



September 25, 2009

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

Reply to the attention of Brandy Ridout
ALC File L-37119

Eugen Seel
Seel Forest Products Ltd.
PO Box 70
Edgewater, B.C.
V0A 1E0

Dear Sir:

Re: Request for Reconsideration

This is further to your May 29th, 2009 letter in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #231/2007.

The Commission has reconsidered the matter and has attached the minutes of Resolution #940/2009 and a sketch plan outlining its latest decision

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.

Other approvals may be necessary. Prior to proceeding the Commission suggests you contact your local government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over the word 'Per:'.

Erik Karlsen, Chair

cc: Regional District of East Kootenay (File: P 706 612)

Enclosure: Minutes/Sketch Plan

MC/37119d2

The Commission believed that the applicant had provided evidence (Agricultural Capability Report) that was not available at the time of the original decision and so reconsidered the application.

Discussion

The Commission noted that the "Report" indicated that ~70 % of the property was non arable (Class 5-7) with steep topography or very poor soils. As such it had no objection to the subdivision as proposed.

IT WAS

MOVED BY: Commissioner C. Purdy

SECONDED BY: Commissioner J. Thibeault

THAT for the purposes of Section 33(2) of the *Agricultural Land Commission Act*, there are no persons it considers affected by the reconsideration.

AND THAT the request to subdivide an 8.5 ha lot from the 162 ha subject property be allowed.

AND THAT the approval is subject to the subdivision being completed within 3 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 # 940/2009

ALC APPLICATION # L-37119
RES # 940/2009
"SKETCH PLAN"



Pcl A (see 195988 I)

TO BRISCO

HIGHWAY 95

A
B
P 2291

NE 1/4 exc Pcl A (19588 I)
and P 2291

SNIDER ROAD

APPROVED
HOMESITE PARCEL

McCREADY CREEK

SL 8

BODY CREEK

N 1/2 OF SE 1/4

TO RADIIUM

LOCAL AREA LOCATION PLAN
SEEL FOREST PRODUCTS LTD.
PARCEL A (see 19588 I) DISTRICT LOT 351 KOOTENAY DISTRICT

MERCON

ENGINEERING (1988) LTD.
CONSULTING ENGINEERS

DRAWING SOURCE RDEK SCHEDULE "A-3" BYLAW No 900

FILE 1053-2-1