



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
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www.alc.gov.bc.ca

December 3, 2012

ALC File: # 52809  
RDCK File: (4810-20—A1206K-02478.300)

Regional District of Central Kootenay  
Box 590, 202 Lakeside Drive  
Nelson, BC  
V1L 5R4  
Attention: Dawn Attorp

Dear Ms. Attorp:

**Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution # 368/2012 as it relates to the above noted application. The Commission has also attached a Sketch Plan depicting the decision.

Further correspondence with respect to this application should 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(s): Minutes of Resolution #368/2012  
Sketch Plan

cc: BC Assessment (Nelson)

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on Tuesday, November 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52809.

### 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

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### PROPOSAL

To utilize a 1 ha portion of the 14.3 ha subject property for a Non-farm Use, specifically, an assisted living facility with potentially 30 units.

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

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### 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 location and size of Burton relative to the nearest larger centre (Nakusp) with respect to the need of a localized care facility is such that a care centre would be utilized by the local population.

**Conclusion:** The Commission is satisfied with the Regional District's assessment that a care facility proposal for the area is warranted.

2. The proposed location, while located on land designated within the ALR, was chosen for fiscal and servicing reasons. The land is owned by the Regional District of Central Kootenay (RDCK) and has potential for a community water system and servicing levels required for a senior's development, as indicated by Meeri Durand, Senior Planner for the RDCK.

**Conclusion:** The Commission is satisfied that the subject property is an appropriate location to place the proposed senior's development due to servicing requirements.

**IT WAS**

**MOVED BY:            Commissioner Johnson**

**SECONDED BY:        Commissioner Dempsey**

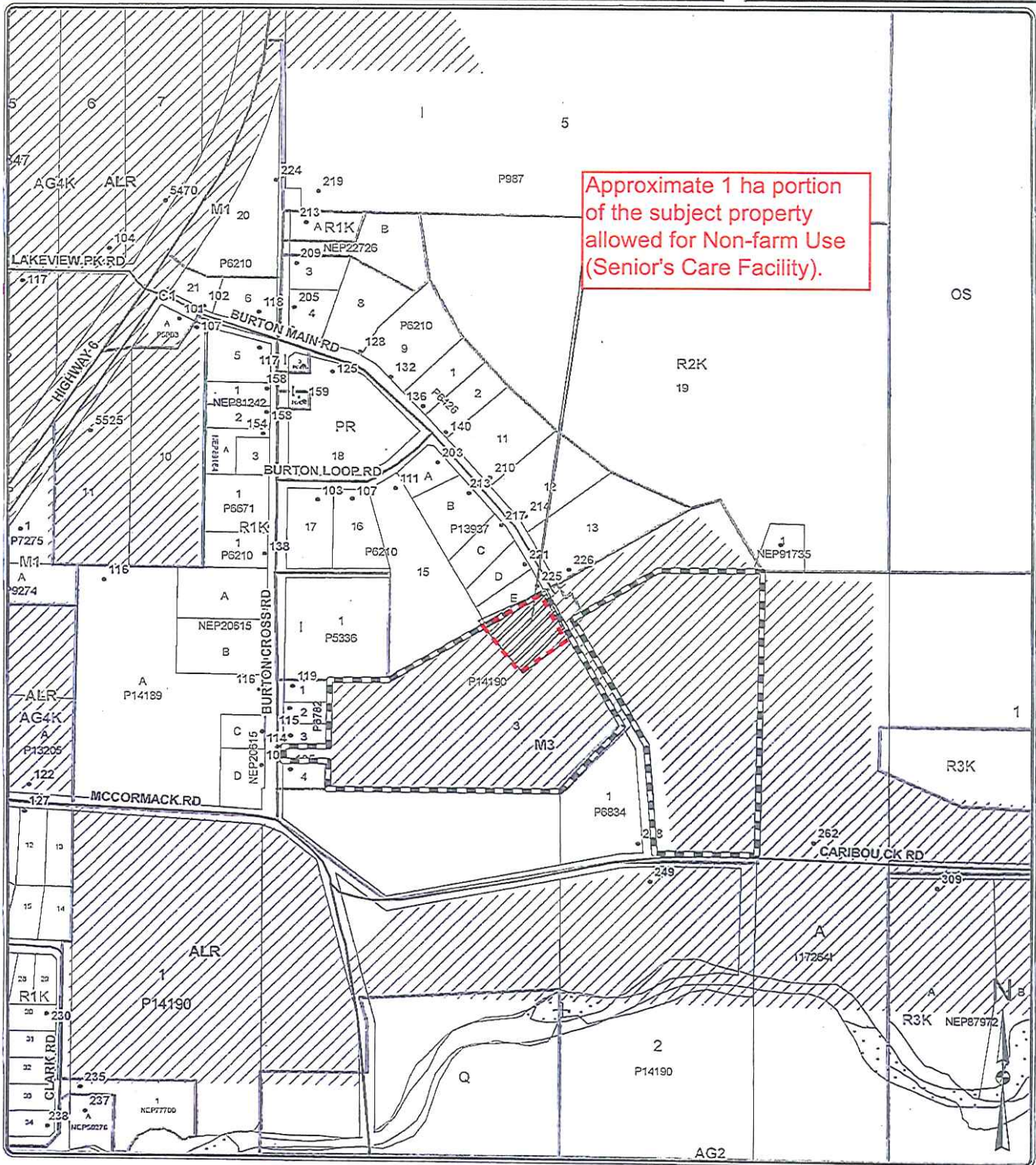
THAT the request be approved.

AND THAT 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.

**CARRIED**

**Resolution #368/2012**

# Application #52809: ALC Resolution 368/2012 Sketch Plan



Approximate 1 ha portion of the subject property allowed for Non-farm Use (Senior's Care Facility).



Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4  
 Phone: (250) 352-6665 Toll-Free 1-800-268-7325 (BC)  
 Fax: (250) 352-9300 Internet: www.rdc.kbc.ca

The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

## ALC Non-Farm Use Application

Regional District of Central Kootenay  
 Lot 3, District Lot 7700, Plan 14190  
 (PID 010-107-738)

### Map Scale:



Map Projection: UTM Zone 11 Map Datum: NAD83  
 Date Plotted: 2006

Mapsheet: