



**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 5, 2009

Reply to the attention of Martin Collins  
ALC File: 50665

Jerome Hango BCLS  
2924 – 9<sup>th</sup> Ave.  
Castlegar, B.C.  
V1N 2Z1

Dear Sir:

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

Please find attached the Minutes of Resolution # 1288/2009 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 client(s) accordingly.

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of Central Kootenay (4035-20-A091Hs-10223.000)

MC//50665d1



**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: 50665  
Applicant: Larry Perepolkin  
Agent: Jerome Hango BCLS  
Proposal: To subdivide two 1.6 ha lots from the 10.7 ha property.  
Legal: PID 007-135-777 Rem DL 14517, KD, Except Part in Plan 74807  
Location: Sorokin Road, Crescent Valley, south of Castlegar

### **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 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.
- 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 limiting subclasses are topography rockiness and on portions, and excessive wetness elsewhere. There is no capacity to substantively improve the soils.

### **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 the two 1.6 ha lots from the 10.7 ha parcel 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**

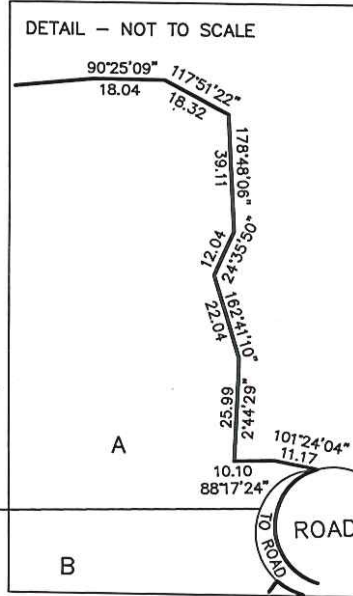
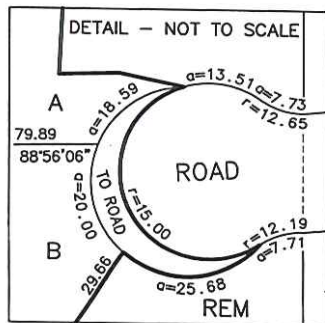
**Resolution # 1288/2009**

PROPOSED SUBDIVISION PLAN OF PART OF  
DISTRICT LOT 14517, KOOTENAY DISTRICT,  
EXCEPT PART IN PLAN NEP74807.

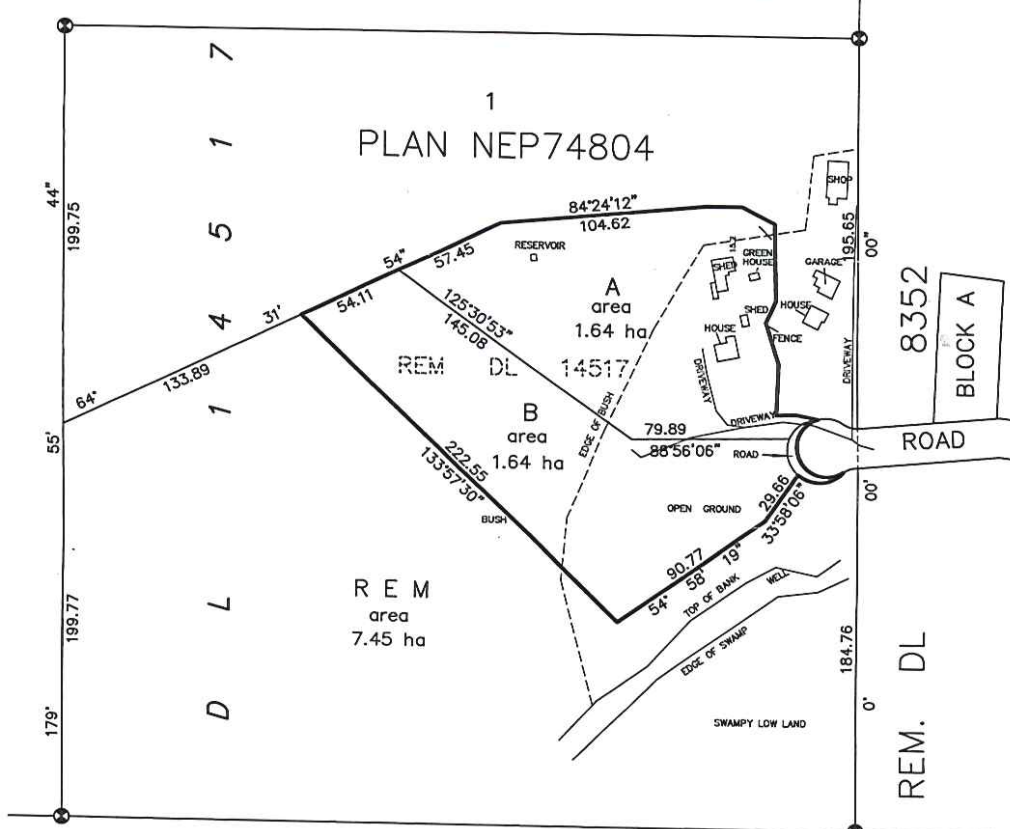
SCALE = 1:2500



The intended plot size of this plan is 280 mm in width by 432 mm in height (B size) when plotted at a scale of 1:2500.



UNSURVEYED CROWN LAND



REM. D.L. 8430

REM. D.L. 10430

ALC APPLICATION # 50665  
RESOLUTION # 1288/2009

APPROVED TWO LOT SUBDIVISION



September 10, 2009