



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

November 6, 2006

Reply to the attention of Gordon Bednard
ALC File: # Q - 36690

Gladys Brown
PO Box 339 - 734 - 12th Avenue
Midway, BC V0H 1M0

Dear Ms. Brown

Re: Application to Include land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #536/2006 outlining the Commission's decision as it relates to the above noted application.

By way of a copy of this letter, the Registrar of Titles will be notified of the Commission's decision with regard to your application, and a notation regarding the ALR status of your property will be added to the property title.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Village of Midway (Attn: James Madder)
Registrar of Titles - Kamloops

GB/lv/Encl.: Minutes/ Sketch Plan
36690d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 26, 2006 at Nelson, B.C.

PRESENT: Monika Marshall Chair, Kootenay Panel
 Carmen Purdy Commissioner
 Erik Karlsen Chair, ALC
 Gordon Bednard Staff, ALC

For Consideration

Application # Q - 36690
Applicant: Gladys Brown

Proposal: To include 1.4 ha into the ALR
Legal: PID: 002-919-664
 Lot 4, District Lot 560, Similkameen Division of Yale District, Plan
 34915, EXCEPT Plan KAP50873

Location: Midway

Site Inspection

A site inspection was conducted on September 26, 2006. Those in attendance were:

Monika Marshall	Chair, Kootenay Panel
Carmen Purdy	Commissioner
Erik Karlsen	Chair, ALC
Gordon Bednard	Staff, ALC
Stan Combs	Staff, Ministry of Agriculture
Gladys Brown	Applicant

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. 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.

Conclusion

That the land under application, while rated as having limited agricultural capability, is presently the site of agricultural production especially suited to the climate and soils on the property.

IT WAS

MOVED BY: Commissioner Carmen Purdy

SECONDED BY: Commissioner Erik Karlsen

THAT the application be approved as presented and the land be designated as ALR.

CARRIED

Resolution # 536/2006

Provincial Agricultural Land Commission

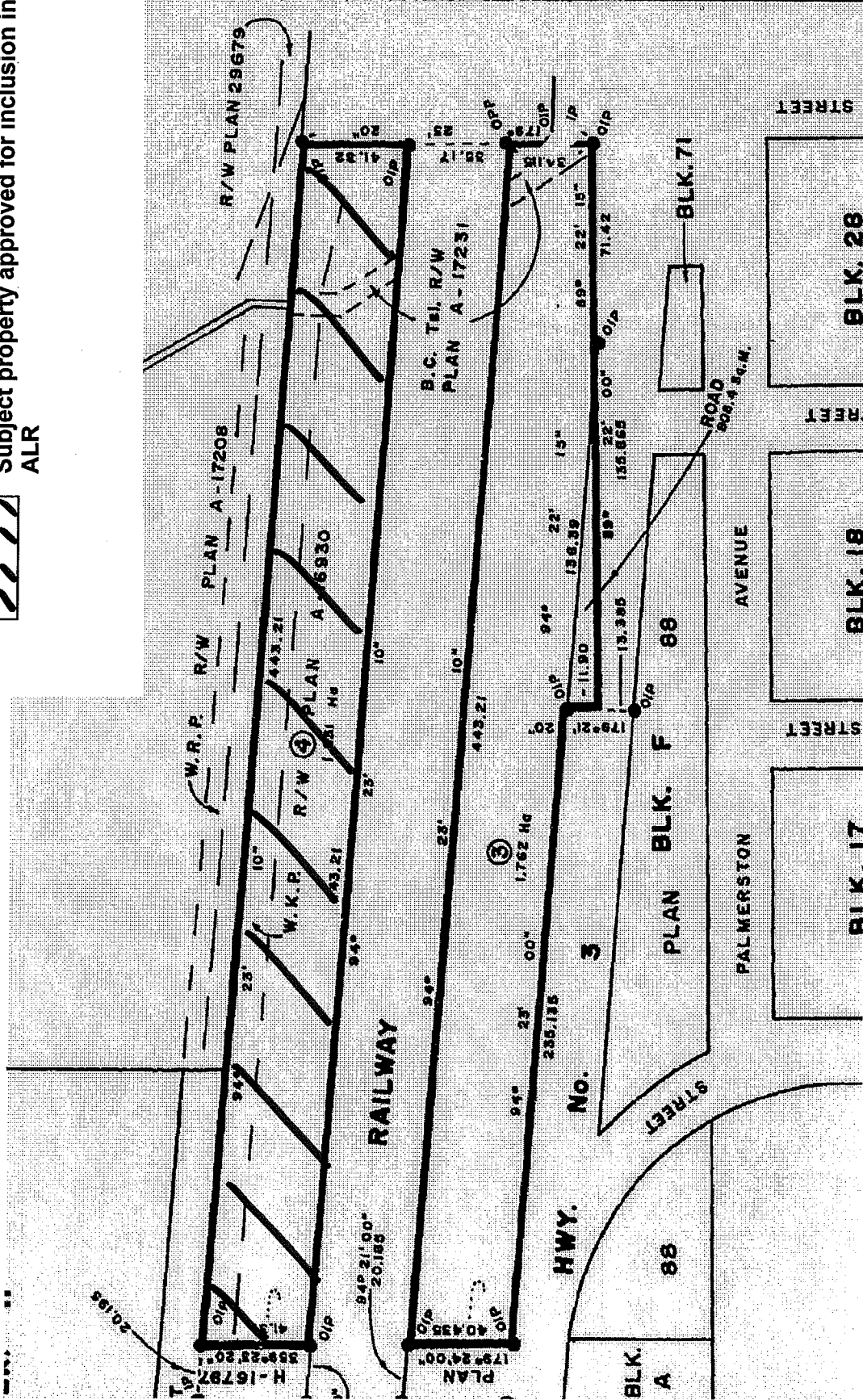
Application: # Q-36690

Resolution # 536/2006



Subject property approved for inclusion into

ALR





Staff Report
Application # Q – 36690
Applicant: Gladys Brown

DATE RECEIVED: May 15, 2006

DATE PREPARED: September 1, 2005

TO: Chair and Commissioners – Kootenay Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To include 1.4 ha into the ALR

This application is made pursuant to section 17(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The subject property is a portion of a former C.P. Railway Right-of-way. It was subdivided in 1984. There is a small "island" of non-ALR in this area that may have been omitted from the ALR originally because of the right-of-way. There is non-ALR notation on the title, however, it appears that part of the property may be within the ALR.

Local Government:

Village of Midway

Legal Description of Property:

PID: 002-919-664
Lot 4, District Lot 560, Similkameen Division of Yale District, Plan 34915, Except Plan KAP50873

Purchase Date:

July 1994

Location of Property:

Midway

Size of Property:

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

Present use of the Property:

Residential, Seabuckthorn orchard and blueberries

Surrounding Land Uses:

WEST: Residential lots (ALR)
SOUTH: Hayfield (ALR)
EAST: Vacant land (ALR)
NORTH: Farmland (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E/2
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Bylaw No. 280

Zoning Bylaw and Designation:

Bylaw No. 300 designates the property as Residential 1.

RELEVANT APPLICATIONS:

Application #36334-0

Applicant: Village of Midway

Decision Date: March 21, 2006

Proposal: To exclude approximately 61 ha adjacent to the Midway airfield and north of the Kettle River in order to develop an aviation industrial park and a river front aviation/residential community.

Decision: Refused as proposed. The Commission would allow the exclusion of 2.5 ha


LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Village of Midway Council: The Village of Midway council does not support the application as the land is currently zoned Residential 1.

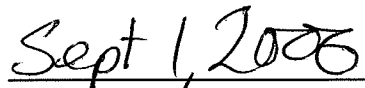
ATTACHMENTS:

- ALR Context Map - Constituent 11 (Kootenay-Boundary Regional District) 1:10,000 (Created by ALC Staff)
- Map: Plan 34915 showing the subject property (Downloaded by ALC Staff from BC Online)
- ALR Context Map (1:5,000) (Created by ALC Staff using iMap)

END OF REPORT



Signature



Date