



Agricultural Land Commission
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www.alc.gov.bc.ca

February 17, 2014

ALC File: #53102

Bruce Woodbury
Headwaters Development
PO Box 221
Canal Flats, BC
V0B 1B0

Dear Mr. Woodbury:

Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #301/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly. The Commission has also attached a sketch plan depicting the decision.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Lindsay McCoubrey', is written over a horizontal line. The signature is fluid and cursive.

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #300/2013
Sketch plan

cc: Regional District of East Kootenay (File: P 712 609)
BC Assessment

53102d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 28, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53102.

COMMISSION MEMBERS PRESENT:

Gordon Gillette	Vice-Chair
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Colin Fry	Executive Director

PROPOSAL Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*

To use approximately 2 ha of the 7.7 ha subject property to park trucks.

PROPERTY INFORMATION:

Owner: George and Jeanette Lautrup

Agent: Bruce Woodbury – Headwater’s Development

Legal: PID: 015-926-681
Lot 14, District Lots 353 and 9040, Kootenay District, Plan 1164

Location: Edgewater

Size: 7.7 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.
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COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. The Commission considered the agricultural capability of the subject property.

Conclusion:

The Commission noted that the Canada Land Inventory agricultural capability rating for the proposed truck parking area is 6T. The Commission noted that the proposal area is debilitated due to long term sawmilling activities. The primary limiting factor for soil bound agriculture is topography.

2. The Commission considered the agricultural impacts of the proposed non-farm use.

Conclusion:

The Commission noted that non-farm uses on this 2 ha portion of the property are longstanding and largely buffered from agriculture by natural forested areas. The remainder of the property to the west is improved for agriculture. The Commission concluded there would likely be no significant impacts on agriculture arising from this truck parking use. However, the Commission is only prepared to allow the non-farm use for a six year period before re-assessing whether this use is appropriate in the ALR (as per a Temporary Industrial Use Permit).

3. The Commission considered its previous decisions on the property.

Conclusion: The Commission noted that in 2007 it approved the subdivision of the 2.3 ha portion of the property proposed for truck parking because it was previously used for sawmill purposes. However the subdivision has never been finalized. The Commission believed that the subdivision approval, combined with the existing sawmill use precluded an agricultural future for the 2.3 ha site.

4. With regards to the concerns expressed by other property owners. The majority of opposition relates to the potential impact from the operation on adjacent lands.

Conclusion:

The Commission believes there will be minimal impact to adjacent agricultural land. In agreeing to the proposed non-farm use the Commission is not advocating development of truck parking in this area; it is simply approving a proposal after careful consideration of the agricultural issues. The non-agricultural concerns expressed by other property owners are more appropriately the responsibility of the Regional District of East Kootenay and the appropriate Provincial Ministries.

IT WAS

MOVED BY: Commissioner Collins
SECONDED BY: Commissioner Thibeault

THAT the proposal to use ~2 ha of the subject property for truck parking be allowed.

AND THAT as a condition of approval the use is permitted for a six (6) year period (as per a Temporary Industrial Use Permit).

AND FINALLY THAT 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 #300/2013

Application 53102 - Sketch Plan
Resolution #300/2013

Approved ~2 ha area for temporary truck parking

