



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

December 20, 2013

ALC File: #53377

Kenneth & Rhonda Clarke
139 Cowichan Court W
Lethbridge, AB T1K 7V2

Dear Mr. & Mrs. Clarke:

Re: Application to Exclude Land from the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #363/2013 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision.

By way of a copy of this letter the Commission has advised the Registrar of Land Titles that the entire property is now situated outside the Agricultural land Reserve (ALR) and as such the ALR notation on Certificate of Title No. CA1816438 should be removed.

By way of a copy of this letter the Commission has advised the British Columbia Assessment Authority that the entire property is now situated outside the ALR.

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line. The signature is fluid and cursive.

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #363/2013
Sketch Plan

cc: Regional District of East Kootenay (File: P 713 211)

Kamloops Land Title Office
Suite 114 – 455 Columbia Street, Kamloops, BC V2C 6K4
Attention: Mr. Larry Blaschuk, Registrar of Land Titles

BC Assessment Authority
Suite 200 – 117 Cranbrook Street North, Cranbrook, BC V1C 3P8
Attention: Mr. Rodney Ravenstein, Deputy Assessor



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on December 10, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 53377

Applicant: Kenneth & Rhonda Clarke

Proposal: (Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)
To exclude the 0.4 ha property from the ALR.

Legal: PID: 025-512-188
Lot A, District Lot 132, Kootenay District, Plan NEP72130

Location: Baynes Lake, Regional District of East Kootenay (RDEK)

Background: Planning Review ID: 46406 (Baynes Lake Official Community Plan (2010)

Excerpt from resolution #2630/2011 dated May 26, 2011;

The Commission noted that the policies in the OCP include the possibility of a fine tuning review of the boundaries of the ALR. The Commission supported these policies, taking the view that, in the light of the above conclusions, the central part of Baynes Lake does not have any meaningful long term agricultural potential and thus appears to be inappropriately located within the ALR.

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.

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.

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 #363/2013

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

A handwritten signature in black ink, appearing to read "Richard Bullock", written over a horizontal line.

Richard Bullock, Chief Executive Officer

PLAN OF SUBDIVISION OF PARCEL D (SEE R21714), BLOCK 4, ALC Application #53377
 PLAN 1181 EXCEPT PLANS NEP60891 AND NEP63578, Resolution #363/2013
 D.L. 132, KOOTENAY DISTRICT
 Sketch Plan

BCGS 82G.024



SCALE 1 : 750

LEGEND

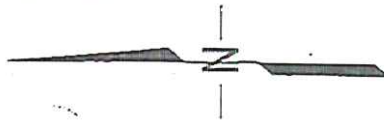
Bearings are Astronomic and derived from Plan NEP63578

- All distances are in metres.
- Standard Iron Post Found
 - Standard Iron Post Placed

RECEIVED

JUN 05 2013

Regional District of
 East Kootenay



GRANZOW ROAD

BAYNES LAKE LOOP ROAD

13
 BLOCK 4
 PLAN 1181

A
 PLAN 15437

(Posting P1cr 15330)

1181
 4

10 D.L.

132

PLAN NEP63578

9

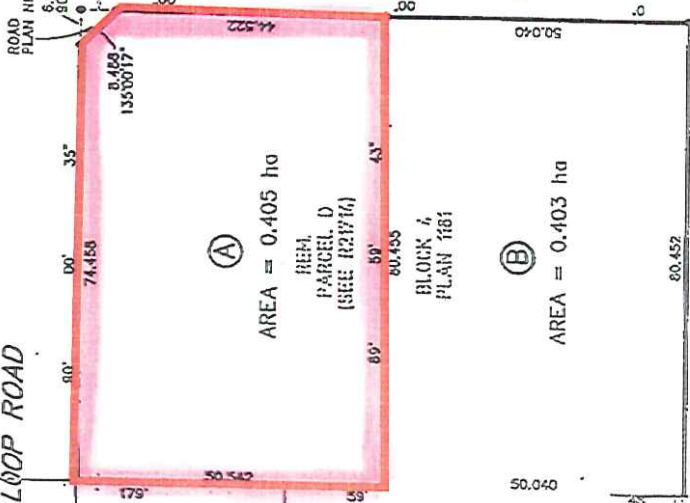
A
 PLAN NEP60891

REGISTERED OWNERS:

Wilfred Joseph Savoy
 Wilfred Joseph Savoy

Therese Mary Savoy
 Therese Mary Savoy

- Area approved for exclusion



Jaffray Baynes Lake Road