



**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 28, 2006

Reply to the attention of Ron Wallace

Wayne & Diane Mckee  
2365 McClure Road  
Kimberely, BC V1A 3K8

Dear Sir/Madam:

Re: **Application # L-36448**  
**Lot 1, District Lot 1203, Kootenay District, Plan 17730**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide a 0.5 ha parcel off the above noted property as divided by McClure Road. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 2 March 2006.

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

- the proposed 0.5 ha parcel being consolidated with the adjacent parcel to the south as shown on 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 East Kootenay at your earliest convenience.

The decision noted above is recorded as Resolution #127/2006.

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,

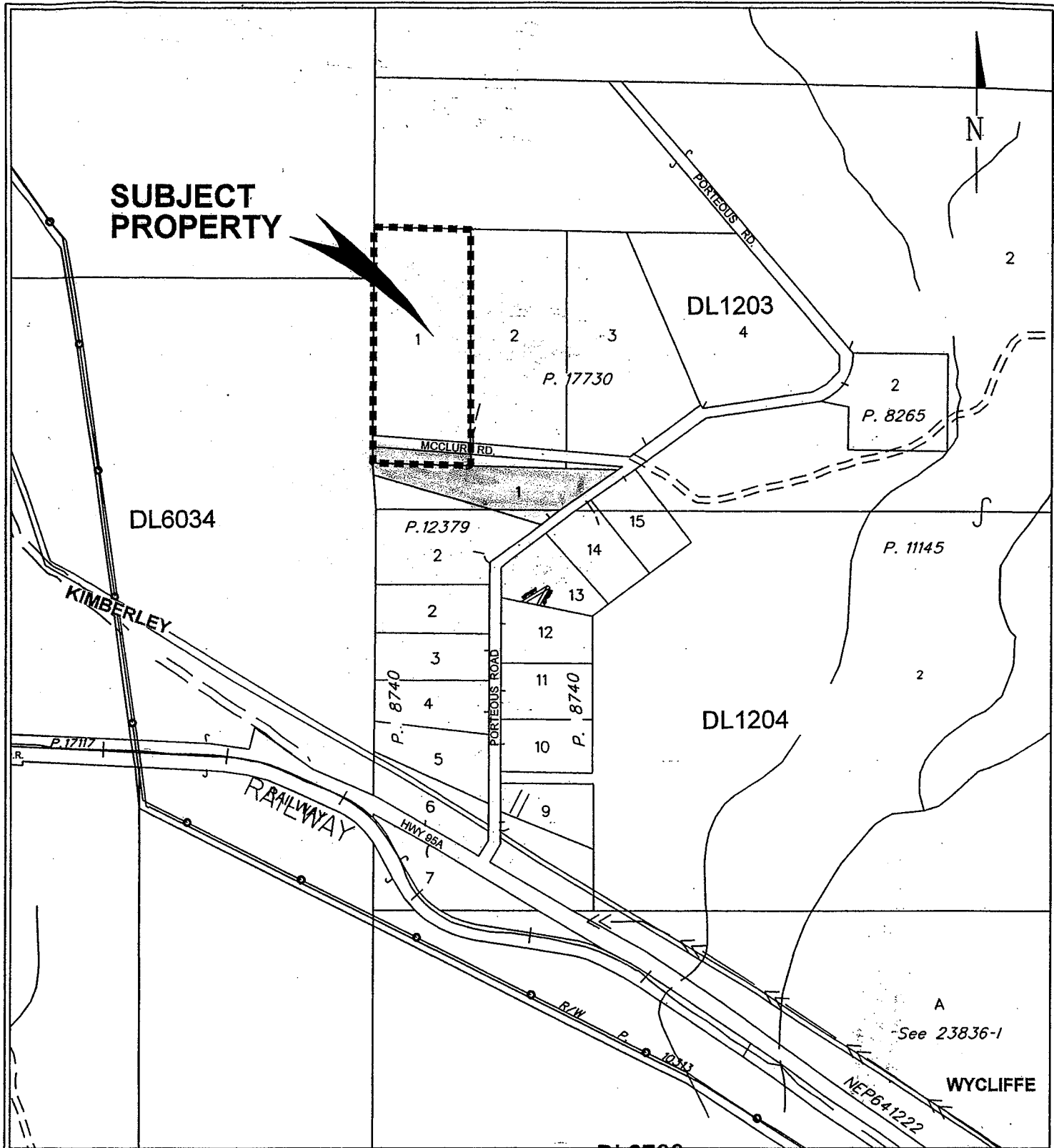
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

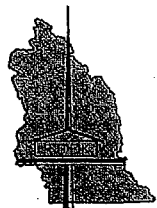
Erik Karlsen, Chair

cc: Regional District of East Kootenay – P705-412

RW/lv/Encl.  
36448d1.



Provincial Agricultural Land Commission  
 Application: L-36448  
 Resolution #127/2006







**Staff Report**  
**Application # L – 36448**  
**Applicant: Wayne & Diane McKee**

**DATE PREPARED:** February 15, 2006

**TO:** Chair and Commissioners – Kootenay Panel

**FROM:** Ron Wallace, Regional Research Officer

**PROPOSAL:** To subdivide a 0.5 ha parcel that is completely separated from the main part of the property by McClure Road.

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

**BACKGROUND INFORMATION:**

**Local Government:**

Regional District of East Kootenay

**Legal Description of Property:**

1. PID: 009-514-520  
Lot 1, District Lot 1203, Kootenay District, Plan 17730;

**Purchase Date (m/d/y):**

09/09/1999

**Location of Property:**

2365 McClure Road, Kimberley

**Size of Property:**

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

**Present use of the Property:**

Residential use.

**Surrounding Land Uses:**

**WEST:** Cattle grazing  
**SOUTH:** Residential  
**EAST:** Horse grazing  
**NORTH:** Cattle grazing

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82G/12  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

Rural Residential (Country)

**Zoning Bylaw and Designation:**

Rural Residential (RR-8), 8 ha minimum lot size

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional Board**

The Regional Board adopted a resolution in support of the application subject to the proposed parcel being consolidated with the adjacent lot.

**Advisory Planning Commission**

The APC supports the application if the land is consolidated with Lot 1 resulting in no increase in titles.

**Local Government Staff**

This subdivision may be accommodated as divided by the road.

**STAFF COMMENTS:**

Staff recommends that the Commission consider subdivision of the property as divided by McClure Road subject to the applicant exploring the possibility of consolidating the small remnant with the adjacent lot to the south. Otherwise the Commission is encouraging subdivision of lots characterized by physical barriers resulting in the creation of lots with no potential for agriculture.

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**END OF REPORT**

  
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Signature

  
\_\_\_\_\_  
Date