



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 24, 2009

Reply to the attention of Martin Collins
ALC File: 50407

Bob Holtby
Regency Consultants Ltd.
2533 Copper Ridge Drive
West Kelowna, B.C.
V4T 2 X6

Dear Sir:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 1487/2009 and a sketch plan outlining the Commission's decision as it relates to the above noted application. As agent it is your responsibility to notify your clients.

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. It will also confirm for the Registrar the area excluded from the ALR.

Other approvals may be necessary, please contact the local government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes

cc: Regional District of Kootenay Boundary (File: E-1151S-04624.020)

MC/i/50407d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on Tuesday November 17, 2009 at Rossland, B.C.

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

For Consideration

Application: 50407
Applicant: Mark and Angela Isenor
Agent: Bob Holtby
Proposal: To exclude 2 ha from the ALR to subdivide into two 1 ha recreational lots on the Granby River.
Legal: PID 007 235 399 Lot 3, DL's 1151S and 3156S, SDYD, Plan 37990
Location: North Fork Road, north of Grand Forks

Site Visit

The Commission met with Bob Holtby in Cranbrook on November 3, 2009 and discussed the application. Following the meeting the Commission indicated that it wanted to conduct a site visit to ascertain the agricultural potential of the land.

The Commission and staff noted above met with the Isenors and Bob Holtby on November 17, 2009 and viewed the area proposed for exclusion.

The Commission noted that the 2 ha area was not developed for agriculture, was separated from the remainder by a road and that the soils were comprised of gravels and cobbles. The adjoining land to the south was developed for rough pasture.

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;

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

The limiting subclasses are stoniness and seasonal moisture deficiency. There is no capability for agricultural improvement.

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 believed that the land had limited grazing potential and that exclusion and subdivision would not substantively affect existing or potential agricultural activity in the area.

Conclusions

1. That the land under application has limited agricultural capability and is unsuitable for agricultural uses.
2. That the exclusion and subdivision proposal would not substantively affect existing or potential agricultural activity.

IT WAS

MOVED BY: Commissioner B. Minor

SECONDED BY: Commissioner C. Purdy

THAT the application to exclude 2 ha from the ALR be allowed because the land has poor agricultural capability and is unsuitable for agricultural development.

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 # 1487/2009



0 125 250 500
Meters

Subject Property Map

ALC APPLICATION # 50407 RES # 1487/2009

ALR in
green hatch

ALR exclusion
parcel

