



Agricultural Land Commission
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November 23, 2009

Reply to the attention of Martin Collins
ALC File: 50807

John C. Zimmer
45 - 8th Ave S
Cranbrook, B.C.
V1C 2K4

Dear Sir:

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 1465/2009 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.

Other approvals may be necessary, please contact the local government.

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 (File: P 709 530)

MC/i/50807d1

The limiting subclasses are topography and low fertility.

The 42 ha property has been developed for pasture uses.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the subdivision proposal against the long term goal of preserving agricultural land. The Commission noted that the proposed subdivision lots would not substantively affect currently developed agricultural land, but would only encompass non arable areas or building sites.

The Commission did not believe that the subdivision of three rural residences would substantively affect the agricultural use of the remainder because the homes are occupied by family members.

Finally the Commission noted that the applicant qualified for consideration under Homesite Severance Policy based on length of ownership. However, it considered this approval as fulfilling the intent of the Policy

Conclusions

1. That the area proposed for subdivision are not in agriculture use or suitable for agricultural development.
2. That the three lot subdivision would not substantively affect the agricultural capability or utility of the ~40 ha remnant.

IT WAS

MOVED BY: Commissioner C. Purdy

SECONDED BY: Commissioner B. Minor

THAT the application to subdivide three 1 ha lots from the 42 ha subject property be allowed.

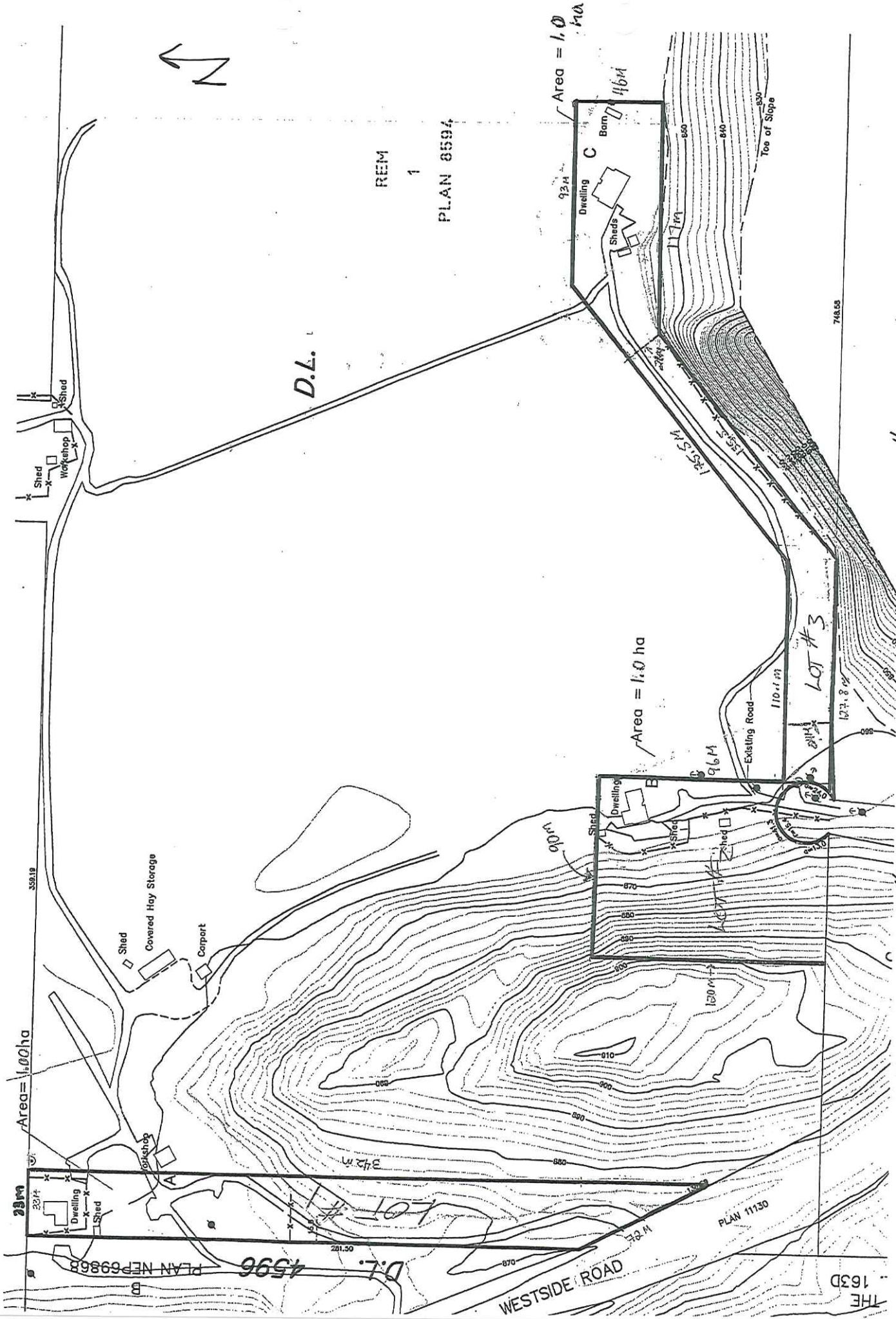
AND THAT the approval is subject to the following conditions

- 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 # 1465/2009



ALC APPLICATION # 50807 RESOLUTION # 1465/2009
 APPROVED 3 LOT SUBDIVISION