



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

September 23, 2009

Reply to the attention of Brandy Ridout
ALC File: L-39004 (45980)

Randall Wikmiecik
PO Box 2416
Fernie, B.C.
V0B 1M0

Dear Sir:

Re: Application to subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution #827/2009 and a sketch plan outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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 709 104)

MC/i/39004d1

The limiting subclasses are moisture deficiency (M)

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. Although a mobile home park lies to the west of the two proposed lots 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 recalled that it conditionally excluded the 16 ha westerly portion of the subject property because of limited agricultural capability (i.e. poor soils and a existing mobile home park). The ALR parcel to the north is not cleared or used for agriculture. It was the Commission's view that the cultivated ALR land lying to the south would likely not be affected by a two lot subdivision and the addition of a single additional residence.

Conclusions

1. That the land under application has very limited agricultural capability and is largely unsuitable for agricultural use.
2. That the subdivision proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner J. Thibeault
SECONDED BY: Commissioner C. Purdy

THAT the application to subdivide a 2 ha and a 3 ha lot from the 21 ha property be allowed

AND THAT the approval is subject to the following condition:

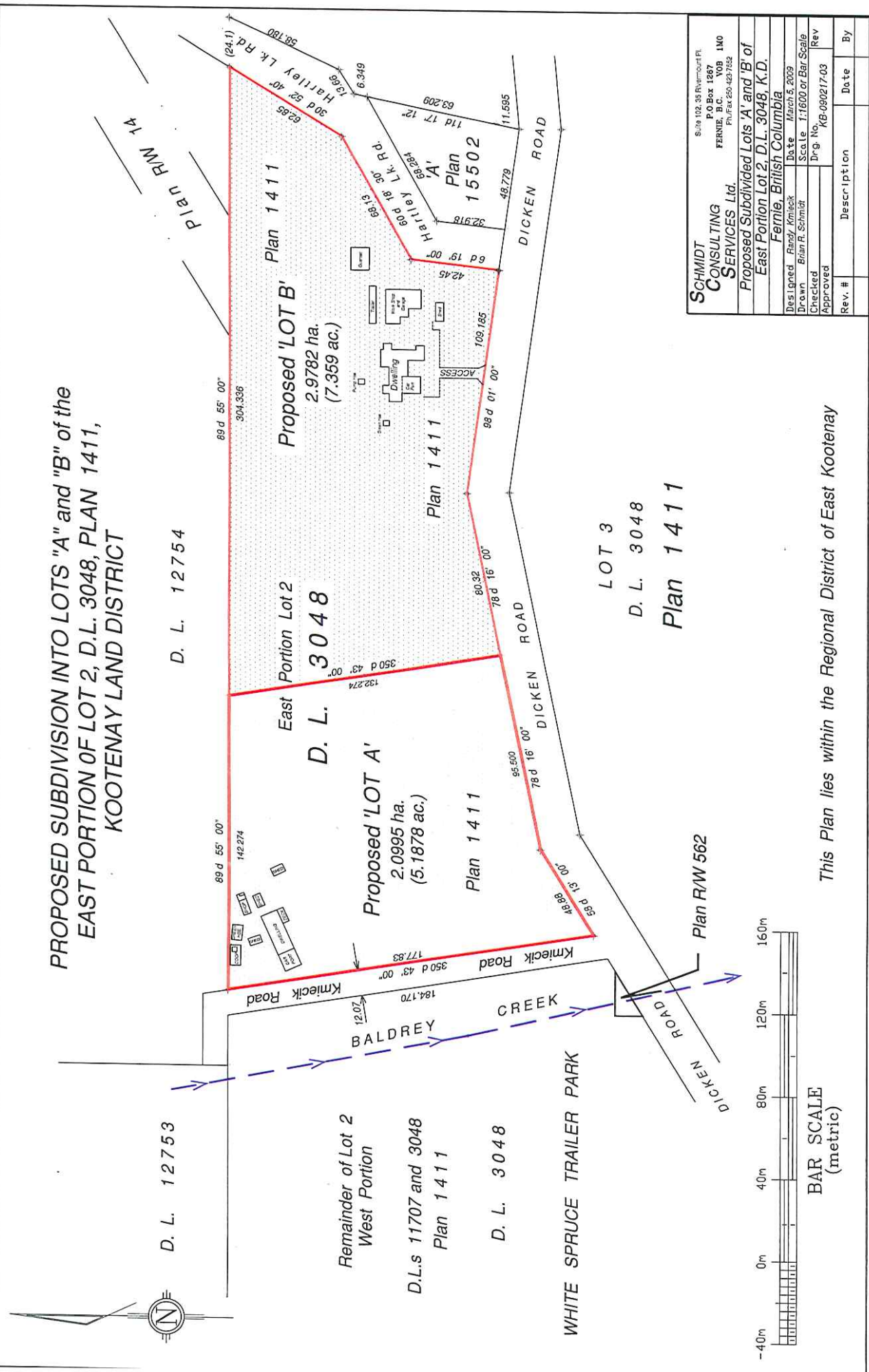
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 827/2009

**PROPOSED SUBDIVISION INTO LOTS "A" and "B" of the
EAST PORTION OF LOT 2, D.L. 3048, PLAN 1411,
KOOTENAY LAND DISTRICT**



D. L. 12753

D. L. 12754

Plan 1411

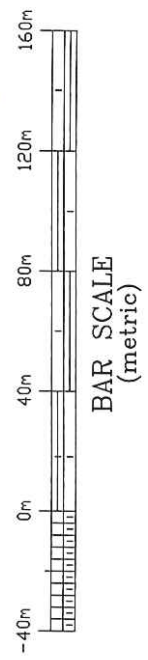
Plan 15502

East Portion Lot 2
D. L. 3048

Remainder of Lot 2
West Portion
D.L.s 11707 and 3048
Plan 1411

D. L. 3048

LOT 3
D. L. 3048
Plan 1411



This Plan lies within the Regional District of East Kootenay

SCHMIDT CONSULTING SERVICES Ltd.		S/10 102, 55 Rivercourt Pl. P.O. Box 1987 FERNIE, B.C. V0B 1W0 Ph. Fax: 259-423-7552	
Proposed Subdivided Lots 'A' and 'B' of East Portion Lot 2, D.L. 3048, K.D.			
Designed	Randy Kmieciak	Date	March 5, 2009
Drawn	Brian R. Schmidt	Scale	1:1600 of Bar Scale
Checked		Dr-g. No.	KB-090217-03
Approved		Rev	
Rev. #	Description	Date	By

**ALL APPLICATION L-39004 APPROVED SKETCH PLAN
RESOLUTION # 827/2009**