



Provincial Agricultural Land Commission - Staff Report

Application: 51850

Applicant: Gerald Gagne Enterprises Ltd
Local Government: Regional District of East Kootenay

Proposal: To strip the topsoil and remove the sand and gravel from approximately 8.1 ha of the subject property. The impacted 8.1 ha portion of the property will be rehabilitated, seeded to hay upon completion of the project.

BACKGROUND INFORMATION

The applicant has not provided a professional report for this project. The topsoil from the site will be stockpiled into a mound measuring 100 ft. wide by 60 ft. high. The applicant's plan is a 20 year term where the land is reclaimed and seeded to hay as the extraction is completed.

PROPERTY INFORMATION

PID: 013-282-570
Legal Description: District Lot 297 Kootenay District, Except (1) Parcel 1 (Reference Plan 525931) and (2) Part Included in Plans 8124 and R28
Property Area: 232.5 ha
ALR Area: 170.0 ha
Purchase Date: August 10, 1998
Location: 7330 Hidden Valley
Owner: Gerald Gagne Enterprises Ltd

LAND USE

Current Land Use:

The property is assessed as a beef farm. The proposed sand and gravel extraction area is separate from the beef production area of the property.

Surrounding Land Uses:

North: Farm
East: Farm
South: Vacant
West: Gravel Pit

PROPOSAL DETAILS

Soil Change Area: 8.1 ha

Agricultural Capability: under application is rated as: Secondary

Source: CLI

Mapsheet: 82G/5

PREVIOUS APPLICATIONS

PREVIOUS APPLICATIONS

Application ID: 25276

Legacy #: 10610

Applicant: W R & F Johnson

Proposal: To exclude a 6.1 ha portion of the ALR area of the subject property.

Decision:

Resolution #	Decision Date	Decision Description
2139/1980	December 2, 1980	Refuse on the grounds that exclusion of the area around the lake would adversely affect the operation of the existing ranch unit. Although it was recognized that the area requested for exclusion was marginal for agricultural use, the intrusion of non-farm uses would in the opinion of the Commission, invariably create an adverse effect on the property for agricultural use. The Commission would have no objection to the area outside the ALR being used to locate cabins provided access to this area is located next to the gravel pit.

Note: Legacy file #02-80-10610

RELEVANT APPLICATIONS

Application ID: 43784

Legacy #: 37227

Applicant: Richard and Brenda Metheral

Proposal: To exclude the 31.9 ha subject property from the ALR.

Decision:

Resolution #	Decision Date	Decision Description
153/2007	March 20, 2007	Not in ATS

Note: Legacy file #02-07-37227, located to the south of the subject property.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Moyie & Area Land Use Bylaw

Designation: RR-60, Rural Resource

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: N/A

Zoning Designation: Rural Resource

Minimum Lot Size: 60.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Advisory Planning Committee

The APC for Area C recommended approval.

Agricultural Advisory Committee

The AAC support the application as presented and noted no agricultural concerns.

Board/Council

The RDEK Board reviewed this application at its meeting on July 9, 2010. After consideration, the Board adopted Resolution 41620 in support of the non-farm use application for sand and gravel removal.

Planning Staff

The non-farm use be supported as it is consistent with the permitted uses in the RR-60 zone.

ALC STAFF COMMENTS

As the subject property is assessed as a beef farm an on-site is required to ensure there is no potential impact of

ALC STAFF COMMENTS

the proposed sand and gravel operation.

However the application was received with very little information about how this project will be conducted. as a result the following information would be useful prior to review of this application.

•A map of the property showing:

- the specific areas proposed for extraction;
- additional areas set aside for stockpiling salvaged topsoil, finished aggregate product, weigh scales, processing equipment and infrastructure (screens, conveyors, etc.), buildings (office, sheds, etc.). These areas, along with the roadways, represent the ' active' areas of the project. Should a bond be required, the financial amount will, in part, be based on the extent of the ' active areas' ; and
- the location of all roadways providing access and egress to the extraction site

•A soil stripping, salvage and reclamation plan, including:

- a volume estimate of salvageable ' topsoil' material;
- proposed methods for protecting stockpiles of salvaged surface soils, particularly from disturbance caused by heavy equipment and machinery as well as ' off-road' recreational vehicles. This may include fencing or other types of physical barriers;
- proposed methods for protecting the stockpiles of salvaged surface soils from soil erosion due to wind (e.g. vegetative planting, wind-breaks such as snow fencing, etc.);
- proposed methods to control surface runoff and the potential erosion and transport of suspended sediments beyond the site, particularly from entering any nearby watercourses (i.e. interception ditches, buffer strips, etc.). Of concern in this regard is the potential for runoff resulting from high intensity rainfall events and/or rapid snowmelt, particularly over the compacted pit floor and other heavily trafficked areas such as roadways, as well as potential erosion on exposed back and side-walls or other side-cuts;
- a description of how the salvaged ' topsoil' will be replaced and distributed on the disturbed site, with consideration given to replacing most of the material on the more level reclaimed areas while still ensuring there is suitable and sufficient soil material on the steeper slopes upon which to establish a protective vegetative cover.

ATTACHMENTS

51850_ContextMap50k.pdf
51850_AgCapabilityMap.pdf
51850_AirphotoMap25k.pdf
51850govreport.pdf

END OF REPORT

Prepared by: Ron Wallace, October 14, 2010