



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

March 16, 2006

Reply to the attention of Ron Wallace

Troy Kabatoff
PO Box 403
Grand Forks, BC V0H 1H0

Dear Sir:

Re: **Application # Q-36377**
**That part of District Lot 382, Similkameen Division of Yale District, Plan B193,
EXCEPT Plan 8875**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above noted property into four separate lots. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 28 February 2006.

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- compliance 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. The Commission suggests you contact the City of Grand Forks at your earliest convenience.

The decision noted above is recorded as Resolution #91/2006.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

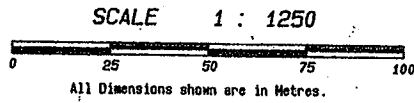
Per:

Erik Karlsen, Chair

cc: City of Grand Forks
Hoefsloot Land Surveying Ltd. PO Box 2740, Grand Forks, BC V0H 1H0

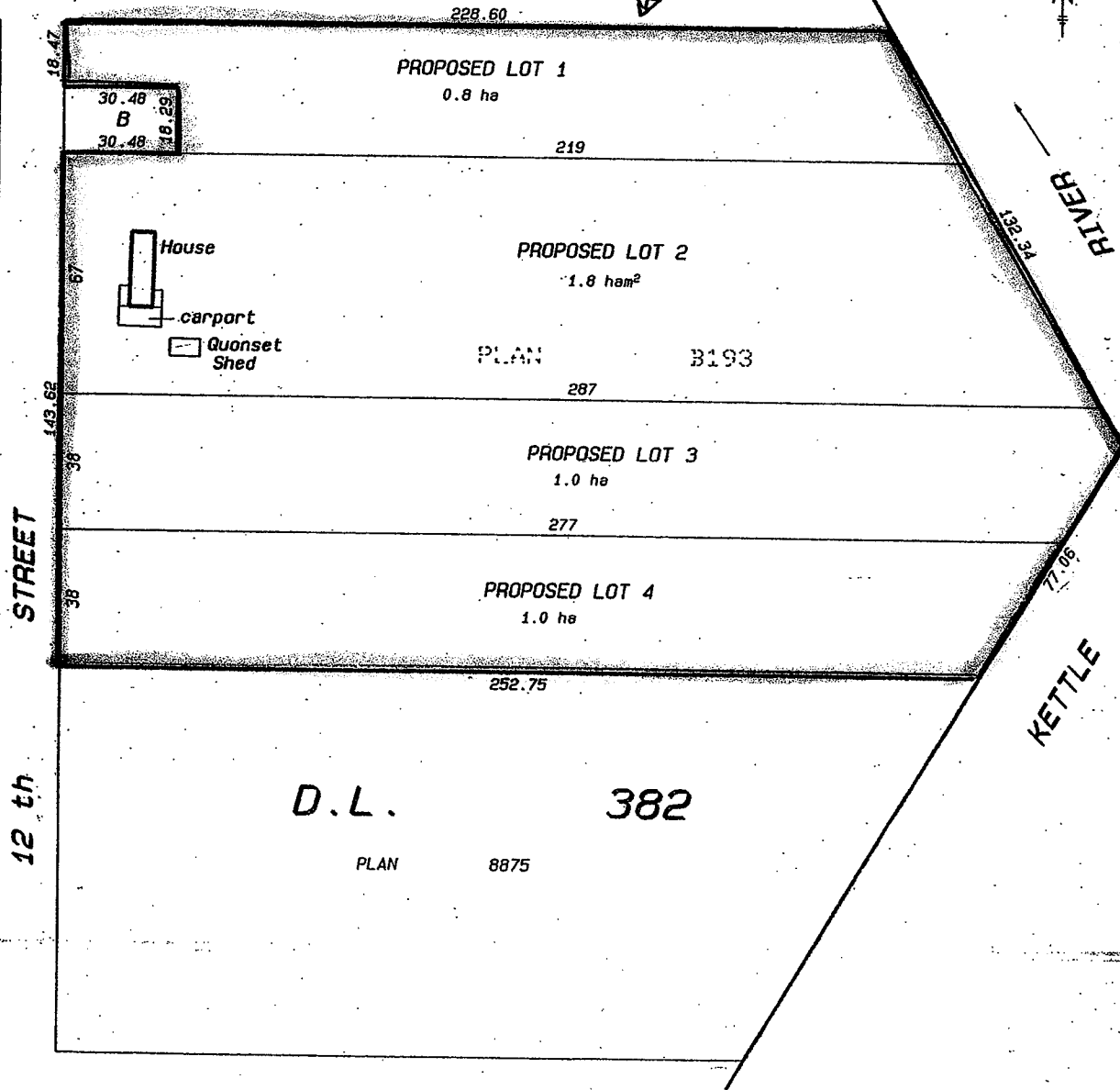
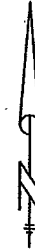
RW/lv/Encl./36377d1

**PROPOSED SUBDIVISION OF
 THAT PART OF D.L. 382 SHOWN ON PLAN B193
 SIMILKAMEEN DIVISION YALE DISTRICT, EXCEPT PLAN 8875.**



A
 PLAN - 22

Approved Subdivision



**Provincial Agricultural Land Commission
 Application: Q-36377
 Resolution # 91/2006**

Street Address:
 6370 - 12th Street, Grand Forks

 **Subject property.**

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 2 March, 2006 in Cranbrook, B.C.

PRESENT: Monika Marshall Chair
 Cheryle Huscroft Commissioner
 Carmen Purdy Commissioner

STAFF: Ron Wallace, Regional Research Officer

For Consideration

Ron Wallace presented the staff report dated 2 February 2006 regarding application #Q-36377, Troy Kabatoff. The application is to subdivide the 4.6 ha property into four separate lots (i.e., 0.8 ha, 1.8 ha and two 1.0 ha lots).

Site Inspection

A site inspection was conducted on 28 February 2006. Those in attendance were:

- Commissioners Marshall, Huscroft & Purdy
- Agricultural Land Commission Staff: Ron Wallace, Regional Research Officer
- Agent Arthur Hoefsloot, BCLS
- Applicant Troy Kabatoff

The site inspection lasted from 5:00 p.m. to 5:30 p.m.

Commission Discussion

It was noted that the property is located in an area of rural residential development with no significant agricultural operations. As the proposed subdivision would create rural residential lots similar to the local area and that are consistent with the zoning, the Commission supported the application.

IT WAS

MOVED BY: Commissioner C. Purdy

SECONDED BY: Commissioner C. Huscroft

THAT the staff report be received and the application to subdivide the property into four lots be approved as proposed.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # Q – 36377
Applicant: Troy Kabatoff

Agent: Hoefsloot Land Surveying Ltd.

DATE PREPARED: February 2, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: To subdivide the 4.6 ha property into four separate lots (i.e., 0.8 ha, 1.8 ha, 1.0 ha and 1.0).

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

There have been no previous applications on the subject property.

Local Government:

The Corporation of the City of Grand Forks

Legal Description of Property:

1. PID: 011-202-785
That part of District Lot 382, Similkameen Division of Yale District, Plan B193, EXCEPT Plan 8875;

Purchase Date (m/d/y):

02/27/1997

Location of Property:

Grand Forks, BC

Size of Property:

4.6 ha (The entire property is in the ALR).

Present use of the Property:

The property is used for residential purposes with a house, carport and quonset shed. There is no agriculture on the property due to its gravelly soil.

Surrounding Land Uses:

WEST: Residential
SOUTH: Residential, hobby farm - horses
EAST: Kettle River
NORTH: Residential, vacant

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E/1
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Agriculture/Rural (A/R) designation

Zoning Bylaw and Designation:

R-4 (Rural Residential), 0.8 ha minimum lot size

RELEVANT APPLICATIONS:

Application #27951-0
Applicant: SLUBOWSKI, J.& S.
Decision Date:
Proposal:
Decision:

Application #27619-0
Applicant: MAKONIN, HARRY & DOROTHY
Decision Date:
Proposal:
Decision:

Application #31624-0
Applicant: Provincial Agricultural Land Commission
Decision Date: November 20, 1997
Proposal: To exclude approximately 44 ha from the ALR, presently used for non farm uses. The rationale for exclusion is excessive parcelization and existing non farm uses. In a planning resolution # 288/95 the Commission agreed with the exclusion of this land.
Decision: The Commission essentially allowed the bulk of the application as proposed, but was not prepared to exclude the airport property (10 ha) owned by the City on the grounds that it wanted to include the airport runway area to ensure its airport use in the long term.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Municipal Council

The Municipal Council authorized the application to proceed to the Commission for a decision.

STAFF COMMENTS:

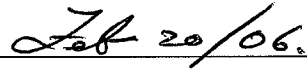
Staff recommends that the Commission consider the following:

- The subject property is larger than many of the surrounding lots in the ALR
 - There is no significant precedent to support subdivision in the area.
 - The agricultural capability of the property can be improved to Class 4 with moisture limitations.
-

END OF REPORT



Signature



Date