



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: #53975
Hango File: 2210

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

Dear Mr. Hango:

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

Please find attached the Minutes of Resolution # 75/2015 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.

Please send two (2) paper prints of the final survey 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.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'C. Fry', written over a white background.

Colin J. Fry, Chief Tribunal Officer

Enclosures: Minutes of Resolution #75/2015
Sketch Plan

cc: Regional District of Central Kootenay (LG File # A1414)

53975d1



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: 53975
Applicant: Edmund Smith
Agent: Jerome Hango
Proposal: To subdivide the 7.8 ha subject property, of which approximately 0.6 ha is located within the ALR, into two parcels, one of 3.7 ha and one of 4.1 ha.
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)
Legal: PID: 027-725-782
Lot 3, District Lot 7703, Kootenay District, Plan NEP87901
Location: 3946 Malina Road, Blewett
Background: The 0.6 ha of ALR land within the subject property is located in two separate portions of the subject property. In this particular case, it does not appear that the proposed subdivision would have an adverse impact on agriculture.

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 14

Exclusion, subdivision, non-farm use and inclusion applications that are not consistent with any of the existing approved criteria (Criteria 1 - 13) but nonetheless are minor in nature, and in the opinion of the CEO the interests of the Commission would be unaffected by an approval of the application.

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 # 14 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- The subdivision must be completed within three (3) years from the date of the letter communicating this decision

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 # 75/2015

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

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

Brian Underhill, Deputy Chief Executive Officer

ALC Application ID 53975
Resolution #75/2015 - Approved Subdivision

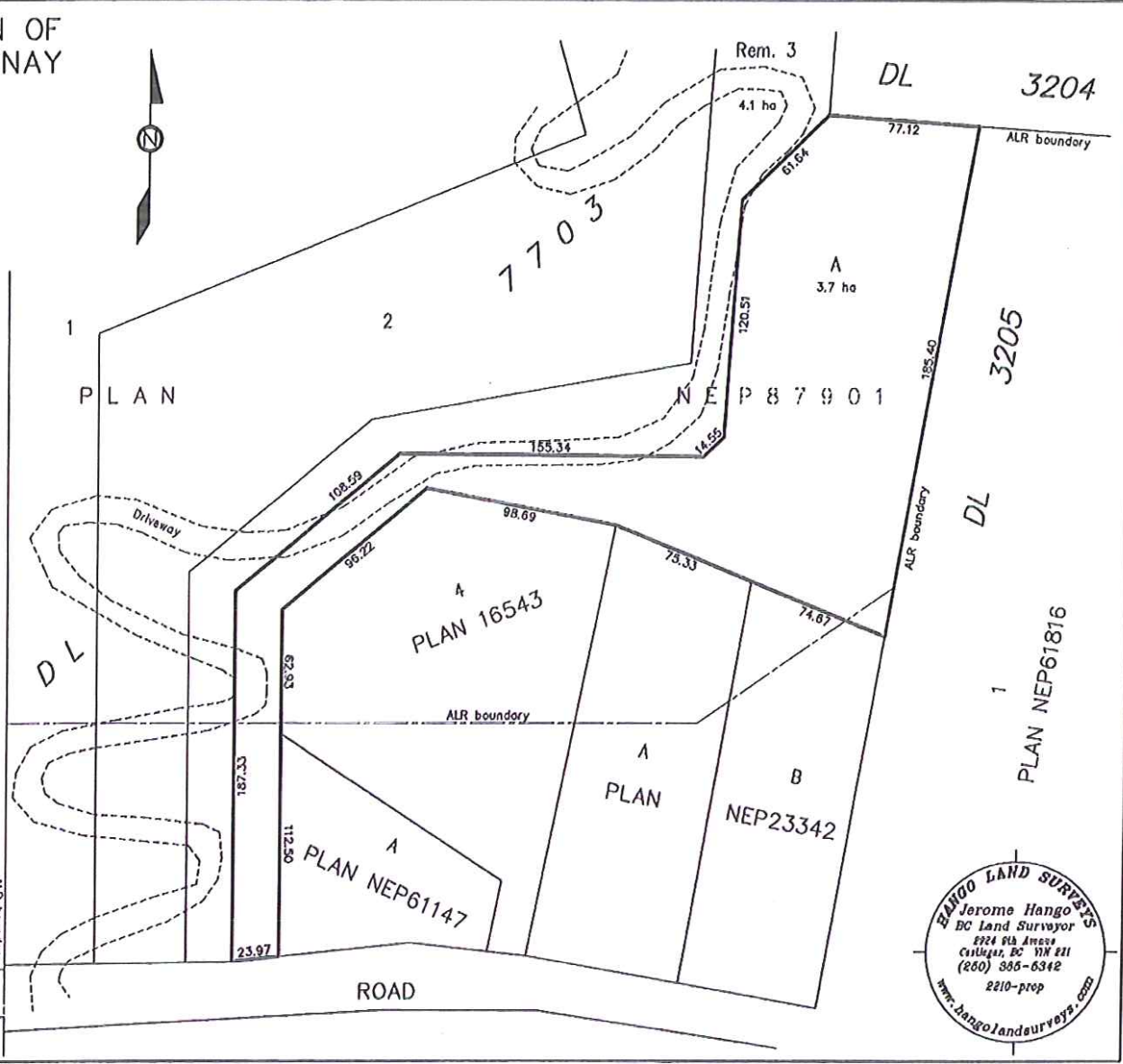
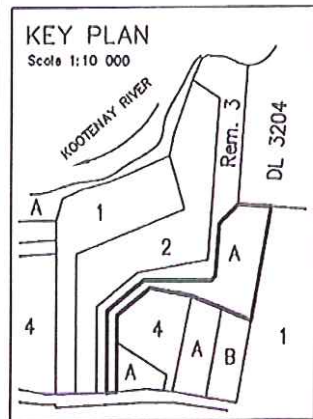
**PLAN OF PROPOSED SUBDIVISION OF
PART OF LOT 3 DL 7703 KOOTENAY
DISTRICT PLAN NEP87901.**

The intended plot size of this plan is
432mm in width by 280mm in height
(B size) when plotted at a scale of 1:2000.



LEGEND

Bearings are astronomic
derived from plan NEP87901.
All distances are horizontal ground level in metres.
Drawing Date: November 19, 2014.



Driveway plotted from
Google Earth satellite Imagery.



Map modified - April 14, 2015