



# Provincial Agricultural Land Commission - Staff Report

## Application: 52087

**Applicant:** British Columbia Crown Provincial  
**Agent:** City of Cranbrook  
**Local Government:** City of Cranbrook

**Proposal:** To exclude approximately 25.2 ha of land from the ALR to enable the City of Cranbrook to create an open space park. The subject land is one of two physically separated land parcels making up an approximately 45.5 ha sized Crown owned property.

## BACKGROUND INFORMATION

The subject lands are located north of Wycliffe Park Road in the northwest part of the City of Cranbrook. The City of Cranbrook, on behalf of the Province of BC, is seeking exclusion of the subject property from the ALR. Upon exclusion of the said land, it will be subdivided from the remainder which will allow title registration of the land and the sale of the property to the City for the creation of an open space park.

## PROPERTY INFORMATION

**PID:** 017-037-531  
**Legal Description:** District Lot 9878 Kootenay District Except that Part Lying to the South of the Canadian Pacific Railway Right of Way as Shown on Plan 524T.1 Except the Most Southerly 25 Chains Thereof  
**Property Area:** 45.5 ha  
**ALR Area:** 45.5 ha  
**Purchase Date:** August 3, 1917  
**Location:** St. Mary River  
**Owner:** British Columbia Crown Provincial

## LAND USE

### Current Land Use:

Both the subject property and remaining portion of the property are currently forest covered and undeveloped. The parcel of interest is characterized by steep slopes and a series of terraces which drop approximately 80 meters from the CPR right of way to the St Mary River. The CPR right of way is in the process of being transferred to the City for the Rails to Trail Corridor.

### Surrounding Land Uses:

North: St. Mary River and steep hillsides to the North  
East: Shadow Mountain residential golf development - excluded by the ALC in 2007  
South: CPR Right-of-Way and soon to be City owned portion of the Rails to the Trail Corridor / Rural residential / Wycliffe Park Road beyond  
West: Undeveloped forest parcel / privately owned rural residence

## PROPOSAL DETAILS

**Exclusion Area:** 25.2 ha

### Agricultural Capability:

The majority of the area under application is rated as: Secondary

**Source:** CLI

**Mapsheet:** 82G/12

## PREVIOUS APPLICATIONS

**Application ID:** 5861

**Legacy #:** 30750

**Applicant:** Not in ATS

**Proposal:** To construct an access road 12 meters wide 365 meters long through Crown Land in the ALR to provide access to private land described as Block A DL 9878.

**Decision:**

Resolution #	Decision Date	Decision Description
675/1996	August 7, 1996	The Commission allowed the road as requested.

**Note:** Legacy File # 25-95-30750, located to the south of the CPR right of way.

## RELEVANT APPLICATIONS

**Application ID:** 43876

**Legacy #:** 37304

**Applicant:** East Kootenay

**Proposal:** To convert the railway right-of-way for a recreational trail between the City of Cranbrook and the City of Kimberley.

**Note:** An application to convert the railway right-of-way for a recreational trail between the City of Cranbrook and the City of Kimberley. A final decision has not been made by the Commission.

**Application ID:** 43657

**Legacy #:** 37116

**Applicant:** Gary Barrett

**Proposal:** To exclude one (1) 130 ha property and one (1) 117 ha property to develop a golf course residential community.

**Decision:**

Resolution #	Decision Date	Decision Description
125/2007	March 22, 2007	Allowed.

**Note:** Legacy File # 37116, Golf course exclusion application. Approved.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

**Bylaw Name:** City of Cranbrook OCP Bylaw No. 3350, 2006

**Designation:** Open Space - Parks/Institutional

**OCP Compliance:** Yes

### Zoning:

**Zoning Bylaw Name:** City of Cranbrook Zoning Bylaw No. 3100, 1993

**Zoning Designation:** Rural Resource Zone RR-60

**Minimum Lot Size:** 60.0 ha

**Zoning Compliance:** No

### Comments and Recommendations:

#### **Board/Council**

City of Cranbrook Council in an open meeting on December 6, 2010, adopted a resolution to support the application for exclusion and subdivision of the subject portion of the Crown land parcel.

#### **Other**

Application was circulated to Regional District of Easy Kootenay. Indicated no comment.

#### **Planning Staff**

Indicated no written correspondence was received regarding the ALR application as a result of the notification process. Two phone calls were received and two other people dropped by the City Hall enquiring about the application from the adjacent property owners who were served. The enquiries were general in nature and primarily wished to confirm the exclusion application was not directed at their specific properties.

## ALC STAFF COMMENTS

Staff recommends the Commission consider the following comments:

- The subject property parcel was brought into the City as part of a northern boundary expansion and currently retains a Regional District of East Kootenay zoning of RR-60 Rural Resource Zone. The remaining portion of the property is located south of Wycliffe Park Road and remains within the Regional District. Pending ALC exclusion of the subject site, the ILMB will undertake a legal survey of the property.
- The City of Cranbrook OCP Bylaw No. 3550, designates the future use of the subject property as 'Open Space'. This designation identifies undeveloped land that functions primarily as natural areas including greenbelt, wildlife travel corridors, access to river shorelines, and low environmental impact recreation activities such as walking or cycling.
- Upon transfer of the property to the City, the property would be rezoned from RR-60 to a suitable zoning which permits park use.
- The subject property has agricultural capability ratings of class 5 and 6 with topography, rockiness and moisture deficiency limitations.
- The subject property is land locked with no physical road access or services.
- In 2007 the Commission approved the exclusion of approximately 247 ha of land to the east of the subject property to develop a golf course residential community.

## ATTACHMENTS

52087letter.pdf  
52087CityReport.pdf  
52087\_ContextMap20k.pdf  
52087\_AgCapabilityMap.pdf  
52087\_AirphotoMap.pdf

## END OF REPORT

**Prepared by:** Ron Wallace, Land Use Planner