



Agricultural Land Commission
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April 6, 2010

Reply to the attention of Martin Collins
ALC File:#51594

Andrew and Dawn Boon
PO Box 61
Fort Steele, BC
V0B 1N0

Dear Sir/Madam:

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2327/2010 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 709 341

MC/51594d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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: #51594
Applicant: Andrew and Dawn Boon
Proposal: To subdivide an 8.1 ha lot from the 21.7 ha property.
Legal: PID 008-193-533 Lot 1, DL 332, KD, Plan 2845
Location: Holmes Road, north of Fort Steele

Site Inspection

A site inspection was conducted on March . Those in attendance were:

- Barry Minor Chair, Kootenay Panel
- Jerry Thibeault Commissioner
- Roger Mayer Commissioner
- Martin Collins Staff
- Andrew and Dawn Boon Applicant s

The Boons confirmed that the staff report dated March 2, 2010 was received and no errors were identified.

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 5PM.

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 are stoniness and moisture deficiency.

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 noted that land of similar capability lying to the north had been developed for irrigated pasture and forage production. In addition the Commission recalled that it had refused a similar subdivision of the property in 1984.

However, the Commission did not believe that retaining the property in its present size would result in its agricultural use. Rather it considered the subdivision and sale of the 8.1 ha area to the adjoining landowner for the expansion of his farm as having potential to enhance agricultural activity.

Conclusions

1. That the land under application has limited agricultural capability
2. That the subdivision proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner B. Minor

SECONDED BY: Commissioner R. Mayer

THAT the application to subdivide an 8.1 ha lot from the 21.7 ha property be allowed.

AND THAT the approval is subject to the following conditions:

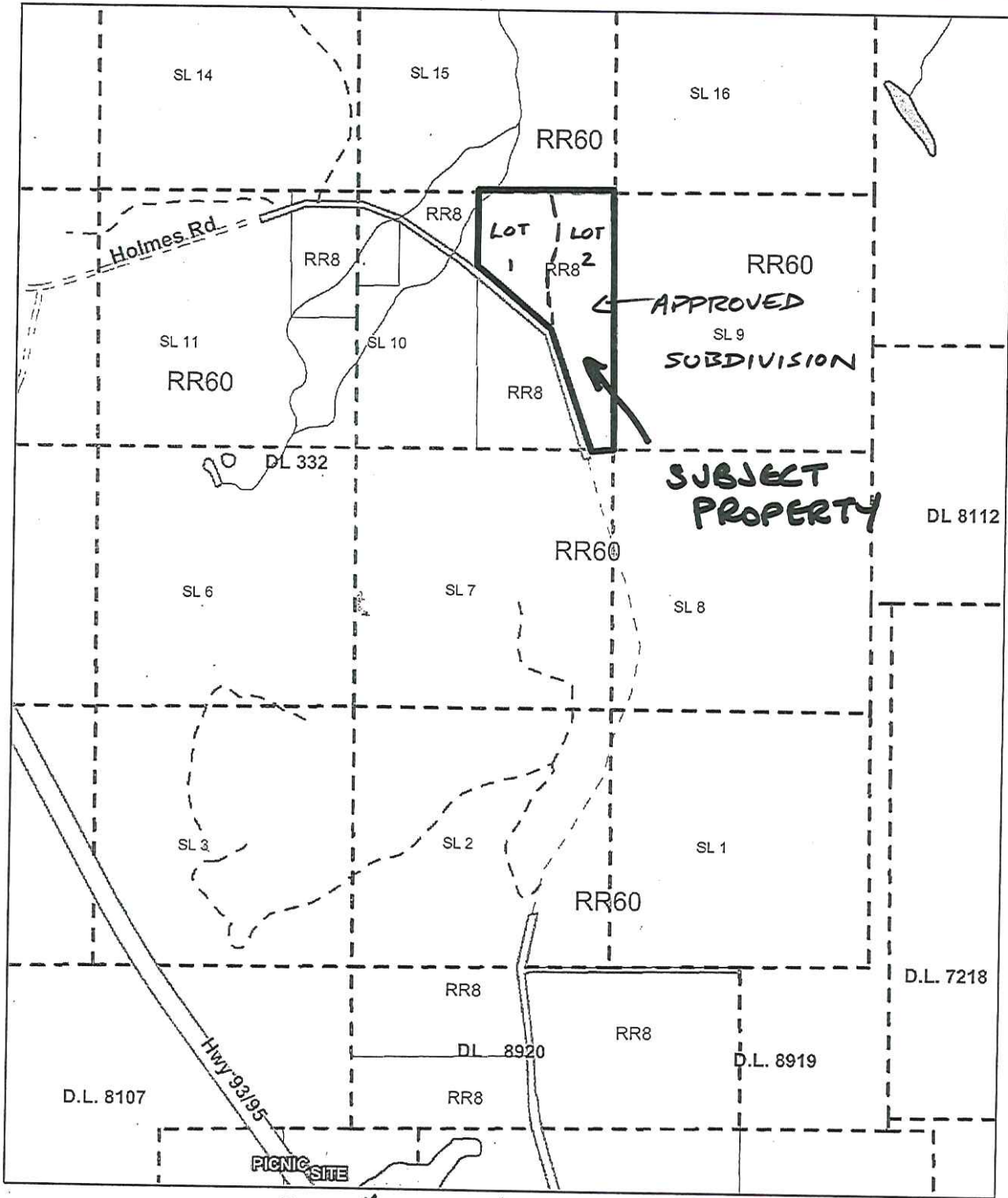
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 2327/2010

ZONING MAP



RES. # 2327/2010



Map center: 598113, 5502235



Scale: 1:17,500

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

ALL APPLICATION # 51594