



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

September 23, 2009

Reply to the attention of Brandy Ridout
ALC File: L-39054 (46045)

Leslie and Catherine Fiedler
PO Box 28, Fort Steele
B.C. - V0B 1N0

Dear Sir/Madam:

Re: Application to subdivide within the Agricultural Land Reserve


Please find attached the Minutes of Resolution #830/2009 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', written over a horizontal line.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay File: P 709 314

MC/i/39054d1



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.

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

For Consideration

Application: L-39054
Applicant: Leslie and Catherine Fiedler
Proposal: To subdivide a 6 ha lot from the 33 ha property for the applicant's daughter
Legal: PID 016-413-741 DL 490, KD, Except (1) Parts included in Plan DD 133709 and 19993-A1 and (2) Part included in Plan 13129
Location: Between Wardner and Fort Steele

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 5MT improvable to 7:4TP 3:3M).

- 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 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

The limiting subclasses are moisture deficiency (M), topography (T) and stoniness (P). Photographs of the area proposed for subdivision that were submitted with the application show that the land is very arid and topographically challenged.

Assessment of Agricultural Suitability

The Commission does not believe there are external factors that render the land unsuitable for agricultural (grazing) uses. The subject property lies in a rural area which is characterized by large properties and farming activity.

Assessment of Impact on Agriculture

The Commission also assessed the impact of subdivision against its goal of preserving agricultural land. It is the Commission's experience that increasing residential density in farm areas can have negative impacts on adjoining agricultural operations, such as;

- increasing potential for trespass and complaints about typical farm practices,
- raising expectations of additional subdivision, resulting in similar subdivision requests, smaller parcels, and less agricultural activity.

On balance the Commission believed that due to the poor agricultural capability and suitability of the subject property that its agricultural development was unlikely, and its retention as a single parcel unnecessary. Furthermore, the Commission determined that it was very unlikely that the negative impacts noted above would result from the subdivision because of the property's remote location and physical characteristics.

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

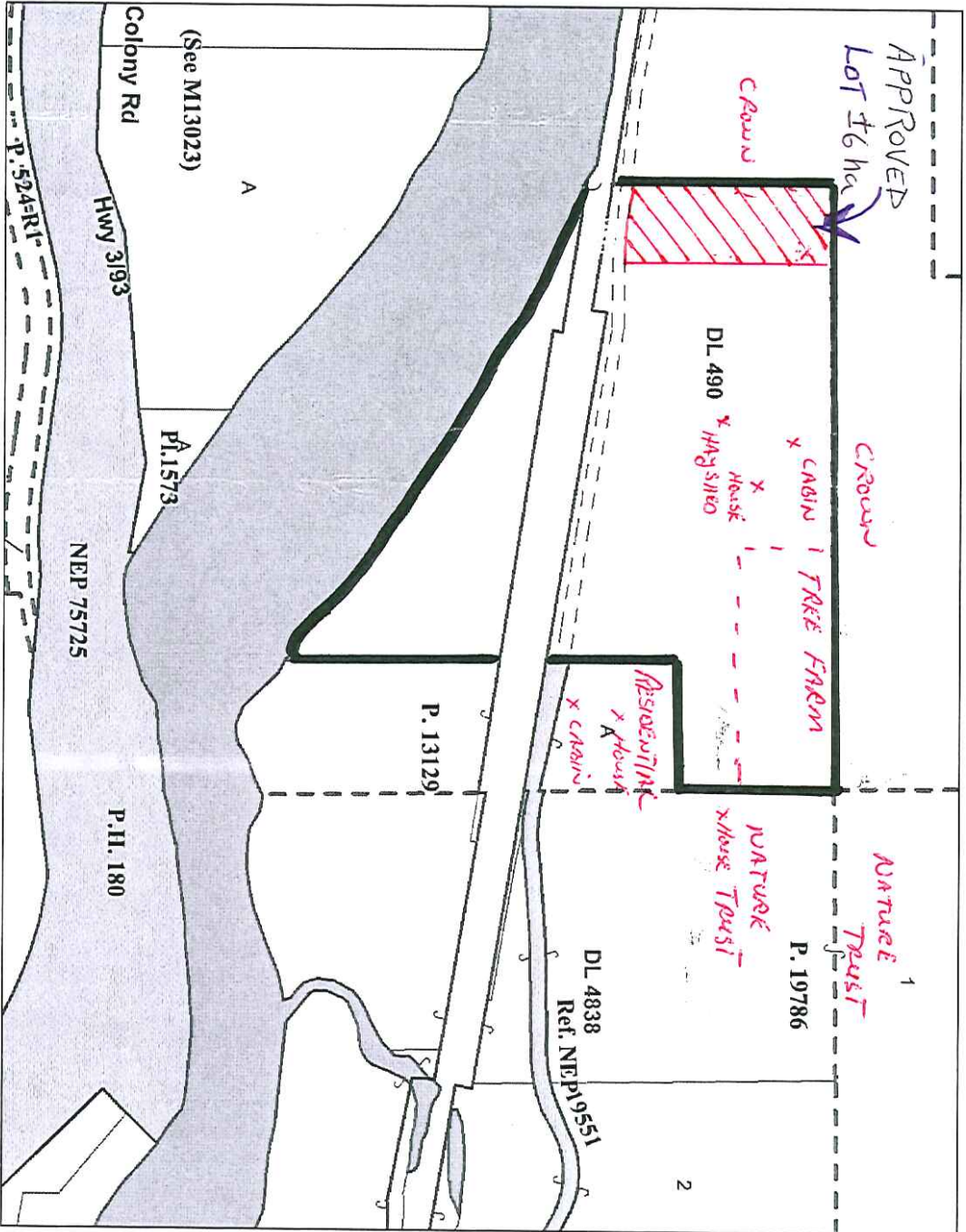
THAT the application to subdivide a 6 ha lot from the 33 ha property be allowed, subject to the subdivision be completed within three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

Resolution # 830/2009

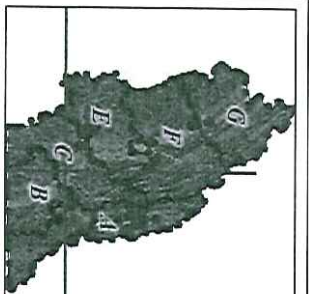
Regional District of East Kootenay



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



Map center: 610223, 5481119



Legend

- water_labels
- Single Water Line
- Sublot Text_line
- Seed Roads_line
- Road lines_line
- RDEK_road_network
- RDEK_FSR_network
- Railway Text_line
- Railway Line_line
- Plan Number arrows_line
- Park Boundaries_line
- Municipal back ground Info_line
- Municipal Shade_polygon
- Jurisdiction Lines_line
- Lot Line
- Land Use_line
- Indian Reserve_line
- Highway_line_line
- Double Line Water_line
- Plan Number Label
- District Lots_line
- Block Lines_line
- Property
- ROAD
- WATER
- PARCELS



Scale: 1:8,739

ALC APPLICATION L-39054

RES. # 830/2009

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