



Agricultural Land Commission
3-4940 Canada Way
Surrey, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

April 7, 2010

Reply to the attention of Martin Collins
ALC File: 51388

Jessica Wallman
District of Sparwood
136 Spruce Ave
Sparwood, B.C.
V0B 2G0

Dear Ms Wallman:

Re: Application for a right of way in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #2310/2010 and two sketch plans outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final right of way 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 any other authorities that have jurisdiction. .

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plans

MC/ 51388 d1



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: 51388
Applicant: District of Sparwood
Proposal: To dedicate 840 sq meters as road right of way and register an 840 sq meter easement across the 2.9 ha subject property
Legal: PID 024-291-731
Location: Sparwood

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 50% 3C and 50% 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 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

The limiting subclasses are a severe climate and 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 does not believe there are external factors that render the land unsuitable for agricultural use.

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 that overall, the pedestrian bridge and changes to road right of way and driveway location will have a minimal impact on the ALR in this area. The arable portion of the subject property is limited (1.5 ha), and although the right of way and easement represent a loss of arable area, the small size of the parcel is not conducive to agricultural uses

Conclusions

1. That portions of the land under application have good agricultural capability and are appropriately designated as ALR (approximately 1.5 ha is suitable for agricultural uses).
2. That the proposal will not significantly affect the already limited agricultural capability of the property.

IT WAS

MOVED BY: Commissioner R. Mayer
SECONDED BY: Commissioner J. Thibeault

THAT the application to subdivide 840 sq meters for road right of way, and register an 840 sq meter driveway easement from the 2.9 ha property be allowed.

AND THAT the approval is subject to the following conditions:

- the right of way 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 # 2310/2010

PLAN EPP5314

REFERENCE PLAN OF PART OF LOT A,
DISTRICT LOT 6251, KOOTENAY DISTRICT,
PLAN NEP62932

Pursuant to Section 107 of the Land Title Act

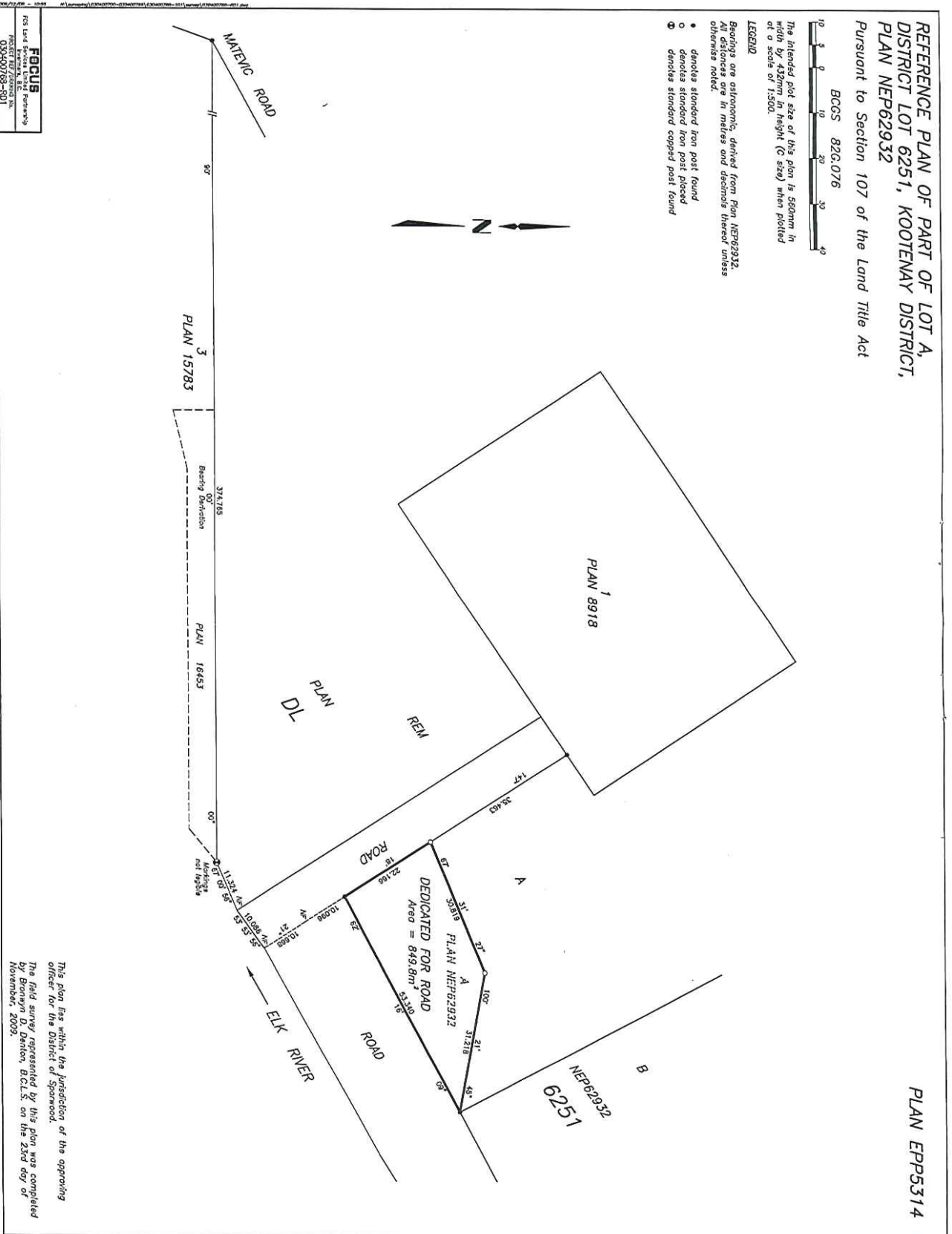
BCCS 82G.076

The intended plot size of this plan is 560mm in
width by 432mm in height (A size) when plotted
at a scale of 1:500.

LEGEND

- denotes standard iron post found
- denotes standard iron post placed
- ⊙ denotes standard capped post found

Bearings are astronomic, derived from Plan NEP62932.
All distances are in metres and decimals thereof, unless
otherwise noted.



This plan lies within the jurisdiction of the approving
officer for the District of Sparwood.
The field survey represented by this plan was completed
by Registered Geomatics Technician B.C.L.S. on the 23rd day of
November, 2009.

SKETCH #2 ALC APPLICATION 51388 RES # 2310/2010