



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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Fax: 604 660-7033
www.alc.gov.bc.ca

July 17, 2006

Reply to the attention of Ron Wallace

Elk River Management Group Inc.
PO Box 568 – 791 – 7th Avenue
Ferne, BC V0B 1M0

Attention: Paul Samycia

Re: **Application # L-36633**
District Lot 6102, Kootenay District
District Lot 8280, Kootenay District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to build a fly fishing lodge on a portion of District Lot 8280 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 July 12, 2006. The Commission found the meeting and site visit informative.

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

- the lodge facility being limited to a maximum of 10 guests or 10 sleeping units. This approval is for either up to 10 seasonal cabins with a central lodge or a single lodge facility containing up to 10 sleeping units.
- 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 District of Sparwood at your earliest convenience.

The decision noted above is recorded as Resolution #365/2006.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: District of Sparwood

RW/lv
36633d1.

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on June 28, 2006 in Cranbrook, B.C.

PRESENT: Monika Marshall Chair
 Carmen Purdy Commissioner

STAFF: Ron Wallace, Land Use Planner

For Consideration

Ron Wallace presented the staff report dated May 18, 2006 regarding application #L-36633, Elk River Management Group Inc. The application is to build a fishing lodge on the subject property.

Site Inspection

A site inspection was conducted on June 28, 2006. Those in attendance were:

- Commissioners Marshall & Purdy
- Agricultural Land Commission Staff: Ron Wallace, Land Use Planner

The site inspection lasted from 11:45 a.m. to 12:15 p.m.

Commission Discussion

The Commission noted that the applicant was not specific with the size or number of guests proposed for the fishing lodge facility. Therefore the Commission was prepared to support a fishing lodge facility that would accommodate up to 10 guests or 10 sleeping units. It would support either up to 10 seasonal cabins with a central lodge or a single lodge facility containing up to 10 sleeping units. The Commission set the limit of 10 sleeping units based on its accommodation regulation for agri-tourism.

IT WAS

MOVED BY: Commissioner M. Marshall
SECONDED BY: Commissioner C. Purdy

THAT the staff report be received and the application to build a fishing lodge on the subject property be approved subject to the conditions noted above.

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

CARRIED



Staff Report
Application # L – 36633
Applicant: Elk River Management Group Inc

DATE PREPARED: May 18, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: To build a fly fishing lodge on the property.

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

BACKGROUND INFORMATION:

There has been one previous application on the subject property in 1978 for gravel extraction, see below for details.

Local Government:

District of Sparwood

Legal Description of Property:

1. PID: 014-838-583
District Lot 6102, Kootenay District;
2. PID: 012-644-307
District Lot 8280, Kootenay District;

Purchase Date (m/d/y):

2004-06-24

Location of Property:

Sparwood, BC

Size of Property:

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

Present use of the Property:

vacant and used for personal wilderness recreation

Surrounding Land Uses:

WEST: Crown land (partially logged)
SOUTH: Recreation and summer cattle grazing
EAST: Elk Rivers
NORTH: Crown land (partially logged)

Agricultural Capability:

Data Source: Agricultural Capability Map # 82G/10
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

Sparwood Community Plan

Zoning Bylaw and Designation:

Zoning Bylaw no. 264 (1981)
Minimum parcel size 2 ha.

PREVIOUS APPLICATIONS:

Application #06148-0

Applicant: McGauley Ready Mix Concrete
Decision Date: January 08, 1978
Proposal: Remove gravel and process on Lot 8524 S.D. for ready mix concrete operation for Sparwood Dist.
Decision: Allowed with conditions

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Local Council

District of Sparwood Council: Forwarded with a recommendation of support.

Local Government Staff

Planning Staff: The property and the proposed location of the Cabin or Lodge lies within floodplain and is subject to the development approval process. the owner previously applied to construct a storage shed and approval was granted subject to certain requirements. The proposed use needs further clarification on the number of guests etc. to determine if it falls under or close to Bed and Breakfast provisions or if it extends to a hotel. (From discussion with one of the owners I understand that the use is expected to be in the 6-12 guest range. Approval for non-farm use recommended, subject to other necessary approvals.

STAFF COMMENTS:

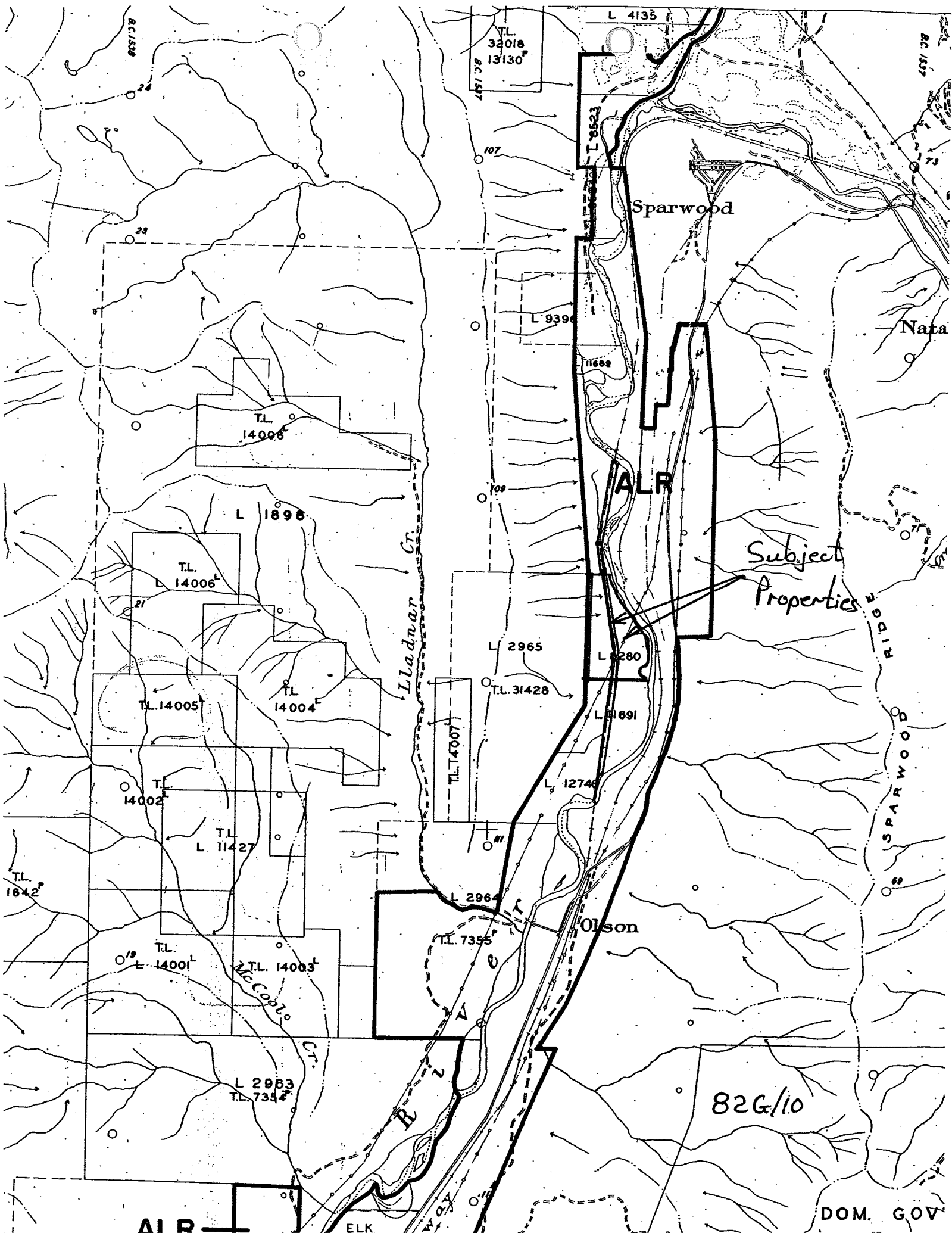
Staff provided the following comments:

- The agricultural capability of the subject property adjacent to Elk River is Class 4 with rocky soils and soil moisture deficiency limitations. The agricultural capability of the land west of the railway tracks is Class 6 and 7 with topography and rocky conditions.
- Support for this use could encourage other non-farm development proposals in the area.
- An on-site will benefit the Commission in determining the suitability of this development on the subject property.

END OF REPORT


Signature

Date 19 May 2006



Sparwood

Nata

Subject Properties

ALR

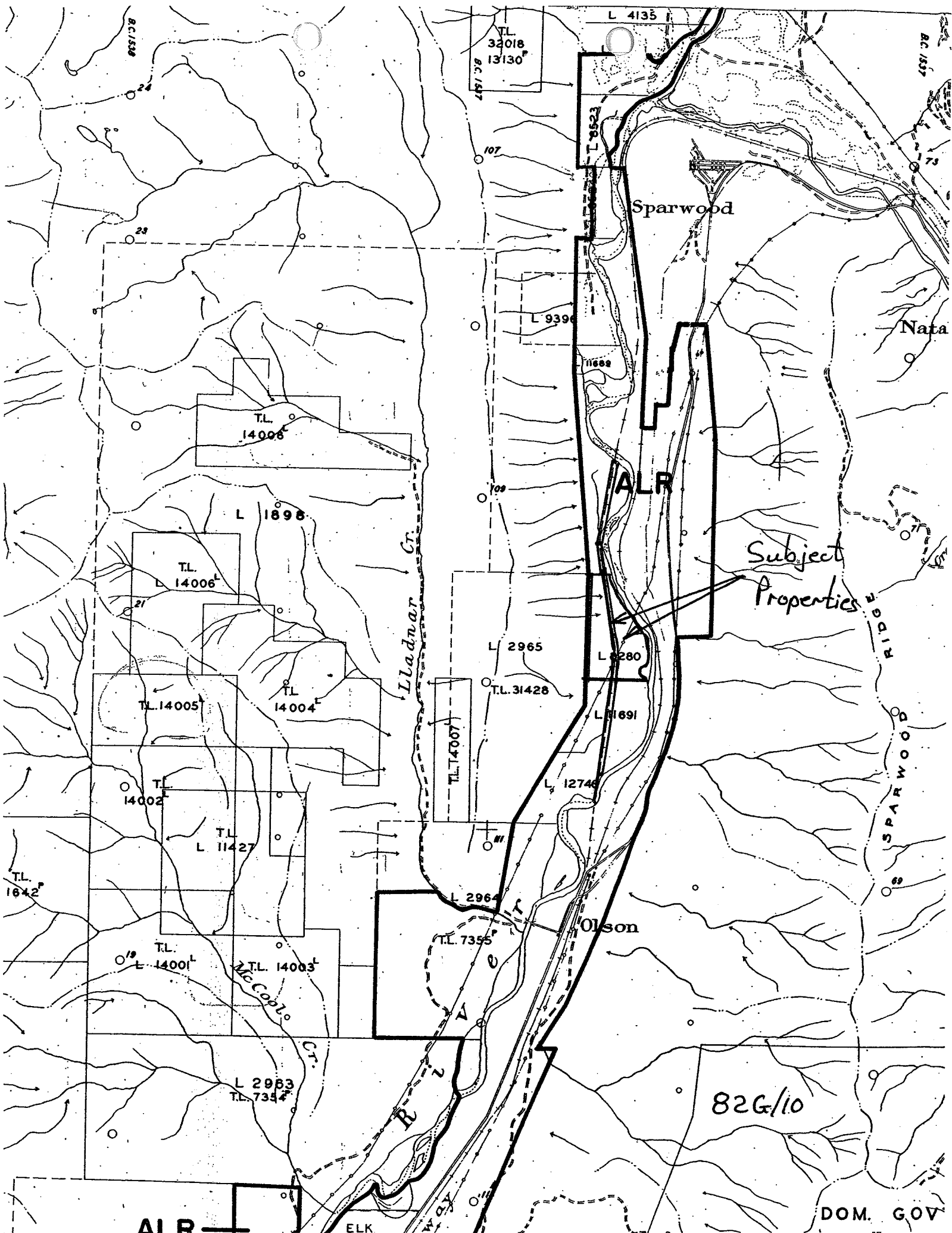
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