



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

November 9, 2009

Reply to the attention of Martin Collins  
ALC File: 50200

Champion Lakes Estates Ltd.  
306-1<sup>st</sup> Ave  
Trail, B.C.  
V1R 4V3

Dear Sir/Madam:

**Re: Application to Exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 1284/2009 and a sketch plan outlining the Commission's decision as it relates to the above noted application.

By way of a copy of this letter and the attached minutes, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from the Certificate of Title CA916467 .

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of Kootenay Boundary (B-7187-08838.200)  
Registrar of Land Titles, Kamloops

MC/I/50200d1



**A meeting was held by the Provincial Agricultural Land Commission on Tuesday November 3, 2009 at Cranbrook, B.C.**

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

### **For Consideration**

Application: 50200  
Applicant: Champion Lakes Estates Ltd..  
Proposal: To exclude 3.6 ha from the ALR and develop a gravel pit.  
Legal: PID 011-021-225 Lot A, DL 7187, Kootenay District, Plan 12166  
Location: Genelle, south of Castlegar

### **Site Inspection**

No site inspection was conducted.

However a meeting was held on November 3, 2009 at the Ministry of Environment Offices located in Cranbrook, B.C. attended by the Commission and staff noted above and the applicant's representative Jim Hall. Photographs showing the proposed exclusion area were submitted to the Commissioners at the meeting.

### **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**

#### **Assessment of Agricultural Capability and Suitability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system.

The unimproved agricultural capability of the soil of the subject property is;

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

The limiting subclasses are topography, stoniness and seasonal moisture deficiency.

The Commission believed that the land had very limited capability or suitability for agricultural development based on road cut photographs (provided at the meeting) showing the soil to be gravelly and that the land does not support any substantive vegetation.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land, noting that the exclusion of 3.6 ha and subsequent gravel extraction would not affect the existing or potential agricultural use of surrounding lands because the exclusion area part of a small block of ALR that is not used for agriculture and is surrounded by highway, hydro right of way and other gravel pit uses.

### **Conclusions**

1. That the land under application has very limited agricultural capability and is unsuitable for agricultural uses.
2. That the exclusion proposal will not impact agriculture.

### **IT WAS**

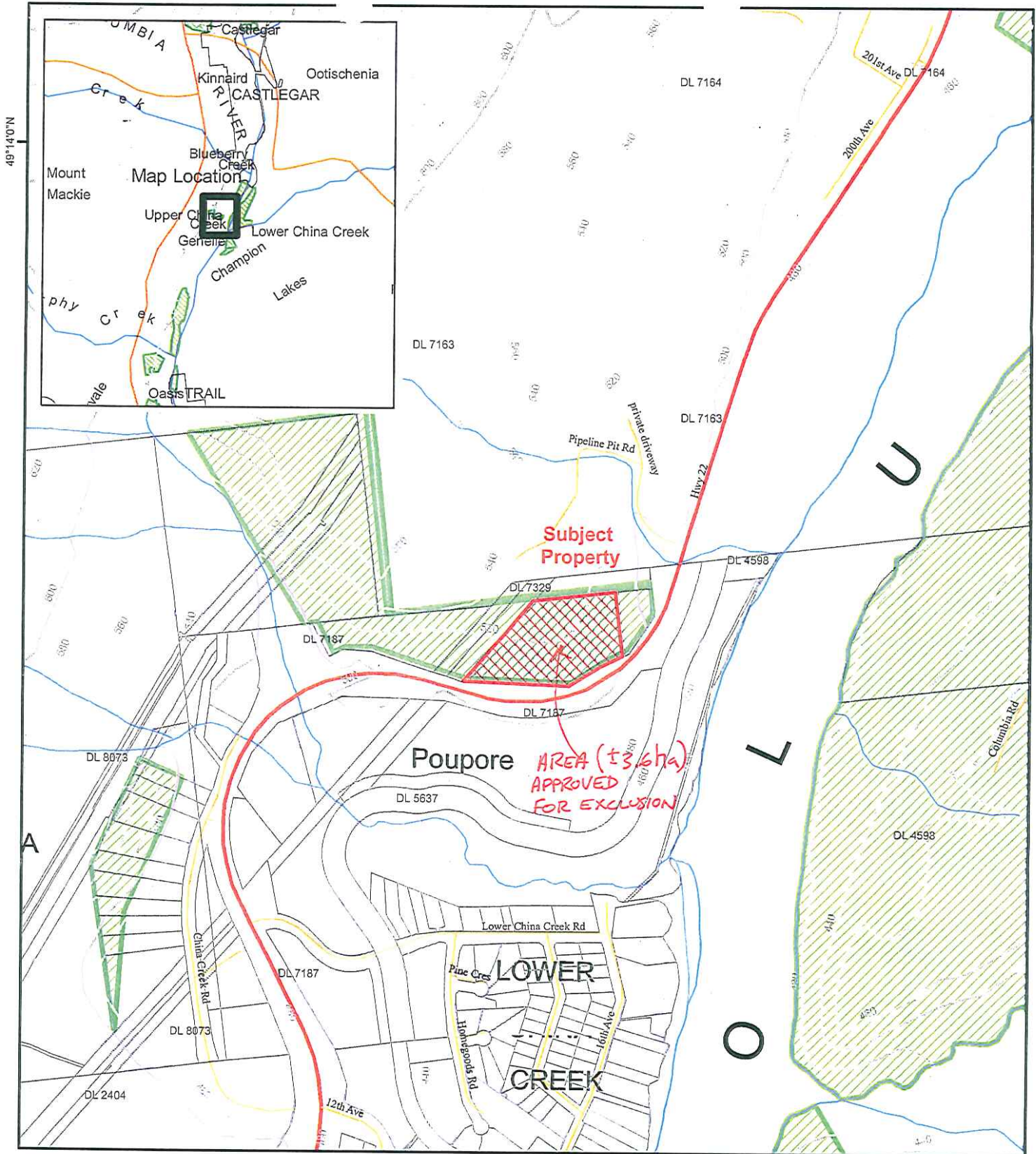
**MOVED BY:** Commissioner B. Minor  
**SECONDED BY:** Commissioner E. Karlsen

THAT the application to exclude 3.6 ha from the ALR be allowed.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

### **CARRIED**

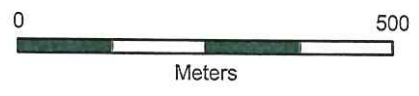
**Resolution # 1284/2009**



RESOLUTION # 1284/2009



ALC Context Map  
Map Scale: 1:10,000



ALC File #:	50200
Mapsheet #:	82F.022
Map Produced:	Aug 13, 2009
Regional District:	Kootenay Boundary