



Agricultural Land Commission
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April 24, 2007

Reply to the attention of Terra Kaethler
ALC File: #L - 37147

Jim Fiorentino
1700 Cobham Avenue, West
Cranbrook, BC V1L 6T3

Dear Sir:

Re: Application for Transportation Corridor in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 120/2007 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.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of East Kootenay

Enclosure: Minutes/Sketch Plan

TK/lv
37147d1

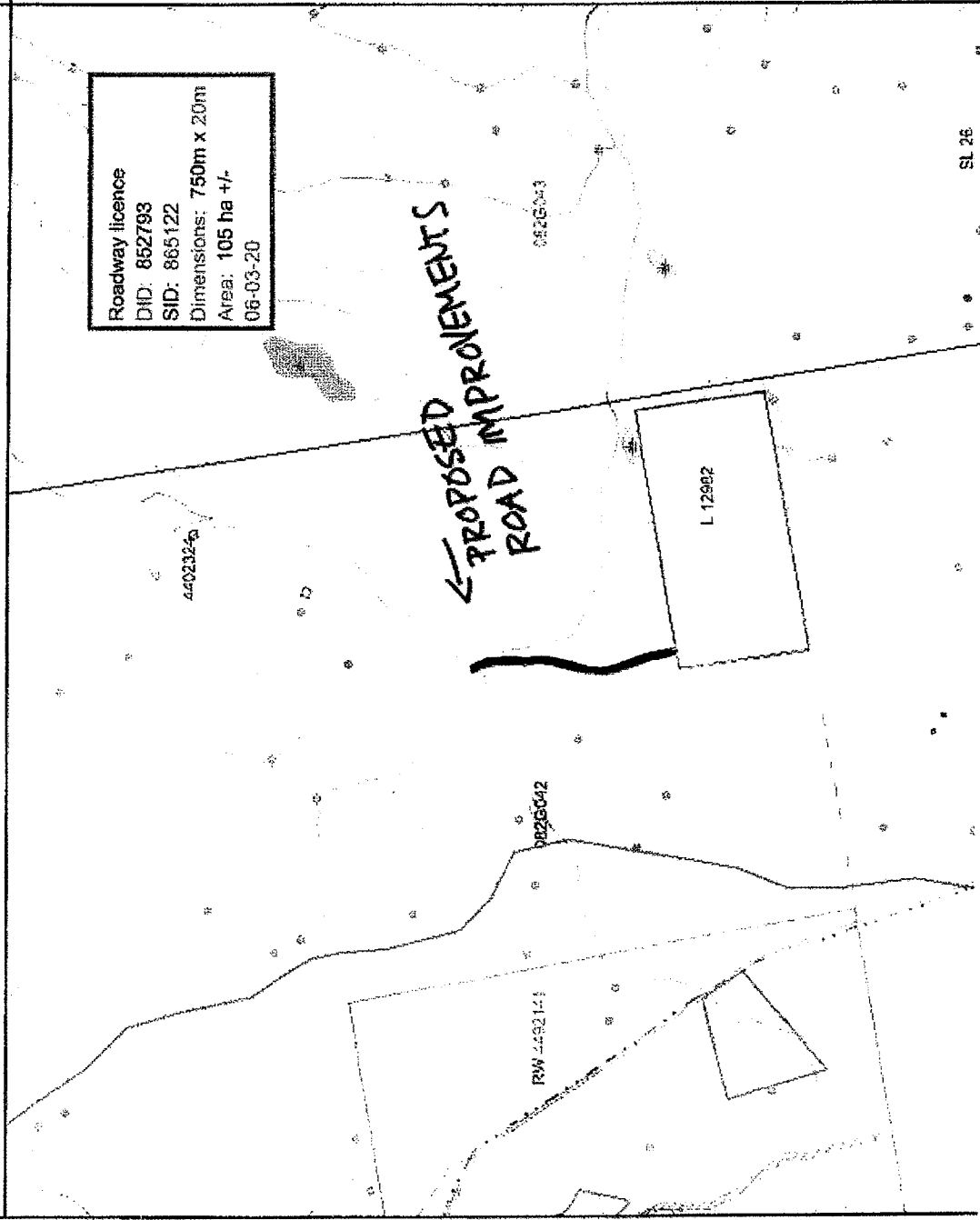
4404423 - Burgstaller and Wirglauer

Legend

	Cadastre Amelioration
	Interest Parcels
	Provincial Park
	Urban Sprawl
	Application
	Lots
	Development Agreement
	License
	Permit
	Right of Way
	Transfer of Admin. Control
	Inactive Disposition Transition
	OGC Ecological Reserve
	Transition Patent
	Inventory Site
	OGR
	IP SID 785132
	Survey Parcels
	Priority
	Indian Reserves Priority
	Mineral Claim
	Timber License
	Subdivision
	Indian Reserves Subdivision
	Right of Way
	Unknown
	Forest Tenure Road Segments
	Forest Tenure Roads
	Landbase
	BCOS Grid
	Contours (TRIM)
	Contour - Index
	Contour - Index, Incalculable
	Contour - Index, Depression
	Contour - Index, Depression, Incalculable
	Contour - Intermediate, Incalculable
	Contour - Intermediate, Depression
	Contour - Intermediate, Depression, Incalculable
	Area of Elevation
	Area of Incalculable Contours
	Landcover - Poles (TRIM)
	Landcover - Lines (TRIM)
	Wooded Area
	Nursery
	Orchard
	Landform - Poles (TRIM)
	Landform - Lines (TRIM)
	Slope
	Cliff
	CRIM - Vertical

Roadway licence
 DID: 852798
 SID: 885122
 Dimensions: 750m x 20m
 Area: 105 ha +/-
 06-03-20

← PROPOSED ROAD IMPROVEMENTS



Provincial Agricultural Land Commission
 Application # 37147
 Resolution #120/2007

Area approved for road improvements



Scale: 1:19,808

DO NOT USE FOR NAVIGATION

Map Center: 115° 36' 39" W, 49° 24' 57" N



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

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

For Consideration

Application: # L - 37147
Applicant: Herta and Johann Burgstaller
Agent: Jim Fiorentino
Proposal: To upgrade an existing, unsurveyed road (750 m) crossing Crown land road for private access.
Legal: District Lot 4591, Kootenay District, Plan X29

Site Inspection

No site meeting 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 assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission does not believe the proposal would impact existing or potential agricultural use of the property or surrounding lands.

IT WAS

MOVED BY: Commissioner Purdy

SECONDED BY: Commissioner Marshall

THAT the application be allowed;

AND THAT approval is subject to the completion of the proposal within three (3) years from the date of 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.

CARRIED

Resolution # 120/2007

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Staff Report
Application # L – 37147
Applicant: Herta and Johann Burgstaller
Agent: Jim Fiorentino

DATE RECEIVED: January 04, 2007

DATE PREPARED: March 9, 2007

TO: Chair and Commissioners – Kootenay Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To upgrade an existing, unsurveyed road (750 m) crossing Crown land for private access.

This application is made pursuant to Part 4 Section 6 of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*).

BACKGROUND INFORMATION:

Local Government:

Regional District of East Kootenay

Legal Description of Property:

District Lot 4591, Kootenay District, Plan X29

Agricultural Capability:

Data Source: Agricultural Capability Map # 82G/5
The majority of the property is identified as having Secondary ratings.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of East Kootenay Board: Support the application.

STAFF COMMENTS:

Staff recommend the application be approved.

ATTACHMENTS:

- ALC Base Map # 82G/5
- Management Plan and Sketch of Proposal

END OF REPORT

Handwritten signature of Terra Kaethler in black ink, written over a horizontal line.

Handwritten date '3/9/07' in black ink, written over a horizontal line.