



**Agricultural Land Commission**  
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September 13, 2016

ALC File: 54651

Karen Smedley  
Golden Golf Course  
1879 Blaeberry Road  
Golden, BC V0A 1H1

Dear Ms. Smedley:

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

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #341/2016) as it relates to the above noted application. A sketch plan depicting the decision is also attached.

Further correspondence with respect to this application is to be directed to Riccardo Peggi at (Riccardo.Peggi@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Director of Policy and Planning

Enclosures: Reasons for Decision (Resolution #341/2016)  
Sketch plan

cc: Columbia Shuswap Regional District (File: LC2513)

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## **AGRICULTURAL LAND COMMISSION FILE 54651**

### **REASONS FOR DECISION OF THE KOOTENAY PANEL**

**Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act***

**Applicant:**

**Columbia Shuswap Regional  
District  
(the “Applicant”)**

**Agent:**

**Karen Smedley  
Golden Golf Course  
(the “Agent”)**

**Application before the Kootenay Regional Panel:**

**Sharon Mielnichuk, Panel Chair  
Harvey Bombardier  
Ian Knudsen**

## **THE APPLICATION**

[1] The legal description of the property involved in the application is:

Parcel Identifier: 025-919-601

Block D of Sections 22, 26 and 27, Township 27, Range 22, West of the 5<sup>th</sup>

Meridian, Kootenay District

(the "Property")

[2] The Property is 102.5 ha in area.

[3] The Property has the civic address 576 Golf Course Drive, Golden.

[4] 95.2 ha of the Property is located within a designated agricultural land reserve (the "ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

[5] The Property is located within Zone 2 as defined in s. 4.2 of the *ALCA*.

[6] Pursuant to s. 20(3) of the *ALCA*, the Applicant is applying to expand a RV Park from 24 to 48 sites and to utilize land on the Property for the development of an RV storage site including the placement of 20 sea-cans to store recreation vehicles (the "Proposal"). The Proposal along with supporting documentation is collectively the application (the "Application").

## **RELEVANT STATUTORY PROVISIONS**

[7] The Application was made pursuant to s. 20(3) of the *ALCA*:

20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land.

[8] The Panel considered the Application pursuant to its mandate in s. 4.3 of the *ALCA*:

4.3 When exercising a power under this Act in relation to land located in Zone 2, the commission must consider all of the following, in descending order of priority:

- (a) the purposes of the commission set out in section 6;
- (b) economic, cultural and social values;
- (c) regional and community planning objectives;
- (d) other prescribed considerations.

[9] The purposes of the Commission set out in s. 6 are as follows:

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.

### **EVIDENTIARY RECORD BEFORE THE PANEL**

[10] The Panel considered the following evidence:

1. The Application
2. Local government documents
3. Previous application history
4. Agricultural capability map, ALR context map and satellite imagery

All documentation noted above was disclosed to the Agent in advance of this decision.

[11] The Panel reviewed one previous application involving the Property:

Application ID: 31747  
Legacy File: 16389

To use the subject property for a public golf course and



(Columbia Shuswap Regional District, 1983)

"other public recreation use". In particular, the request is to use the lands for fairways, clubhouse, tennis courts, picnic grounds, camping sites and barns/corrals for a trail-ride centre. Approved by Resolution #832/83.

[12] The Panel reviewed one relevant application relating to the application:

Application ID: 53430  
(Golden Golf Club, 2014)

To exclude a 34.9 ha parcel (25.1 ha in the ALR) from the ALR. The Commission concluded that the proposed exclusion was supportable due to the historical non-farm use and given the relatively small and isolated block of ALR land which the subject property partially encompasses. Allowed by Resolution #177/2014.

**Note: This application was for the parcel directly south of the Property.**

## **SITE VISIT**

[13] The Panel, in the circumstances of the Application, did not consider it necessary to conduct a site visit to the Property based on the evidentiary record associated with the Application.

## **FINDINGS**

### **Section 4.3(a) and Section 6 of the ALCA: First priority to agriculture**

[14] In assessing agricultural capability, the Panel referred in part to agricultural capability mapping and ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability rating identified on CLI map sheet 82N/06 for the mapping unit encompassing the portion of the Property designated ALR is Class 4; more specifically (4PF).

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

The limiting subclasses associated with this parcel of land are P (stoniness) and F (low fertility).

[15] The Panel reviewed the CLI rating and find that the Property has moderate capability for agriculture.

[16] The Property has been used as a public golf course since 1983 when the Commission allowed the use by Resolution #823/83.

Section 4.3(b) of the ALCA: Second priority to economic, cultural and social values

[17] In a letter, the Applicant stated the following:

*“The Golden Golf Club (GGC) is situated on CSRD land located within the Agricultural Land Reserve (ALR) and holds a long term lease with the CSRD. The GGC is governed by a non-profit society and is strongly community oriented. The GGC is looking to develop alternative revenue streams to assist with ongoing maintenance and future improvements for our first rate golf facility. Our goal is to develop diversified revenue streams that are consistent with the GGC general purpose and fit within the aesthetics of the existing facility.”*

Section 4.3(c) of the ALCA: third priority to regional and community planning objectives

[18] In their resolution, the Columbia Shuswap Regional District (the “CSRD”) stated the following:

*“Application No. LC2513A Section 20(3) Non-Farm Use, for Block D of Sections 22, 26, and 27, Township 27, Range 22, West of the 5<sup>th</sup> Meridian, Kootenay District, be forwarded to the Provincial Agricultural Land Commission recommending approval on this 19<sup>th</sup> day of May, 2016;*

*And further that should the Agricultural Land Commission approve the Section 20(3) – Non-Farm Use application of the Golden Golf Course, as submitted, the Board consider amendments to the lease agreement between the CSRD and the Golden Golf Course to ensure that the tree barrier is maintained to provide adequate buffering/screening of the sea-cans from the golf course and public roads, as well as to include a maximum number of 40 unstacked sea-cans for the RV storage facility”*

[19] The CSRD, in its report stated that: *“The Property is currently not subject to an OCP or Zoning Bylaw.”*

*Weighing the factors in priority*

[20] The Panel finds that the proposed uses have low impacts on the agricultural capability of the Property.

[21] The Panel notes the previous Commission decision on the Property which allowed several uses including fairways, clubhouse, tennis courts, picnic grounds, camping sites and barns/corrals for a trail-ride centre. The Panel finds that the Proposal is consistent with the previously allowed non-farm uses.

**DECISION**

[22] For the reasons given above, the Panel approves the Proposal to expand the RV Park on the Property from 24 to 48 sites and to place 20 sea-cans on the Property to store recreation vehicles.

[23] The Proposal is approved subject to the following conditions:

- a. the non-farm use being in substantial compliance with the plan submitted with the Application; and
- b. The sea-cans are to be placed on a non-permanent surface of gravel fill.

[24] 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.

[25] Panel Chair **Sharon Mielnichuk** concurs with the decision.  
Commissioner **Harvey Bombardier** concurs with the decision.  
Commissioner **Ian Knudsen** concurs with the decision.

[26] Decision recorded as Resolution #341/2016.

A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the *Agricultural Land Commission Act*.

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Upon instruction of the Panel, I have been authorized to release the Reasons for Decision by Resolution #341/2016. The decision is effective upon release.



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**Colin J. Fry, Director of Policy and Planning**

**September 13, 2016**

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**Date Released**



ALC Application 54651  
Approved Non-farm Use  
ALC Resolution #341/2016



Approximate Area Approved  
for Campground and  
Storage