



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

April 20, 2007

Reply to the attention of Terra Kaethler  
ALC File: #Q - 37109

Regal Ridge  
PO Box 1005  
Osoyoos, BC V0H 1V0

Dear Sir/Madam:

Re: **Application for Transportation Corridor the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 129/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

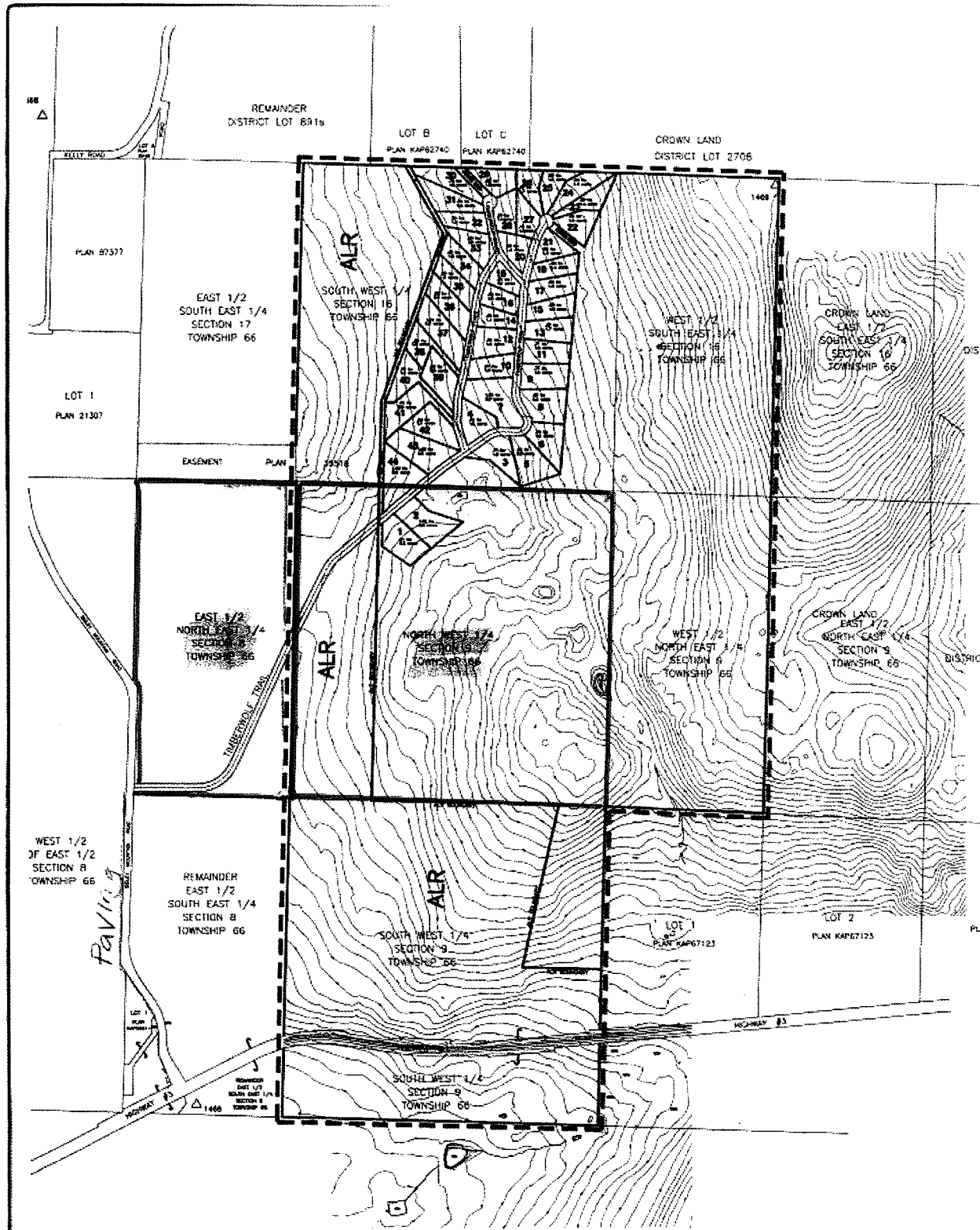
Per:

Erik Karlsen, Chair

cc: Regional District of Kootenay-Boundary

Enclosure: Minutes/Sketch Plan



TK/lv  
37109d1



**HILLSIDE ENGINEERING SERVICES LTD.**  
 LAND PLANNING - ENGINEERING - MAPS  
 PERMITTING - SURVEYING - SITE CHARACTERIZATION - DESIGN  
 24 HARVARD AVENUE EAST, PERKINSVILLE, ONTARIO  
 PHONE: (705) 460-4155 - FAX: (705) 460-4156

**TIMBERWOLF TRAIL SITE PLA**  
 AMBERST MOUNT  
 SCALE: 1:10,000  
 DRAWN BY: DWG  
 DATE: FEB. 13, 2007  
 LOCATION:

**Provincial Agricultural Land Commission**  
**Application # 37109**  
**Resolution # 129/2007**

 **Subject Properties**  
 **Area approved for public road**



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on March 22, 2007 in Cranbrook, B.C.

<b>PRESENT:</b>	Monika Marshall	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	D. Grant Griffin	Commissioner
	Terra Kaethler	Staff
	Roger Cheetham	Staff

### For Consideration

Application: # Q - 37109  
Applicant: Newgrowth Capital Corporation  
Agent: Regal Ridge  
Proposal: To construct a public highway over an existing access road to the former Miller Lands.  
Legal: 1. PID: 001-716-808  
North West 1/4, Section 9, Township 66, Similkameen Division of Yale District  
2. PID: 001-716-778  
East 1/2 of the North East 1/4, Section 8, Township 66, Similkameen Division of Yale District, EXCEPT Plan KAP56219  
Location: Located in Bridesville at the junction of Sidley Mountain Road.

### Site Inspection

No site inspection was conducted.

### Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. 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.

### Discussion

The Commission discussed that the applicant's land is outside of the ALR, and that the existing road appears to be the most suitable access to the applicant's property, due to the steep gradient of the parcels. Given that the proposal is to upgrade an existing access road to a public road, and it is the only suitable access to the applicant's property, the Commission did not object to the proposal. The Commission considered the proposal would have minimal impact against the long term goal of preserving agricultural land. The Commission noted the proposal included the fencing along both sides of the road to provide a buffer from the ALR. It also noted that the plan attached in the application included a buffer area along the ALR boundary of the applicant's property.

**IT WAS**

**MOVED BY:** Commissioner Griffin

**SECONDED BY:** Commissioner Purdy

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

- the construction of a fence for the purpose of buffering on both sides of the road.
- That a 10 meter buffer along the ALR boundary of the subdivision be installed, as shown on the subdivision plans attached 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.

**CARRIED**

**Resolution # 129/2007**