



Agricultural Land Commission
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April 7, 2010

Reply to the attention of Martin Collins
ALC File: 51591

Julie Ann Harbidge
63 Slalom Drive
Ferne, B.C.
V0B 1M4

Dear Madam:

Re: Application for non farm uses in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #2313/2010 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:

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

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay File: P 709 118

MC/ 51591 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: 51591
Applicant: Dominic and Cynthia Pace
Agent: Julie Ann Harbridge
Proposal: To store topsoil (five feet deep, over a 500 ft area) for a 2-3 year period.
Legal: 016-013-204 Lot 9, DL 4139, KD, Plan 802 Except....
Location: 6172 Cunliffe Road, Fernie

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 6:4M 3:5MP 1:4W.

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.

The limiting subclasses moisture deficiency, and stoniness, with some areas of excessive wetness.

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 noted that this 2 ha property and surrounding 2 ha lots are identified in the Elk Valley ALR review as having potential for exclusion.

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 topsoil storage proposal would not affect impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the topsoil proposal will not substantively impact agricultural potential.

IT WAS

MOVED BY: Commissioner R. Mayer
SECONDED BY: Commissioner B. Minor

THAT the application to store topsoil on the property 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 # 2313/2010



NOT TO SCALE

SUBDIVISION RESIDENTIAL SOCRE lots

175ft

CUNLIFFE

SEPTIC

gar

SOCK

house

GARAGE SHED

HILLSIDE

CREEK

WELL

FIELD

GREEN

CREEK

subject property: 6172 cunliffe Road.
Block 9 Plan 802 District Lot 4139
Veterary district except plan 7617

ACCESS
(HORSES)

APPROVED
TOPSOIL STORAGE

FENCE



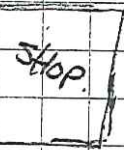
Hay storage

30'

SHOP

60'

40'



BEECHER RD
CITY LIMITS

HWY #23

Crown land
Greenhouses
FARMLAND

Home Bldg
YARD

WANTON RD

ALC APPLICATION 51591
RES # 2313/2010