



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

November 1, 2013

ALC File: #53105

Perry Rammeloo
PO Box 300
Jaffray, BC
V0B 1T0

Dear Mr. Rammeloo:

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

Please find attached the Minutes of Resolution #303/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. The Commission has also attached a sketch plan depicting the decision.

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.

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 'Lindsay McCoubrey', is written over a large, stylized signature that appears to be 'Brian Underhill'. The signature is written in a cursive, flowing style.

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #303/2013
Sketch Plan

cc: Regional District of East Kootenay (File: P 712 224)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on July 17, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53105.

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
Colin Fry	Executive Director

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

To subdivide a 10 ha portion from the 27.6 ha subject property as divided by a creek. The remaining 17.6 ha is to be consolidated with District Lot 5805 to the south.

PROPERTY INFORMATION:

Owners: Tullyniskey Holdings Ltd. and 0840087 BC Ltd (Inc. No. 840087)

Legal: PID: 016-417-445
Parcel 2 (See 105351) District Lot 6241, Kootenay District

Location: Jaffray, BC

Size: 27.6 ha

SITE INSPECTION

A site inspection was conducted on June 25, 2013. Those in attendance were Commissioner Thibeault, ALC Planner Reed Bailey, Ministry of Agriculture Resource Agrologist Darrell Smith, and Mr. Perry Rammeloo representing the applicants.

During the site inspection, the initial proposal for subdivision and exclusion of the 10 ha portion was discussed and amended to a subdivision application. Mr. Rammeloo also advised that the remainder (17.6 ha) would be consolidated to DL 5805, adjacent to the south.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before

the vote. Commissioner Thibeault gave a verbal summary of the site inspection to all Commission members recorded above.

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 is physically divided by a water course.

Conclusion: The proposed subdivision will follow the physical divide.

2. The portion of the subject property lying south of the creek is proposed to be consolidated with the adjacent property.

Conclusion: The proposed subdivision will not result in any new lots.

IT WAS

MOVED BY: Commissioner Gillette

SECONDED BY: Commissioner Collins

THAT the proposal to subdivide the 27.6 ha property into two lots as divided by the creek be approved subject to:

1. The consolidation of the southern remainder with District Lot 5805, Kootenay District; and
2. The subdivision plan must be completed within three (3) years from the date of this decision;

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 #303/2013

