



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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Fax: 604 660-7033
www.alc.gov.bc.ca

December 3, 2012

ALC File: # 52764

Ward Engineering and Land Surveying
1014 Seventh Street
Nelson, BC
V1L 7C2

Attention: Peter Ward

Dear Mr. Ward:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 374/2012 as it relates to the above noted application. As agent, it is your responsibility to communicate this decision to your client.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line. The signature is fluid and cursive.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #374/2012

cc: Regional District of Central Kootenay (File: 4810-20—A1205HS-21867.700)



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52764.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Eamonn Watson	Land Use Planner
Liz Sutton	Land Use Planner
Colin Fry	Executive Director

PROPOSAL

To subdivide the 3.0 ha subject property into two 1.5 ha lots.
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
 - (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.
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COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. The subject property and surrounding area was previously reviewed during the Slocan Valley ALR Review in 1988. The resulting block exclusion application in 1993/94 (Application #1957) retained the subject property within the Agricultural Land Reserve.

Conclusion: The subject has agricultural potential.

2. The proposed subdivision would result in two 1.5 ha lots.

Conclusion: The proposal would result in further parcelization within the region.

IT WAS

MOVED BY: Commissioner Dyson

SECONDED BY: Commissioner Gillette

THAT the request be refused.

CARRIED

Resolution #374/2012