



**Agricultural Land Commission**  
33-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

June 17, 2010

Reply to the attention of Terra Kaethler  
ALC File: 51745

thinkBright Environmental Innovations  
Meredith Hamstead  
PO Box 2455  
Invermere, BC  
V0A 1K0

Dear Ms. Hamstead:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 51745 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. 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 'B. Underhill', written over a white background.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay, 19-24<sup>th</sup> Ave. S., Cranbrook, V1C 3H8

TK/  
/51745d1



A meeting was held by the Provincial Agricultural Land Commission on June 14, 2010 at the offices of the Ministry of Environment located at 205 Industrial Road, Cranbrook, B.C.

<b>PRESENT:</b>	Barry Minor	Chair, Kootenay Panel
	Jerry Thibeault	Commissioner
	Roger Mayer	Commissioner
	Roger Cheetham	Staff

**For Consideration**

Application: #51745  
 Applicant: Judith Burns  
 Agent: thinkBright Environmental Innovations  
 Proposal: To subdivide the subject property into two parcels of 2.0 ha and 4.7 ha  
 Legal: 015-879-321  
 Lot 85 DL 376 and 4336 Kootenay District Plan 1232 Except Plan 9750  
 Location: 3995 Houlgrave Road in the Toby Benches area

**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 property is within the Toby Benches Land Use Strategy area and is located on the Toby Hill Corridor which has a designated minimum lot size of 2.0 ha. The Commission endorsed the Toby Benches Land Use Strategy on October 29, 2004. As the proposed subdivision conforms to the Land Use Strategy, the Commission had no objection to the proposal.

**Conclusions**

That the proposal will not impact agriculture.

**IT WAS**

**MOVED BY:** Commissioner Mayer  
**SECONDED BY:** Commissioner Thibeault

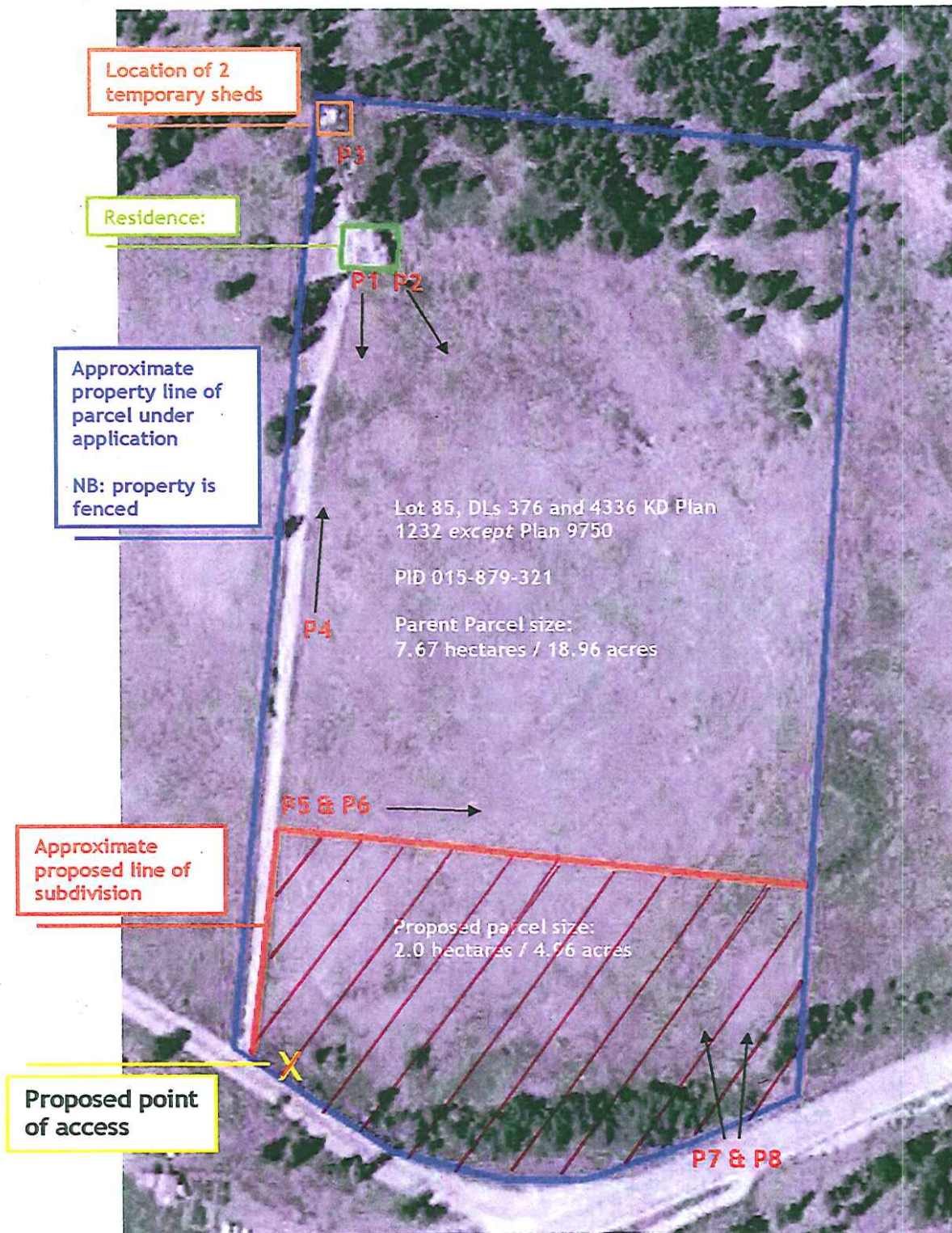
THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**  
**Resolution # 2503**



**Provincial Agricultural Land Commission**  
 Application # 51745  
 Resolution # 2503



Subject Property



Approximate area of approved subdivision