



Agricultural Land Commission
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April 7, 2010

Reply to the attention of Martin Collins
ALC File: 50995

Wayne and Brenda Roberts
3298 Pineridge Road
Meadowbrook, B.C.
V1A 3L5

Dear Sir/Madam:

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2319/2010 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: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay File: P 709 412

MC/50995d1



A meeting was held by the Provincial Agricultural Land Commission on March 24th, 2010 at Cranbrook, B.C.

PRESENT:	Barry Minor	Chair, Kootenay Panel
	Jerry Thibeault	Commissioner
	Roger Mayer	Commissioner
	Martin Collins	Staff

For Consideration

Application: 50995
Applicant: Wayne and Brenda Roberts
Proposal: To subdivide a 2 ha lot from the 6 ha property.
Legal: PID 009 036 059 Lot 3, DI 15905, KD, Plan 15929
Location: Pineridge Road, Rural Kimberly

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 improvable to (6:4T 2:3T 2:6T)

- 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 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.

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission believed that the small size and rural residential uses of adjoining parcels precluded agricultural uses being developed in this area.

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 the proposed subdivision sizes would have little, if any, effect on agriculture, because there was no agricultural development in the surrounding area.

Assessment of Other Factors

The Commission noted that it had approved all previous subdivisions in the Pineridge Road area on the grounds the land is not suitable for agricultural development due to small parcel sizes, poor soils and rough topography. It was also noted that the local APC did not support this subdivision proposal because of concerns about increasing residential density in the area.

Conclusions

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

IT WAS

MOVED BY: Commissioner B. Minor
SECONDED BY: Commissioner J. Thibeault

THAT the application to subdivide a 2 ha lot from the 6 ha property be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision must be completed within three (3) years from the date of this decision.

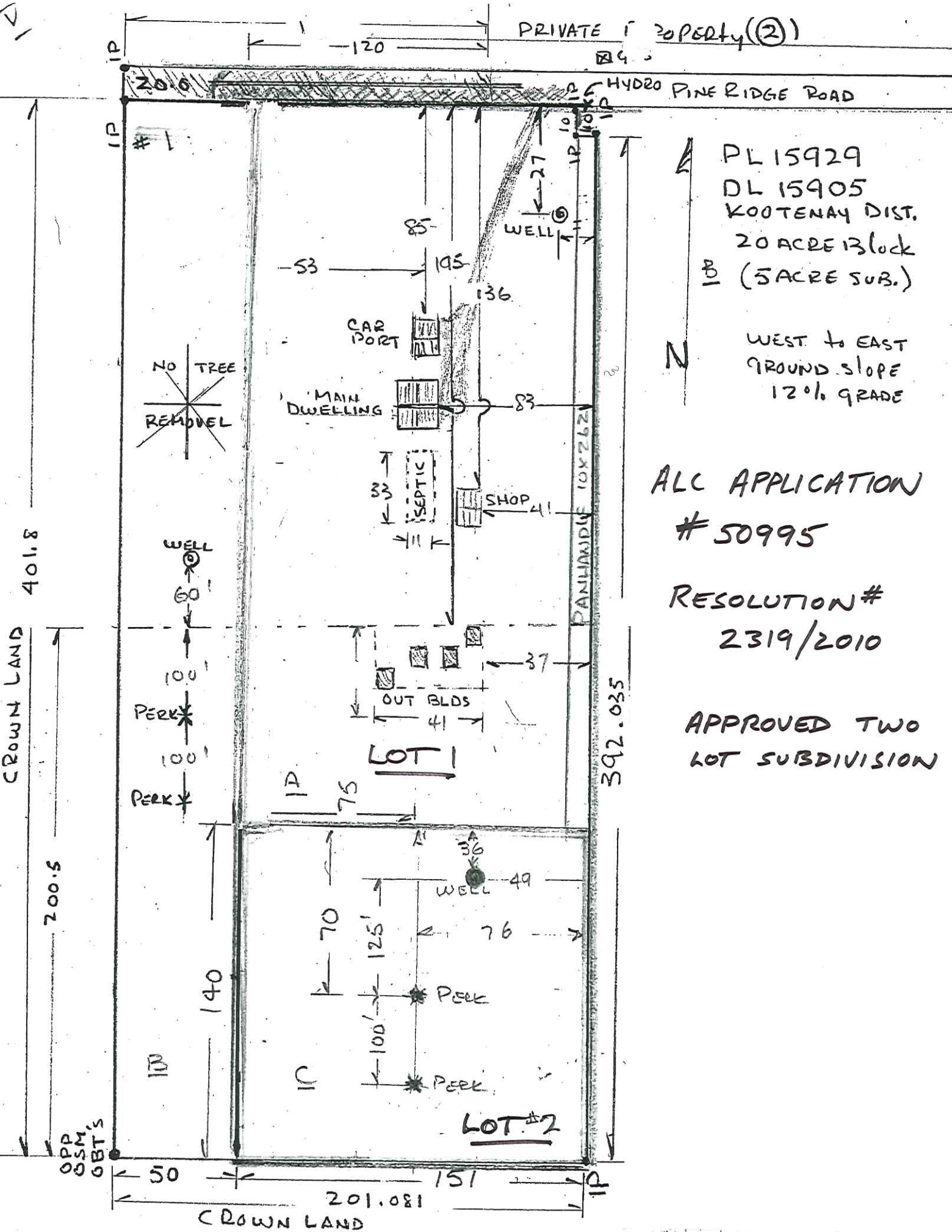
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

Resolution # 2319/2010

12

PRIVATE PROPERTY (2)



PL 15929
 DL 15905
 KOOTENAY DIST.
 20 ACRE 13 (lock
 B (5 ACRE SUB.)

WEST to EAST
 GROUND SLOPE
 12% GRADE

ALL APPLICATION
 # 50995

RESOLUTION #
 2319/2010

APPROVED TWO
 LOT SUBDIVISION

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