



**Agricultural Land Commission**  
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Reply to the attention of Terra Kaethler  
ALC File: F-37558

October 3, 2007

R. Spetifore & Sons Ltd.  
896A Reclamation Road  
Creston, BC V0B1G7

Dear Sir:

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

Please find attached the Minutes of Resolution # 476/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Central Kootenay (4035-20-A0715C-02284)

Enclosure: Minutes/Sketch Plan

TK/37558d1.doc

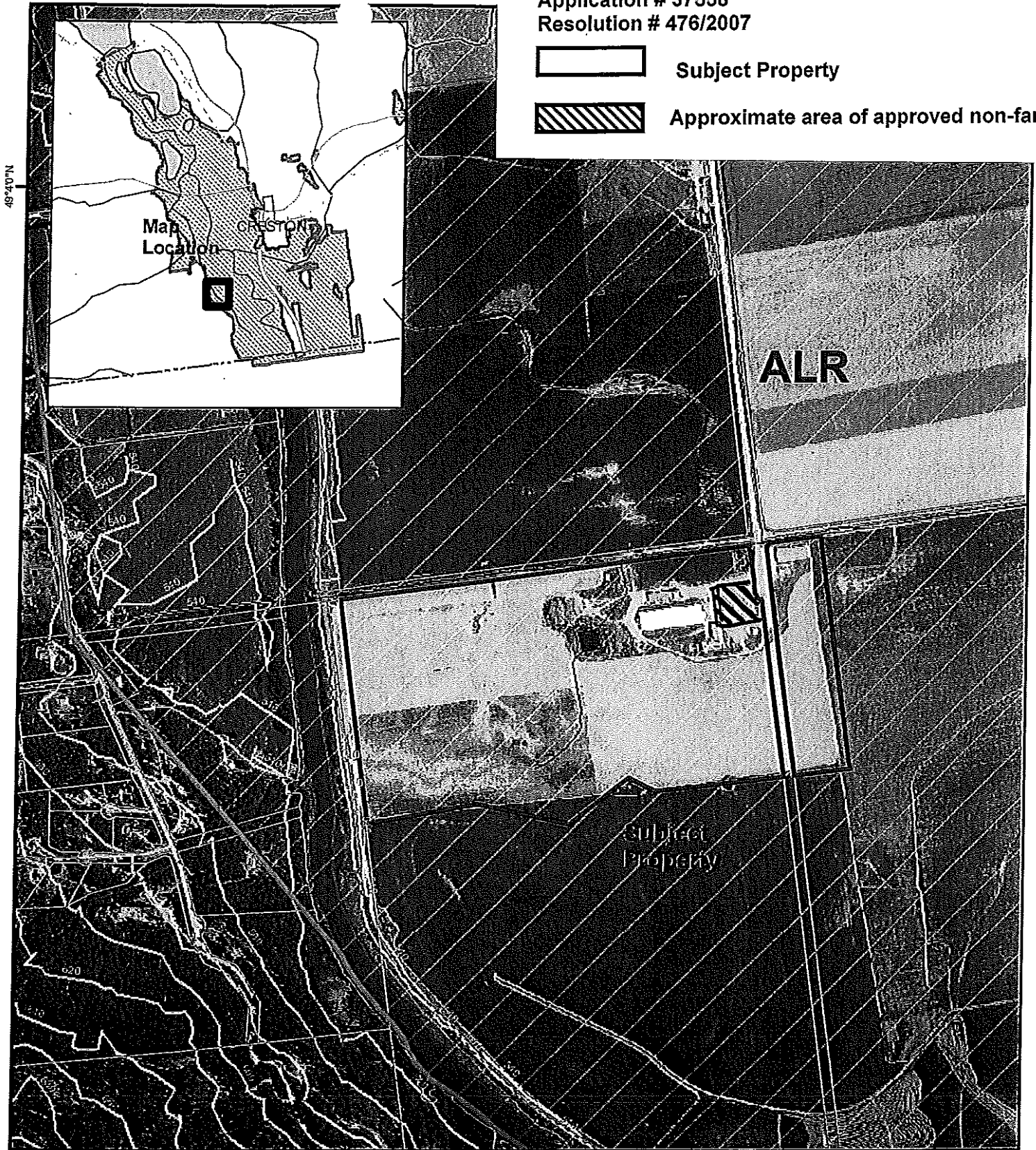
Provincial Agricultural Land Commission  
Application # 37556  
Resolution # 476/2007



Subject Property



Approximate area of approved non-farm use



ALC File #: 21-2007-37558

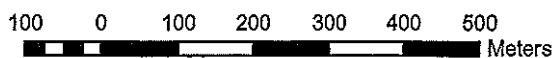
Mapsheet #: 82F.008

Map Produced: Aug 13th, 2007

Regional District: Central Kootenay

Provincial Orthophoto  
(2005)

Map Scale: 1:10,000





**A meeting was held by the Provincial Agricultural Land Commission on September 06, 2007 in Nelson, B.C.**

**PRESENT:**     Monika Marshall                             Chair, Kootenay Panel  
                  Carmen Purdy                                 Commissioner  
                  D. Grant Griffin                             Commissioner  
                  Terra Kaethler                                Staff

**For Consideration**

Application:     # F- 37558  
Applicant:       R. Spetifore & Sons Ltd.  
Proposal:        Non-farm use to use the existing building as a bottled water facility.  
                  All roads and parking are presently in existence. Existing building  
                  was built in the 1970's and was used for food processing. All water  
                  lines dam and resevoir are in place.  
Legal:            PID: 011-724-340  
                  Lot 1, District Lot 774, Kootenay District, Plan 11059  
Location:        896A Reclamation Road, Creston

**Site Inspection**

A site inspection was conducted on September 4, 2007. Those in attendance were:

- Monika Marshall             Chair, Kootenay Panel
- Carmen Purdy                Commissioner
- D. Grant Griffin             Commissioner
- Terra Kaethler              Staff
- Greg Spedifore              Applicant

The Commission met with the applicant and toured the existing building. It noted that the large building was built in the 1970's and was intended as a potato processing facility. It is currently empty and not being used for the existing farm business.

**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 discussed the impact of the increased truck traffic. The applicant confirmed that the anticipated number of trucks would be one per hour to a maximum of 15 trucks a day. As well, the Commission discussed that the bottling plant should not divert water from agricultural production.

As the building and infrastructure already exist and no expansion has been indicated, the Commission does not believe the proposal would further impact the existing or potential agricultural use of the subject property or surrounding lands.

### **Conclusions**

1. That the proposal will not impact agriculture.

### **IT WAS**

**MOVED BY:** Commissioner Griffin

**SECONDED BY:** Commissioner Purdy

THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- Approval for non-farm use is granted for the bottling of water in the existing structure.

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 # 476/2007**



**Staff Report**  
**Application # F – 37558**  
**Applicant: R. Spetifore & Sons Ltd.**

**DATE RECEIVED:** July 16, 2007

**DATE PREPARED:** August 17, 2007

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

**FROM:** Terra Kaethler, Land Use Planner

**PROPOSAL:** Non-farm use to use the existing building for a water bottling facility.  
This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

The proposed water bottling plant would be in an existing building was built in the 1970's and was used for food processing. All roads and parking are presently in existence. All water lines dam and reservoir are in place.

**Local Government:**

Regional District of Central Kootenay

**Legal Description of Property:**

PID: 011-724-340  
Lot 1, District Lot 774, Kootenay District, Plan 11059

**Purchase Date:**

April 02, 1986

**Location of Property:**

896A Reclamation Road, Creston

**Size of Property:**

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

**Present use of the Property:**

Seed and fresh pack potato production: office, processing building, two storage buildings, shed, equipment storage shop

**Surrounding Land Uses:**

**WEST:** Old Kootenay Channel River  
**SOUTH:** Grain Farm  
**EAST:** Grain Farm  
**NORTH:** Beef Farm

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82F/2  
The majority of the property is identified as having Prime Dominant ratings of Class 2.

**Official Community Plan and Designation:**

OCP: Bylaw No. 1575  
Designation: AG3 Agriculture

**Zoning Bylaw and Designation:**

Zoning: Bylaw No. 1675  
Designation: AG3  
Minimum Lot Size: N/A

**PREVIOUS APPLICATIONS:**

**Application #04459-0**

**Applicant:** Swan Valley Foods Ltd.  
**Decision Date:** June 2 1977  
**Proposal:** To complete construction of a potato processing facility and to subdivide a 40 ha parcel  
**Decision:** Approved. This subdivision created the subject property.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional Board:** Referred to the Area Director. No comments or recommendations.

**Local Government Staff:** "The RDCK is currently processing a bylaw amendment application which if adopted would change the designation of a 10 ha portion of the property associated with the existing agricultural processing facilities area to Light Industrial which would accommodate the proposed water bottling plant as well as the current potato seed operation."

**STAFF COMMENTS:**

The property is surrounded by agricultural uses and high soil capabilities. Although it does not appear that the current footprint on the property will be expanded as the existing processing building will be used for the proposal, a site visit may help the Commission to determine the impact of this particular use on the subject property and the surrounding lands.

**ATTACHMENTS:**

- Aerial Photo (RDCK)
- Context Map 1:50,000
- ALC Orthophoto

**END OF REPORT**

