



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
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www.alc.gov.bc.ca

June 6, 2009

Reply to the attention of Brandy Ridout
ALC File: L-38726

Barry Brown-John
3421 Toby Creek Road
Invermere, BC V0A1K0

Dear Sir:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 208/2009 and a sketch plan outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Please send two (2) paper prints of the final survey plans to this office. The Commission will then authorize the Registrar of Land Titles to accept registration of the plan. It will also confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

MC//38726d1



A meeting was held by the Provincial Agricultural Land Commission on May 26, 2009 at Invermere, B.C.

PRESENT:	Barry Minor	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	Jerry Thibeault	Commissioner
	Martin Collins	Staff

For Consideration

Application: # L- 38726
Applicant: Global Pacific Enterprises
Agent: Barry Brown-John
Proposal: To exclude the 0.3 ha portion of the 47.8 ha property in order to facilitate it's subdivision.
Legal: PID: 009-592-261
Sublot 12, District Lot 377, Kootenay District Plan X15, Except (1) Part included in Plan 692A, (2) Parcel A (Explanatory Plan 16601D) (3) Parcel A (See 7949I) (4) Parcel B (Reference Plan 50561) (5) Parcel C (Explanatory Plan 12645I and (6) Parcel D (See 12645I (7) Plan NEP71138
Location: Donovan Road, Wilmer

Site Inspection

No site inspection was conducted.

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

Assessment of Agricultural Capability and Suitability

The Commission noted that the 0.3 ha portion of the property was comprised of poor soils (Class 6 and 7) and was separated from the ~47 ha remainder by a small lot subdivision, thus prohibiting its agricultural use in conjunction with the remainder. The Commission also noted that the property was bounded by non ALR land to the west and by residential uses on all sides.

Conclusions

1. That the 0.3 ha area under application is unsuitable for agricultural uses.
2. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner C. Purdy
SECONDED BY: Commissioner B. Minor

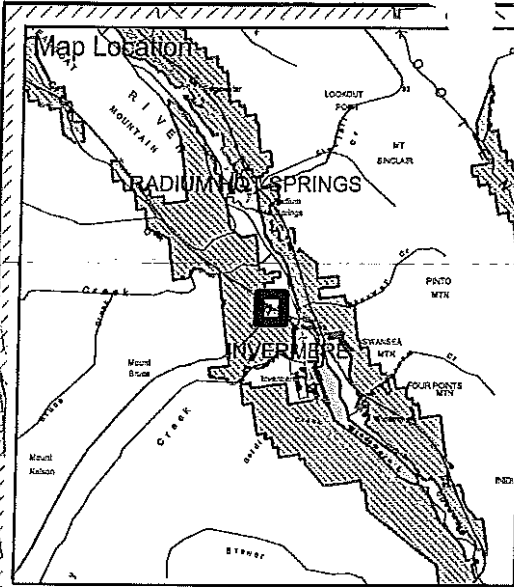
THAT the application to exclude 0.3 ha of the subject property from the ALR be allowed.

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 # 208/2009

116°40'W



WILMER

Portion of
Subject Property
APPROVED for
exclusion

Columbia Wellands Wildlife Management Area

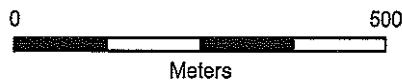
50°32'0"N

116°40'W

RESOLUTION #208/2009



Context Map
Map Scale: 1:10,000



ALC File #:	02-08-38726
Mapsheet #:	82K/09
Map Produced:	Jan 5, 2009
Regional District:	East Kootenay