



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

October 9, 2012

Reply to the attention of Ron Wallace  
ALC File: 52727

Ted Osborn  
Coldstream Ranch (2002) Ltd  
P.O. Box 28070  
Coldstream, BC V1B 3L9

Dear Mr. Osborn:

**Re: Application to Remove soil and Place Fill in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 80/2012 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes

cc: District of Coldstream (11-025-ALR)  
BC Assessment, Vernon



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**A meeting was held by the Provincial Agricultural Land Commission on September 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52727.**

**COMMISSION MEMBERS PRESENT:**

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

**COMMISSION STAFF PRESENT:**

Ron Wallace	Land Use Planner
Brian Underhill	Executive Director

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**PROPOSAL**

To further expand the existing Rosebush Gravel Pit northward involving proposed Phase 3 as shown on "Map 2: Land Application for Gravel Extraction within Lots 194 – 197 and Vimy Road", prepared by Summit Environmental Consultants Inc. (Summit) and dated November 2011. Proposed Phase 4 will involve a separate future application upon substantial completion of Phase 3. The extraction and reclamation plan for this project is outlined in the report prepared by Summit entitled "Extraction and Reclamation Plan: Lots 194 – 197 and Vimy Road – Coldstream Ranch Rosebush Pit, Coldstream, BC".  
(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

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**SITE INSPECTION**

A site inspection was conducted on August 23, 2012 at the subject property. Those in attendance included Commissioners Bullock, Miles and Johnson, ALC Staff member Ron Wallace, and Applicants Ted Osborn and Jamie Johansson.

The Commissioners and ALC Staff viewed the overall operation including the sites previously mined and now fully rehabilitated, the areas mined and now in the process of rehabilitation, the current extraction site and the proposed extraction area involving the current application Phase 3 and the future Phase 4. The Commissioners observed that much of the previous extraction sites have been successfully rehabilitated to an agricultural condition and that much of these sites are being used for this purpose. Overall the Commission is satisfied that the operation is well managed and resulting in the subject sites being improved for agriculture upon completion of the rehabilitation process.

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**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**

After considering the information the Commission concluded as follows:

1. The agrologist report, noted above, was prepared to accompany the applicant's proposal to extract gravel from lands in Lots 194, 195, 196, 197 and Vimy Road within the ALR. The applicant's have expressed an interest in dividing this project into two phases (Phase 3 and Phase 4) with Phase 3 being the extent of this proposal. The goal of the project is to extract gravel from the site and then to implement a reclamation plan that will improve the agricultural land capability or maintain the current capability of the lands and thereby improve the area for farming purposes.

**Conclusion:** The extraction project, involving the proposed reclamation plan will improve the agricultural land capability or maintain the current capability of the subject lands and thereby improve the area for farming purposes.

#### **IT WAS**

**MOVED BY:**            **Commissioner Bullock**  
**SECONDED BY:**      **Commissioner Johnson**

THAT the request to expand the existing Rosebush Gravel Pit northward as outlined in Phase 3 of the proposal be approved.

AND THAT the approval is subject to the following condition(s):

- The extraction and reclamation plan be in substantial compliance with the report prepared by Summit Environmental Consultants Inc. submitted with the application.
- The continued submission of quarterly "Land Use Balance" reports throughout the duration of the gravel extraction plan.
- A member of the District of Coldstream staff (i.e. building/bylaw inspector) is to accompany the surveyor when the data is gathered for each "Land Use Balance" report.
- A final report must be submitted when rehabilitation is complete, which includes photographs showing the complete rehabilitation of the subject properties.
- Sale of topsoil from the property is prohibited.
- Construction waste on the property is prohibited.
- The District of Coldstream must be copied on each "Land Use Balance" report.

Approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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 #80/2012**

October 15, 2012

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Per:

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