



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

March 15, 2006

Reply to the attention of Ron Wallace

Edward & Margaret Lightburn  
PO Box 142  
Jaffray, BC V0B 1T0

Dear Sir/Madam:

**Re: Application # L-36446**

Lot 2, District Lot 6206, Kootenay District, Plan 2465

Lot 1, District Lot 6206, Kootenay District, Plan 2756, EXCEPT Parts Included in Plans 4683, 12439, 17858

Lot A, District Lot 6206, Kootenay District, Plan 17858

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to construct a RV park on approximately 5 ha of undeveloped land on the southeast corner of Lot 1 Plan 2756, noted above. In addition, the Commission reviewed the existing RV park operation on Lot A Plan 17858, noted above. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 3 March 2006.

The Commission writes to advise that it approved your application subject to:

- the use being restricted to the 5 ha area identified on the attached plan and to the legal boundaries of Lot A, Plan 17858 noted above.
- the construction of a Schedule D4: Wire Fabric Fence with One Strand Barbed Wire along the southern boundary of this development along the CPR right of way. See attached map for location of fence.
- the control of noxious weeds within the RV park development as necessary to limit their spread to adjacent lands.
- compliance 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. The Commission suggests you contact the Regional District of East Kootenay at your earliest convenience.

The decision noted above is recorded as Resolution #76/2006.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

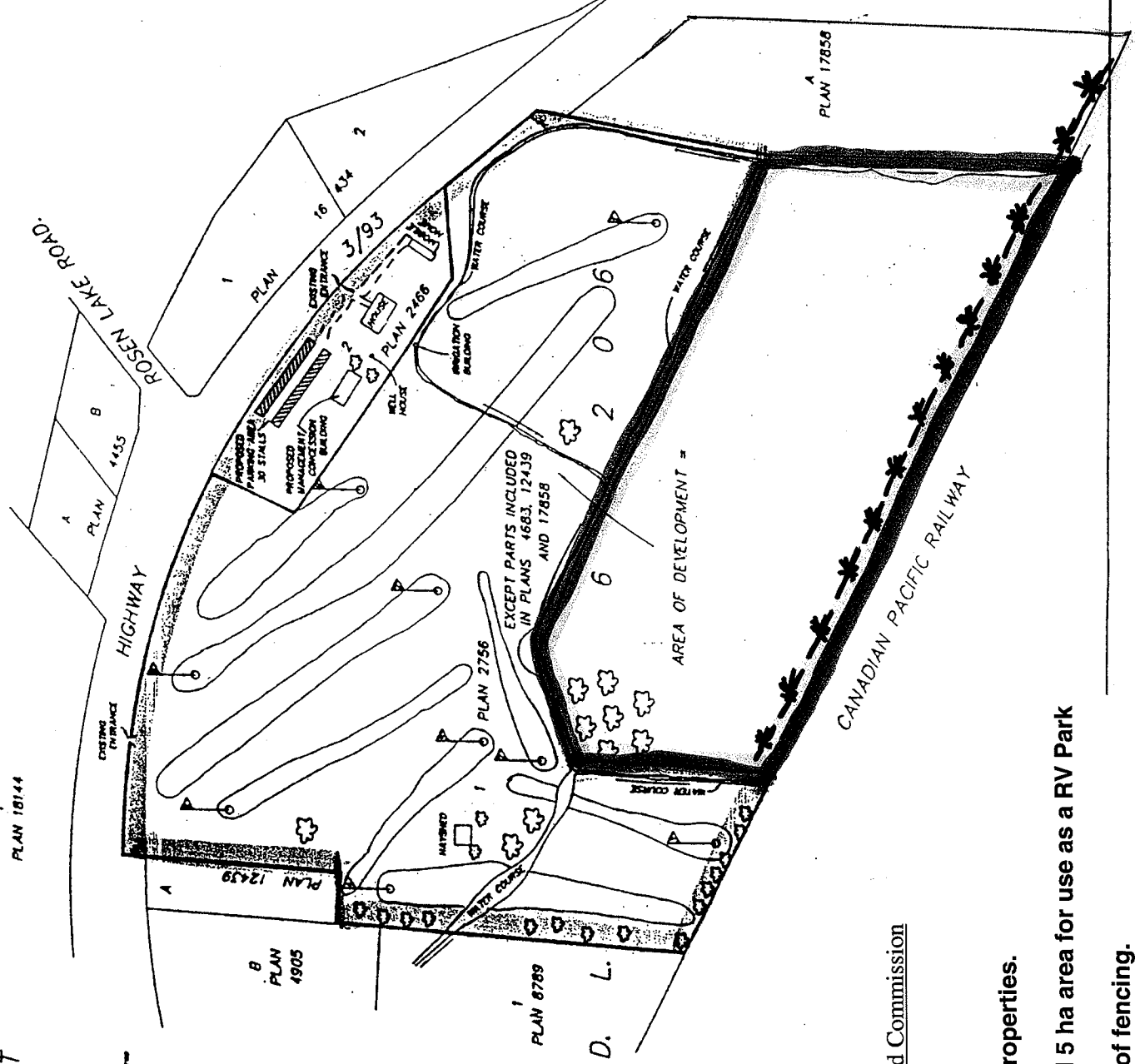
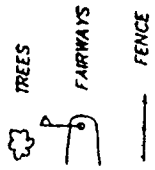
cc: Regional District of East Kootenay – P705-215  
BC Assessment, Cranbrook  
Hal Anderson, PO Box 73, Jaffray, BC V0B 1T0

RW/lv/Encl./36446d1.

PLAN SHOWING PROPOSED 9 HOLE GOLF COURSE ON LOT 2, PLAN 2466 AND LOT 1, EXCEPT PARTS INCLUDED IN PLANS 4683, 12439 AND 17858 PLAN 2756, D.L. 6206 KOOTENAY DISTRICT



JAFFRAY B.C.

SCALE 1 : 2000



Site Plan

Provincial Agricultural Land Commission  
 Application: L-36446  
 Resolution #76/2006

-  Subject properties.
-  Approved 5 ha area for use as a RV Park
-  Location of fencing.

## SCHEDULE D: FENCING SPECIFICATIONS

### D.4: WIRE FABRIC FENCE WITH ONE STRAND BARBED WIRE

1. All posts and brace poles shall be pressure treated in accordance with CSA Standard 080.5, using a wood preservative non-toxic to surrounding plant material.
2. Line posts shall be 8.0 ft. in length and 4" - 5" in diameter.
3. Corner and brace posts shall be 8.0 ft. in length and 5" - 6" in diameter.
4. Bracing poles shall be 3" - 4" in diameter.
5. All line and corner posts shall be machine pointed to permit driving of posts.
6. The wire mesh fencing material shall meet the following specifications:
  - 6.1 Minimum wire gauge - 12.5 A.W.G.
  - 6.2 Overall Height - 48"
  - 6.3 Min. number of horizontal strands - 9
  - 6.4 Max. spacing between horizontal strands - 8"
  - 6.5 Max. spacing between vertical - 16"
  - 6.6 Wire intersections of non-slip design
  - 6.7 Galvanized - CSA G164
7. The barbed wire fencing material shall meet the following specifications:
  - 7.1 Number of strands - 2
  - 7.2 Minimum wire gauge - 12.5 A.W.G.
  - 7.3 Maximum spacing between barbs - 6"
  - 7.4 Number of points per barb - 4
  - 7.5 Galvanized - CSA G164
8. Brace wire shall meet the following specifications:
  - 8.1 Number of strands - 2
  - 8.2 Minimum wire gauge - 12.5 A.W.G.
  - 8.3 Galvanized - CSA G164
9. The staples used in fence construction shall meet the following specifications:
  - 9.1 Minimum wire gauge - 9.0 A.W.G.
  - 9.2 Minimum length - 1.75"
  - 9.3 Galvanized - CSA G164
10. Line posts shall be placed no more than 10.0 ft. apart and be firmly anchored in the soil to a depth not less than 30".
11. Corner brace assemblies shall be constructed as indicated in the Schedule D.4 drawings.
12. An intermediate brace assembly shall be constructed as shown in the Schedule D.4 drawings and spaced as required by terrain or every 660.0 ft.
13. Barbed wire shall be prestretched prior to tying off. Tension wire to 600 lbs., relax to 250 lbs., then staple securely to brace assemblies. Securely staple barbed wire to line posts allowing for wire movement.

continued

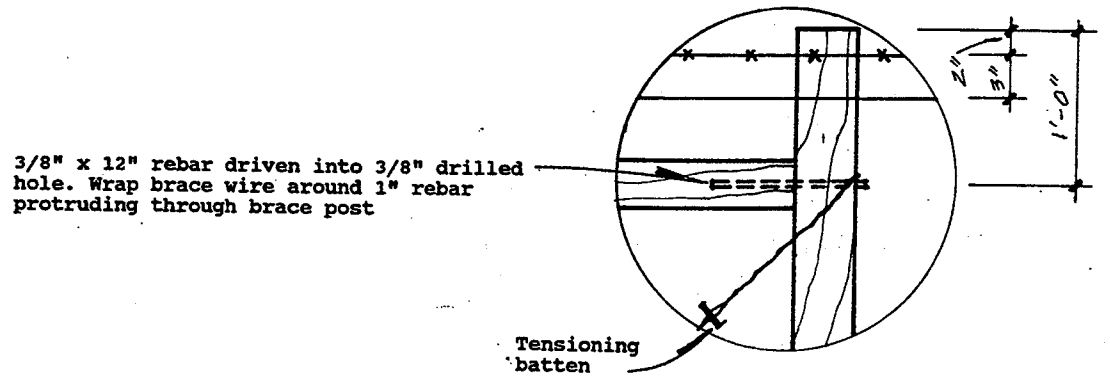
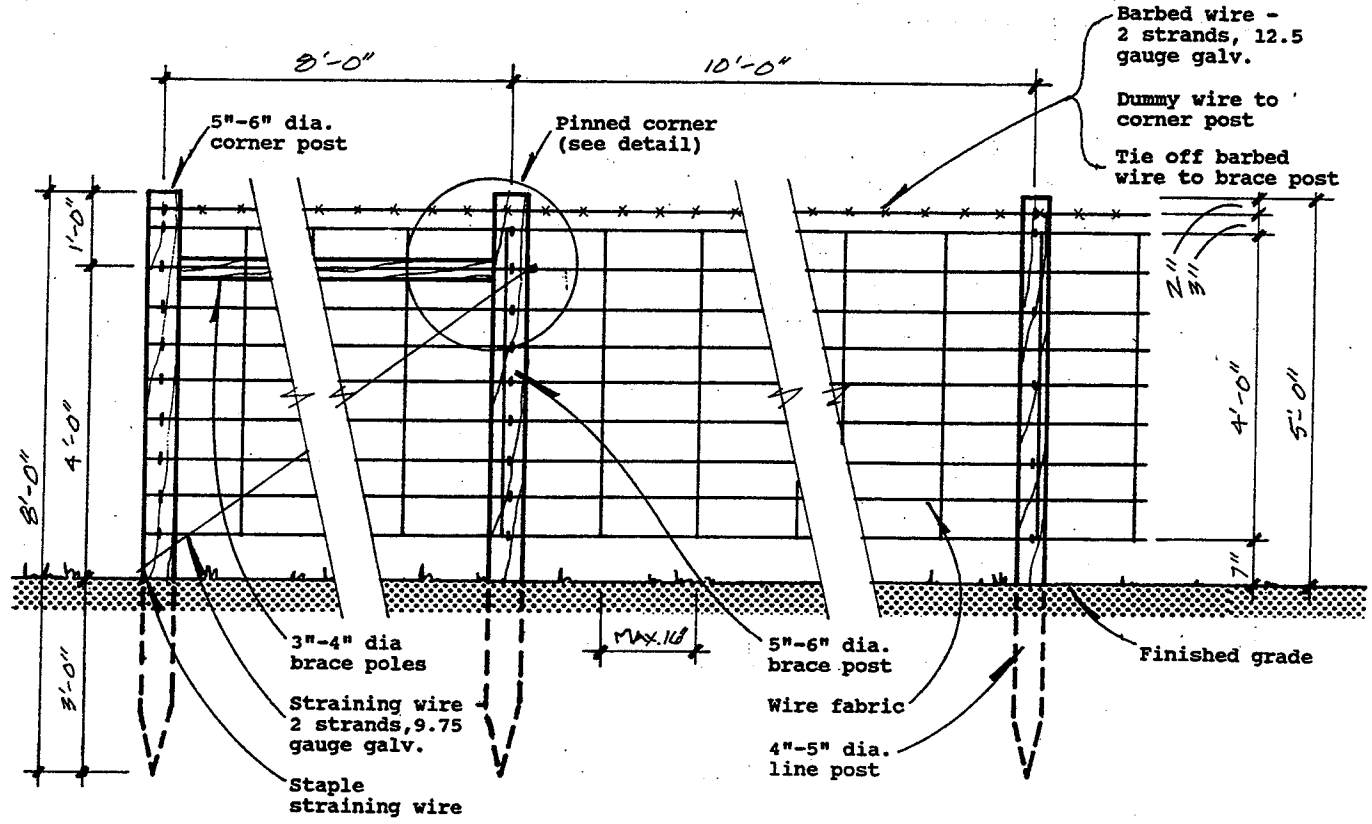
**SCHEDULE D: FENCING SPECIFICATIONS**

**D.4: WIRE FABRIC FENCE WITH ONE STRAND BARBED WIRE** (continued)

14. Wire mesh shall be stretched and securely attached by staples at each wire intersection with the brace assembly posts. At line posts, wire mesh shall be attached by staples at alternate wire intersections with posts. (see Schedule D.4 drawings) Securely staple to line posts allowing for wire movement.
15. Wire mesh and barbed wire shall be spaced as shown in the Schedule D.4 drawings.
16. The fence shall be constructed in accordance with these specifications and details provided in the Schedule D.4 drawings which forms part of these specifications.

**SCHEDULE D: FENCING SPECIFICATIONS**

**D.4: Wire Fabric Fence with One Strand Barbed Wire**



**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on 15 March 2006 via telephone.**

**PRESENT:**     Monika Marshall                             Chair  
                  Carmen Purdy                                     Commissioner

**ABSENT:**     Cheryle Huscroft                             Commissioner

**For Consideration**

Ron Wallace presented the staff report dated 9 February 2006 regarding application #L-36446, Edward and Margaret Lightburn. The application is to construct an RV park on approximately 5 ha of undeveloped land on the southeast corner of the property. The development will consist of 30 – 70 serviced sites and a building with kitchen, showers and washrooms.

**Site Inspection**

A site inspection was conducted on 3 March 2006. Those in attendance were:

- Commissioners Marshall, Huscroft & Purdy
- Agricultural Land Commission Staff: Ron Wallace, Regional Research Officer
- Agent Hal Anderson
- Applicant Edward Lightburn

The site inspection lasted from 2:45 – 3:15 p.m.

**Commission Discussion**

On 3 March 2006 the Commission noted the adjacent parcel to the east, Lot A District Lot 6206 Kootenay District Plan 17858, has an RV park operation but without Commission approval. The adjacent property to the east of the subject properties is also owned by the Lightburns. At the time the Commission felt this matter should be addressed prior to finalizing its decision with the current application.

However on 15 March 2006 when the Commission reconvened it was prepared to consider all three of the aforementioned properties in the context of the application in light of the agent, Hal Anderson, is in the process of purchasing these properties.

The Commission supported the application as proposed to construct a RV park on approximately 5 ha on the southeast corner of Lot 1 Plan 2756, in conjunction with the continued use of the adjacent parcel to the east, Lot A Plan 17858, as a RV park. However, the Commission also noted there is a ranch operation to the south of the subject properties. To help limit the impact of the RV park developments on the adjacent agricultural operation the Commission requires the construction of a page wire fence along the southern boundary of this development along the CPR right of way. In addition, the Commission requires that noxious weeds be controlled within the proposed sites as necessary to limit their spread to adjacent lands.

**IT WAS**

**MOVED BY:** Commissioner C. Purdy

**SECONDED BY:** Commissioner M. Marshall

THAT the staff report be received and the application to construct an RV park on approximately 5 ha on the southeast corner of the property, Lot 1 Plan 2756, and to maintain the existing RV park on the adjacent property, Lot A Plan 17858, be approved subject to the following:

- The construction of a Schedule D4: Wire Fabric Fence with One Strand Barbed Wire along the southern boundary of this development along the CPR right of way.
- The control of noxious weeds within the proposed sites as necessary to limit their spread to adjacent lands.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



**Staff Report**  
**Application # L – 36446**  
**Applicant: Edward & Margaret Lightburn**  
**Agent: Hal Anderson**

**DATE PREPARED:** February 9, 2006

**TO:** Chair and Commissioners – Kootenay Panel

**FROM:** Ron Wallace, Regional Research Officer

**PROPOSAL:** To construct an RV park on 4 to 5 ha of undeveloped land on the southeast corner of the property adjacent to CPR Right of Way and another RV park. The development will consist of 30 - 70 serviced sites and a building with kitchen, showers and washrooms.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

For the past thirteen years or so the subject property has been used for a golf course. However, a portion of this property was never developed as a golf course and left vacant. The applicants would like to now utilize this vacant area, approximately 5 ha, for an RV Park.

**Local Government:**

Regional District of East Kootenay

**Legal Description of Property:**

1. PID: 015-194-736  
Lot 2, District Lot 6206, Kootenay District, Plan 2465;
2. PID: 008-466-777  
Lot 1, District Lot 6206, Kootenay District, Plan 2756, EXCEPT Parts Included in Plans 4683, 12439, 17858;

**Purchase Date (m/d/y):**

02/15/1980

**Location of Property:**

2370 Highway 3/93, Will-O-Bend Golf Course, Jaffray.

**Size of Property:**



19.7 ha (The entire property is in the ALR).

**Present use of the Property:**

The property is being used as a golf course. There is a clubhouse, washrooms, workshop, storage buildings and residence on the property. The area of the property proposed for an RV park is vacant.

**Surrounding Land Uses:**

**WEST:** Ministry of Highway's yard, residence  
**SOUTH:** CPR line, ranch land  
**EAST:** Owner's residence, RV Park  
**NORTH:** Highway #3/93

**Agricultural Capability:**

Data Source: Agricultural Capability Map #  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

The property is designated Recreation Commercial (C-3) in Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw, No 1414, 1999.

**Zoning Bylaw and Designation:**

C-3, Recreation Commercial, 0.4 ha minimum lot size

**PREVIOUS APPLICATIONS:**

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**Application #26088-0**

**Applicant:** LIGHTBURN, E. & M.  
**Decision Date:** June 19, 1992  
**Proposal:** 9 hole executive golf course, clubhouse and parking area on the two lots of 1.2 ha and 20.3 ha.  
**Decision:** Conditions set.

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**Application #26088-1**

**Applicant:** LIGHTBURN, E. & M.  
**Decision Date:**  
**Proposal:** Requested to bind titles rather than consolidate by survey as required, also accept perimeter fencing as meeting the intention of the fencing requirements.  
**Decision:**

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**Application #26088-2**

**Applicant:** LIGHTBURN, E. & M.  
**Decision Date:** June 03, 1997  
**Proposal:** Request an assessment as to the necessity to renew the letter of Credit July 1997. Applicant indicates that the golf course is fully developed and operational and all terms and conditions have been complied with.  
**Decision:** Allow release of bond as requested on grounds that golf course is operational and all conditions of approval have been met.

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**Application #19054-0**

**Applicant:** Lightburn, Ed & Margaret  
**Decision Date:** August 25, 1987

**Proposal:** To subdivide 1.8 ha off the eastern portion of the subject property for the applicant's son who has his mobile home and butcher shop business on this part of the property.  
**Decision:** The Commission felt the subdivision would likely encourage the family business of beef and poultry farming. The application was allowed.

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**RELEVANT APPLICATIONS:**

**Application #28513-0**

**Applicant:** Lightburn, Edward & Margaret  
**Decision Date:** February 21, 1994  
**Proposal:** To develop a 31 unit campground and RV Park (9 fully serviced, 22 unserviced) on the 2.0 ha subject property. This is the property that was created by application #19054 noted above.  
**Decision:** The application be refused as submitted on the grounds of agricultural potential.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional Board**

The Regional Board supported the application for non-farm use to develop an RV park on the Will-O-Bend Course property in Jaffray.

**Advisory Planning Commission**

The APC for Area B supports the application with the recommendation that the campground area be enclosed by solid wire fencing to prevent off road recreational vehicles entering or leaving the area.

**Agricultural Advisory Committee**

Supported the application as presented.

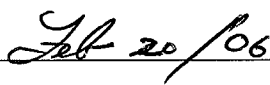
**STAFF COMMENTS:**

Staff recommends that the Commission consider the following:

- The whole property has been approved for golf course development.
  - The Regional Board, Advisory Planning Commission, and the Agricultural Advisory Commission all support the application. However, the APC included the recommendation that the campground area be enclosed by solid wire fencing to prevent off road recreational vehicles entering or leaving the area.
  - It should be noted that the Commission refused an application to develop an RV park on the adjacent parcel to the east (#28513 noted above). The RV Park is present on the property.
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**END OF REPORT**

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

ALR

S.L. 3

PLAN 2345

Sand Creek

Subject Properties  
L 6202

PLAN 2272

2

Pcl. A  
PLAN 20286'

PLAN 4905  
A B  
PLAN 8789  
I

PLAN 4455  
A B C  
PLAN 4459  
A  
PLAN 4641  
A B C  
PLAN 4871  
A  
PLAN 5014  
A  
PLAN 7107  
A B C  
PLAN 9854  
B  
PLAN 2465  
2

5

PLAN 2756

PLAN 4683  
L 9605

9605  
PLAN 3261'

L2

L6343

Constituent

Map # 5

Scale: 1:10,000

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