



Agricultural Land Commission
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November 25, 2011

Reply to the attention of Lily Ford
ALC File 52484

Darwin and Shelly Hauser
4663 Samuelson Road
Canyon, BC V0B 1C1

Dear Mr. and Ms. Hauser:

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached Minutes of Resolution # 420/2011 outlining the Commission's decision as it relates to the above noted application. A copy of the sketch plan submitted with your application, and referenced in the minutes, is also enclosed.

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:


Richard Bullock, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of Central Kootenay

LF/52484d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on November 25, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application:

(Submitted pursuant to section 21(2) of the Agricultural Land Commission Act)

Application: 52484
Applicant: Darwin and Shelly Hauser
Agent: N/A
Proposal: Boundary adjustment between a 0.89 ha parcel (Lot 2) and a 0.13 ha parcel (Lot 3), resulting in a 0.64 ha parcel (Lot 2) and a 0.38 ha parcel (Lot 3).
Legal: Lots 2 and 3, DL 812, Kootenay District Plan 2343
Location: 4641 and 4633 Samuelson Road, Canyon
Background: The proposal consists of a boundary adjustment between two <1 ha parcels, resulting in two <1 ha parcels. The parcels were created prior to the establishment of the ALR. Both parcels contain single family residences and the larger parcel (Lot 2) also contains a shop. Camp Creek crosses the southern portion of Lot 2. The parcels are located in a rural residential area containing primarily 4 ha lots. The agricultural capability of the parcel, as shown on British Columbia Land Inventory (BCLI) Map #82F/1, is Class 4 with limitations due to moisture deficiency, improvable to Class 2 with the same limitations. No previous applications have been submitted for the subject parcels.
Attachment: Resolution #016N/2011

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

Criterion 7

Subdivision applications for boundary adjustments that are consistent with the intent of section 10 BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation) but cannot be approved by the local approving officer due to the limitations on parcel size and on the number of parcels involved in the proposed boundary line adjustment.

DECISION:

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 7 of Resolution #016N/2011 and approve the application on behalf of the Commission.

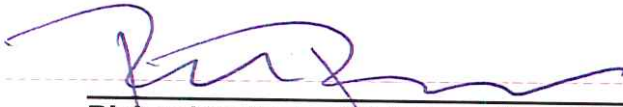
Approval is subject to the following conditions:

- 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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

RESOLUTION # 420/2011

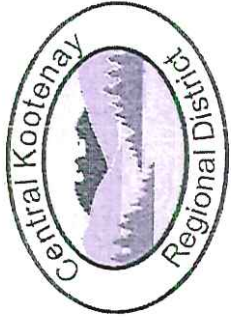
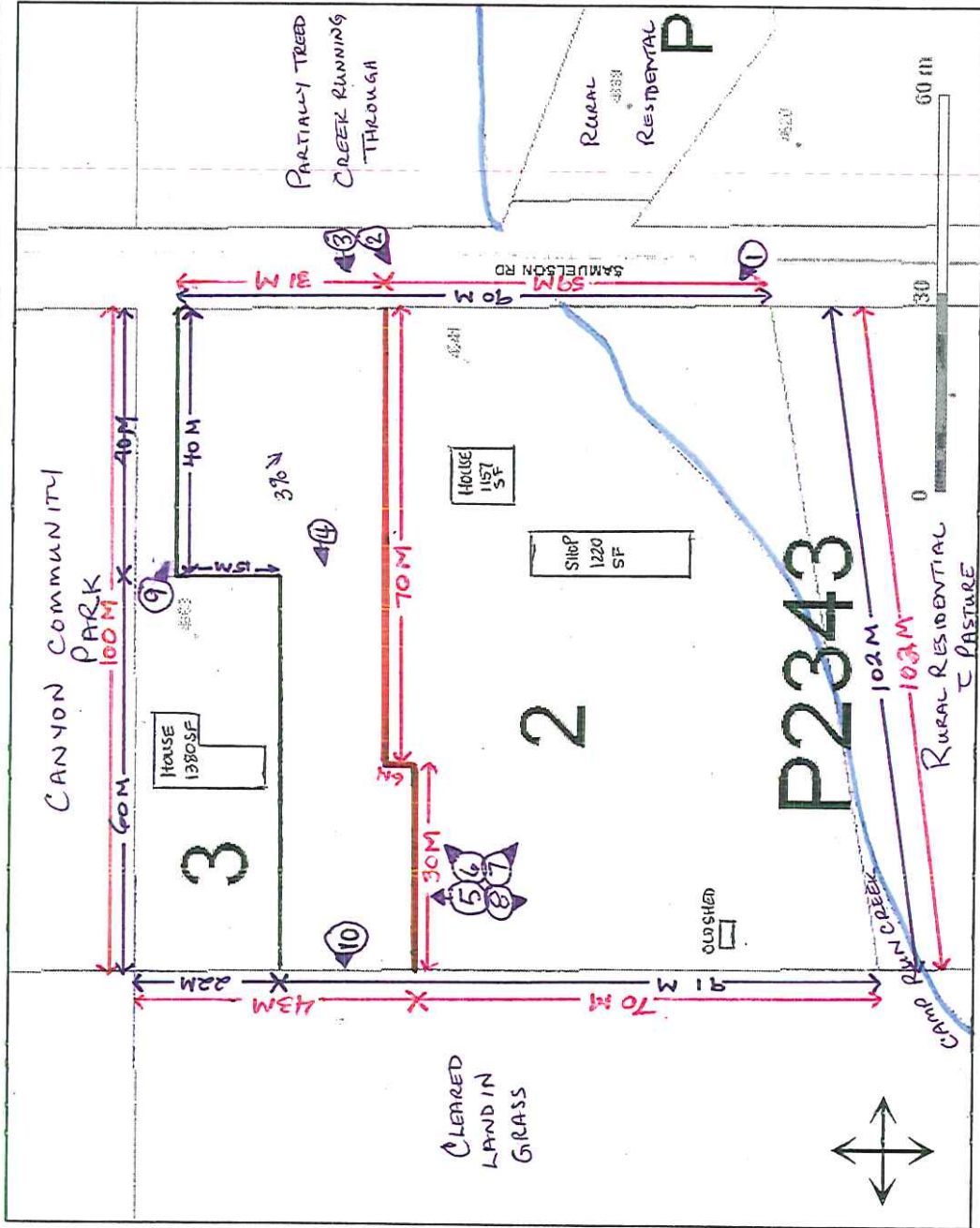
I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



Richard Bullock, Chief Executive Officer

PROPOSED BOUNDARY ADJUSTMENT BETWEEN LOTS 3 & 2 DL 812 KDP 2343
 LOT 2 - 4641 SAMUELSON .89ha reduce to .64ha
 LOT 3 - 4663 SAMUELSON .13ha increase to .38ha

DARWIN AND SHELLY HAUSER



Legend

- House Points
- Creeks
- Roads
- RDCK Boundary
- Cadastral
- Cadastral Owner current adjoining property boundary
- current Property lines
- proposed boundary Adjustment
- proposed new property lines
- Pictures

Representational Drawing
 Not to Scale

Scale 1:1000

16 August 2011, 12:50

SAMUELSON RD, CANYON BC

Disclaimer: This map was compiled by RDCK, using data believed to be accurate; however, a margin of error is inherent in all maps. This product is distributed without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability of particular purpose or use.