



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

February 5, 2014

ALC File: #53303
Focus File: #010042299

Focus Corporation
303 – 535 Victoria Avenue North
Cranbrook, BC V1C 6S3

Attention: Rob MacDonald

Dear Mr. MacDonald:

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

Please find attached the Minutes of Resolution #400/2013 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.

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 No. LB267808.

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 #400/2013
Sketch Plan

cc: Regional District of East Kootenay (File: P 713 207)

BC Assessment
Suite 200, 117 Cranbrook Street North, Cranbrook, BC V1C 3P8

Land Title and Survey Authority of BC
#114 – 455 Columbia Street, Kamloops BC V2C 6K4

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53303.

COMMISSION MEMBERS PRESENT:

Gordon Gillette	Vice-Chair
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Colin Fry	Executive Director

PROPOSAL (Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)

To exclude the 5.1 ha property from the ALR.

PROPERTY INFORMATION:

Owner: Robert and Heather Crabbe

Legal: PID: 012-518-140
Lot 2, District Lot 4590, Kootenay District, Plan 8258, Except Parts included in Plans 9898 and 16552

Location: Rosen Lake

Size: 5.1 ha

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.
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COMMISSION CONSIDERATION

The Commission reviewed one previous application involving the subject property:

Application #25588 (Corbett, 1984) To subdivide an 8.9 ha parcel into one 2.7 ha lot and one 6.2 ha lot. The Commission noted during the consideration of this application that there were no agricultural activities in the area and that subdivision of the surrounding properties down to 0.2 ha was previously allowed (Rosen Lake). Approved through Resolution #936/1984.

After considering the information the Commission concluded as follows:

1. 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.

The improved agricultural capability ratings identified on Canadian Land Inventory (CLI) map sheet 82G/06 for the subject property mainly consist of Class 4 and Class 5.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

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 T (topographic limitations) and P (stoniness).

Conclusion: The subject property has limited agricultural suitability given the published agricultural capability ratings and existing lot size.

2. The subject property is one of a very few small lots still retained within the ALR in the Rosen Lake area.

Conclusion: The subject property is located in an established settlement area and excluding the parcel from the ALR will not have an impact on agriculture.

IT WAS

MOVED BY: Commissioner Thibeault


SECONDED BY: Commissioner Collins

THAT the request for exclusion of the 5.1 ha subject property be approved.

AND 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 #400/2013

 - Property to be excluded from the Agricultural Land Reserve



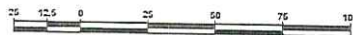
DRAFT

PROPOSED SUBDIVISION

PROPOSED SUBDIVISION OF LOT 2, PLAN 8258, EXCEPT PARTS INCLUDED IN PLANS 9898 AND 16552; AND LOTS 1 AND 2, PLAN NEP74416, ALL WITHIN DISTRICT LOT 4590, KOOTENAY DISTRICT
 Parcel boundary and distances shown hereon are derived from Land Title Office records and are subject to change upon legal survey.

April 22nd, 2013

- Possible subdivision layout of REM Lot 2, Plan 8258.
- Subdivision to be 2 phases, possible consolidation with 2 lots to the north. 5 new lots to meet minimum size for zoning.
- Pond ownership yet to be determined.
- Building locations approximate and based on aerial imagery.
- All information shown is approximate and only to be used for discussion purposes.



All distances are in metres and decimals thereof
 The intended plot size of this plan is 432mm in width by 560mm in height (C size) when plotted at a scale of 1:1250

FOCUS

File: 010042299-SDCD03-R00