



# Provincial Agricultural Land Commission - Staff Report

## Application: 52263

**Applicant:** Coldstream Ranch (2002) Ltd  
**Local Government:** District of Coldstream

**Proposal:** Gravel Extraction - The total area proposed for extraction within the remainder of Lot 203, and portions of Lots 202, 205 and Vimy Road is 3.75 ha (37,000 sq. meters). Test pits dug in those areas confirm that the gravel reserves extend from 0.8 to 4.0 m below ground surface. Assuming a conservative estimate of 3.0 m thickness (Osborn pers. comm., 2010), it is estimated that the volume of local gravel reserve is 112,500 cubic meters is available for extraction if permitted to proceed.

The proposed extraction includes a reclamation plan to improve the net agricultural capability of the site after reclamation is complete, compared to the pre-development condition. This will be accomplished by removing the steep "escarpment" slopes and creating soils and creating soils in both Nahun and Spallumcheen polygons that are more fertile, and holds moisture and nutrients better than the pre-development case.

The present application is to occur in two phases. as shown on the proposal map, topsoil from Lots 202 and 205 will be placed on the balance of Lot 206 and west, to the access road, on Lot 207. The aggregate will then be removed from the phase 1 area and then recontoured. Phase 2 will involve the removal of the topsoil from this area and placed on the Phase 1 area which has been contoured to receive topsoil for final reclamation of the site. The aggregate material will then be extracted from the Phase 2 area of Lot 203.

## BACKGROUND INFORMATION

This application to expand the existing Rosebush Gravel Pit northward came as a result of a letter received from the agent, Ted Osborn, dated November 20, 2010 requesting that the Commission reconsider its decision (Resolution #421/2009) and proposing to continue to extract gravel from Lot 203, over an area of 0.83 ha. The ALC responded via Resolution #2846/2010, that the request to continue gravel extraction from Lot 203 as proposed could continue following certain conditions, including (but no limited to) completing full rehabilitation of Lot 206 by May 31, 2011 and gravel extraction from the 0.43 ha area of Lot 203 by November 30, 2011, and that Summit, with staff from the District of Coldstream, will inspect and submit quarterly "Land Blance Reports" in 2011.

## PROPERTY INFORMATION

**PID:** 011-728-779  
**Legal Description:** Lot 202, Section 16, 20 and 21, Township 6, Osoyoos Division Yale District Plan 1216  
**Property Area:** 4.8 ha  
**ALR Area:** 4.8 ha  
**Purchase Date:** December 7, 2004  
**Location:** 10249 Vimy Road  
**Owner:** Coldstream Ranch (2002) Ltd

**PID:** 011-728-795  
**Legal Description:** Lot 203, Section 16, 20 and 21, Township 6, Osoyoos Division of Yale District, Plan 1216  
**Property Area:** 5.2 ha  
**ALR Area:** 5.2 ha  
**Purchase Date:** December 7, 2004  
**Location:** Rosebush Gravel Pit (bounded by Murphy Road to the east, Buchanan Road to the north  
**Owner:**

## PROPOSAL DETAILS

## PROPERTY INFORMATION

**PID:** 011-728-825  
**Legal Description:** Lot 205, Section 16, 20 and 21, Township 6, Plan 1216, ODYD  
**Property Area:** 4.5 ha  
**ALR Area:** 4.5 ha  
**Purchase Date:** December 7, 2004  
**Location:** Vimy Road  
**Owner:** Coldstream Ranch (2002) Ltd

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**Total Land Area:** 14.5 ha  
**Total ALR Area:** 14.5 ha

## LAND USE

### Current Land Use:

The subject area totalling approximately 3.75 ha is used as hay and pasture land.

### Surrounding Land Uses:

North: Hay and pasture land  
East: Hay and pasture land  
South: Hay and pasture land  
West: Hay or corn silage

## PROPOSAL DETAILS

**Soil Change Area:** 3.8 ha

**Agricultural Capability:** under application is rated as: Mixed Prime and Secondary

**Source:** CLI

**Mapsheet:** 82L/03

## RELEVANT APPLICATIONS

## RELEVANT APPLICATIONS

**Application ID:** 45970

**Legacy #:** 38998

**Applicant:** Coldstream Ranch (2002) Ltd

**Proposal:** To extend the boundaries of the Rosebush Gravel Pit to take out the gravel subsoils that decrease the water retention capability of the soils and to take out the steep slopes that prevent the efficient cropping of part of these areas.

The Commission allowed the extraction of approximately 3,400,000 m<sup>3</sup> of sand and gravel from an approximately 11 ha area of the 36 ha total area of the original nine subject properties. However, extraction has gone beyond the Commission's approval and the applicants are now requesting permission for areas already extracted and additional expansion to the north.

### Decisions:

Resolution #	Decision Date	Decision Description
2846/2010	November 25, 2010	Allowed, subject to conditions
421/2009	June 17, 2009	Refused as proposed. Allowed extraction from 68.6 ha of the proposed 81.5 ha area, subject to conditions. Completion of extraction and subsequent rehabilitation of Lot 204, 206, 207, 207A, 208, 209, 210, 211, 212, 215, 216 and 217. Extraction from 6 properties - Lot 194, 195, 196, 197, 197A and 203 - for a total of 12.9 ha was refused. The Commission wished to record that extraction took place and rehabilitation has been completed on Lot 202, 205, 217, 218, 219 and 220 (except for part of the west ½ of Lot 217). The Commission will consider the applicant's request to proceed with gravel extraction from portions of Lot 194, 195, 196, 197, 197A and 203 after the completion of the rehabilitation of the area required under #1 above and the final report is received and accepted by the Commission.

**Application ID:** 2413

**Legacy #:** 29101

**Applicant:** Coldstream Ranch Ltd

**Proposal:** To extract 2,000,000 - 3,000,000 m<sup>3</sup> of sand and gravel to a depth of 10 metres from 35.1 ha total area of ten (10) properties.

### Decision:

Resolution #	Decision Date	Decision Description
703/1994	June 30, 1994	Tabled until a detailed excavation and reclamation plan is submitted for review. In addition, the excavation and all topsoil sales must immediately cease until the Commission has had the opportunity to review the required plan (to be submitted within 60 days of the Commission's decision letter of July 13, 1994).

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

**Bylaw Name:** Coldstream OCP Bylaw No. 1445 (2005)

**Designation:** Agriculture

**OCP Compliance:** Yes

### Zoning:

**Zoning Bylaw Name:** Zoning Bylaw No. 1382

**Zoning Designation:** Rural Two

**Minimum Lot Size:** 2.0 ha

**Zoning Compliance:** Yes

### Comments and Recommendations:

#### Advisory Planning Committee

The APC recommends that Council direct staff to confirm Coldstream Ranch's compliance of Resolutions APC2009-004 and APC2009-005 adopted at the February 25, 2009 meeting of the APC and report to Council. Their concerns included the ratio of exposed area to reclaimed area.

## LOCAL GOVERNMENT INFORMATION

### Comments and Recommendations:

#### **Board/Council**

That the application for gravel extraction be forwarded to the ALC for adjudication with recommendations as outlined in their submission.

## ALC STAFF COMMENTS

- On November 25, 2010 the Commission approved the request to continue gravel extraction from Lot 203 as per the sketch submitted with the August 27, 2010 letter from agent Ted Osborn subject to a number of conditions including the 0.6 ha area remaining to be rehabilitated on Lot 206 be completed by May 31, 2011. A further condition from the November ALC meeting is for the submission of a "Land Use Balance" report from Summit using the May 22, 2009 report as a model and baseline for progress rehabilitation of the gravel pit site.
- The present application satisfies the above condition by removing the topsoil from Lots 202 and 205 (Phase 1) and placing the soil on the balance of Lot 206 and west, to the access road, on Lot 207.
- Once the aggregate from Lots 202 and 205 has been removed and the area contoured, the topsoil from Lot 3 (Phase 2) will be placed on the above area.
- The ability to rehabilitate Lot 3 (Phase 2) will require further expansion (and Commission approval) of the gravel extraction operation northward towards Buchanan Road.
- A Land Use Balance report was received from Summit based on a field inspection completed by Rob Kupchanko, P. Ag. on April 6, 2011. Mr. Kupchanko was accompanied by Mr. Bibby, Bylaw Enforcement Officer with District of Coldstream. The report concluded 0.88 ha of land has been successfully reclaimed since November 10, 2010, mainly Lots 210, 212, 215 and 216.

## ATTACHMENTS

52263\_ContextMap20k.pdf  
52263\_AirphotoMap5k.pdf  
52263\_AgCapabilityMap.pdf  
52263map.pdf  
52263Council.pdf  
52263presentation.pdf  
52263SummitRept.pdf

## END OF REPORT

**Prepared by:** Ron Wallace, May 2011