



**Agricultural Land Commission**  
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May 25, 2009

Reply to the attention of Roger Cheetham  
ALC File: **L-36425**

Novalee Reeves  
158 Tuscarora Way  
Calgary, AB T3L2H1

Dear Madam:

**Re: Application to subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 164/2009 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. It will also confirm for the Registrar the area excluded from the ALR.

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

cc: Regional District of East Kootenay (P-705-211)

RC/  
i/36425d2



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on April 30, 2009 in Cranbrook, B.C.**

<b>PRESENT:</b>	Erik Karlsen	ALC Chair
	Barry Minor	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	Jerry Thibeault	Commissioner
	Roger Cheetham	Staff

### **For Consideration**

A request for reconsideration dated 10 January 2009. The request is for the removal of a condition requiring that the portion of the property north of Moran Road be consolidated with the adjoining property to the west. It includes a report from Mr. Mike Malmberg, a professional agrologist, in which it is noted that the property has severe limitations to the range of crops that can be grown on the property.

Application:	# L- 36425
Applicant:	Novalee Reeves
Original proposal:	To subdivide the property into two lots - 8.1 ha and 3 ha.
Original decision:	Approved subject to the consolidation of the 3 ha lot with the adjacent lot to the west - Resolution #95/2006.
Current proposal:	To remove the condition requiring the consolidation with the adjacent lot to the west.
Legal:	Lot 2, District Lot 316, Kootenay District, Plan 14685 (PID: 010-405-607)
Location:	Derosier Road, east of Kookanusca Lake

### **Discussion**

The Commission reviewed the reconsideration request with the information in the application. It noted that the adjacent owner did not wish to acquire the portion of the subject property north of Moran Road. In the light of the report from Mike Malmberg the Commission concluded that the waiving of the consolidation requirement would have no impact on the limited agricultural potential of the property or the adjoining property.

### **IT WAS**

**MOVED BY:** Commissioner E. Karlsen

**SECONDED BY:** Commissioner C. Purdy

THAT for the purposes of Section 33(2) of the *Agricultural Land Commission Act*, there are no persons it considers affected by the reconsideration.

AND THAT the request for the removal of the consolidation requirement under Resolution #95/2006 be approved.

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 #164/2009**