



Agricultural Land Commission
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April 26, 2007

Reply to the attention of Terra Kaethler
ALC File: # L - 37000

Clem and Laurie Gleeson
PO Box 277 - 7888
Jaffray Baynes Lake Road
Jaffray, BC V0B 1T0

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 152/2007 outlining the Commission's decision as it relates to the above noted application.

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 (#P-706-218)

Enclosure: Minutes/Sketch Plan

TK/lv
37000d1.

Provincial Agricultural Land Commission
Application # 37000
Resolution #152/2007

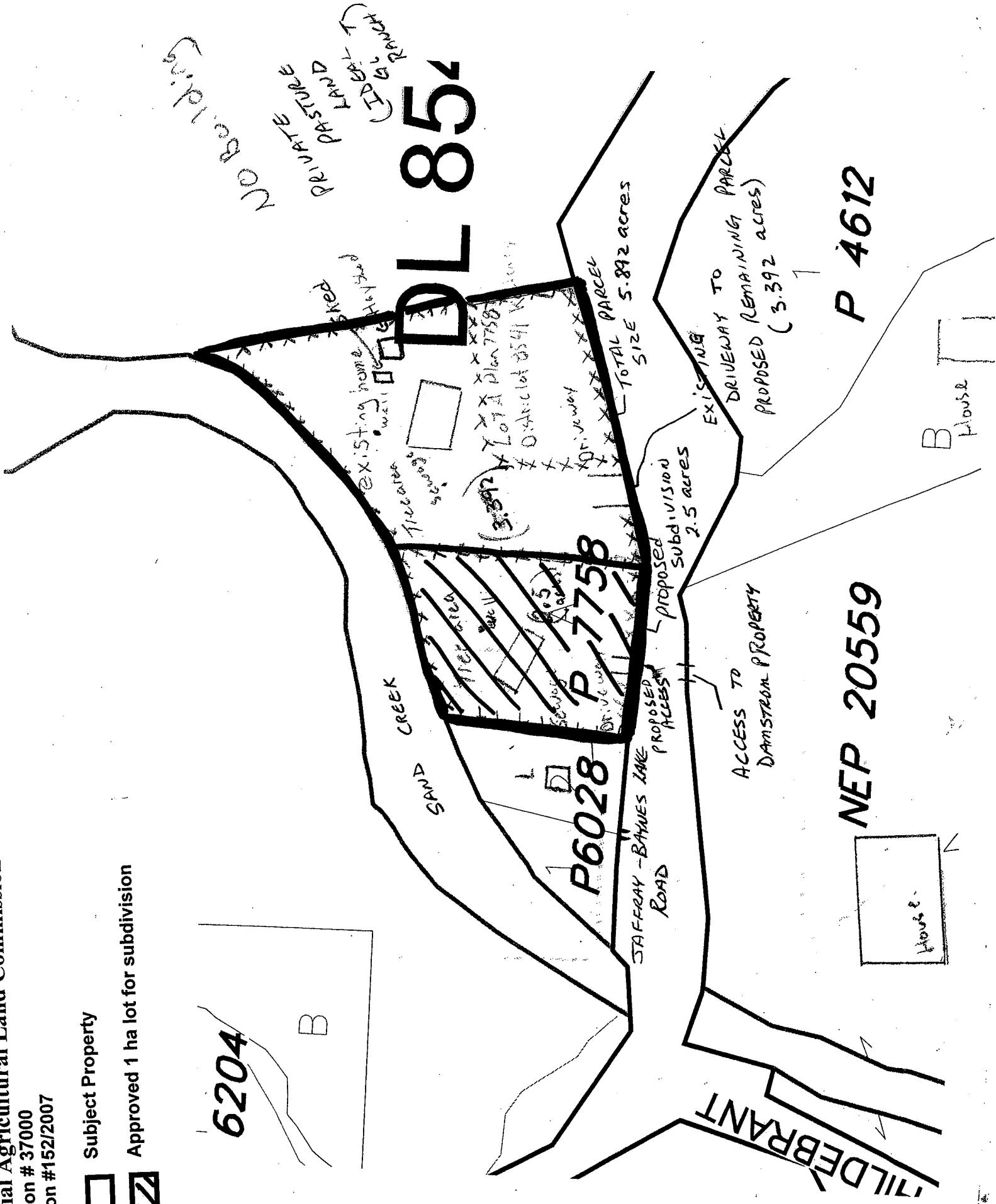
Subject Property

Approved 1 ha lot for subdivision



6204

B



No Building

PRIVATE PASTURES
(EDGE) - G² RANCH

DL 85

P 7758

P 6028

NEP 20559

P 4612

HOUSE

HOUSE

HILDEBRANT

SAND CREEK

STAFFRAY - BAYNES LAKE ROAD

PROPOSED SUBDIVISION 2.5 ACRES

ACCESS TO DAMSTRON PROPERTY

EXISTING DRIVEWAY TO REMAINING PARCEL PROPOSED (3.392 acres)

EXISTING HOME WALLS

1100 acres

Lot 1 Plan 7758

Dist. of lot 8541

EXISTING DRIVEWAY

TOTAL PARCEL SIZE 5.892 acres



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 22, 2007 in Cranbrook, B.C.

PRESENT:	Monika Marshall	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	D. Grant Griffin	Commissioner
	Terra Kaethler	Staff
	Roger Cheetham	Staff

For Consideration

Application: # L - 37000
Applicant: Clem and Laurie Gleeson
Proposal: To subdivide the 2.4 ha property into a 1 ha lot for the applicant's daughter and a 1.4 ha remainder.
Legal: PID: 012-741-116
Lot A, District Lot 8541, Kootenay District, Plan 7758
Location: 7888 Jaffray Baynes Lake Road, Jaffray

Site Inspection

A site inspection was conducted on March 22, 2007. Those in attendance were:

- Applicants: Laurie Gleeson, Matt Matejka,
- Commissioners: Monika Marshall, Carmen Purdy, D. Grant Griffin
- Staff: Roger Cheetham, Terra Kaethler

The Commission walked the property and discussed the proposal with the applicant. The Commission noted the property was a small lot in a rural residential area. The mobile home on the property was being used by family members.

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.

Discussion

The Commission considered that the parcel had limited agricultural capability given the small size of the property.

The Commission also recognized that the property is in a residential area and that the proposed lot size would comply with local zoning for this area. The Commission did not believe that the proposal would impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has limited agricultural capability.
2. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Marshall

SECONDED BY: Commissioner Griffin

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

- the preparation of a subdivision plan to delineate the area to be subdivided as per the drawing submitted with the application;
- the subdivision must be completed within three (3) years from 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 # 152/2007