



**Agricultural Land Commission**  
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[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

December 14, 2006

Reply to the attention of Gordon bednard  
ALC File: L-36756

The Clear Sky Meditation and Study Foundation  
PO Box 19, 3567 Cockell Road, Rural Cranbrook  
Fort Steele, BC V0B1N0

Dear Sir/Madam:

**Re: Application for Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 613/2006 outlining the Commission's decision as it relates to the above noted application

Please also find attached a copy of the ALC Regulations. You will note that sections 2 and 3 list activities allowed without application to the Commission on properties with farm assessment. More information can be obtained from the Commission website at [www.alc.gov.bc.ca](http://www.alc.gov.bc.ca), or by calling Gordon Bednard at 604-660-7011(direct).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of East Kootenay (#P-706-312)

GB/lv/Encl.: Minutes/Regulations  
36756d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on October 18, 2006 at Cranbrook, B.C.

<b>PRESENT:</b>	Monika Marshall	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	Erik Karlsen	Chair, ALC
	Gordon Bednard	Staff, ALC

### For Consideration

Application: # L- 36756  
Applicant: The Clear Sky Meditation and Study Foundation  
Proposal: To use the 124 ha property as a Buddhist retreat and teaching centre. Specific improvements proposed are to use 0.34 ha of the property to build two new structures.  
Legal: PID: 010-672-273  
Location: Lot A, District Lot 313, Kootenay District, Plan 17828  
Fort Steele

### Site Inspection

A site inspection was conducted on October 17, 2006. Those in attendance were:

Monika Marshall	Chair, Kootenay Panel
Carmen Purdy	Commissioner
Erik Karlsen	Chair, ALC
Gordon Bednard	Staff, ALC
John Dejaridin, Maureen Smith	representing the owners

The Commission toured the area of the property proposed for the retreat and teaching centre and discussed the proposal with representatives of the owner.

### Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. 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.

**Discussion**

**Assessment of Impact on Agriculture**

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the subject property was a large lot, within an area of large ranching properties. There is little non-farm development in the area. The Commission feels it would be inappropriate to introduce such a non-farm activity into this farming area.

**IT WAS**

**MOVED BY:** Commissioner Monika Marshall

**SECONDED BY:** Commissioner Carmen Purdy

THAT the application be refused. However, the Commission requests staff remind the applicant that properties with farm assessment are allowed a range of activities within the ALR including construction of some seasonal accommodation. The Commission suggests the applicant review the Regulations to see if some of their goals can be realized within the existing regulations.

**CARRIED**

**Resolution # 613/2006**



**Staff Report**  
**Application # L – 36756**  
**Applicant: The Clear Sky Meditation and Study Foundation**

**DATE RECEIVED:** June 15, 2006

**DATE PREPARED:** September 1, 2006

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

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To use the 124 ha property as a Buddhist retreat and teaching centre. Specific improvements proposed are to use 0.34 ha of the property to build two new structures.

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

**BACKGROUND INFORMATION:**

The applicants are proposing to build two structures in order to expand their Buddhist teaching operations.

1. a two storey teaching hall (approximately 109 m<sup>2</sup>)
2. a new teacher residence/caretaker's residence (approximately 50 m<sup>2</sup>) (in place of the existing mobile home to take advantage of the existing septic tank, hydro & water source.

The applicants have outlined in detail their plans to build two structures on the property and to use the property for non-farm uses. They have also indicated that they plan on cultivating 8 ha of the property and have started working towards eradicating weeds on the property. They are planning on restoring much of the property to a natural mountain grassland state. Several letters of support were received from various individuals who have worked with the applicants on their plans for the property so far.

**Local Government:**

Regional District of East Kootenay

**Legal Description of Property:**

PID: 010-672-273

Lot A, District Lot 313, Kootenay District, Plan 17828

**Purchase Date:**

November 2004

**Location of Property:**

Fort Steele

**Size of Property:**

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

**Area Proposed for Non-farm Use.**

0.3 ha

**Present use of the Property:**

Centre for teaching courses on Buddhist philosophy/meditation and various kinds of healing, one permanent dwelling, one mobile home, a pole barn, horse grazing and 8 ha of hay field. The remainder is unimproved.

**Surrounding Land Uses:**

**WEST:** Ranch (ALR)  
**SOUTH:** Ranch (ALR)  
**EAST:** Crown land and 4 ha private lot (ALR)  
**NORTH:** Crown land (ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82G/6 & G/11  
The majority of the property is identified as having Prime Dominant ratings.

**Official Community Plan and Designation:**

Fort Steele - Bull River Land Use Bylaw No. 1804, 2005 designates the property as RR-60 (Rural Resource)  
Minimum Parcel size 60 ha.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Advisory Planning Commission - Area C:** The committee unanimously agreed to support the application by Clear Sky


**Agricultural Advisory Committee:** The AAC supports the application

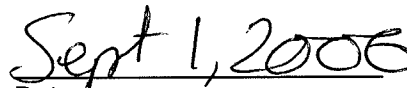
**Regional District of East Kootenay Board:** The Regional Board support the application for non-farm use to establish a rural retreat.

**ATTACHMENTS:**

- Proposal for use of property including maps (Submitted by the applicant)
- Map: ALR Context map (82G/6 and G/11 (1:50,000))

END OF REPORT /

  
Signature

  
Date