



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

February 5, 2013

ALC File: #52884

Cara Adrian
Box 327
Christina Lake, BC
V0H 1E0

Dear Ms. Adrian:

Re: Application to Exclude Land from the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #11/2013 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision. As agent, it is your responsibility to notify your client accordingly.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #11/2013
Sketch Plan

cc: Regional District of Kootenay Boundary (File: B-7163-08839.025)
BC Assessment (Nelson)
BC Land Title & Survey (Kamloops)

52884d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 23, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52884.

COMMISSION MEMBERS PRESENT:

Gordon Gillette	Vice-Chair (Acting Chair)
Jennifer Dyson	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Eamonn Watson	Land Use Planner
Colin Fry	Executive Director

PROPOSAL

To exclude the 11.5 ha ALR portion of the 20.7 ha subject property.
(Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Owner: West K Sand & Gravel Ltd.

Agent: Cara Adrain

Legal: PID: 028-281-195
Lot 1, District Lots 7163 and 7187, Kootenay District, Plan NEP 91135

Location: China Creek, South of Castlegar, Regional District of Kootenay Boundary

Size: 20.7 ha (11.5 ha ALR)

EXCLUSION MEETING

The applicant waived the right to an exclusion meeting via letter dated November 27, 2012.

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.

COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. The improved agricultural capability ratings identified on Canadian Land Inventory (CLI) map sheet 82F/04 for the subject property is Class 5.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability. The limiting subclasses associated with this parcel of land are M (moisture deficiency) and T (topographic limitations).

The ALR and non-ALR portions of the subject property are both classed as 5TM. The non-ALR portion contains an active sand/gravel pit.

Conclusion: The subject property has limited agricultural capability.

2. The ALR portion of the subject property is an isolated pocket of ALR and is not adjacent to any active agriculture.

Conclusion: Exclusion of the 11.5 ha portion of the subject property will not have a negative impact on agriculture.

IT WAS

MOVED BY: Commissioner Thibeault
SECONDED BY: Commissioner Pranger

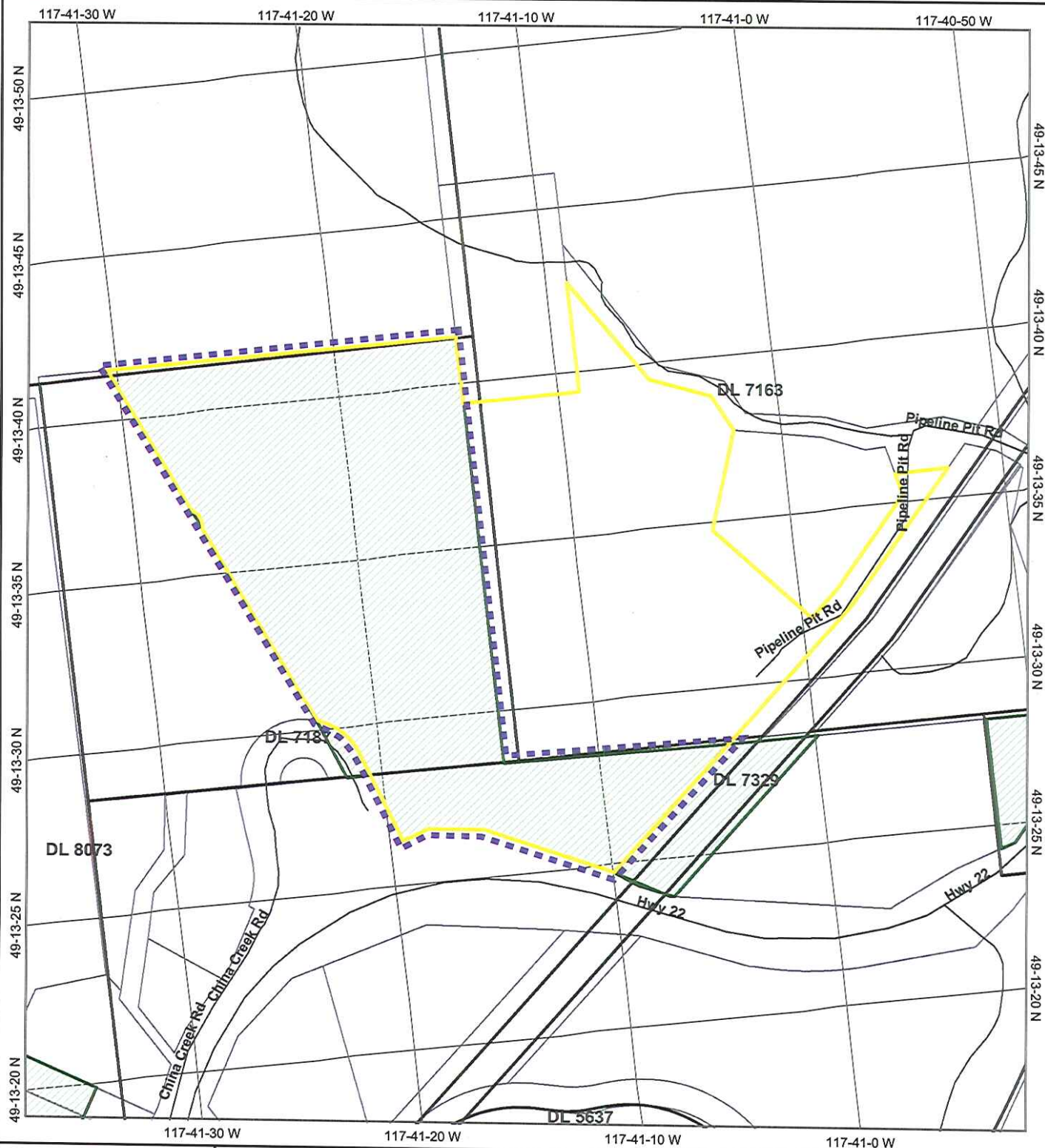
THAT the request for exclusion of the 11.5 ha ALR portion of the 20.7 ha subject property be approved.

AND FINALLY THAT 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 #11/2013

ALC Application #52884: Resolution #11/2013 Sketch Plan



Scale: 1:5,000

Date Created: 28-Jan-2013 3:39:17 PM

Comments:

-  Subject Property
-  Area Approved for Exclusion