

## Request for Decision ALR Non-Farm Use Application

File No: P 725 108  
Reference No.: 103757  
Date: April 29, 2025

**Subject:** ALR Non-Farm Use (Lladner Creek Area / Gambee)  
**Applicant:** Anthony Gambee  
**Agent:** Haworth Development Consulting  
**Location:** 100 Lladner Creek Forest Service Road  
**Legal:** Lot 1 District Lot 363 Kootenay District Plan 4042 (PID: 007-679-343)

**Proposal:** To convert the existing single family dwelling to a retreat centre.

**Options:**

1. THAT the Agricultural Land Commission be advised the RDEK supports the ALR Non-Farm Use application on the Gambee property at 100 Lladner Creek Forest Service Road, in the Lladner Creek Area.
2. THAT the ALR Non-Farm Use application on the Gambee property at 100 Lladner Creek Forest Service Road, in the Lladner Creek Area, be refused.

**Recommendation:** **Option 1**

A Non-Farm Use application to construct a retreat centre was approved by the ALC in 2018. The new application to convert the existing dwelling unit to the retreat centre, rather than construct a new one, continues to satisfy requirements of the Elk Valley Zoning Bylaw and reduces the building footprint proposed in the previous application.

The existing dwelling unit (proposed retreat centre) is, and the proposed new dwelling unit would be, constructed on Class 7C land which has no capability for soil bound agriculture and is limited by adverse climate with no potential for improvement.

Property Information:	OCP Agricultural Objectives and Policies:
	<ul style="list-style-type: none"> <li>Minimize conflicts between agriculture and other potentially incompatible land uses on adjacent lands.</li> <li>Support local food production, local distribution of food products, and diversification of agricultural uses.</li> <li>Preserve and encourage the use of agricultural land for present and future production of food and fibre.</li> <li>The primary commercial uses for land within the ALR should be agricultural production and the processing and marketing of on-farm produce. However, accessory uses that complement agriculture, including, but not limited to agri-tourism, farm gate sales, and market gardens will generally be supported in the ALR.</li> <li>Buffers between properties on which farming is taking place and adjacent non-agricultural properties will be established through setbacks within the</li> </ul>

**Property  
Information  
cont'd:**

zoning bylaw. Measures such as fencing and screening located on adjacent non-agricultural properties should be utilized to ensure that farm operations are adequately protected and buffered.

- ALR applications for non-farm use, subdivision, or exclusion should identify opportunities to improve the agricultural capacity and provide a net benefit to agriculture for the lands that remain within the ALR.
- Support for subdivision of lands within the ALR or non-farm use of ALR lands may be provided when it is demonstrated that the change in use will protect productive agricultural soils.

**OCF Designation:** RR, Rural Resource; supports agricultural, rural residential and rural resource land uses with parcel sizes 8.0 ha and larger. The RR designation also recognizes the use of these lands for public utility use, resource extraction, green space and recreation.

**Zone Designation:** RR-8, Rural Residential (Country) Zone; minimum parcel size is 8 ha.

**Parcel Size:** 64.8 ha (160.2 ac).

**Density:**

- Existing: 9,036 ft<sup>2</sup> single family dwelling.
- Proposed: Convert the existing dwelling to a guest ranch lodge and construct a 4,500 ft<sup>2</sup> single family dwelling.

**Interface Fire Hazard Rating:** Mainly moderate with sections of high and low; does not fall within a fire protection service area.

**BC Assessment:** Beef.

**Water / Sewer Services:** Onsite services.

**Flood Hazard Rating:** A portion of the southeast edge of the property (along the embankment) is located within a migration hazard zone as identified by Northwest Hydraulic Consultants in the 2019 Elk River Floodplain Mapping Report.

**Agricultural  
Capability  
Ratings:**

In the ALC Reason for Decision (Res #26/2018), the northeastern section of the property can be improved from Class 4ST land to Class 3T land, but the remainder of the property is not improvable and will remain at Class 7C land.

Class 3T lands can produce a fairly wide range of crops under good management practices but have topographic limitations and may be somewhat restricted by soil and/or climate limitations.

Class 7C Lands have no capability for soil bound agriculture and are limited by adverse climate.

**Agrologist  
Report:**

An Agrologist report was prepared in 2017 which is consistent with the land classifications outlined in the ALC's Reason for Decision.

**Additional  
Information:  
Additional  
Information  
Cont'd:**

- A previous Non-Farm Use application to construct a 12,000 ft<sup>2</sup> retreat center on a section of Class 7C land was approved but never built. At the time the application was approved, a 9,036 ft<sup>2</sup> dwelling unit was being constructed. The ALC did not have regulations in place limiting the size of a primary residence until 2019.
- Rather than constructing a retreat centre, the applicant would like to convert the existing dwelling unit to a lodge and construct a new 4,500 ft<sup>2</sup> dwelling unit. On parcels less than 40 ha, the ALC permits a primary residence with a total floor area of 500 m<sup>2</sup> (5,382 ft<sup>2</sup>) or less.
- The subject property is classified as “farm” under the *Assessment Act* and the applicant leases a portion of the property for grazing cattle. The applicant is considering further agricultural activity in the next year or so.

**Consultation:**     **APC Area A:** Support recommended.

**Documents  
Attached:**

- ALR Boundary Map
- Location and Land Use Map
- Agricultural Capability Map
- Agricultural Capability Key
- Zoning Designation Map
- OCP Designation Map
- Aerial Photo
- Proposed Location Map
- Proposal Submitted by Haworth Development Consulting

**RDEK  
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