



**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

November 9, 2009

Reply to the attention of Martin Collins  
ALC File: 50225

Allan Joe  
624 Nelson St.  
Kimberly, B.C.  
V1A 2M6

Dear Sir:

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

Please find attached the Minutes of Resolution # 1281/2009 and a sketch plan outlining the Commission's decision as it relates to the above noted application.

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 (709 405)

MC/i/50225d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

---

**A meeting was held by the Provincial Agricultural Land Commission on Tuesday November 3, 2009 at Cranbrook, B.C.**

<b>PRESENT:</b>	Barry Minor	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	Jerry Thibeault	Commissioner
	Erik Karlsen	Chair
	Roger Cheetham	ALC Staff

### **For Consideration**

Application: 50225  
Applicant: Allan Joe  
Proposal: To subdivide a 21 ha lot from the 94.5 ha property as divided by Highway #95 A.  
Legal: PID 027-459-195 Lot A, DL 14833, KD, Plan NEP86308  
Location: East of Kimberly

### **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 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 unimproved agricultural capability of the soil of the subject property is complex;

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

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

The primary limiting subclasses is topography. There is limited capacity to substantively improve the soils although the CLI mapping suggest that portions of the property could be improved to CLI rating 3 and 4. No improvements have occurred on the subject property or on any surrounding lands, which are in sparse forest cover.

### **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 believes the proposal would not affect the existing or potential agricultural use of surrounding lands because there is little, if any agricultural activity occurring in the area.

### **Conclusions**

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

### **IT WAS**

**MOVED BY:** Commissioner C. Purdy

**SECONDED BY:** Commissioner E. Karlsen

THAT the application to subdivide a 21 ha lot from the 94.5 ha property be allowed.

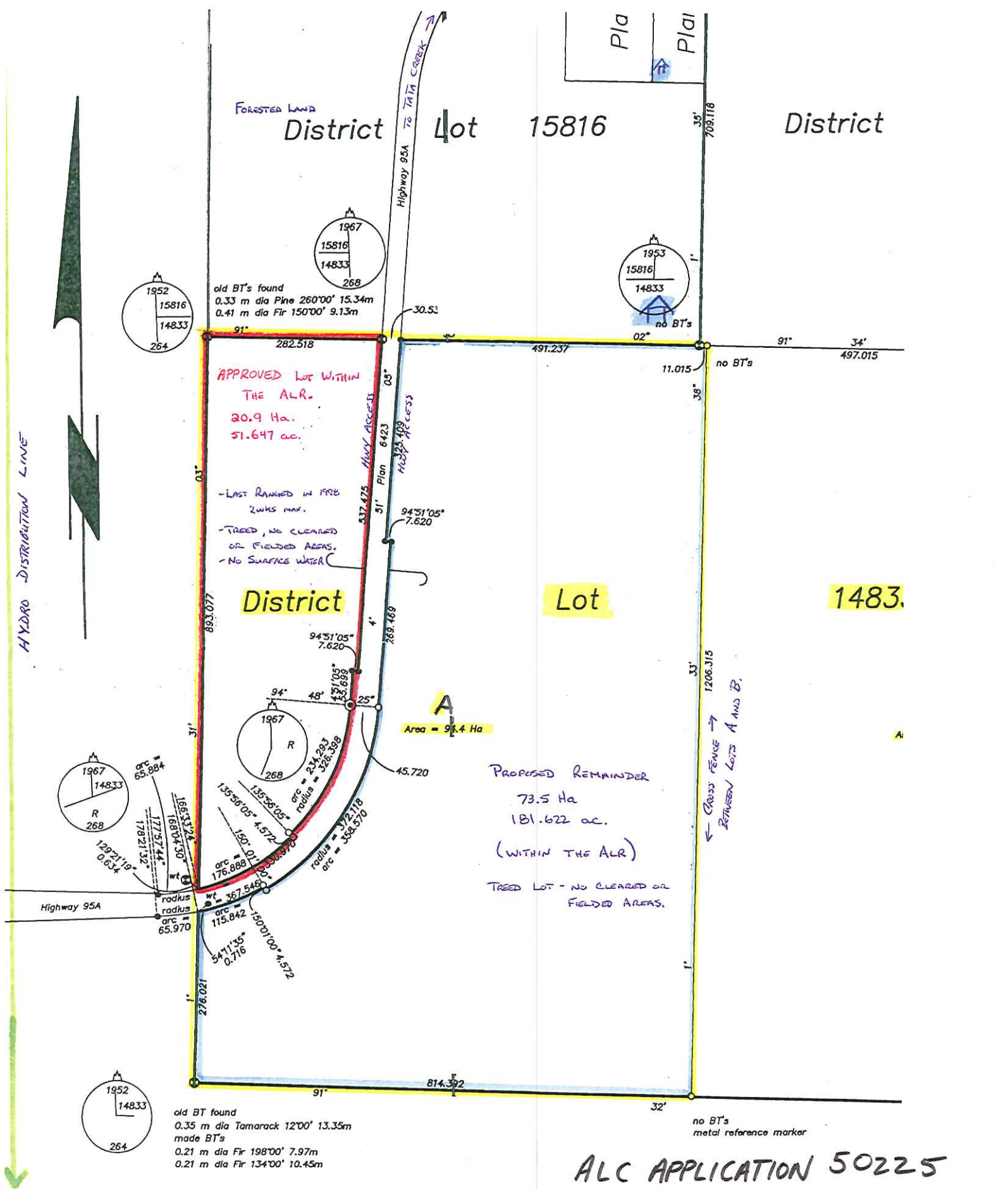
And that the decision be subject to the following condition.

- 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

### **CARRIED**

**Resolution # 1281/2009**



FORESTED LAND  
District Lot 15816

District

old BT's found  
0.33 m dia Pine 260°00' 15.34m  
0.41 m dia Fir 150°00' 9.13m

APPROVED LOT WITHIN  
THE ALR.  
20.9 Ha.  
51.647 ac.

- LAST RANGED IN 1998  
2wks max.
- TREED, NO CLEARED  
OR FIELDED AREAS.
- NO SURFACE WATER

District

Lot

1483.

Area = 92.4 Ha

PROPOSED REMAINDER  
73.5 Ha  
181.622 ac.  
(WITHIN THE ALR)

TREED LOT - NO CLEARED OR  
FIELDED AREAS.

old BT found  
0.35 m dia Tamarack 12°00' 13.35m  
made BT's  
0.21 m dia Fir 198°00' 7.97m  
0.21 m dia Fir 134°00' 10.45m

ALC APPLICATION 50225

Crown RES# 1281/2009

Unsurveyed

- Homes
- APPROVED LOT
- EXISTING LOT
- REMAINING LOT