



Agricultural Land Commission
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www.alc.gov.bc.ca

December 14, 2006

Reply to the attention of Gordon Bednard
ALC File: L-36683-1

John & Marcelle Audia
PO Box 15
Ferne, BC V0B 1M0

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 633/2006 outlining the Commission's decision as it relates to your request for reconsideration of the above noted application.

Please also find attached a copy of the ALC Regulations. You will note that section 3(b) allows for the placement of one manufactured home for use by a member of the owners immediate family. The Commission trusts that this will satisfy your desire to have a family member relocate to the property

More information can be obtained from the Commission website at www.alc.gov.bc.ca, or by calling Gordon Bednard at 604-660-7011(direct).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of East Kootenay (#P706-102)

GB/lv/Encl: Minutes/Regulations
36683d2.



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 18, 2006 at Cranbrook, B.C.

PRESENT:	Monika Marshall	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	Erik Karlsen	Chair, ALC
	Gordon Bednard	Staff, ALC

For Consideration

Application: # L - 36683-1
 Applicant: John & Marcelle Audia
 Proposal: Applicant requests reconsideration on the basis that the Commission decision is unfair and unjustifiable. The original proposal was to subdivide one (1) 2.0 ha lot from the 8.5 ha property for the applicants' daughter.
 Legal: PID: 015-799-514
 Lot 8, District Lot 6393 & 11707, Kootenay District, Plan 1411, EXCEPT (1) Parcel A (See971911), (2) That portion lying to the East of the R/W Plan 7617 and, (3) Part included in Plan 7617
 Location: Dicken Road, Fernie, BC

Site Inspection

A site inspection was conducted on October 18, 2006. Those in attendance were:

Monika Marshall	Chair, Kootenay Panel
Carmen Purdy	Commissioner
Erik Karlsen	Chair, ALC
Gordon Bednard	Staff, ALC
Bernard Audia	Owner

The Commissioners walked the property and discussed the application with the owner. The Commissioners noted that they had previously been to the property for a site inspection, but at that time the owner had not been able to attend and meet with the Commission.

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

The Commission considered that the request for reconsideration contained no new information of which the Commission was not aware when the application was originally considered.

IT WAS

MOVED BY: Commissioner Monika Marshall

SECONDED BY: Commissioner Erik Karlsen

THAT the application be reconsidered and refused. The applicant has provided no new information to justify a change in the Commission's decision. The subject property is an existing small farm unit which is consistent in size with neighbouring properties and existing zoning. The Commission asks staff to remind the applicant regarding the allowance for siting of a manufactured home on the property for a family member under the Regulations.

CARRIED

Resolution # 633/2006