



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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December 20, 2006

Reply to the attention of Gordon Bednard
ALC File: #L-36872

McD'S Enterprises Ltd
PO Box 13 - 6985 Rosen Lake Road
Jaffray, BC V0B 1T0

Dear Sir:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 620/2006 outlining the Commission's decision as it relates to the above noted application.

Please also find attached a copy of a guide for gravel pit reclamation which you may find helpful when it comes time to rehabilitate the land.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of East Kootenay (#P706-211)

GB/lv/Encl.: Minutes/rehab guide/sketch plan
36872d2

IT WAS

MOVED BY: Commissioner Carmen Purdy

SECONDED BY: Commissioner Erik Karlsen

THAT the application for subdivision be allowed as presented subject to the rehabilitation of the pit area to an agricultural standard once the gravel resource is exhausted. Please note that the subdivision must be in substantial compliance with the plan submitted with the application.

AND THAT the approval is granted to the applicant only and must be acted upon within 3 (three) years of the date of this decision.

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 # 620/2006

Provincial Agricultural Land Commission

Application: L-36872
Resolution # 620/2006

Subject property.

Approved subdivision boundary. Lots remain within the ALR.

Proposed
Remainder
+ 21 ha

RICK
LIGHTBURN

4 7 1 8

26.74 ha

MARSH
Proposed Lot
+ 5.5 ha

DOUG
RAMSEY

GRAVEL
PIT

MOBILE
HOME

ROAD ACCESS

25cm Over 238-125

20cm Spruce 148-097
20cm Spruce 231-26

RICK LIGHTBURN

AL CUMMINGS

PLAN 8258

PLAN 11165

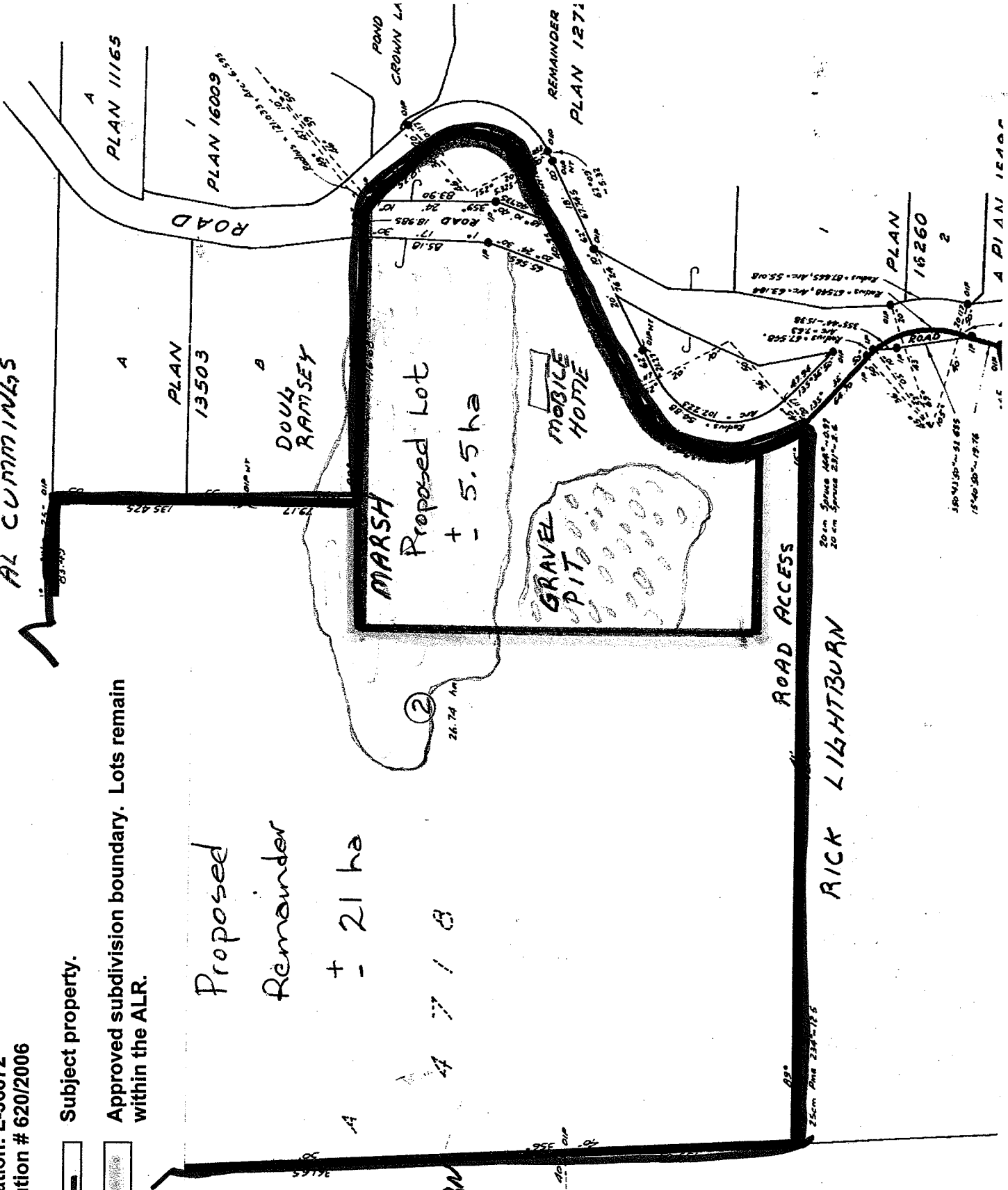
PLAN 13503

PLAN 16009

REMAINDER
PLAN 1271

PLAN 16260

PLAN 16407





Staff Report
Application # L – 36872
Applicant: McD'S Enterprises Ltd

DATE RECEIVED: August 16, 2006

DATE PREPARED: September 12, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the 26.7 ha property into a 5.5 ha property and a 15.2 ha property to create clear title for applicants to construct a home in the near future.

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:

PID: 012-800-384
Lot 2, District Lot 4590, Kootenay District, Plan 18144

Purchase Date:

September 1996

Location of Property:

6985 Rosen Lake Road, Jaffray

Size of Property:

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

Present use of the Property:

Residence, farm buildings, well house

Surrounding Land Uses:

WEST: Residence
SOUTH: Rosen Lake Road
EAST: Marsh, residence
NORTH: Crown land and pasture

Agricultural Capability:

Data Source: Agricultural Capability Map # 82G/6
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Jaffray, Tie Lake, Rosen Land Land Use and Floodplain Management Bylaw No. 1414 (1999)
Designates the property as RR-60 Rural Resource.
Minimum Lot Size: 60 ha

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of East Kootenay Board: The Board forwarded the application with a recommendation of support.

Advisory Planning Commission: The APC for Area B supports the application

Agricultural Advisory Commission: The AAC supports the application as presented.

Local Government Planning Staff: Planning staff supports the application on the grounds that the surrounding area consists of smaller lots and the proposed new lot appears to be poor agricultural value with march and gravel pit.

ATTACHMENTS:

- Letter to Regional District of East Kootenay date June 11, 2006 explaining reason for application (submitted by the applicants)
- ALC Context Map – RDEK Constituent 5 – 1:10,000 (Created by ALC Staff)
- Sketch of proposed subdivision (submitted by the applicant)
- Airphoto (submitted by RDEK)

END OF REPORT

Simone Rivers

Signature

Sept 12, 2008

Date

Ex. PLAN 34958¹

RESERVE

PLAN 8258
2

PLAN 8258
2

PLAN 79

PLAN 8091

P. 11165

P. 16009

Subject Property →

S.L. 3

PLAN 2345

PLAN

L 6202

PLAN 4455
A B C

PLAN 4469
A

PLAN 4641
A B C

PLAN 7107
A B C

PLAN 5014
A

5

5054
A

PLAN 4871
A

7055
A

PLAN 4905
A B

PLAN

PLAN 9854
A B

PLAN 2465
2

PLAN 4683
2 3

Constituent

Map # 5

Scale: 1:10,000



N