



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

December 19, 2013

ALC File: #53321

Vernon & Elaine Carr
2903 Highway #3, RR1
Creston, BC V0B 1G1

Dear Mr. & Mrs. Carr:

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

Please find attached the Minutes of Resolution #366/2013 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 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, with a large loop at the end.

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #366/2013
Sketch Plan

cc: Regional District of Central Kootenay (File: 4810-20-A1310B-02459.000_Carr)

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PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on December 10, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 53321

Applicant: Vernon & Elaine Carr

Proposal: (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)
To subdivide approximately 0.1 ha from Parcel 1 and to then consolidate this area with Parcel B to provide access on Parcel B to the agricultural area.

Legal: Property 1:

PID: 010-753-664

Parcel B (See 7445I), Block 14, District Lot 812, Kootenay District, Plan 730A, Except Parcel 1 (Reference Plan 63975I) and Part included in Plan 11409

Property 2:

PID: 009-890-246

Parcel 1 (Reference Plan 63975I) of Parcel B (See 7445I), Block 14, District Lot 812, Kootenay District, Plan 730A, Except that part in Plan 11409

Location: 2903 Highway 3, Creston

Background: The two properties have been in the family since 1912 and have been treated as one. The current configuration requires crossing through Parcel 1 to access the back agricultural portion of Parcel B. The applicants would like to ensure the agricultural portion of Parcel B is accessible if the two properties are eventually sold to different interests.

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

Criterion 7

Subdivision applications for boundary adjustments that are consistent with the intent of section 10 BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation) but cannot be approved by the local approving officer due to the limitations on parcel size and on the number of parcels involved in the proposed boundary line adjustment.

DECISION:

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion #7 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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.

RESOLUTION #366/2013

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

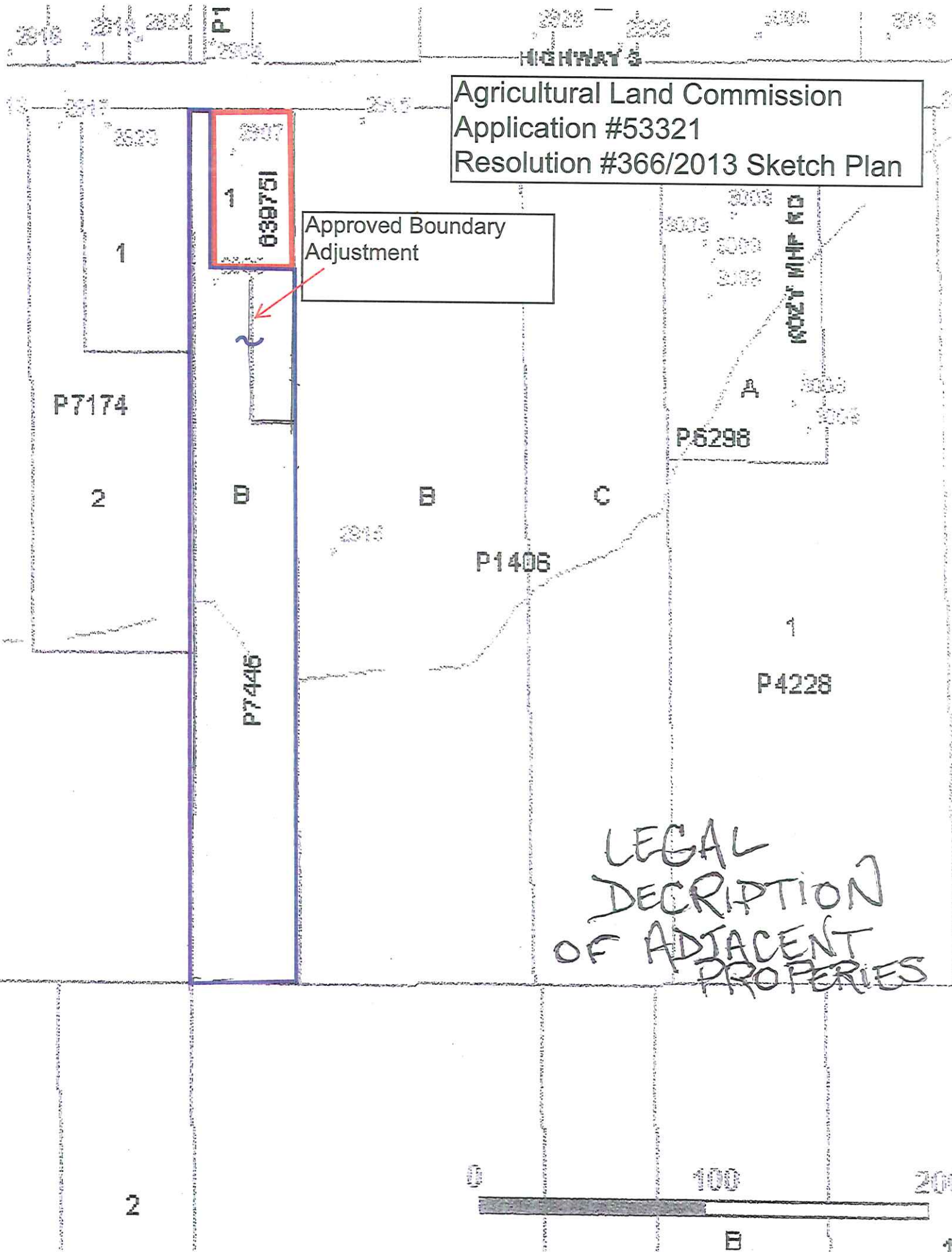
A handwritten signature in black ink, appearing to read 'Richard Bullock', written over a horizontal line.

Richard Bullock, Chief Executive Officer

Agricultural Land Commission
Application #53321
Resolution #366/2013 Sketch Plan

Approved Boundary
Adjustment

038751



LEGAL
DESCRIPTION
OF ADJACENT
PROPERTIES

