



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

June 16, 2006

Please reply to the attention of Roger Cheetham

Joe Moreau
1104 Ida Road
Cranbrook, BC V1C 6W7

Dear Sir:

RE: Application #F-36590

PID: 007-458-606

Strata Lot 13, District Lot 5027, Kootenay District, Strata Plan N75 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide 7 lots from the 4.6 ha subject property. 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 in view of the limited agricultural potential of the subject property subject to 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 Central Kootenay Regional District at your earliest convenience.

The decision noted above is recorded as Resolution # 276/2006.

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

pc: Regional District of Central Kootenay (#A0607A-05497-130)

RC/lv
36590d1.

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 30th May 2006 in Cranbrook, B.C.

PRESENT: Monika Marshall Chair
 Carmen Purdy Commissioner

STAFF: Roger Cheetham, Planning Officer

For Consideration

Roger Cheetham presented the staff report of Ron Wallace dated 18th May 2006 regarding application # F- 36590.

Commission Discussion: In the light of the site inspection of the Boswell area in June 2003 whereat the Commission concluded that the area has little agricultural potential the Commission concurred with the comments in the staff report.

IT WAS

MOVED BY: Commissioner M. Marshall

SECONDED BY: Commissioner C. Purdy

THAT the staff report be received and the application be approved as recommended.

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

CARRIED



Staff Report
Application # F – 36590
Applicant: Joe Moreau
Agent: Ekman Land Surveying Ltd

DATE PREPARED: May 18, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: To subdivide 7 lots from the 4.6 ha subject property. The proposed lots vary in size from 0.1 ha to 0.9 ha, leaving a 1.2 ha remainder.

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

BACKGROUND INFORMATION:

Local Government:

Regional District of Central Kootenay

Legal Description of Property:

PID: 007-458-606

Strata Lot 13, District Lot 5027, Kootenay District, Strata Plan N75 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1

Purchase Date:

May 2004

Location of Property:

12521 Lewis Bay Road, Boswell

Size of Property:

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

Present use of the Property:

Residence

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Kootenay Lake
SOUTH: Residential/recreational lots, Kootenay Lake
EAST: Highway 3A
NORTH: Small holding, some tree farming

Agricultural Capability:

Data Source: Agricultural Capability Map # 82F/7
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

N/A

Zoning Bylaw and Designation:

N/A

PREVIOUS APPLICATIONS:

Application #11625-0

Applicant: Berwin Estates
Decision Date: November 05, 1980
Proposal: To remove 25,000 cubic metres of thistle, weeds & wet soil up to a maximum depth of 1.5 metres.
Decision: Refused.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

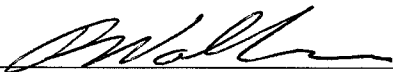
Regional District of Central Kootenay: Forwarded the application without comment.

STAFF COMMENTS:

Allow as requested on the grounds the Commission has indicated it does not wish to continue the ALR program in the Boswell area.

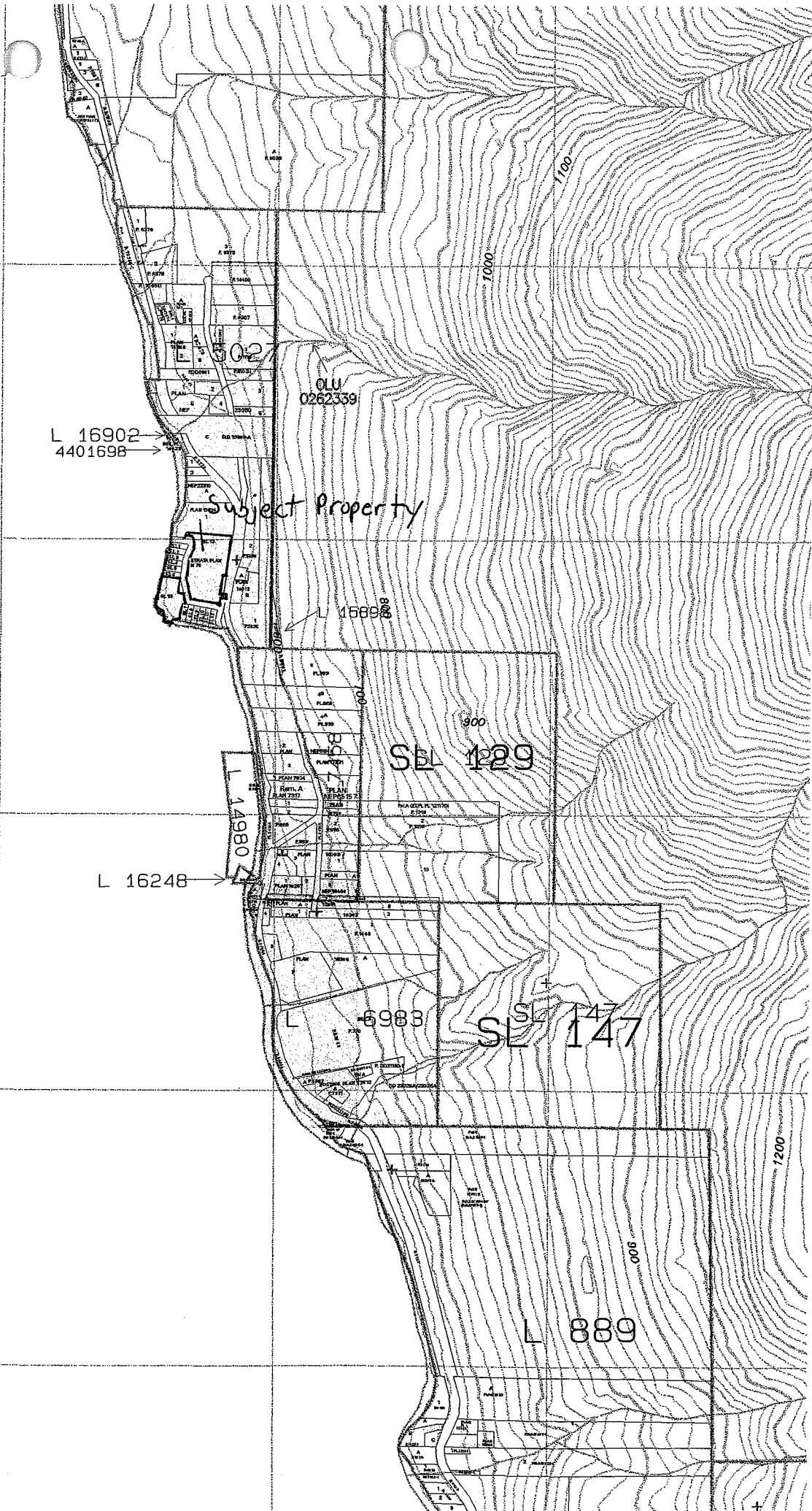
END OF REPORT

Signature



Date

19 May 2006



L 16902
440169B

Subject Property

OLU 0262339

158988

SEL 1229

L 16248

14980

L 6988

SEL 147

L 880

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