



October 21, 2013

**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

ALC File: # 53100

Bronwyn Denton  
Focus Corporation  
PO Box 608 – 712D 10<sup>th</sup> St.  
Invermere, BC  
V0A 1K0

Dear Madam:

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

Please find attached the Minutes of Resolution # 301/2013 and a sketch plan as they relate to the above noted application.

Prior to approaching the Registrar of Land Titles to register the subdivision, please submit two paper prints of the subdivision 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

Enclosure(s): Minutes of Resolution #301/2013  
Sketch Plan

cc: Regional District of East Kootenay File: P 712 611

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on July 17<sup>th</sup>, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53100.

### 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 105 ha property into three lots as divided by roads. The proposed lots would be 66 ha, 29 ha and 10 ha.

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### PROPERTY INFORMATION:

**Owner:** 546761 BC Ltd.

**Agent:** Focus Corporation

**Legal:** PID: 012-505-412 Parcel A of Parcel 1, DL 348, Kootenay District, Except Plan NEP825433

**Location:** North of Radium Hot Springs

**Size:** 105 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 as follows:

1. The Commission considered the agricultural capability of the subject property.

**Conclusion:**

The Commission noted that the CLI ratings for the subject property are mixed, ranging from improvable to class 2 to 6T. However, the majority of the property is forested and unimproved for agriculture. The primary limiting factors for soil bound agriculture are rough topography and low soil fertility.

2. The Commission considered the agricultural impacts of the proposed subdivision.

**Conclusion:**

The Commission noted that the proposed lots do not adjoin any land in active cultivation nor is the subject property used for agriculture. The proposed lots are divided by significant transportation corridors and one proposed lot (10 ha) does not even adjoin the parent property. The Commission concluded there would be no significant impacts on agriculture arising from subdivision.

**IT WAS**

**MOVED BY:           Commissioner Collins**  
**SECONDED BY:       Commissioner Dowswell**

THAT the proposal to subdivide the 105 ha property into three lots (66 ha, 29 ha and 10 ha) as divided by roads be allowed.

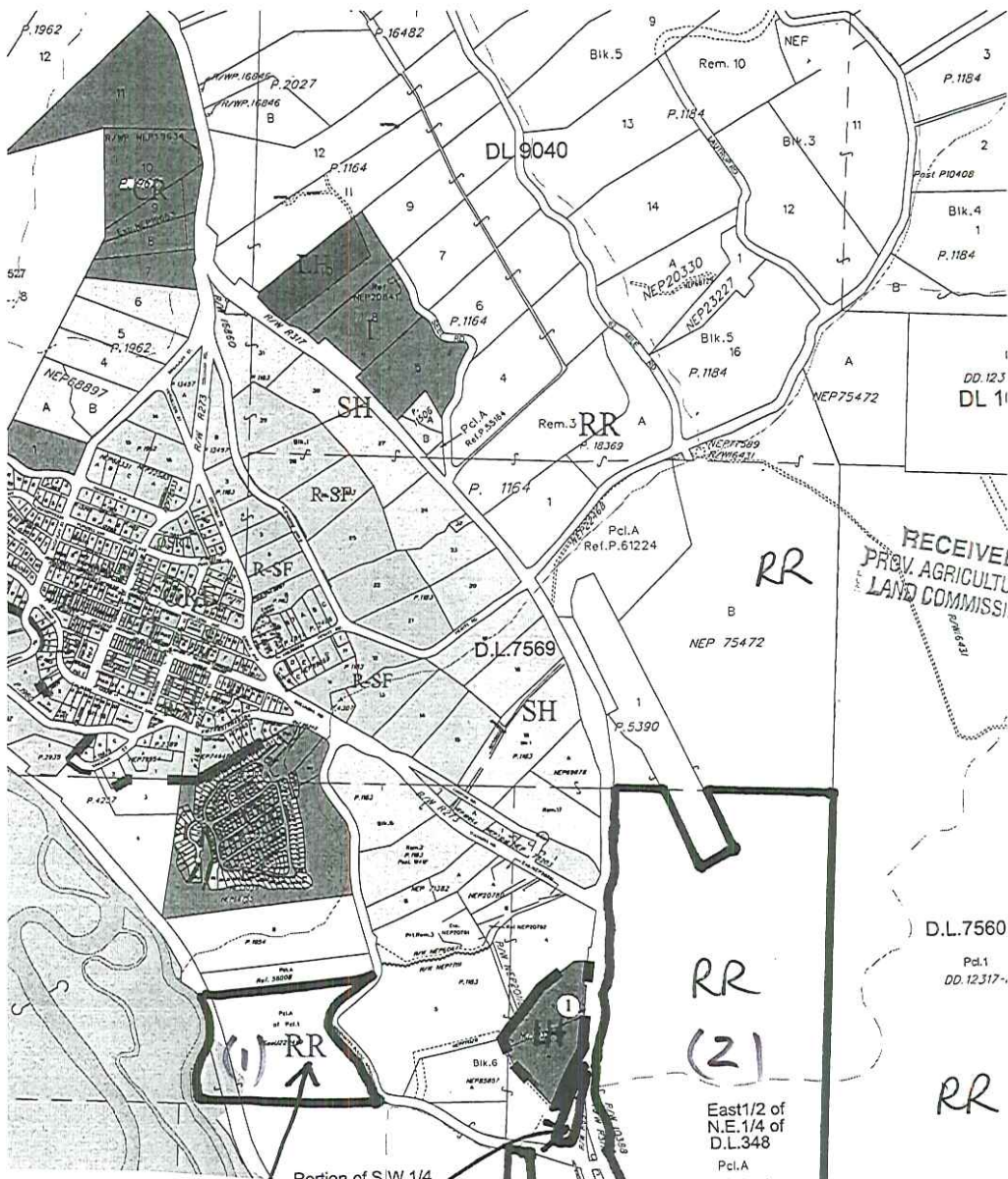
And that as a condition of approval the subdivision must be completed within three (3) years.

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**

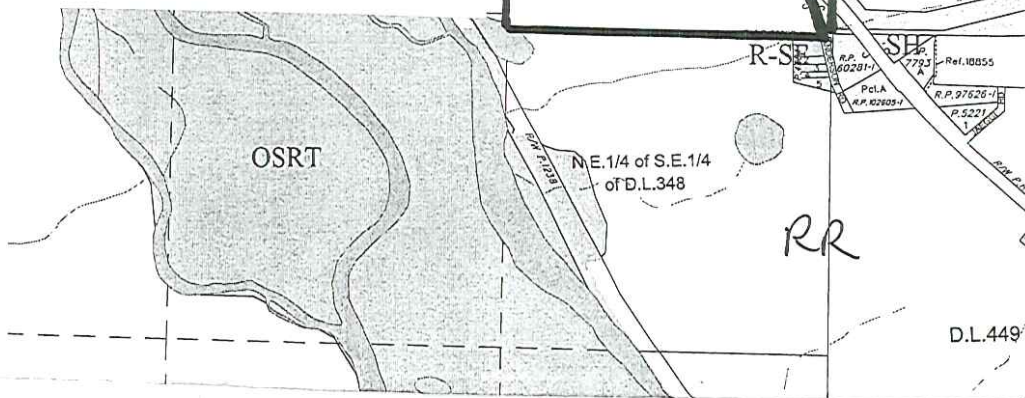
**Resolution #301/2013**





RECEIVED  
 PREV. AGRICULTURAL  
 LAND COMMISSION FEB 12 2013

APPROVED  
 LOTS 1-3



ALC APPLICATION 53100  
 RESOLUTION # 301/2013