



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

March 22, 2011

Reply to the attention of Ron Wallace
ALC File: 52087

City of Cranbrook
40 – 11 Avenue South
Cranbrook, BC
V1C 2M8

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 96/2011 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

The Commission writes to advise that it approved your application.

Please send two (2) paper prints of the final survey plans to this office. The Commission will then authorize the Registrar of Land Titles to accept registration of the plan and to confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: BC Land Title & Survey, Kamloops

RW/
/52087d1



A meeting was held by the Provincial Agricultural Land Commission on February 28, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

PRESENT:	Richard Bullock	Chair of the Commission
	Barry Minor	Chair of the Kootenay Panel
	Jerry Thibeault	Commissioner
	Roger Cheetham	Staff
	Ron Wallace	Staff

For Consideration

Application: 52087
Applicant: BC Government
Agent: 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 lies to the north of the CPR right-of-way (Rails to Trail Corridor) which, upon exclusion of the said land, will be subdivided from the remainder which will allow title registration of the land and the sale of the property to the City.
Legal: 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.
Location: Northwest of Cranbrook, adjacent to St. Mary River

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 property is

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

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Subclasses

M soil moisture deficiency
P stoniness

The Commission concluded that the productive capability of the subject land for agriculture is very low.

Assessment of Agricultural Suitability

In addition to the subject land having very little agricultural capability as noted, the Commission believed the subject land's location between the CPR right of way (Rails to Trail Corridor) to the south and St Mary River to the north make the land very difficult to access for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. It was noted that the Commission allowed the exclusion of one (1) 130 ha property and one (1) 117 ha property to the east of the subject land to develop a golf course residential community. The land to the east of the subject land is a narrow strip of ALR with no significant agricultural potential. As such, the Commission considered that potential impacts of the proposed use would be minimal and therefore could be supported.

Conclusions

1. That the land under application has limited agricultural capability and is not appropriately designated as ALR.
2. That the proposal will not result in any negative impact on the agricultural potential of the surrounding ALR areas.

IT WAS

MOVED BY: Commissioner Thibeault

SECONDED BY: Commissioner Minor

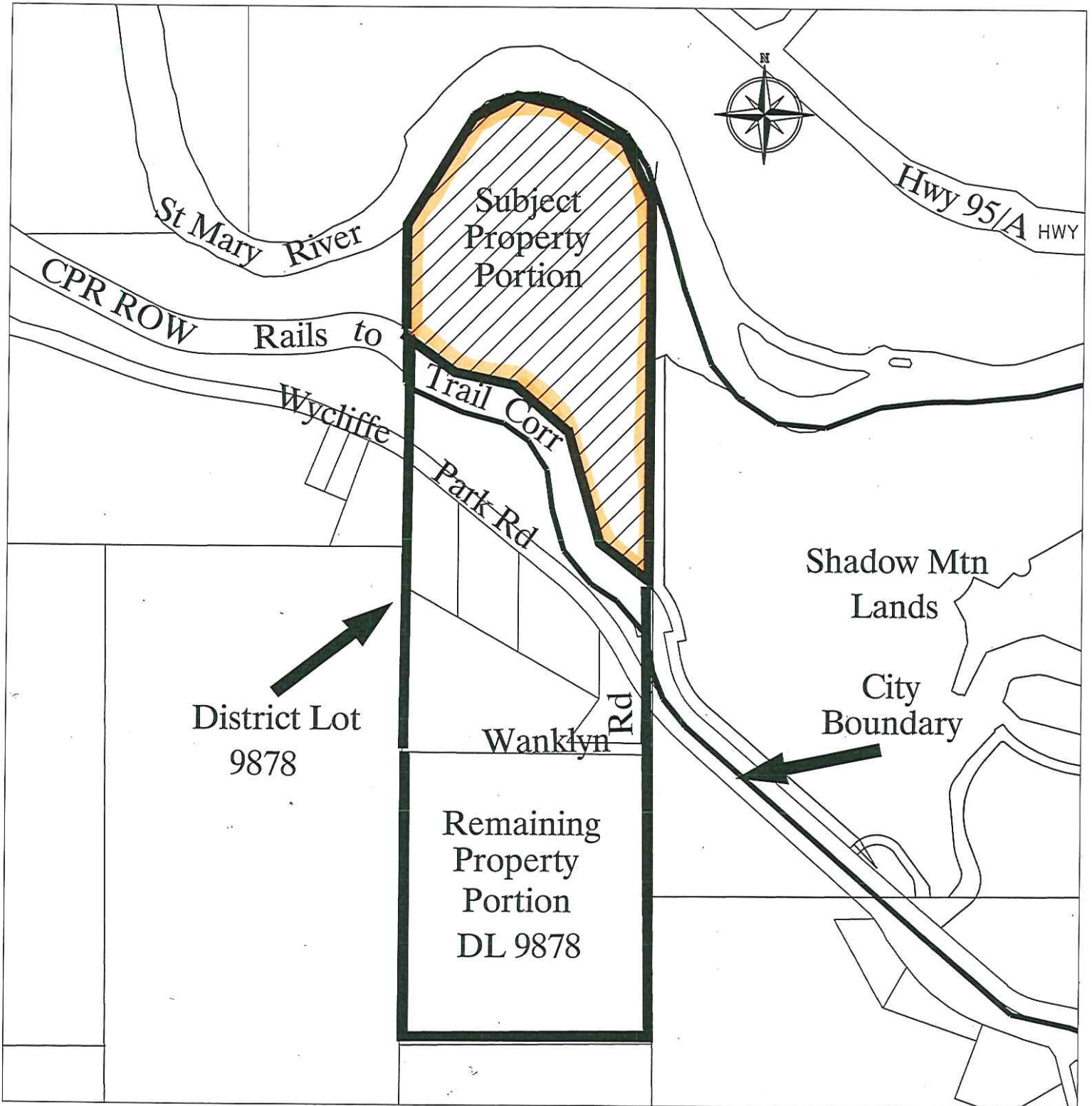
THAT the application to exclude approximately 25.2 ha of land from the ALR to enable the City of Cranbrook to create an open space park be approved.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.


CARRIED


Resolution # 96/2011

Subject Property Map



Provincial Agricultural Land Commission
Application #52087
Resolution #96/2011

 Subject property

 Area approved for exclusion from the ALR