



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

June 20, 2006

Please reply to the attention of Roger Cheetham

Benoit Charbonneau
PO Box 387
Canal Flats, BC V0B 1B0

Dear Sir:

RE: Application #L-36577
PID: 011-140-615
Lot 25, District Lot 110, Kootenay District, Plan 1738, EXCEPT Part included
in Plan 16422

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude the subject property from the Agricultural Land Reserve. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 31st May 2006. The Commission found the meeting and site visit informative. In particular the Commission noted that the site has no significant agricultural potential having been partially developed as a mobile home park. The Commission also noted that the property is located at the edge of the Agricultural Land Reserve.

The Commission writes to advise that it approved your application. The above noted property shown on the attached map is excluded from the Agricultural Land Reserve Plan of the Regional District of East Kootenay.

The decision noted above is recorded as Resolution #280/2006.

It is a condition of this approval that the owner or occupier must 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. The Commission suggests you contact the Village of Canal Flats at your earliest convenience.

Yours truly,

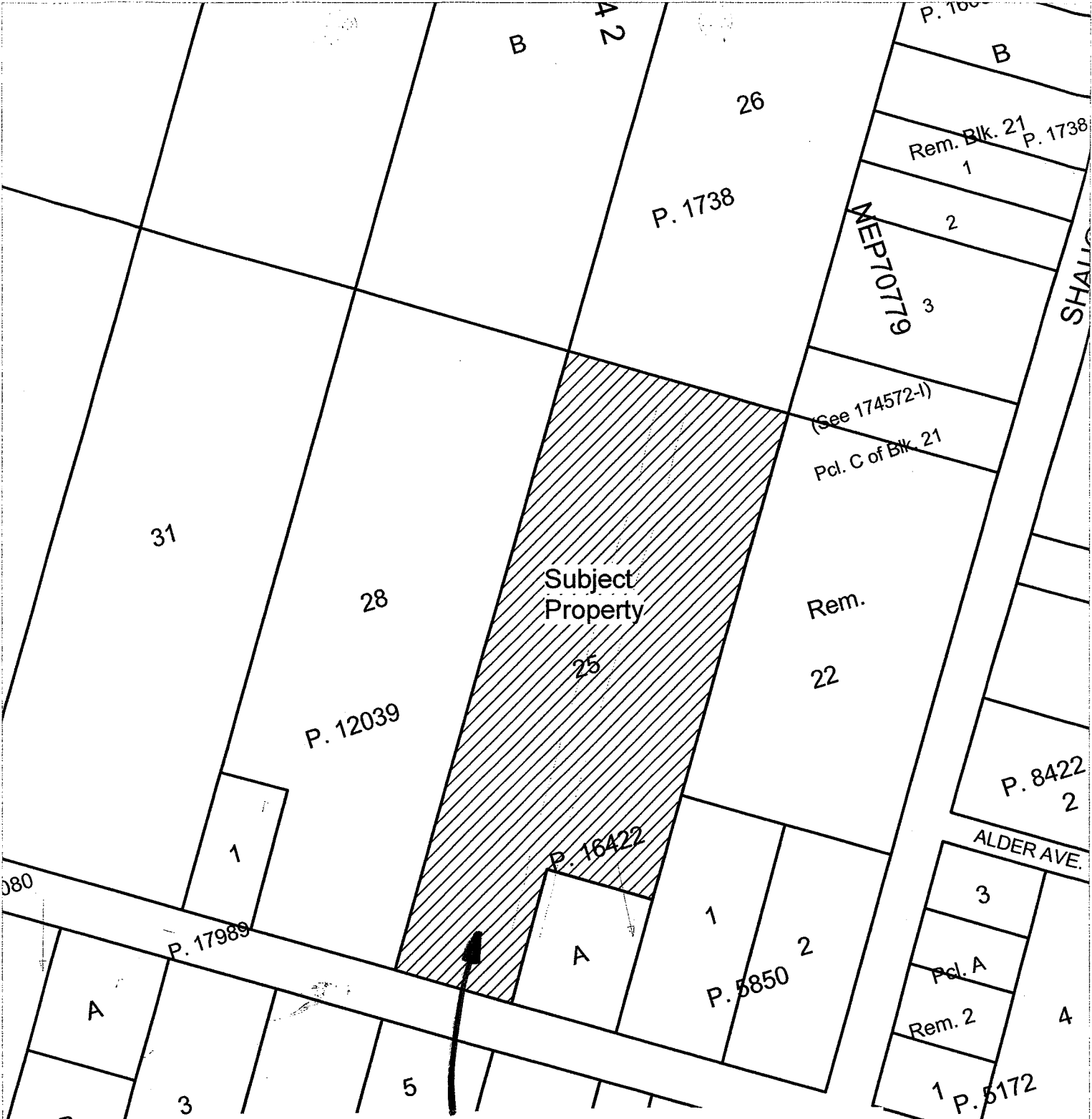
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karsen, Chair

pc: Regional District of East Kootenay
Village of Canal Flats, Box 159, 8853 Grainger Road, Canal Flats V0B 1B0
Registrar of Land Titles - Kamloops

RC/iv/Encl./36577d1.



Application Number L - 36577
Area Excluded from the Agricultural Land Reserve
in terms of Resolution Number 280/2006

WILLOW AVENUE

BURN

P. 16303

12 P. 9080

16527

NEP23311

12

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 31st May 2006 in Cranbrook, B.C.

PRESENT: Monika Marshall Chair
 Carmen Purdy Commissioner

STAFF: Roger Cheetham, Planning Officer

OBSERVER: Erik Karlsen, Commission Chair

For Consideration

Roger Cheetham presented the staff report of Simone Rivers dated March 29, 2006 regarding application #L- 36577.

Site Inspection

A site inspection was conducted on 31st May 2006. Those in attendance were:

- Commissioners Marshall & Purdy
- Agricultural Land Commission Staff: Roger Cheetham, Planning Officer
- Commission Chair (as observer): Erik Karlsen
- Benoit Charbonneau, Applicant

The Commission noted that the property was occupied by a number of old mobile homes and residences and was located within an area that comprises rural residential development with limited agricultural potential. The site inspection lasted from approximately 10:45 a.m. to 11:15 a.m.

Commission Discussion The Commission noted that the property is at the edge of the ALR and in view of existing development both on the property and on adjacent sites it concluded that the site had no significant agricultural potential.

IT WAS

MOVED BY: Commissioner C. Purdy

SECONDED BY: Commissioner M. Marshall

THAT the staff report be received and the application be approved.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # L – 36577
Applicant: Benoit Charbonneau

DATE RECEIVED: March 29, 2006

DATE PREPARED: May 17, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To exclude 2.2 ha from the ALR.

This application is made pursuant to section 2030(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicant would like to exclude the land in order to expand the existing mobile home park and to create two single family residential lots and one multi-family residential lot with two dwellings.

One letter of opposition to this exclusion was received. The person who wrote the letter felt that the exclusion should not be granted at this time as the existing mobile home park is no in compliance with existing community plans. The person did not object to the property being excluded in the future if it was brought into compliance with existing bylaws.

Local Government:

Village of Canal Flats

Legal Description of Property:

PID: 011-140-615

Lot 25, District Lot 110, Kootenay District, Plan 1738, EXCEPT Part included in Plan 16422

Location of Property:

4763 burns Avenue, Canal Flats

Size of Property:

2.2 ha (The entire property is in the ALR).

Present use of the Property:

Vacant

Surrounding Land Uses:

WEST: Residential (ALR)
SOUTH: Residential (non-ALR)
EAST: Residential (non-ALR)
NORTH: Residential (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 82J/4
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

Regional District of East Kootenay-Canal Flats Official Settlement Plan Bylaw (1981) designates the property as Rural Residential RR1

Zoning Bylaw and Designation:

Village of Canal Flats Upper Columbia Valley Zoning-Bylaw no. 900, 1992 designates the property as Small Holdings 3 - SH3
Minimum Parcel Size 2.0 ha.

PREVIOUS APPLICATIONS:

Application #17282-0

Applicant: BC Buildings Corporation
Decision Date: January 18, 1984
Proposal: To subdivide the property into two parcels of 0.4 ha and 2.0 ha. The smaller lot would contain the deputy ranger's residence for disposition by the BCBC and the remainder of the property would be used to house trailers for seasonal crew workers.
Decision: Allowed.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Canal Flats Council: Recommend support

Local Government Planning Staff: Recommend support.

STAFF COMMENTS:

Agricultural Capability:

The property rated as 100% Class 4MF improvable to 60% Class 2 F - 40% Class 3 MF

Class 2 - Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Class 3 - Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 - Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Subclasses

M - soil moisture deficiency

F - low fertility

Staff recommend a site visit to assess the existing uses on the property and to determine if exclusion will negatively impact surrounding properties.

END OF REPORT



Signature

19 May 2006

Date