



**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

December 24, 2013

ALC File: #53274

Ward Engineering and Land Surveying Ltd.  
1014 Seventh Street  
Nelson, BC V1L 7C2

**Attention: Mr. Peter Ward**

Dear Mr. Ward:

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

Please find attached the Minutes of Resolution #355/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly. The Commission has also attached a sketch plan depicting the decision.

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.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #355/2013  
Sketch Plan

cc: Regional District of Central Kootenay (File: 4810-20-A1307E-07969.050)

53274d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53274.

### COMMISSION MEMBERS PRESENT:

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

### COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Colin Fry	Executive Director

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

To subdivide the 3.1 ha property into one 1.4 ha lot and one 1.6 ha lot.

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### PROPERTY INFORMATION:

**Owner:** Daniel Maliska

**Legal:** PID: 016-006-291  
Lot 4, District Lot 5920, Kootenay District, Plan 927, Except Part included in Plan NEP19561

**Location:** Harrop

**Size:** 3.1 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:
- to preserve agricultural land;
  - to encourage farming on agricultural land in collaboration with other communities of interest; and
  - 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.

**COMMISSION CONSIDERATION**

After considering the information the Commission concluded as follows:

1. The Harrop area generally consists of small sized properties both within and outside the ALR.

**Conclusion:** The proposed lots are of a similar size as the properties adjacent to the subject property.

2. The subject property is 3.1 ha, a portion of which is rated as Class 7 with topographic constraints and bedrock near the surface limitations as defined by the Canadian Land Inventory (CLI) classification system.

**Conclusion:** The proposal will not have an impact to agriculture in the area.

**IT WAS**

**MOVED BY:            Commissioner Thibeault**

**SECONDED BY:        Commissioner Dempsey**

THAT the proposal to subdivide the 3.1 ha property into one 1.4 ha lot and one 1.6 ha lot be approved subject to the registration of the subdivision plan being completed within three (3) years from the date of this decision.

AND 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 #355/2013**

# Resolution #355/2013

## Approved two lot subdivision

PLAN OF PROPOSED SUBDIVISION OF PART OF LOT 4, DISTRICT LOT 5920, KOOTENAY DISTRICT, PLAN 927, EXCEPT PART INCLUDED IN PLAN NEP19561.

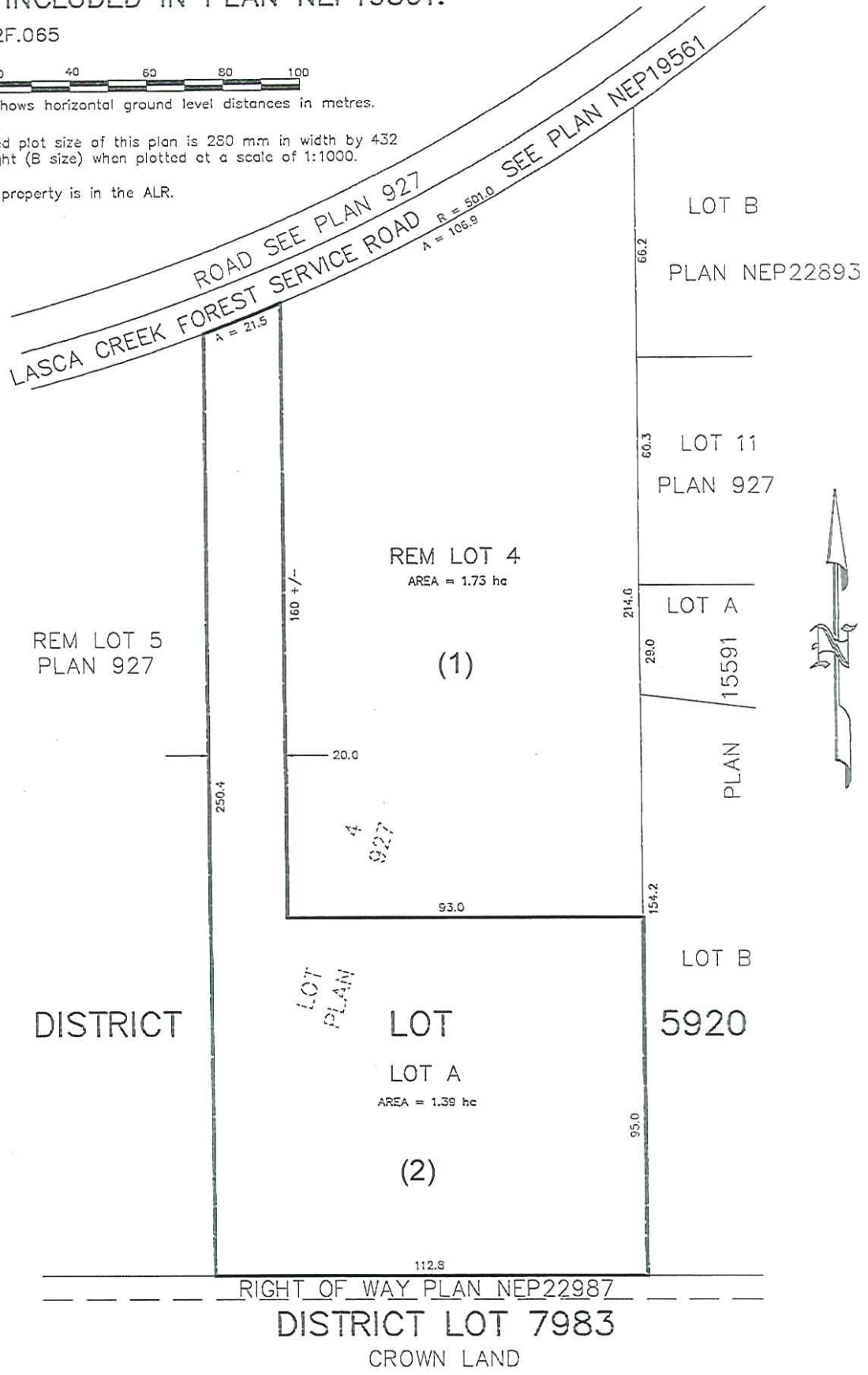
BCGS 82F.065



This plan shows horizontal ground level distances in metres.

The intended plot size of this plan is 280 mm in width by 432 mm in height (B size) when plotted at a scale of 1:1000.

Note: This property is in the ALR.



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FILE: 11-002  
DRAWING: 11-002 PLA  
DATE: FEBRUARY 13, 2013

THIS PLAN LIES IN THE REGION OF CENTRAL KOOTENAY