



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

July 25, 2012

Reply to the attention of Lily Ford
ALC File 52750

Ernst and Ruth Kaufmann
3433 McGinty Road
Kimberley, BC
V1A 3L5

Dear Mr. and Ms. Kaufmann:

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached Minutes of Resolution # 249/2012 outlining the Commission's decision as it relates to the above noted application. A copy of the sketch plan submitted with your application, and referenced in the minutes, is also enclosed.

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:



Richard Bullock, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of East Kootenay

LF/52750d1



Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on July 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application:

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

Application: 52750
Applicant: Ernst and Ruth Kaufmann
Agent: N/A
Proposal: Request to subdivide a 4.7 ha parcel into a 2 ha parcels and a 2.7 ha remainder.
Legal: Lot 2, District Lot 15905, Kootenay District, Plan 8382, Except Plan EPP2835
Location: 3433 McGinty Road, Woods Corner area east of Kimberley
Background: The proposal is consistent with the Kimberley Rural Official Community Plan, which allows subdivision down to 2 ha in the subject area. The Commission generally endorsed the Kimberley Rural Official Community Plan, with reservations unrelated to the subject application, on October 17, 2006.
Attachment: Resolution #016N/2011

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

Criterion 2

Exclusion, subdivision, non-farm use and inclusion applications that are consistent with a specific planning decision of the Commission made by resolution (e.g.: Peace River- Fort St. John Comprehensive Development Plan).

DECISION:

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 2 of Resolution #016N/2011 and approve the application on behalf of the Commission.

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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

RESOLUTION # 249/2012

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



Richard Bullock, Chief Executive Officer

SKETCH PLAN – ALC APPLICATION #52663

PLAN OF PROPOSED SUBDIVISION OF LOT 2 DISTRICT LOT 15905, KOOTENAY DISTRICT, PLAN 8382 EXCEPT PLAN EPP2835

BCGS 82G.071

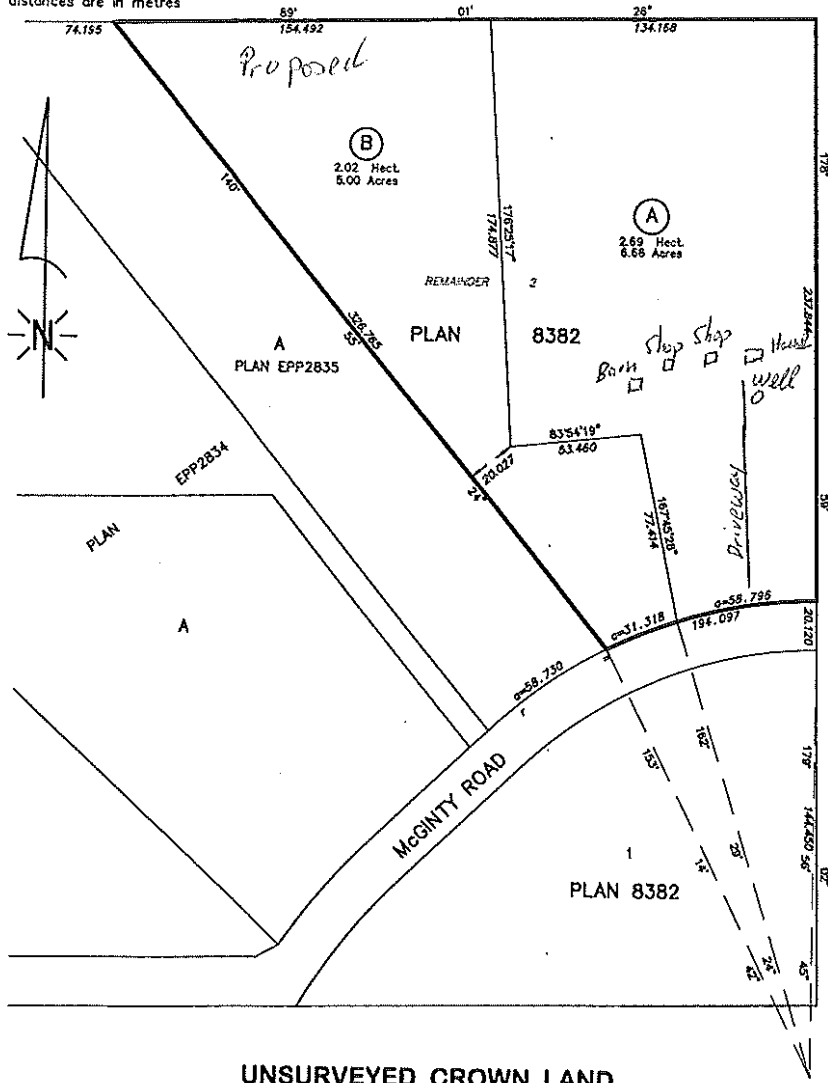


The intended plot size of this plan is
280mm in width by 432mm in height
(B size) when plotted at a scale of 1:1500

UNSURVEYED CROWN LAND

LEGEND

All distances are in metres



UNSURVEYED CROWN LAND

CARRETT WINKEL LAND SURVEYING LTD.
125 KOOTENAY STREET NORTH
ORANBROOK BC V1C 3T5
PHONE: (250) 482-1182

09012-KAUFMANN-PSUB

This plan lies within the Regional District of East Kootenay

February 13, 2012