



Agricultural Land Commission
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April 26, 2007

Reply to the attention of Terra Kaethler
ALC File: # L - 37227

Richard and Brenda Metheral
7277 Highway 3/95
Cranbrook, BC V1C 6X5

Dear Sir/Madam:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 153/2007 outlining the Commission's decision as it relates to the above noted application.

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

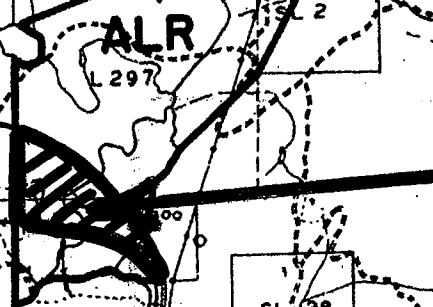
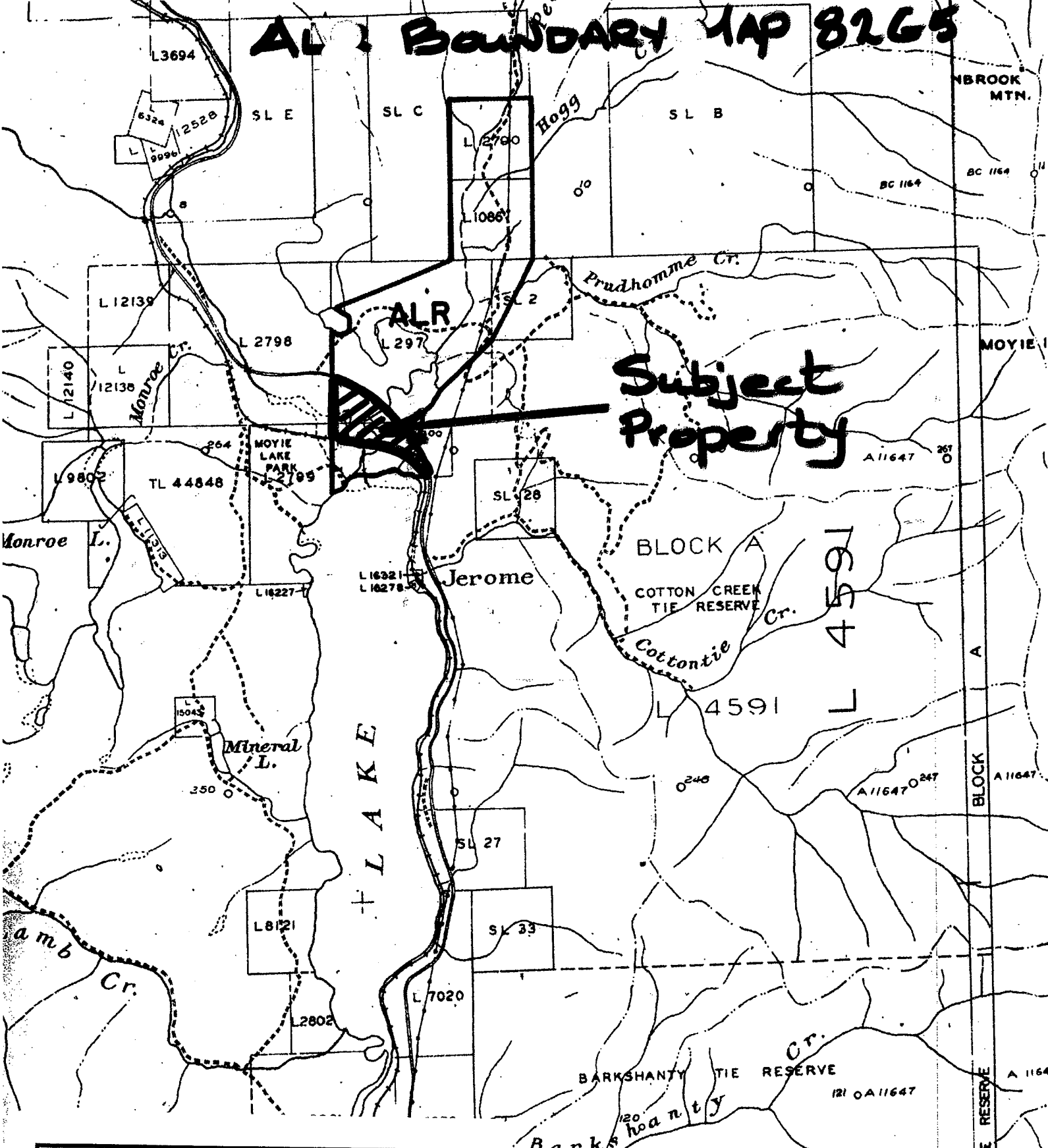
Erik Karsen, Chair

cc: Regional District of East Kootenay (#P706-336)
BC Land Title & Survey, Kamloops

Enclosure: Minutes/Sketch Plan

TK/lv
37227d1.

ALR BOUNDARY MAP 8265



Subject Property

Base Map # 8265

Scale: 1:50,000

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Provincial Agricultural Land Commission
 Application # 37227
 Resolution #153/2007

 Subject Property Approved for Exclusion (32 ha)



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 20, 2007 in Cranbrook, B.C.

PRESENT:	Monika Marshall	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	D. Grant Griffin	Commissioner
	Terra Kaethler	Staff
	Roger Cheetham	Staff

For Consideration

Application: # L - 37227
Applicant: Richard and Brenda Metheral
Proposal: To exclude the 31.9 ha subject property from the ALR.
Legal: PID: 011-387-084
Location: Lot 1, District Lot 297 and 2800, Kootenay District, Plan 13029
7277 Highway 33, Green Bay/Moyie Lake

Site Inspection

A site inspection was conducted on March 22, 2007. Those in attendance were:

- Applicants: Richard and Brenda Metheral
- Commissioners: Monika Marshall, Carmen Purdy, D. Grant Griffin
- Staff: Roger Cheetham, Terra Kaethler

The Commission walked the property and discussed the proposal with the applicant. The Commission noted that the majority of the property was in the Moyie River floodplain.

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

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, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject properties is a majority of:

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

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

Limiting subclasses of excess water, inundation, stoniness and moisture deficiency were also identified.

The Commission considered that the parcel had limited agricultural capability given the size of the property and it's location in a flood plain.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The property is isolated from other agricultural uses as it is separated from the cattle operation to the North by Highway 3/95, and separated from the ALR property to the south by the Moyie River and railway tracks. The west and east boundaries are not within the ALR. Given the isolated location of the property, the Commission did not believe that the proposal would impact existing or potential agricultural use of surrounding lands

Conclusions

1. That the land under application has limited agricultural capability.
2. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Griffin

SECONDED BY: Commissioner Purdy

THAT the application be approved.

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 # 153/2007