



Agricultural Land Commission
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July 3, 2008

Reply to the attention of Jennifer Carson
ALC File: L-38102

Jennifer & Dwayne Nixon-Millard
8165 Rock Creek Road,
Elko BC V0B 1J0,

Linda & Glen Felk
8167 Rock Creek Road,
Elko BC V0B 1J0

Dear Mr. & Mrs. Felk and & Mrs. Nixon-Millard:

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

Please find attached the Minutes of Resolution # 328/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

cc: Regional District of East Kootenay (P-708-205)

Enclosure: Minutes

JC/38102d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 4, 2008 in Cranbrook, B.C.

PRESENT: Monika Marshall Chair, Kootenay Panel
 Carmen Purdy Commissioner
 D. Grant Griffin Commissioner
 Jennifer Carson Staff

For Consideration

Application: # L- 38102
Applicant: Bert and Karyl Gibson
Proposal: Non-farm use on the 0.8 ha subject property to permit two dwellings.
 The property is being sold and the new joint owners (Falk and Nixon-
 Millard) would like to legitimize the two existing mobile homes and be
 permitted in the future to upgrade them to modular double wide
 homes.
Legal: PID: 011-866-713
 Lot 3, District Lot 6199, Kootenay District, Plan 7594
Location: 8165 Rock Creek Road

Site Inspection

A site inspection was conducted on June 4, 2008. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Jennifer Carson Staff
- Darrell Smith Ministry of Agriculture and Lands District Agrologist
- Linda & Glen Felk New property owners
- Jennifer Nixon-Millard New property owner

The Commission met with the property owners at the subject property to discuss the application. The applicants explained that they had just taken possession of the property on May 30th. It was explained that the proposal was to legitimize the two existing dwellings on the property and potentially in the future upgrade them to double wide modular homes. The applicants explained that while the mobile homes had their own septic fields, however, they share a well.

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

