



**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

April 9, 2013

ALC File: #53059

Beverley Darnell  
Box 60  
Fauquier, BC V0G 1K0

Dear Ms. Darnell:

**Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution # 83/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. The Commission has also attached a sketch plan depicting the decision.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey (lindsay.mccoubrey@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', written over a light blue horizontal line.

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #83/2013  
Sketch Plan

cc: Regional District of Central Kootenay (File: 4810-20-A1215K-02452.000)

53059d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 21, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53059.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Roger Cheetham	Regional Planner
Lindsay McCoubrey	Land Use Planner
Eamonn Watson	Land Use Planner
Colin Fry	Executive Director

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### PROPOSAL

To subdivide the 2.9 ha property along Highway 6 to create one 0.7 ha lot and one 2.2 ha lot. (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

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### PROPERTY INFORMATION:

**Owner:** Lori Eger and Ronald McCormack

**Legal:** PID: 013-934-813  
Lot 11, District Lot 7698, Kootenay District, Plan 847, Except That Part in Plan 8798

**Location:** Burton, Regional District of Central Kootenay

**Size:** 2.9 ha

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### LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

(a) to preserve agricultural land;

- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) 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.

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**COMMISSION CONSIDERATION**

After considering the information the Commission concluded that Highway 6 is a significant impediment to using the property as a single agricultural unit.

**IT WAS**

**MOVED BY:** Commissioner Gillette  
**SECONDED BY:** Commissioner Thibeault

THAT the proposal to subdivide the 2.9 ha subject property into one 0.7 ha lot (Lot A) and one 2.2 ha lot (Lot B) as separated by Highway 6 be conditionally approved.

AND THAT the final approval is subject to:

1. The applicant submitting the following documentation for Commission review and approval prior to final approval:
  - a. The Preliminary Layout Approval (PLA) specifying the requirements for subdivision identified by the Approving Officer from the Ministry of Transportation and Infrastructure;
  - b. The requirements for subdivision specified by the local government that are not identified in the PLA; and
  - c. The requirements for subdivision specified by any other person or body having jurisdiction over the land under an enactment.

The Commission will be primarily concerned with any conditions of approval it believes will result in either a substantial deviation from the plan submitted with the application and to which this preliminary approval is granted or conditions it believes are inconsistent with the purposes of the *Agricultural Land Commission Act* to preserve agricultural land and encourage farming.

Final approval is contingent on the Commission's acceptance of the conditions of approval. The final survey plan should not be prepared in advance of receiving the Commission's written acceptance of the conditions of approval.

2. The subdivision plan must be completed within three (3) years from the date of this decision;

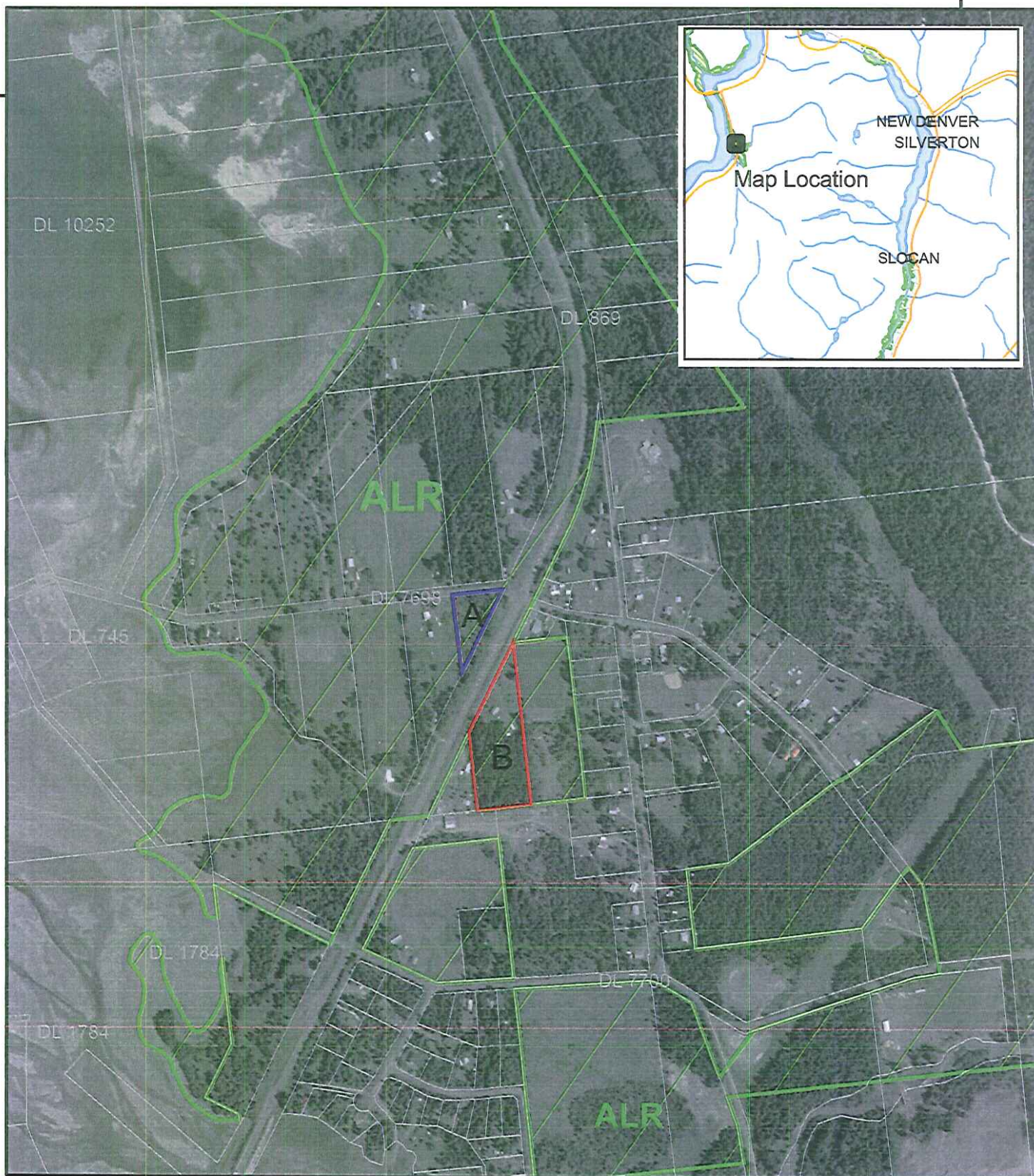
AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

**CARRIED**  
**Resolution #83/2013**

# Resolution #83/2013 - Sketch Plan

117°52'0"W

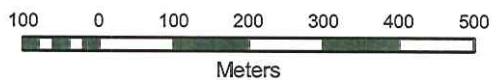
50°00'N



## Airphoto Map

2001 Natural Color - Ortho

Map Scale: 1:10,000



ALC File #: 53059 — Lot A — Lot B

Mapsheet #: 82F.091

Map Produced: Jan 30, 2013

Regional District: Central Kootenay

Map Modified: April 5, 2013