



Agricultural Land Commission
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June 11, 2007

Reply to the attention of Terra Kaethler
ALC File: # F - 37014

Regional District of Central Kootenay
PO Box 590 - 202 Lakeside Drive
Nelson, BC V1L 5R4

Dear Sir/Madam:

Re: **Application to Exclude land from the Agricultural Land Reserve**
Your file: #A0628A-05496-300

Please find attached the Minutes of Resolution # 216/2007 outlining the Commission's decision as it relates to the above noted application.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from Certificate of Title # 216/2007.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karsen, Chair

Cc: Kamloops Land Title Office

Enclosure: Minutes/Sketch Plan

TK/lv/37014d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 3, 2007 in Nelson, B.C.

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

For Consideration

Application: # F- 37014
Applicant: Regional District of Central Kootenay
Proposal: To exclude the subject property in order to develop a waste transfer station and possible future Fire Hall. The property has been purchased by the Regional District of Central Kootenay.

Legal: PID: 026-593-009
 Lot B, District Lot 5027, Kootenay District, Plan NEP80383
Location: 12565 Highway 3A, Boswell

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 noted that it approved the non-farm use of the waste transfer station in 2001. Further, in 2003, the Commission reviewed the ALR areas in Boswell and Gray Creek and was prepared to consider exclusion of this area as it did not consider that there was significant agricultural potential.

IT WAS

MOVED BY: Commissioner Marshall
SECONDED BY: Commissioner Purdy

THAT the application be approved.

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 # 216/2007