



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

March 17, 2006

Reply to the attention of Ron Wallace

Marie Hunder
RR1, Site 2, Comp 47 – 204 Purdy Road Hills
New Denver, BC V0G 1S0

Dear Madam:

Re: Application # F-36360
Lot A, District Lot 8506, Kootenay District, Plan NEP62269

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide a ± 0.788 ha parcel from the easterly portion of the above noted property to be used by a family member. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- compliance 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. The Commission suggests you contact the Regional District of Central Kootenay at your earliest convenience.

The decision noted above is recorded as Resolution #108/2006.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

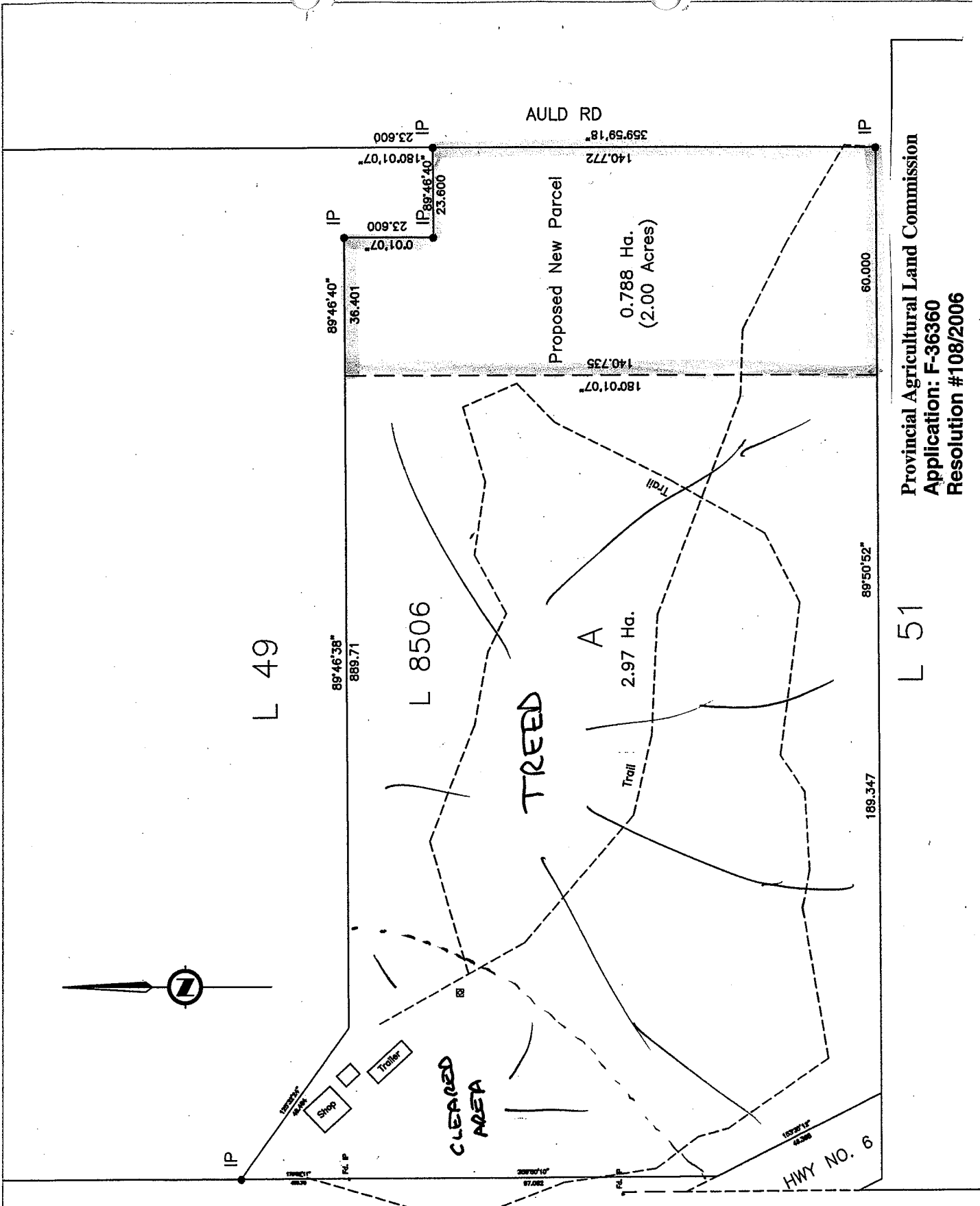
Per:

Erik Karlsen, Chair

cc: Regional District of Central Kootenay – A0521Hn-02872-200
Michael Sweeny, RR1, Site 1, Comp 32, 318 Purdy Road, New Denver, V0G1S0

RW/lv/Encl.
36360d1

SITE PLAN - Lot A, DL 8506, KD, Plan NEP67739 (Marie Gail Hunder)



Provincial Agricultural Land Commission
 Application: F-36360
 Resolution #108/2006

Approved subdivision of subject property.

Survey and Drawing By:
 Stegmaier Projects
 Survey and Mapping Services
 R.R. 1, New Denver, B.C.
 V0G 1S0
 Ph: 250-358-7758
 sheppan@stego.com

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 2 March 2006 in Cranbrook, B.C.

PRESENT: Monika Marshall Chair
 Cheryle Huscroft Commissioner
 Carmen Purdy Commissioner

STAFF: Ron Wallace, Regional Research Officer

For Consideration

Ron Wallace presented the staff report dated 3 February 2006 regarding application #F-36360, Marie Hunder. The application is to subdivide a 0.788 ha parcel from the easterly portion of the subject property to be used by the owners' children.

Commission Discussion

It supported the application for subdivision as the agricultural potential of the property is limited due to its small size and its rocky soil and hilly topography. It was also noted that the Commission has supported other similar applications in the area and that the Regional District planning staff has no objections to the proposed subdivision.

IT WAS

MOVED BY: Commissioner M. Marshall
SECONDED BY: Commissioner C. Huscroft

THAT the staff report be received and the application to subdivide a 0.788 ha parcel from the easterly portion of the subject property be approved.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # F – 36360
Applicant: Marie Hunder

Agent: Michael Sweeny

DATE PREPARED: February 3, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: To subdivide a 0.788 ha parcel from the easterly portion of the subject property to be used by the owners' children.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

There have been no previous applications on the property but there have been other similar subdivision proposals in the local area. Please refer to relevant applications noted below.

Local Government:

Regional District of Central Kootenay

Legal Description of Property:

1. PID: 024-195-812
Lot A, District Lot 8506, Kootenay District, Plan NEP62269;

Purchase Date (m/d/y):

07/15/1998

Location of Property:

204 Purdy Road, Hills, BC

Size of Property:

3.8 ha (The entire property is in the ALR).

Present use of the Property:

The property is used for residential purposes. There is a dwelling, garage and shed on the property.

Surrounding Land Uses:

WEST: Vacant undeveloped land
SOUTH: Residential, partial cleared
EAST: Residential, treed land
NORTH: Residence and small hobby farm

Agricultural Capability:

Data Source: Agricultural Capability Map #82K/3
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

None

Zoning Bylaw and Designation:

None

RELEVANT APPLICATIONS:

Application #27696-0

Applicant: DEPRETTO, MODESTO & ELVIRA
Decision Date: May 20, 1993
Proposal: To subdivide 3.4 ha property into two lots of 0.8 ha and 2.6 has as divided by Highway 6.
Decision: Allow as the property is divided by major highway.

Application #30169-0

Applicant: Wilkens, Jerrel/Sharon
Decision Date: January 12, 1996
Proposal: Realign some lot boundaries to create one 5 ha parcel with house and subdivide the remainder into 3 lots of 2 ha each
Decision: Allow, as proposal only creates one more parcel, and has low agricultural capability.

Application #31716-0

Applicant: Lewin, Penelope
Decision Date: December 10, 1997
Proposal: Propose to subdivide the 3 ha property along Highway #6 into 2 lots of .6 ha and a 2.4 ha remainder.
Decision: Allow.

Application #34317-0

Applicant: Striebchuk, Anne
Decision Date: July 26, 2002
Proposal: Anne Striebchuk is requesting permission to subdivide her 2.3 ha property into two lots so that her son, who lives on the property, can have a separate lot. The applicant is getting too old to maintain the property and would like to sell her house and land. The son cannot afford to buy all the land. The applicant's daughter also lives on the land.

Decision: Approved, having regard to location of property in settlement centre, existing parcelisation in the local area and history of application decisions in area.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional Board

The Regional Board has not reviewed the application but a resolution may follow in due course.

Local Government Staff

The Planning Staff has no objections to the subdivision proposal.

STAFF COMMENTS:

Staff recommends that the Commission consider the following:

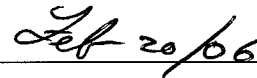
- The Commission has generally supported, as noted above under relevant applications, other subdivision applications in the local area due to roads dividing the property or due to the property's low agricultural capability.
 - There is no planning in the area and the Regional District planning staff has no objections to the subdivision.
 - The agricultural potential of the property is limited due to its small size and its rocky and hilly topography.
-

END OF REPORT

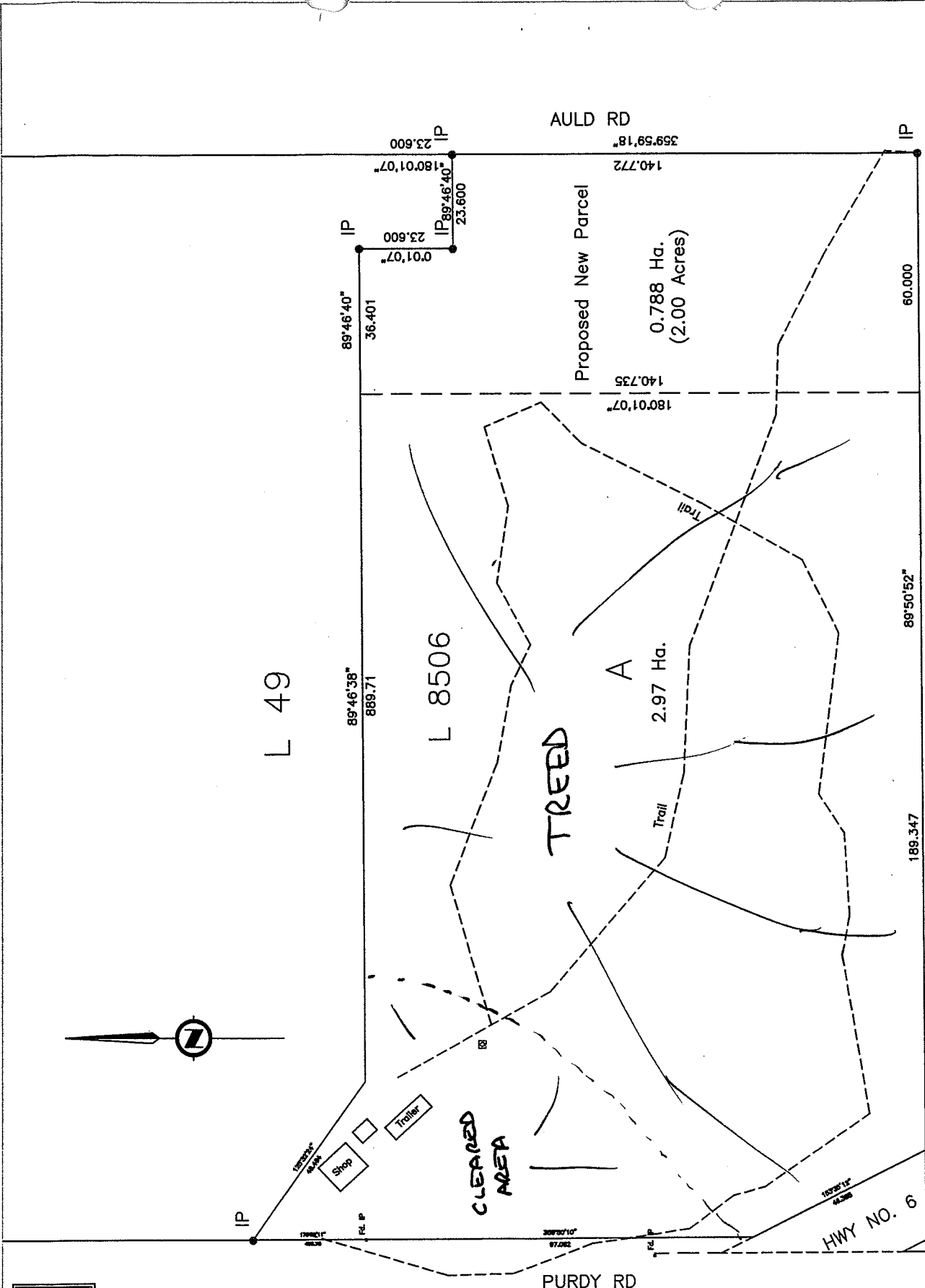
Signature



Date



SITE PLAN - Lot A, DL 8506, KD, Plan NEP67-369 (Marie Gail Hunder)



Survey and Drawing By:
 Shirley and Heather
 Survey and CAD Services
 R.R. #1, New Denver, B.C.
 V0G 1S0
 Ph: 250-358-7759
 shepper@netidea.com

Provincial Agricultural Land Commission
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 Resolution #108/2006

RECEIVED
 PROV. AGRICULTURAL
 LAND COMMISSION
 NOV 10 2005

Approved subdivision of subject property.