



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

February 24, 2014

ALC File: #53423

Robert and Susan Webster
2151 Kootenay Rd No. 3
Windermere, B.C. V0B 2L2

Dear Mr. and Mrs. Webster:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #51/2014 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Lindsay McCoubrey', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #51/2014
Sketch plan

cc: Regional District of East Kootenay (File: P 713 524)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 23, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53423.

COMMISSION MEMBERS PRESENT:

| | |
|-----------------|--------------|
| Richard Bullock | Chair |
| Jennifer Dyson | Vice-Chair |
| Gordon Gillette | Vice-Chair |
| Sylvia Pranger | Vice-Chair |
| Bert Miles | Commissioner |
| Jim Johnson | Commissioner |
| Jerry Thibeault | Commissioner |
| Lucille Dempsey | Commissioner |
| Jim Collins | Commissioner |

COMMISSION STAFF PRESENT:

| | |
|-------------------|--------------------|
| Jennifer Carson | Planner |
| Lindsay McCoubrey | Planner |
| Liz Sutton | Planner |
| Colin Fry | Executive Director |

PROPOSAL (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

To subdivide the 8.6 ha subject property into one (1) 1.6 ha lot and one (1) 7 ha lot for applicants' son.

PROPERTY INFORMATION:

Owner: Robert and Susan Webster

Legal: PID: 018-550-401
Lot 2, District Lot 4596, Kootenay District, Plan NEP20959

Location: 2151 Kootenay Road No. 3, Invermere

Size: 8.6 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- (a) to preserve agricultural land;

- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.
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COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. 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 majority of the subject property (approximately 80%) has improved agricultural capability ratings identified on Canadian Land Inventory (CLI) map sheet 82J/5 of Class 4 and 5, with the remainder being Class 2 and 3.

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

The limiting subclasses associated with this parcel of land are X (combination of soil factors), P (stoniness) and T (topographic limitations).

Conclusion: The subject property has some agricultural capability, however, at its present size, and in its particular location the property is not highly suitable for agricultural purposes.

2. The Commission also discussed the history of subdivision applications in the area, such as ALC application #53010 on the adjacent property, where in 2013 the Commission allowed the subdivision of the 8 ha property into one (1) 2 ha parcel and one (1) 6 ha parcel. Within the discussion of application #53010, the Commission indicated that it believed that the block of 7 lots, created in 1992 through ALC application #4557, have limited agricultural suitability due to their size, topography and location.

Conclusion: The Commission believes that in this particular case, the subject property has many similarities to the adjacent property which was approved for subdivision in 2013. The Commission believes that the proposed parcels are isolated due to the noted topographical constraints as well as the Highway, and as such there would be no adverse impact on agriculture.

IT WAS
MOVED BY: Commissioner Thibeault
SECONDED BY: Commissioner Johnson

THAT the proposal to subdivide 1.6 ha from the 8.6 ha subject property be conditionally approved.

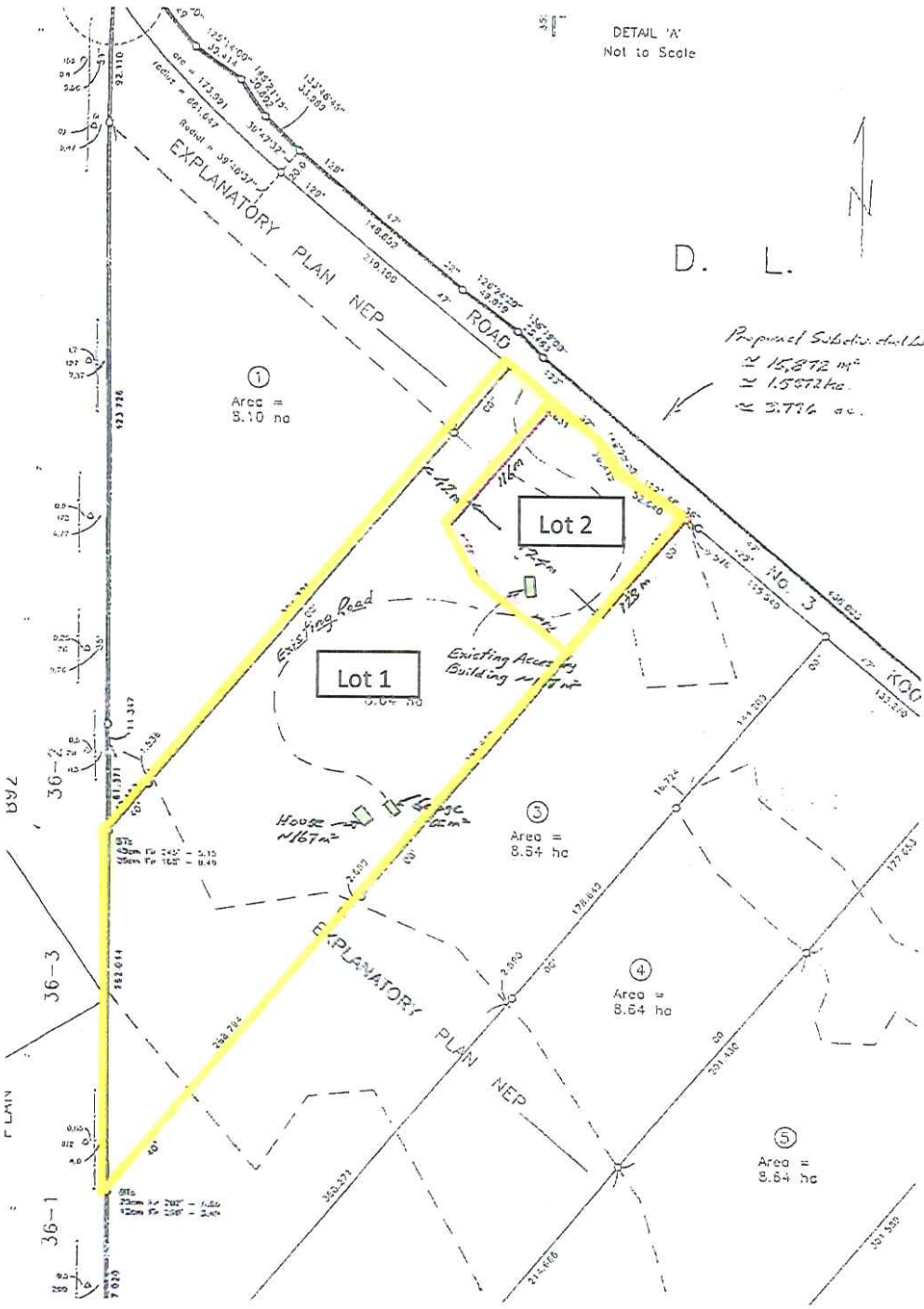
AND THAT the final approval is subject to:


1. The subdivision being substantial compliance with the plan submitted with the application;
and
2. The subdivision plan being completed within three (3) years from the date of this decision.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution #51/2014

ALC Application #53423 (Webster)



 Subdivision to create one (1) 1.6 ha parcel and remainder of 7.0 ha approved by Resolution # 51/2014