



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

22nd March 2011

Reply to the attention of Ron Wallace
ALC File:52042

Ray and Hilda Lundstrum
3395 McGinty Road
Kimberley, BC
V1A 3L5

Dear Mr. and Mrs. Lundstrum:

Re: Application to Subdivide Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 69/2011 outlining the Commission's decision as it relates to the above noted application. A map depicting the approved subdivision is attached.

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 purple ink, appearing to read 'BH Underhill', is written over the printed name.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of East Kootenay (File: P 710 414)

rc/
52042d1



A meeting was held by the Provincial Agricultural Land Commission on 28th February 2011 in the offices of the Agricultural Land Commission, Burnaby, BC

PRESENT:	Richard Bullock	Chair, Commission
	Barry Minor	Chair, Kootenay Panel
	Jerry Thibeault	Commissioner
	Ron Wallace	Staff
	Roger Cheetham	Staff

For Consideration

Application:	52042
Applicant:	Ray and Hilda Lundstrom
Agent:	N/A
Proposal:	To subdivide a 4.86 ha parcel to create two rural residential parcels 2.02 and 2.84 in extent
Legal:	PID: 028-104-391; Lot A, District Lot 15905 Kootenay District Plan EPP2834
Location:	Woods Corner

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 evaluated the application in the context of its review of the OCP and the Zoning Bylaw for this area in 2006 and 2007. During its OCP and Bylaw review the Commission carried out a site inspection of this area with the staff of the Regional District. It was explained at the time that there was a significant shortage of rural residential properties in the area to meet demand. The Regional District considered that Woods Corner was one of four areas where from an overall land use perspective it was appropriate to permit such development. While not wishing to encourage the establishment of rural residential pockets in the ALR the Commission recognized that from an overall land use perspective there was a need to permit some such development and agreed that Woods Corner was a suitable location for one of these nodes of development. The Commission did not consider that the impact on surrounding agricultural development would be of major significance as the density of development achieved with a minimum parcel size of 2 ha was still low and large enough to encourage the agricultural use of these properties. The Commission also noted that

District Agrologist also supported the OCP and Bylaw provisions and did not believe that the further parcelisation of the area would result in significant impacts on agriculture.

In this light, with reservations, the Commission considered that the proposal could be supported but it wished it to be recorded that it would not support further subdivision in this area below 2 ha. as smaller subdivisions would further reduce the agricultural potential of the subdivided properties and would increase the impacts on adjoining agricultural areas.

IT WAS

MOVED BY: Commissioner B. Minor
SECONDED BY: Commissioner J. Thibeault

THAT the application be approved

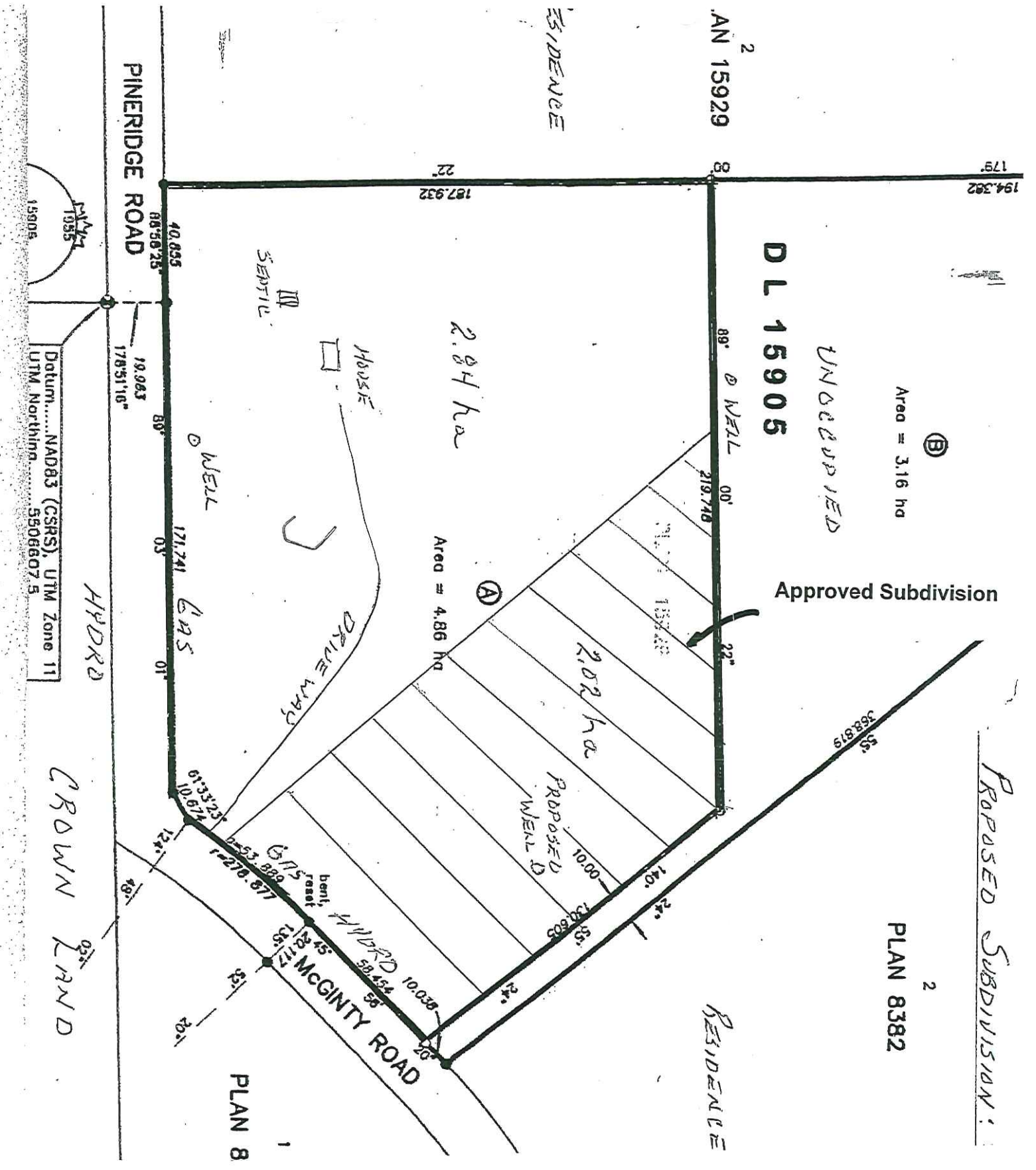
AND THAT the approval is subject to the following conditions:

- 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 # 69/2011



ALC File 52042

Subdivision approved by ALC in terms of Resolution Number 69/2011