



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

December 16, 2013

ALC File: #52929

Jennifer Schmidt
4991 Highway 3
Ferne, BC
V0B 1M1

Dear Ms. Schmidt:

Re: Application to Include Land into the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #352/2013 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision.

The final subdivision plans will be authorized for registration by the Regional District of East Kootenay (RDEK). Please send a copy of the final subdivision plans with the inclusion area delineated, to the Agricultural Land Commission (ALC) such that the ALR boundary can be amended accordingly.

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #352/2013
Sketch Plan

cc: Regional District of East Kootenay (File: P 712 117)

52929d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52929.

COMMISSION MEMBERS PRESENT:

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

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Reed Bailey	Land Use Planner
Colin Fry	Executive Director

PROPOSAL (Submitted pursuant to section 17(3) of the *Agricultural Land Commission Act*)

Include 2.0 ha of the subject property as per the condition set out by the Regional District of East Kootenay (RDEK) within RDEK Resolution #43337 for subdivision of the subject property and an adjacent property.

PROPERTY INFORMATION:

Owner: Jennifer Schmidt

Legal: PID: 015-196-577
That part of Parcel 1 (See 249641) which lies to the west of the Highway (formerly Right of Way Plan 3416A) Except Parcel D (See 237611), District Lot 2314, Kootenay District

Location: 4991 Highway 3, Fernie BC

Size (ha): 45 ha (13.1 ha ALR)

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. As a condition of subdivision approval, the RDEK required the applicant to submit an inclusion application to the Agricultural Land Commission (ALC) as the area proposed for inclusion is actively used for pasture.

Conclusion:

The Commission concurs with the RDEK assessment and agrees that the proposed area is conducive to agriculture.

IT WAS

MOVED BY: Commissioner Gillette
SECONDED BY: Commissioner Dowswell

THAT the request to include a 2.0 ha portion of the subject property be approved.

AND THAT a copy of the final subdivision plan, with the inclusion area delineated, be sent to the ALC.

AND FINALLY 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.

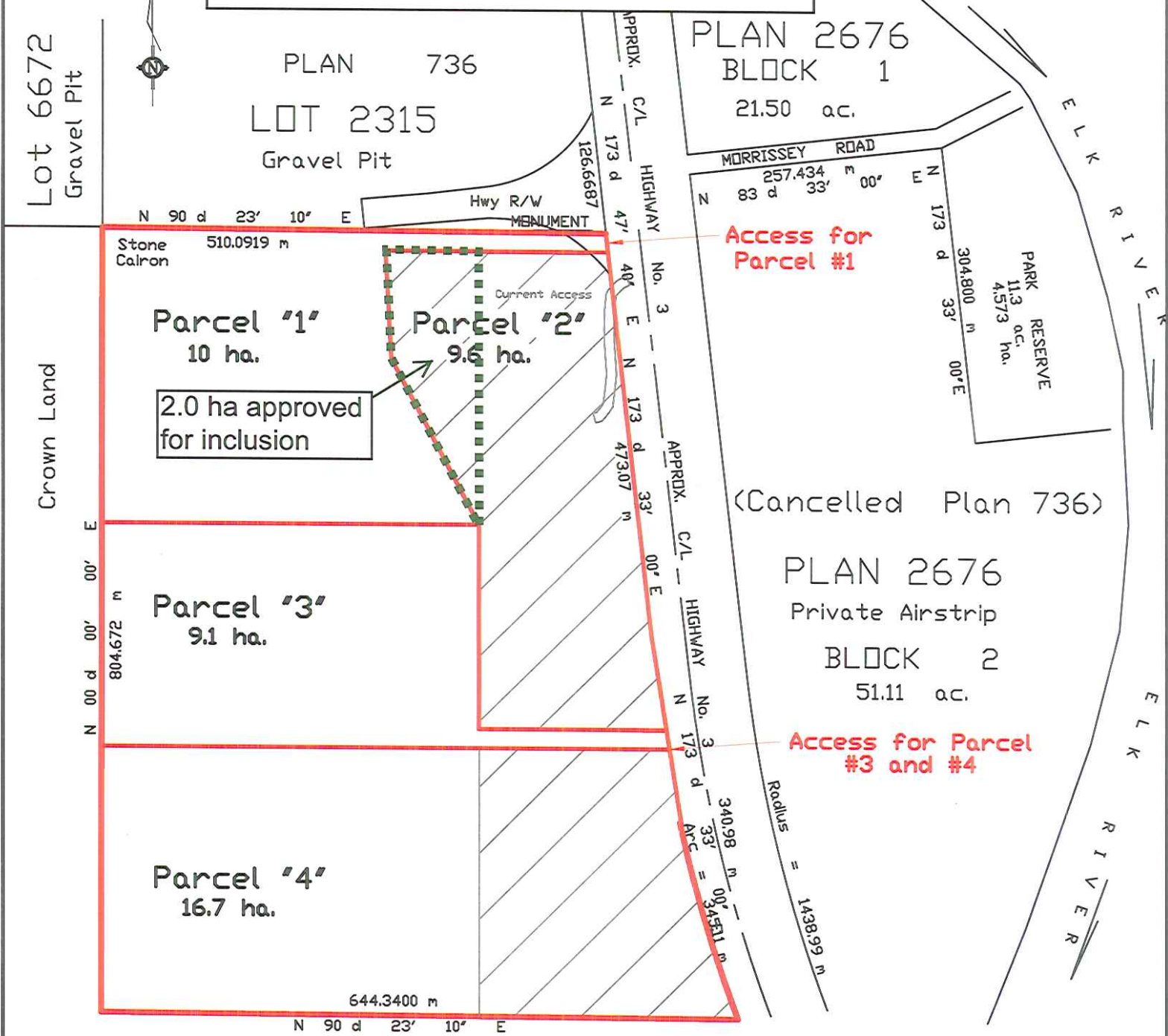
CARRIED

Resolution #352/2013

D.L. 2314 and Parcel D, Kootenay Land District – 45.170 ha

**ALC Application #52929 Sketch Plan
Resolution #352/2013**

111.619 ac



Crown Land Lot 6032
This Plan lies within the EAST KOOTENAY Regional District

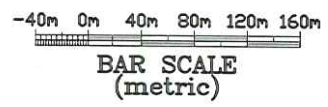
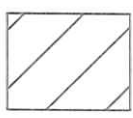
- Reference Plans :
 Plan 736
 Plan 2676
 R/W Plan 3416A

PID - 015-196-623
 PID - 015-196-577



4991 Hwy 3
 Fernie B.C.
 V0B 1M1
 Ph. 250-423-6883

ALR AREA NOW = 15.7247 ha.
 OLD ALR AREA = 14.479 ha



D.L. 2314, Kootenay Land District & Parcel D Property Plan – Zoned R8			
Drawn:	Jennifer Schmidt	Date:	July 18, 2013
Dwg.#	Description	Date	By
4	Proposed Subdivision	07/18/13	JS