



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

22nd March 2011

Reply to the attention of Ron Wallace
ALC File:51993

Robert and Deborah Solc
BOX 3, Site 4, RR1
Millarville, AB
T0L 1K0

Dear Mr. and Mrs. Solc:

Re: Application to Subdivide Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 71/2011 outlining the Commission's decision as it relates to the above noted application. A map depicting the approved subdivision is attached.

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:

A handwritten signature in blue ink, appearing to read 'RH Underhill', is written over the printed name.

Brian Underhill, Executive Director

Enc. Minutes

cc: Regional District of East Kootenay (File: P 709412)

rc/
51993d1



A meeting was held by the Provincial Agricultural Land Commission on 28th February 2011 in the offices of the Agricultural Land Commission, Burnaby, BC

PRESENT:	Richard Bullock	Chair, Commission
	Barry Minor	Chair, Kootenay Panel
	Jerry Thibeault	Commissioner
	Ron Wallace	Staff
	Roger Cheetham	Staff

For Consideration

Application: 51993
Applicant: Robert and Deborah Solc
Agent: N/A
Proposal: To subdivide an 8.0 ha parcel in order to create a 2 ha and a 6 ha parcel.
Legal: PID: 009-036-091; Lot 2, District Lot 15905, Kootenay District, Plan 15929 Except Plan EPP2833
Location: 3433, 3395 McGinty Road and 3301, 3310 Pine Ridge Road – Woods Corner area

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 evaluated the application in the context of its review of the OCP and the Zoning Bylaw for this area in 2006 and 2007. During its OCP and Bylaw review the Commission carried out a site inspection of this area with the staff of the Regional District. It was explained at the time that there was a significant shortage of rural residential properties in the area to meet demand. The Regional District considered that Woods Corner was one of four areas where from an overall land use perspective it was appropriate to permit such development. While not wishing to encourage the establishment of rural residential pockets in the ALR the Commission recognized that from an overall land use perspective there was a need to permit some such development and agreed that Woods Corner was a suitable location for one of these nodes of development. The Commission did not consider that the impact on surrounding agricultural development would be of major significance as the density of development achieved with a minimum parcel size of 2 ha was still low and large enough to

encourage the agricultural use of these properties. The Commission also noted that District Agrologist also supported the OCP and Bylaw provisions and did not believe that the further parcelisation of the area would result in significant impacts on agriculture.

In this light, with reservations, the Commission considered that the proposal could be supported but it wished it to be recorded that it would not support further subdivision in this area below 2 ha. as smaller subdivisions would further reduce the agricultural potential of the subdivided properties and would increase the impacts on adjoining agricultural areas.

IT WAS

MOVED BY: Commissioner B. Minor

SECONDED BY: Commissioner J. Thibeault

THAT the application be approved

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- 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 # 71/2011

**SUBDIVISION PLAN OF PART OF LOT 2, DL 15905,
KOOTENAY DISTRICT, PLAN 15929**

PLAN EPP2833

Pursuant to Section 67 of the Land Title Act

BCGS 82G.071



The intended plot size of this plan is 432mm in width by 560mm in height (C size) when plotted at a scale of 1:1500

Datum.....NAD83 (CSRS), UTM Zone 11
 UTM Northing.....5507002.8
 UTM Easting.....563667.2
 Combined Factor 0.99954425
 Estimated network horizontal accuracy is 0.2 metres

Forestry Road - Emergency escape route

UNSURVEYED CROWN LAND

LEGEND

Grid bearings are derived from differential carrier phase GPS observations and are referred to the central meridian of Zone 11. To obtain local astronomic bearings referred to the meridian through the North West corner of Lot 2, Plan 15929, DL 15905, add 0°53'22"

The UTM coordinates and estimated network horizontal accuracy are derived from GPS single frequency baseline ties to Canadian Active Control System, Calgary and Penticton

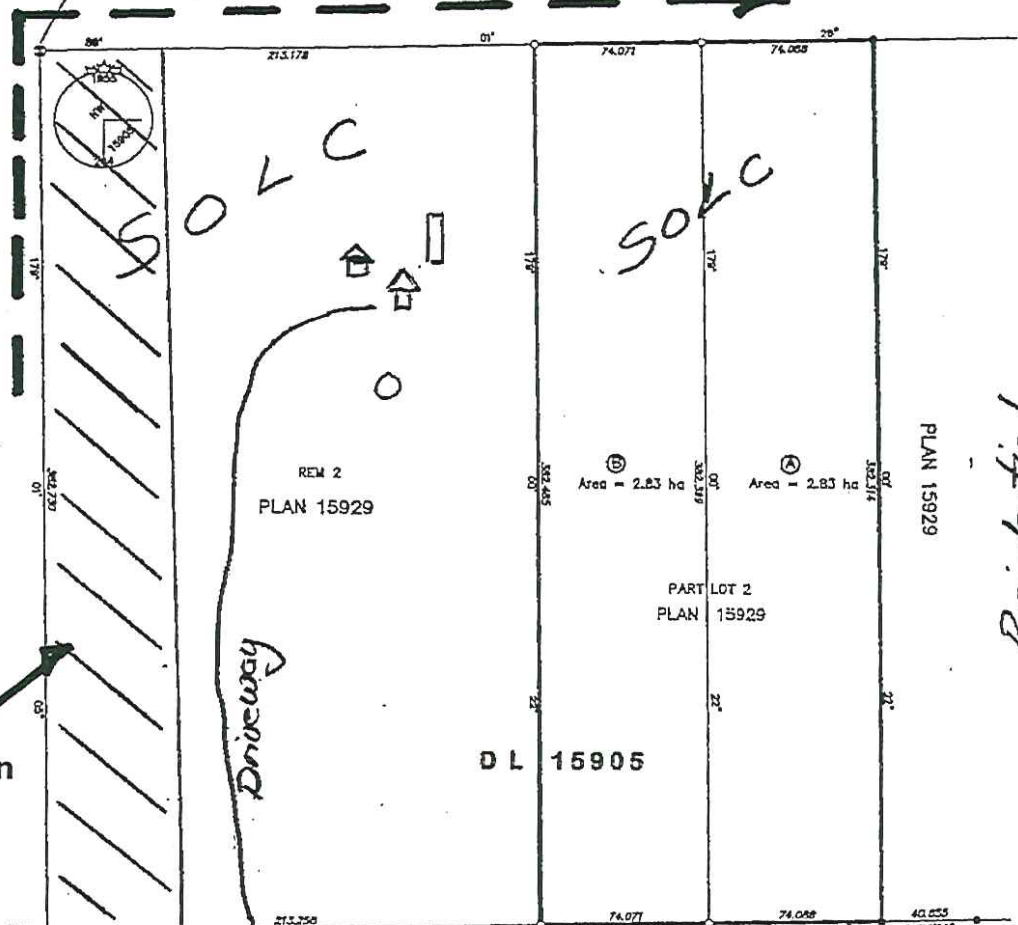
This plan shows horizontal ground-level distances based on a mean ellipsoidal elevation of 910 metres. To compute grid distances, multiply ground-level distances by the mean combined factor of 0.99954425

All distances are in metres

- STANDARD IRON POST FOUND
- STANDARD IRON POST PLACED
- ▨ STANDARD CAPPED POST FOUND

UNSURVEYED CROWN

Approved Subdivision



Residential



08°57'22" 0.018

PINERIDGE ROAD

Residential

○ - *Water Well*

3
PLAN 15929

4
PLAN 15929

▨ - *Proposed new lot*

ALC File 51993

Subdivision approved by ALC in terms of Resolution Number 71/2011

09012 - SOLC

This plan lies within the Regional District of East Kootenay.

The new survey represented by this plan was surveyed by Carrell M. L. Winkel, BCLS on the 22nd day of April, 2009.