



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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11<sup>th</sup> April 2012

Reply to the attention of Roger Cheetham  
ALC File: 51915

1129759 Alberta Ltd. and 1131021 Alberta Ltd.  
c/o 2528 Charlebois Drive, NW  
Calgary, AB  
T2L 0T6

Attention Mark Himmelspach

**Re: Application for Subdivision in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 151/2012 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a white background.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of East Kootenay

rc/  
51915d2



## PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 20<sup>th</sup>, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

### COMMISSION MEMBERS PRESENT:

Gordon Gillette	Chair
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Jim Collins	Commissioner
Denise Dowswell	Commissioner

### COMMISSION STAFF PRESENT:

Brian Underhill	Executive Director
Roger Cheetham	Regional Planner

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Application: # 51915  
Applicant: 1131921 Alberta Ltd. and 1129759 Alberta Ltd.  
Proposal: Reconsideration request of application to create a total of five lots ranging in size from 104.3 ha (257.8 acres) to 119.2 ha. (294.5 acres).

Location: On the west side of Windermere Lake, south of Invermere

(Submitted pursuant to section 33 of the *Agricultural Land Commission Act*)

### PROPERTY INFORMATION:

PID: 016-808-673: Sublot 2, District Lot 347, Kootenay District, Plan X11, Except Part shown outlined in pink on Plan 1203 and that part in Plan 11130

PID 016-809-939: Sublot 163, District Lot 4596, Kootenay District, Plan X32, Except 1) The R/W shown outlined in pink on plan 1203, 2) The five severed portions which lie between the said R/W and the waters of Windermere Lake as shown outlined on Plan 1203 and 3) Part included in Plan 1232 and 4) Part in Plan 11130 5) Plan NEP 88930

**Previous Decision:** To refuse the application. (Resolution Number 2737/2010).

**Discussion:** The Commission reviewed the information provided by the applicant in the reconsideration request dated 6<sup>th</sup> January 2012. It considered that evidence not available at the time of the original decision had been provided and grounds established as required under 33(1) (a) to enable the Commission to reconsider the application.

In its reconsideration the Commission noted that a new development concept had been suggested by Mr. Ross, P.Ag. in his document entitled "A New Perspective on Agriculture on the Columbia Valley". The concept proposes the creation of smaller parcels over the areas with higher capability soils with a view to encouraging more intensive agricultural activities in these areas, the net result being an overall increase in agricultural potential for the area as compared with its low potential if

ALC Application #51915  
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retained for grazing. The Commission noted that the concept was supported by Mr. Coy a rancher and a member of the Windermere Farmers Institute and that the Ministry of Agriculture's Resource Stewardship Agrolgist, Darrell Smith also thought that the concept had merit. The Commission considered that the concept was worthy of further consideration. However, until discussions with the Regional District and its steering committee for the new agricultural plan have taken place and the concept fully understood the Commission considered that it was premature to consider any form of subdivision of the subject properties.

The Commission also considered the alternative concept of making free range grazing areas available to adjoining area farmers and noted that neither Tim Ross nor Darrell Smith thought the concept had much merit.

**IT WAS**

**MOVED BY:** Commissioner D. Dowswell

**SECONDED BY:** Commissioner L. Dempsey

THAT Resolution Number 2737/2010 be confirmed.

**CARRIED**

**Resolution # 151/2012**