



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

April 7, 2014

ALC File: #53302
RDEK File: P 713 404

Donna Yost
4470 Moan Road
Skookumchuck, BC V0B 2H0

Dear Mrs. Yost:

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

Please find attached the Minutes of Resolution #398/2013 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'L. Underhill', is written over a horizontal line.

Brian Underhill, Deputy Chief Executive Officer

Enclosures: Minutes of Resolution #398/2013
Sketch plan

cc: Regional District of East Kootenay (File: P 713 404)

53302d1



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 #53302.

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

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

To subdivide the 6.1 ha property into one 1.0 ha lot and one 5.1 ha lot.

PROPERTY INFORMATION:

Owner: 0790656 BC Ltd.

Legal: PID: 005-366-313
Lot 1, District Lot 342, Kootenay District, Plan 5632, Except Part included in Plan 15690

Location: Moan Road, Skookumchuck, Regional District of East Kootenay

Size: 6.1 ha

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.
-

COMMISSION CONSIDERATION

The Commission reviewed three previous applications involving the subject property:

- | | |
|--|--|
| Application #52505
(0790656 BC Ltd, 2011) | Refused subdivision of the subject property into six 1.0 ha lots. |
| Application #44559
(0790656 BC Ltd, 2007) | Allowed non-farm use for continued operation of existing gravel pit up to originally approved 200,000 m ³ for a maximum of five (5) years. Time extended for an additional two (2) years. Pit closed and rehabilitated as of October 1, 2013. |
| Application #8551
(Butterfield, 1997) | Allowed non-farm use for gravel extraction on 1.0 ha to a maximum depth of 5.0 m (Volume: 200,000 m ³). |

After considering the information the Commission concluded as follows:

1. The proposed location of the 1.0 ha lot is located close to a small node of residential lots in existence prior to the establishment of the Agricultural Land Reserve (ALR).

Conclusion: The proposed subdivision is in proximity to similar sized lots.

2. The configuration and location of the 1.0 ha lot is separated from surrounding agricultural activities by the remainder 5.1 ha lot and Moan Road.

Conclusion: No impact to agriculture.

IT WAS

MOVED BY: Commissioner Thibeault
SECONDED BY: Commissioner Gillette

THAT the proposal to subdivide the 6.1 ha subject property into one 1.0 ha lot and one 5.1 ha lot be approved subject to the subdivision plan being 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 #398/2013

LOT 1 DL 342 HOOTENAY 1987.
Except Part included in plan 15690

Agricultural Land Commission Application #53302

Resolution #398/2013 - Approved 1.0 ha Subdivision Sketch Plan

Plan 15690

DL 342



RECEIVED
RURAL AGRICULTURE
DEPARTMENT
JUN 2 2013