



Agricultural Land Commission
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October 11, 2007

Reply to the attention of Roger Cheetham
ALC File: # F - 35206

Town of Creston
PO Box 1339
Creston, BC V0B 1G0

Dear Sir/Madam:

Re: Application to Exclude land from the Agricultural Land Reserve
Your File : #0410-20-A4

Attached are the Minutes of Resolution # 461/2007 outlining the Commission's decision as it relates to the above noted application. Please note the points raised in the discussion relating to the possibility of further analysis being undertaken of existing capacity in the town outside the ALR as an update to the report undertaken by Grant Thornton should a further application be made for additional commercial or industrial uses.

As indicated in the discussion the Commission considers that this property has significant agricultural potential and accordingly it expects the design of the convention centre/hotel facility to be efficiently designed and confined to the minimum area needed. The Commission is unlikely to support the exclusion of the portion of the property not needed for the facility and may impose requirements on its final approval of the project to secure improvements for agriculture that help mitigate agricultural losses resulting from the development.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a horizontal line. The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

Erik Karlsen, Chair

cc: Regional District of Central Kootenay

Enclosure: Minutes

RC/lv
35206d4

The representatives further inquired as to the approval for the specific use of convention centre only, and the steps that would be needed to extend the approval to include other types of commercial or industrial development. The Commission informed the representatives that they were not inclined to change their approval and that a new application would be needed for these uses. In substantiation of the arguments in support of community need it may be necessary to include a community needs assessment and land use inventory of the town.

Discussion

The Commission was sympathetic to the request for a further extension of time and considered that it would be helpful for the Town to undertake further analysis of the existing capacity of the Town to accommodate the facility as an update to the report undertaken by Grant Thornton. In view of the high agricultural capability of the subject property the Commission was of the view that the extension should not be for longer than three years and that the Town should be reminded that the Commission's approval is restricted to the proposed convention center/hotel facility and only that portion of the property required for the facility was likely to be approved for exclusion from the reserve. The use of the property for further commercial or industrial use would require submission of extensive analysis demonstrating community need.

IT WAS

MOVED BY: Commissioner Marshall
SECONDED BY: Commissioner Purdy

THAT the request for a time extension with respect to the Resolution # 426/2004 be approved and that accordingly Resolution 426/2004 be amended by an extension of the date on which the approval in principle will expire until 31st December 2010, the amended resolution to read as follows:

THAT the Town of Creston be granted an approval in principle to develop a convention center/hotel facility on the property legally described as Lot 10, District Lot 892, Kootenay District, Plan 698, Except: (1) Part Included in Reference Plan 127556I and (2) Part Included in Plan 10131. The approval in principle will enable the Town to conduct its feasibility study, engage potential developers and to prepare more definite plans for the development of a convention center/hotel facility on the property. Final approval is subject to the Commission's review and approval of more specific development plans. The Commission wishes it noted that the area of the property needed to accommodate the convention center/hotel will be dependent on the level of development and as such final approval may only involve a portion of the property.

AND FURTHER THAT on final approval and substantial commencement of the development the agreed to area will be excluded from the ALR.

AND FINALLY THAT if following its study the Town finds the project is not feasible or if, for whatever reason it does not pursue the project, the Commission's approval in principle will expire on 31st December 2010.

CARRIED
Resolution # 461/2007