



Agricultural Land Commission Staff Report

DATE: July 15, 2009
TO: Vice Chair and Commissioners - Kootenay Panel
FROM: Martin Collins

RE: Application # 45900
PROPOSAL: To extract 160,000 cubic meters of sand over five years from a 1.6 ha site to a depth of 7 meters, for a ready mix concrete business.

PROPOSAL INFORMATION

Background: Photographs submitted with the application indicate that the gravel pit currently exists
Received Date: April 8, 2009
Applicant: Tim and Corinne Fox
Agent: Andrew Madell
Local Government: Regional District of East Kootenay

DESCRIPTION OF LAND

PID: 015-072-193
Legal Description: Lot 1, District Lot 4590, Kootenay District, Plan 2992 (See Crown Grant as to Limited Access)
Civic Address:
Area: 42.5 ha
ALR Area: 42.5 ha
Purchase Date:
Owners: Alva and Gordon Soppit
Tim Fox

PID: 026-181-193
Legal Description: Lot A, District Lot 284, Kootenay District, Plan NEP77399
Civic Address:
Area: 55.8 ha
ALR Area: 55.8 ha
Purchase Date:
Owner: Tim and Corinne Fox

Total Land Area: 98.3 ha
Total ALR Area: 98.3 ha

Current Land Use: Gravel pit, forested land, intermittent grazing

PROPOSAL DETAILS

Soil Change

Area	Agricultural Capability	Agricultural Capability Source
1.6	Secondary	CLI

Activity	Volume (m3)	Depth (m)	Material Description
Remove Fill	160,000.0	7.0	Sand

On- site processing: Yes

Reclamation plan prepared by Professional Agrologist: No

Reclamation Measures: Stripping and storage of topsoil/overburden for replacement at the end of the pit's life.

Project End Date: July 15, 2014

Surrounding Land Uses:

North	160 ha Forested ALR parcel used for grazing
East	Crown, non ALR parcel
South	40 ha rural residential forested parcel
West	DL 284 - ALR parcel used for grazing

Official Community Plan

Bylaw Name: No OCP exists for the area

Designation: N/A

OCP Compliance:

Zoning

Zoning Bylaw Name: Fort Steele - Bull River Land Use Bylaw

Zoning Designation: RR-60 Rural Resource Zone

Minimum Lot Size: 60.0 ha

Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 16960

Applicant: Tim Fox

Proposal: To subdivide the subject property into two roughly equal parcels as divided by Wardner/Fort Steele Road. The applicants' father owned the property since 1939 and with his recent passing has bequeathed the property to his two sons. With subdivision each

Decisions:

Resolution

Number	Decision Date	Decision Description
308	May 24, 2001	Refused as the proposed subdivision would reduce the agricultural potential of the property.

Note: Upon reconsideration, the subdivision request was allowed subject to the binding of titles of two nearby grazing properties. One of the subject properties (Lot A) was created by the subdivision

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	Supports the proposed Fox/Soppit Sand Pit

STAFF COMMENTS

Staff suggests that the Commission consider the following:

- 1) The 1.6 ha area under application has very limited agricultural capability.
- 2) Appropriate topsoil stripping and storage , and the eventual reclamation of the 1.6 ha site will result in no net loss of agricultural potential, and may even eventually enhance agricultural potential.
- 3) It is recommended that a financial security be required should the application be approved which would ensure appropriate reclamation.

ATTACHMENTS

- 38938(45900)sketchplan.pdf
- 38938(45900)airphoto.pdf
- 38938 - ContextMap20k.pdf

END OF REPORT

Signature

Date