



**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 14, 2015

ALC File: # 53847  
Hango File: 2182

Jerome Hango, BCLS, SLS,  
Hango Land Surveying Inc.,  
2924 9<sup>th</sup> Avenue,  
Castlegar, BC V1N 2Z1

Dear Mr. Hango:

**Re: Application to Conduct a Non-Farm Use on Land within the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #77/2015 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly. The Commission has also attached a Sketch Plan depicting the decision.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey at [Lindsay.McCoubrey@gov.bc.ca](mailto:Lindsay.McCoubrey@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'C. J. Fry', written over a horizontal line.

Colin J. Fry, Chief Tribunal Officer

Enclosures: Minutes of Resolution #77/2015  
Sketch Plan

cc: Regional District of Central Kootenay

53847d1



**Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on April 14, 2015 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.**

**FOR CONSIDERATION**

Application: 53847  
Applicant: Bryce, Julie-Ann & Malcolm Hyatt  
Agent: Jerome Hango  
Proposal: To dedicate a road on ALR land which will impact approximately 0.2 ha of ALR land.  
(Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation)  
Legal: PID: 006-722-733  
Lot 9, District Lot 3816, Kootenay District, Plan 1075  
Location: 6100 Highway 6, near Winlaw  
Background: The applicants are requesting a subdivision along the ALR boundary from the approving officer of the Ministry of Transportation and Infrastructure under Section 10(1)(d) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation. They have been granted preliminary layout approval with several conditions. One of these conditions requires the dedication of Lancaster Road. The road dedication is the subject of this application.

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**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: 140-60/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 4**

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);

**DECISION:**

After reviewing the entire file material, I, Brian Underhill, Deputy Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 4 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

- the road construction be in substantial compliance with the plan submitted with the application

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 #77/2015**

**I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION**

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**Brian Underhill, Deputy Chief Executive Officer**

PLAN OF PROPOSED SUBDIVISION OF LOT D DISTRICT LOT 3463  
 KOOTENAY DISTRICT PLAN 5765 AND PART OF LOT 9 DISTRICT LOT  
 3816 KOOTENAY DISTRICT PLAN 1075.

**LEGEND**

Bearings are astronomic  
 derived from Plan R-351.  
 All distances are horizontal ground level in metres.

Drawing date: August 30th, 2014.

