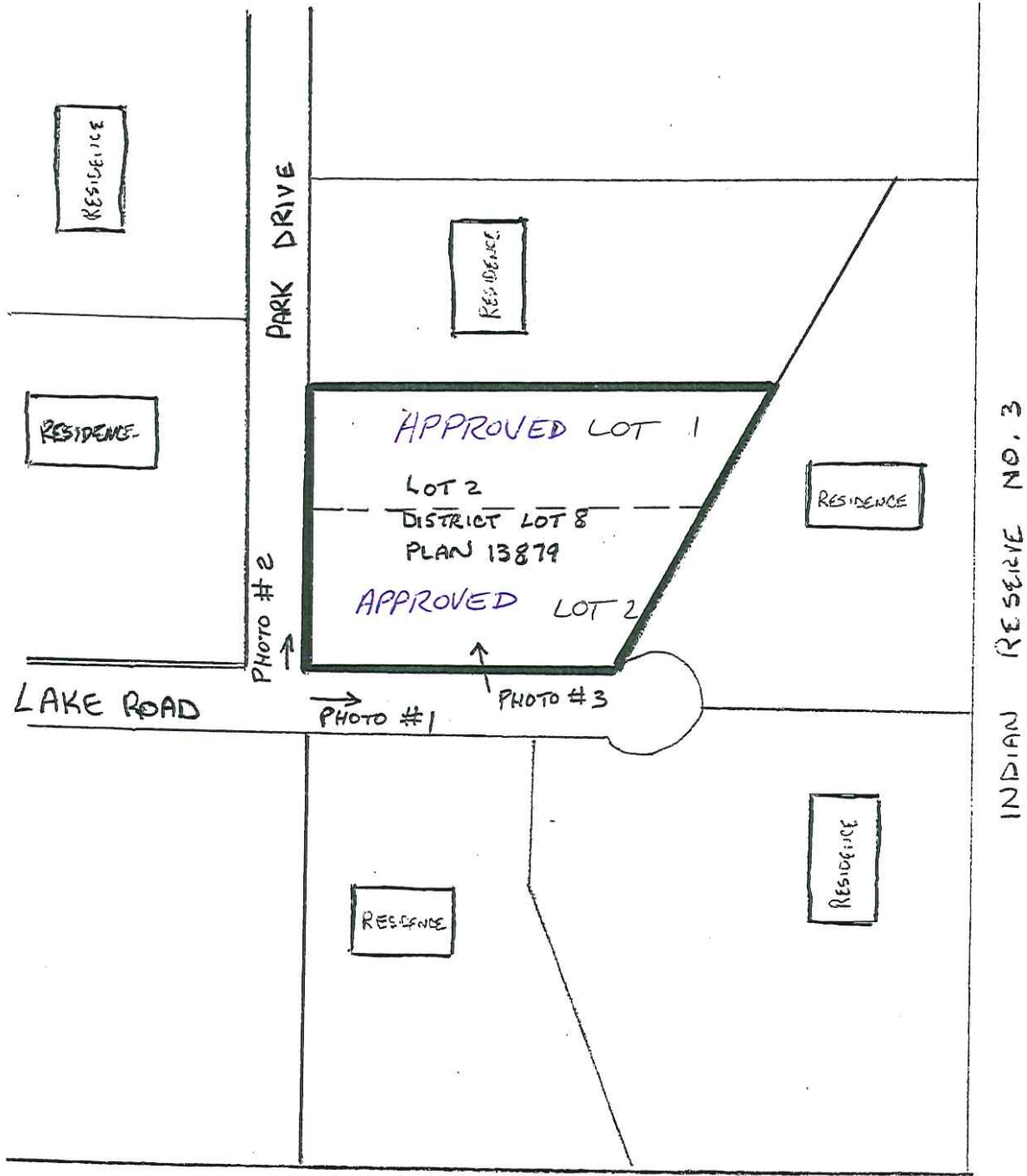
AND THAT the approval is subject to the following condition:

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

### **CARRIED**

**Resolution # 824/2009**

ALC APPLICATION # L-38940  
RESOLUTION 824/2009



INDIAN RESERVE NO. 3

AREA CONTEXT OF LOT 2  
PLAN 13879 DISTRICT LOT 8  
KOOTENAY LAND DISTRICT  
P GRAHAM