



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

August 22, 2012

Reply to the attention of Lily Ford
ALC File 52747

Glen McDonald
McDonald Ranch & Lumber Ltd
P.O. Box 56
Grasmere, BC
V0B 1N0

Dear Mr. McDonald:

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached Minutes of Resolution # 296/2012 outlining the Commission's decision as it relates to the above noted reconsideration request. A copy of the sketch plan submitted with your application is also enclosed.

Should you wish to pursue the approved option, 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 be 'C. Fry', written over a faint circular stamp or watermark.

Colin Fry, Executive Director

cc: Regional District of East Kootenay

Encl: Minutes/Sketch Plan

LF/52747d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on July 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Gordon Gillette	Chair
Jim Collins	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jerry Thibeault	Commissioner

COMMISSION STAFF PRESENT:

Lily Ford	Land Use Planner
Colin Fry	Executive Director

APPLICATION: # 52747

PROPOSAL: Subdivision of an approximately 117.4 ha lot into two approximately 1 ha parcels, one 1.7 ha parcel, one 18 ha parcel, and a 95.7 ha remainder.

(Submitted pursuant to section 21(2) of the Agricultural Land Commission Act.)

COMMISSION CONSIDERATION:

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission 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.

After review of all file information presented the Commission has concluded as follows:

1. The parcel has generally good agricultural capability, with improved ratings ranging from 4MP to 2X west of Highway 93, and from 3T to 2X east of the highway.
2. Subdivision would allow construction of new residences on each of the new small lots, which would severely limit their use for agriculture and could adversely impact agricultural operations on the remainder of the site.
3. The proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Thibeault

SECONDED BY: Commissioner Dowswell

THAT the application be refused as submitted.

FURTHER THAT the Commission approve the proposed subdivision subject to the consolidation of that portion of PID# 017-914-981¹ located east of Highway 93 with the proposed remainder lot, for the following reasons:

1. The proposed subdivision, as so conditioned, would safeguard the productive farmland on PID# 017-914-981 from future residential development.
2. The proposed subdivision, as so conditioned, concentrates development in the area west of Highway 93, which has less agricultural potential due to its narrow configuration and partial debilitation near its southern boundary.
3. The proposed subdivision, as so conditioned, would result in an overall benefit to agriculture.

AND THAT the approval is also subject to the following conditions:

- the subdivision must be in substantial compliance with the plan submitted with the application; and
- 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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 296/2012

¹ Legally described as: Sublot 12 (Reference Plan 97981) of District Lot 4589, Kootenay District, except part included in Plan R232.

SKETCH PLAN – ALC APPLICATION #52747

