



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: F-37690

December 13, 2007

Russell Brenton
720 - 5th Ave
Kimberley, BC V1A 2T4

Dear Sir:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 650/2007 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 # KX156667.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Regional District of Central Kootenay (A0725D-05783-010)

Enclosure: Minutes/Sketch Plan

TK/37690d1.



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 1, 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: # F- 37690
Applicant: Russell Brenton
Proposal: To exclude the subject property to facilitate subdivision into two lots of approximately 0.8 ha and 1.2 ha.
Legal: PID: 024-384-321
Lot 1, District Lot 7449, Kootenay District, Plan NEP63763
Location: Birchdale

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

In its discussion, the Commission noted that the subject property was accessible by water only and does not have electricity. Due to its small size and isolated location, the Commission believed that the property had limited suitability for agriculture. Further, the majority of previous applications in this area have been approved, based on the limited agricultural potential in the area.

Therefore, the Commission does not believe the proposal would impact existing or potential agricultural use of the subject property or surrounding lands.

IT WAS

MOVED BY: Commissioner Purdy

SECONDED BY: Commissioner Marshall

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 # 650/2007

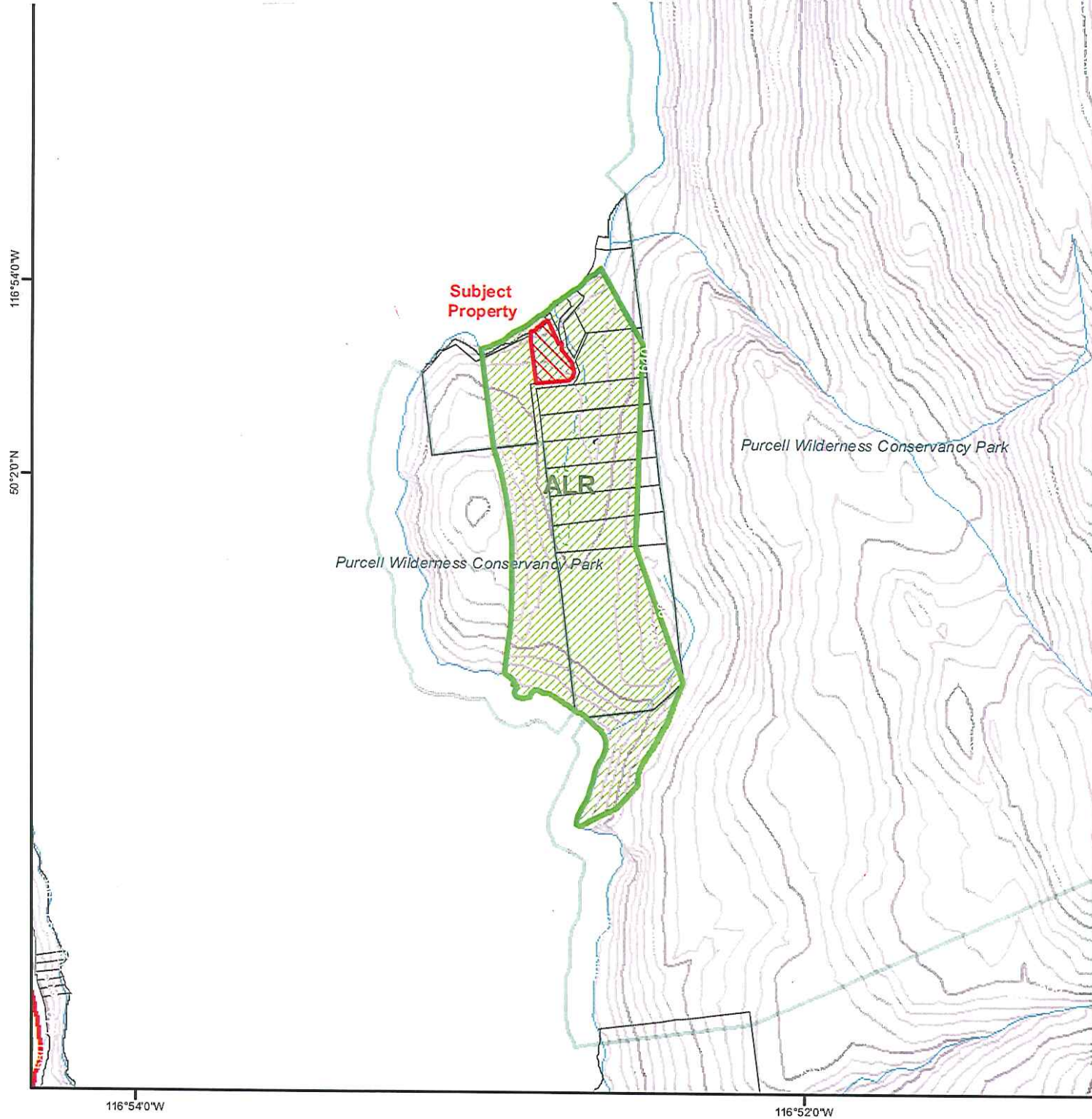
Provincial Agricultural Land Commission

Application # 37690

Resolution #649/2007



Subject Property Approved for Exclusion



ALC File #:	02-2007-37690
Mapsheet #:	82K.006
Map Produced:	Oct 5, 2007
Regional District:	Central Kootenay

ALC Context Map

Map Scale: 1:20,000

