



Agricultural Land Commission
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May 20, 2009

Reply to the attention of Roger Cheetham
ALC File: **L-38763**

Focus Corporation
7120 - 10th Street P.O. Box 608
Invermere, BC V0A1K0

Dear Sirs:

Re: Application construct a road in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #161/2009 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the printed name below.

Erik Karlsen, Chair

Enclosure: Minutes

cc: Regional District of East Kootenay (File # 73127-00)

RC/
i/38763d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 30, 2009 in Cranbrook, B.C.

PRESENT:	Erik Karlsen	ALC Chair
	Jerry Thibeault	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	Barry Minor	Commissioner
	Roger Cheetham	Staff

For Consideration

Application: # L- 38763
Applicant: Genesis Land Development Corp.
Agent: Focus Corporation
Proposal: To dedicate a new road which will affect 0.9 ha of ALR land in order to access an area previously permitted exclusion in 2004.
Legal: 1. PID: 008-078-157
District Lot 9008, Kootenay District, Except Part included in Plan 7637
2. PID: 012-510-335
Parcel 1 (see 123131), District Lot of 10717, Kootenay District
Location: Hwy 95, south of Brisco, adjacent to Spur Valley Green Golf Course.

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 noted that the road was required to give access to a development approved for exclusion in 2004. It also noted that the location was determined in collaboration with the Ministry of Transportation and the Regional District of East Kootenay. The Commission did not consider that the road would have any material impact on future agricultural potential.

IT WAS

MOVED BY: Commissioner C. Purdy
SECONDED BY: Commissioner J. Thibeault

THAT the application be approved

AND THAT the approval is subject to the new road 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.

CARRIED
Resolution #161/2009