



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

November 1, 2005

Reply to the attention of Ron Wallace

Daniel Ayars
PO Box 2445
Fernie, BC V0B 1M0

Dear Sir:

Re: Application # L-36235
Lot 10, District Lot 6393 and 11707, Kootenay District, Plan 1411

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to dedicate a road right-of-way involving 0.41 ha of the above noted property. The application was submitted pursuant to section 6 of BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation).

The Commission writes to advise that it approved your application subject to:

- the road right-of-way being in substantial compliance with the attached plan.
- compliance 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. The Commission suggests you contact the Regional District of East Kootenay at your earliest convenience.

The decision noted above is recorded as Resolution #570/2005.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,





PROVINCIAL AGRICULTURAL LAND COMMISSION

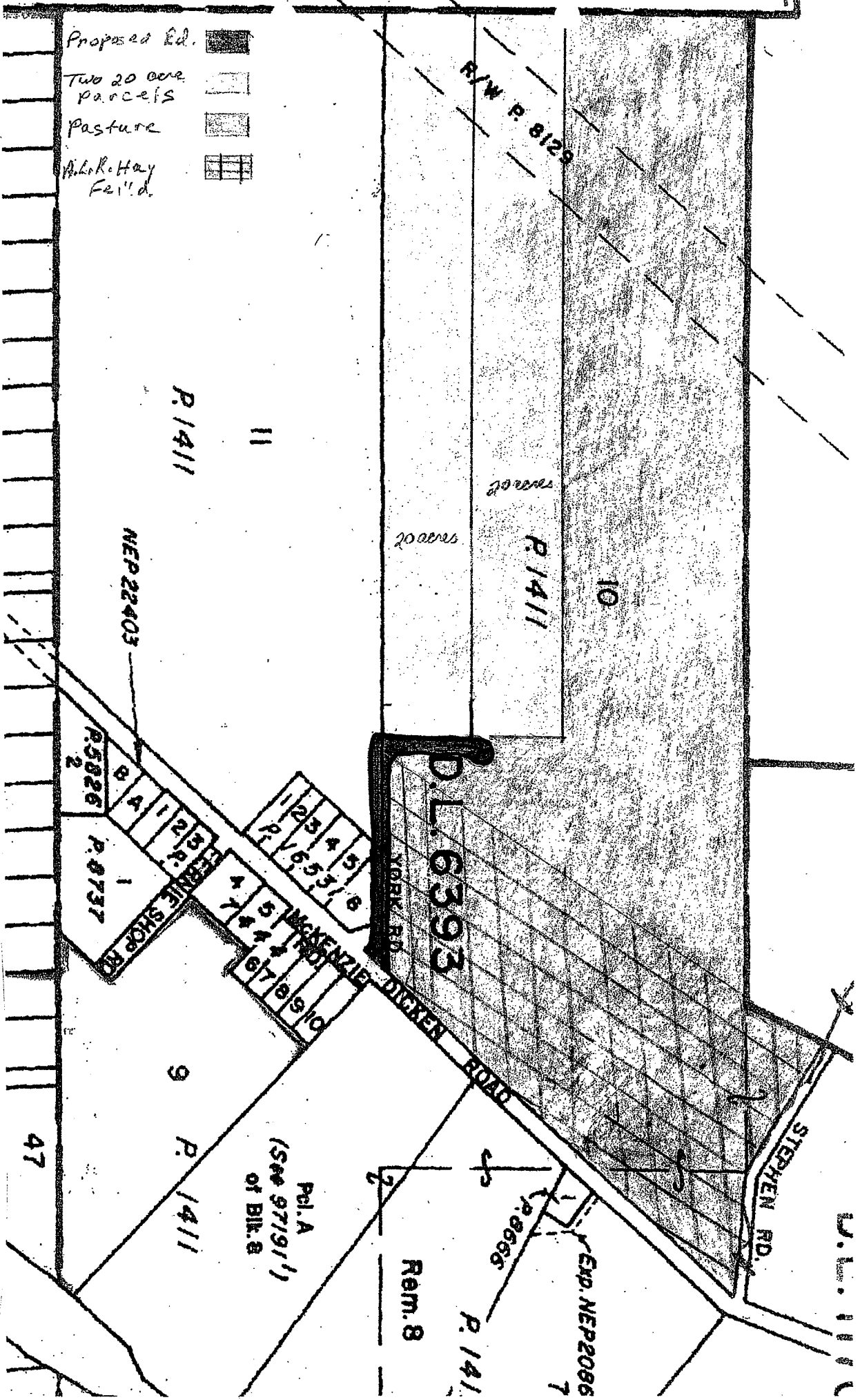
Per:

Erik Karlsen, Chair

cc: Regional District of East Kootenay

RW/lv/Encl.
36235d1

Proposed Rd. 
 Two 20 acre parcels 
 Pasture 
 H.L.R. Hay Field 



Provincial Agricultural Land Commission
 Application: L-36235
 Resolution # 570/2005

 ±0.41 ha area approved for road right-of-way

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on October 12, 2005 in Castlegar, B.C.

PRESENT: Monika Marshall Chair
 Cheryle Huscroft Commissioner
 Carmen Purdy Commissioner

STAFF: Ron Wallace, Regional Research Officer

For Consideration

Ron Wallace presented the staff report dated September 29, 2005 regarding application #L-36235-0, Daniel Ayers. The application is to dedicate a total of 0.41 ha to provide access to two non-ALR parcels.

Commission Discussion

The Commission supported the proposed dedication as requested.

IT WAS

MOVED BY: Commissioner C. Purdy

SECONDED BY: Commissioner M. Marshall

THAT the staff report be received and the application to dedicate a total of 0.41 ha to provide access to two non-ALR parcels be approved as proposed.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # L – 36235 – 0
Applicant: Daniel Ayars

DATE PREPARED: September 29, 2005

TO: Chair and Commissioners – Kootenay Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To dedicate a total 0.41 ha to provide access to 2 non-ALR parcels.

This application is made pursuant to Section 6 of BC Regulation 171/2002
(*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*).

BACKGROUND INFORMATION:

The applicant wishes to dedicate a right-of-way from the edge of his property to build an access road to two 8 ha parcels located outside the ALR. The applicant also stated that he would be willing to include into the ALR the same amount of land lost to the road from the remainder of his property, some of which is not in the ALR.

Local Government:

Regional District of East Kootenay

Legal Description of Property:

PID: 011-469-994
Lot 10, District Lot 6393 and 11707, Kootenay District, Plan 1411

Location of Property:

1643 Dicken Road, Fernie

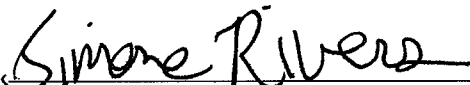
Size of Proposed Dedication:

0.41 ha


Agricultural Capability:

Data Source: Agricultural Capability Map # 82G/11
The majority of the property is identified as having mixed prime and secondary ratings.

END OF REPORT



Signature



Date