



**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](http://www.alc.gov.bc.ca)

June 19, 2014

ALC File: #53563

Donald and Marjorie Fabro  
1732 Meadowbrook Settlement Road  
Kimberley, B.C. V1A 3L1

Dear Mr. and Mrs. Fabro:

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

Please find attached the Minutes of Resolution #178/2014 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision.

Please send two (2) copies of the final survey plan to this office. When the Commission confirms the plan is in substantial compliance with the aforementioned sketch, 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 at [lindsay.mccoubrey@gov.bc.ca](mailto:lindsay.mccoubrey@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in dark ink, appearing to read 'C. Fry', written over a horizontal line.

Colin J. Fry, Chief Tribunal Officer

Enclosures: Minutes of Resolution #178/2014  
Sketch plan

cc: Regional District of East Kootenay (File: P 713 409)

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 29, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53563.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

### COMMISSION STAFF PRESENT:

Jennifer Carson	Planner
Lindsay McCoubrey	Planner
Colin Fry	Chief Tribunal Officer

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

To subdivide the 10.2 ha subject property into one parcel of 1.2 ha and a remainder parcel of 9.0 ha.

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### PROPERTY INFORMATION:

**Owner:** Donald and Marjorie Fabro

**Legal:** PID: 013-710-842  
Lot 8, District Lot 11578, Kootenay District, Plan 2377

**Location:** 1732 Meadowbrook Settlement Road, Kimberley

**Size:** 10.2 ha

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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:

The Commission noted the considerable amount of subdivision that has already taken place in the area surrounding the subject property.

**Conclusion:** In this particular case the proposed subdivision is an appropriate request when viewed in the context of the surrounding properties.

#### **IT WAS**

**MOVED BY:**            **Commissioner Bullock**  
**SECONDED BY:**      **Commissioner Gillette**

THAT the proposal to subdivide the subject property be conditionally approved.

AND THAT the final approval is subject to:

1. The subdivision being in substantial compliance with the plan submitted with the application;  
and
2. The subdivision plan being completed within three (3) years from the date of the Commission's letter communicating this decision.

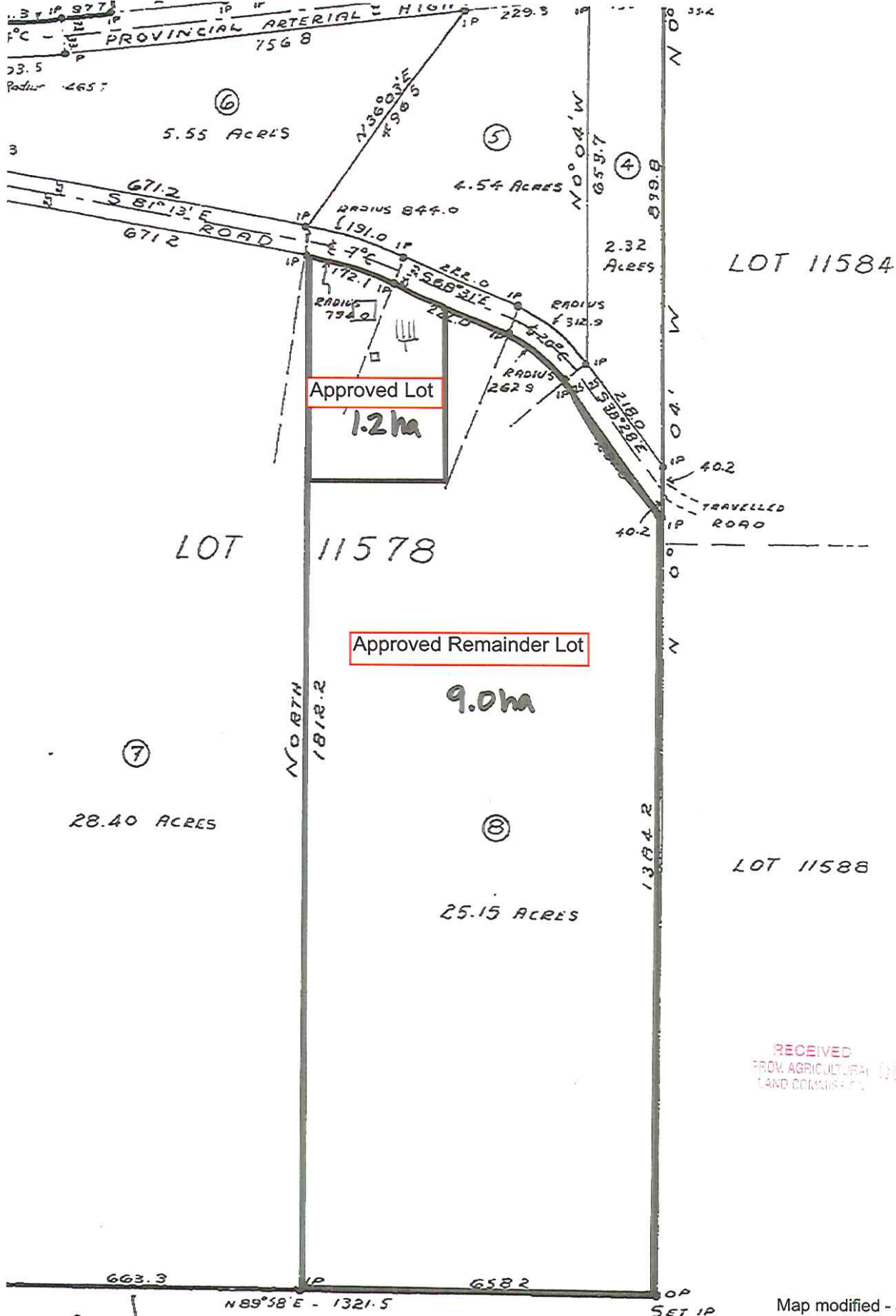
AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

#### **CARRIED**

**Resolution #178/2014**

ALC Application #53563

Resolution #178/2014 - Approved two lot subdivision



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PROV. AGRICULTURAL  
LAND COMMISSION  
DEC 16 2013