



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

February 14, 2014

ALC File: #53317

Leroy & Irene Tribe
112 1088 Sunset Drive
Kelowna, BC V1Y 9W1

Dear Mr. & Mrs. Tribe:

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

Please find attached the Minutes of Resolution #429/2013 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision.

Please send two (2) copies of the final survey plan 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 #429/2013
Sketch plan

cc: Regional District of Kootenay Boundary (File #: E-1306s-04730.000)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 28, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53317.

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
Jim Collins	Commissioner
Denise Dowswell	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 16.2 ha subject property into three 5.4 ha lots.

PROPERTY INFORMATION:

Owner: Leroy & Irene Tribe

Legal: PID: 003-915-859
The Northwest ¼ of District Lot 1306s, Similkameen Division Yale District

Location: 1851 Gough Road, Electoral Area "E", Regional District of Kootenay Boundary

Size: 16.2 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:
- to preserve agricultural land;
 - 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

The Commission reviewed one previous application involving the subject property:

Application #27841 (Gough, 1984) Refused exclusion, but allowed subdivision of multiple lots in the vicinity of the subject parcel down to 4.0 ha in size.

The Commission concluded that the property is located within an area that has marginal agricultural capability and that the proposed subdivision is consistent with previously approved subdivisions in the area.

IT WAS

MOVED BY: Commissioner Bullock
SECONDED BY: Commissioner Gillette

THAT the proposal to subdivide the subject property into three 5.4 ha lots be approved subject to:

1. The subdivision being in substantial compliance with the plan submitted with the application.
2. 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 #429/2013

ALC Application #53317
Resolution #429/2013 - Approved Subdivision

