



Agricultural Land Commission
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November 24, 2009

Reply to the attention of Martin Collins
ALC File: 50999

Wesley Holmes
PO Box 104
Fort Steele, B.C.
V0B 1N0

Dear Sir:

Re: Application for an Easement in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #/1490/2009 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.

Other approvals may be necessary, please contact the 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

cc: Regional District of East Kootenay

MC/i/50999d1



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

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

For Consideration

Application: 50999
Applicant: Integrated Land Management Bureau
Agent: Wesley Holmes
Proposal: To register a 0.14 ha power line easement and erect a power pole across unsurveyed crown land and the property noted below to service a private residence located on an adjoining property (PID 008-396-388).
Legal: PID 014-324-466 Lot 1, DL 55A Kootenay District, Plan 5828 and unsurveyed crown land adjoining the Wildhorse River
Location: East of Fort Steele on the Wildhorse River

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 subclass is topography.

The 0.14 ha area is undeveloped and partially forested.

Assessment of Impact on Agriculture

The Commission had no concerns about the agricultural impacts of the proposed easement and power line because a minimal amount of grazing land was affected.

Conclusions

1. That the area proposed for the power line easement is not used for agriculture nor is it suitable for agricultural development.
2. That the 0.14 ha easement and power line would not affect agriculture.

IT WAS

MOVED BY: Commissioner J. Thibeault

SECONDED BY: Commissioner B. Minor

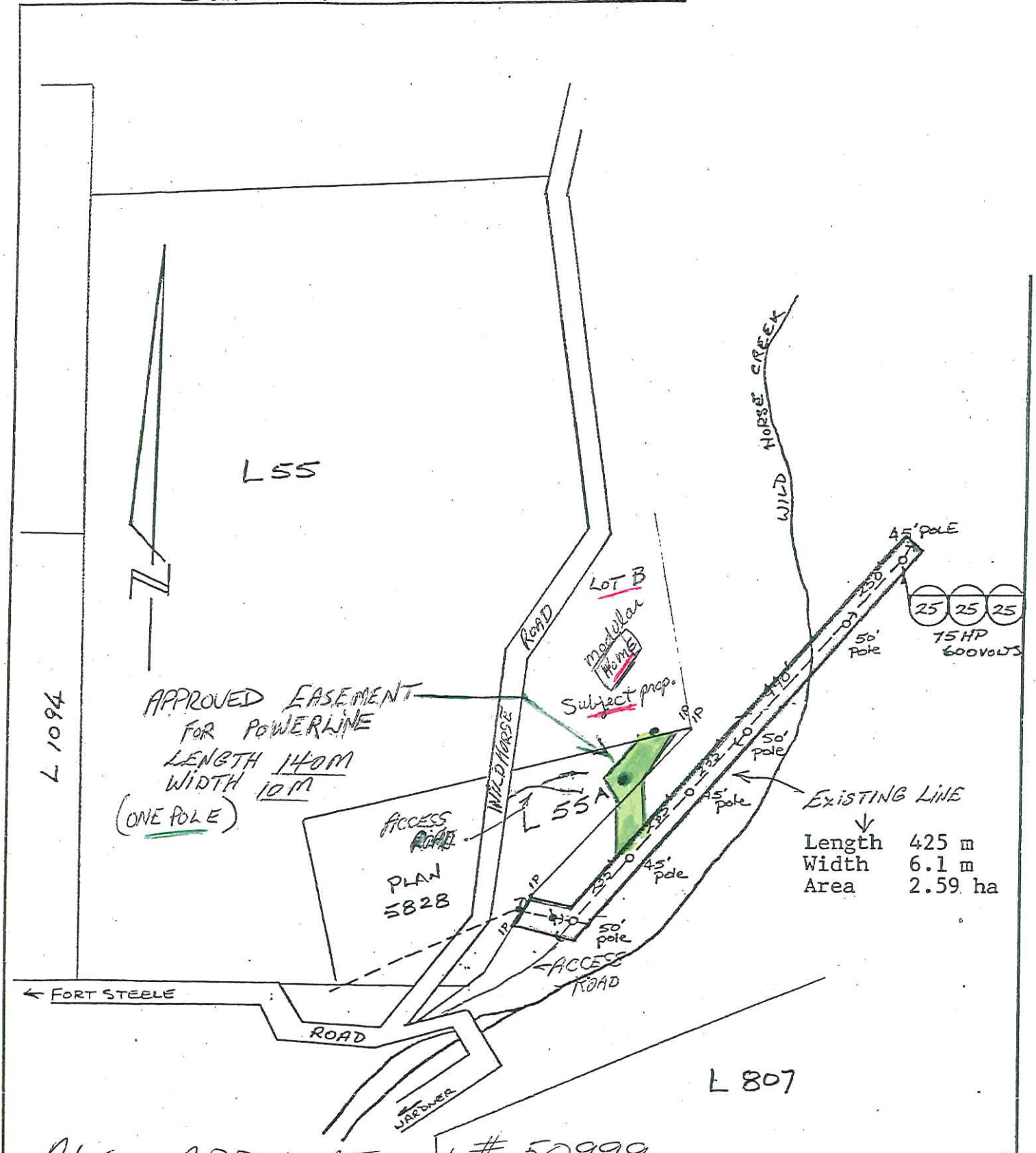
THAT the application to register a 0.14 ha easement (10 meters wide by 140 meters long) and erect a power pole on the subject lands be allowed.

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 #1490/2009

SCALE 2.5C. = 122M.



EXISTING LINE
↓
Length 425 m
Width 6.1 m
Area 2.59 ha

ALC APPLICATION # 50999
RESOLUTION # 1490/2009