



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: L-37625

December 5, 2007

Leo and Dianne Kienitz
Box 2035
Invermere, BC V0A1K

Dear Sir/Madam:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 644/2007 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 # **XG25628**.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: District of Invermere (ZON06-06)
Land Titles Office - Kamloops

Enclosure: Minutes/Sketch Plan

TK/37625d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 01, 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- 37625
Applicant: Leo and Dianne Kienitz
Proposal: To exclude the subject property for rezoning and to subdivide
Legal: PID: 013-506-722
Lot 1, District Lot 1092, Kootenay District, Plan 8385, Except part included in Plan NEP20703
Location: 15 Avenue, Invermere

Site Inspection

A site inspection was conducted on October 31, 2007. Those in attendance were:

- Monika Marshall Chair, Kootenay Panel
- Carmen Purdy Commissioner
- D. Grant Griffin Commissioner
- Terra Kaethler Staff
- Roger Cheetham Staff
- Darrell Smith Agrologist, Ministry of Agriculture and Lands
- Leo Kienitz Applicant

The Commission met with the applicant and viewed the area under application. The Commission noted that the property is in a residential neighbourhood and that the majority of the property is outside of the ALR. The portion inside the ALR is on a hill and consists of the applicants' residence.

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 discussed that only approximately 1.1 ha of the subject property is within the ALR, and of that portion, the land is steeply sloped and is predominantly developed with the applicants' residence. As such, the Commission does not believe the proposal would impact existing or potential agricultural use of the subject property or surrounding lands.

Conclusions

1. That the proposal will not impact agriculture.

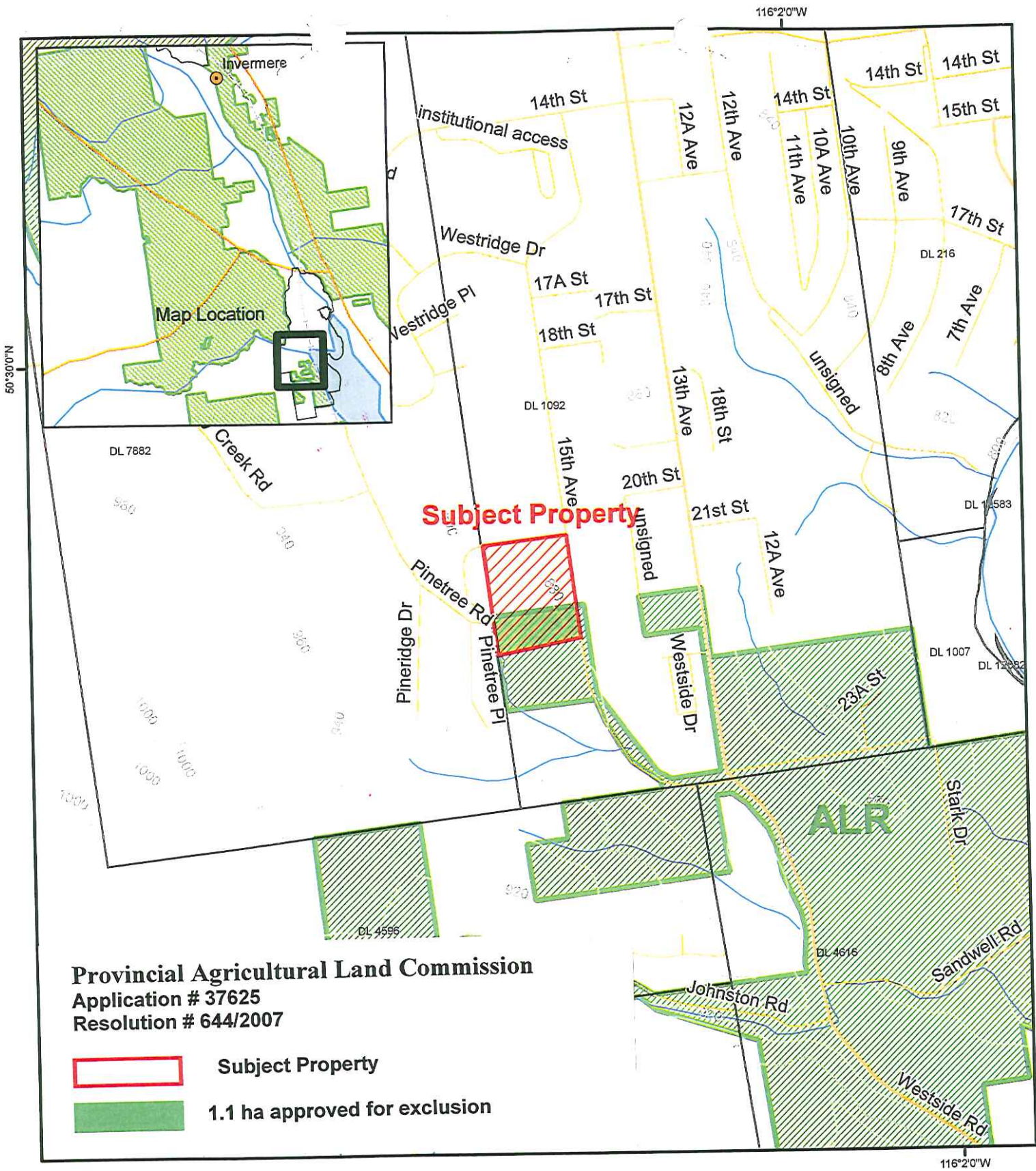
IT WAS

MOVED BY: Commissioner Griffin
SECONDED BY: Commissioner Marshall



THAT the application be approved.

CARRIED

Resolution # 644/2007



Provincial Agricultural Land Commission
Application # 37625
Resolution # 644/2007

-  **Subject Property**
-  **1.1 ha approved for exclusion**

ALC File #:	02-2007-37625
Mapsheet #:	82K.050
Map Produced:	Sept. 26, 2007
Regional District:	East Kootenay

ALC Context Map
 Map Scale: 1:10,000

