



# Request for Decision ALR Non-Farm Use Application

File No: P 726 605  
Reference: 103972  
Date: April 20, 2026

**Subject:** ALR Removal of Soil (Forster Creek Area / Dubois)  
**Applicant:** Brent and Tanya Dubois  
**Agent:** Jed Anderson, VAST Resource Solutions Ltd.  
**Location:** 7951 Red Rock Road, Forster Creek area, west of Radium Hot Springs  
**Legal:** District Lot 11032 Kootenay District (PID: 016-818-849)

**Proposal:** Sand and gravel pit operation.

- Options:**
1. THAT the Agricultural Land Commission be advised the RDEK supports the Dubois ALR Removal of Soil application for property located at 7951 Red Rock Rd in the Forster Creek area.
  2. THAT the Dubois ALR Removal of Soil application for property located at 7951 Red Rock Rd in the Forster Creek area be refused.

**Recommendation: Option 1**

The proposed use is located on the portion of the property that has the lowest agricultural capability rating and leaves a large remainder of the property available for farming activities in the future.

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**Property Information:**

**OCP Designation:** RR, Rural Resource which 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.

**OCP Policies:**

- Land in the ALR is generally designated and supported for agricultural use.
- Preservation and continued use of agricultural land for present and future food production is encouraged.
- ALR applications for subdivision, non-farm use, or exclusion should identify opportunities to improve the agricultural capability and provide a net benefit to agriculture for the lands that remain within the ALR.
- Residential, commercial or industrial operations adjacent to land in the ALR are encouraged to utilize adequate buffering, screening and setbacks to minimize the potential for conflicts.

**Zoning Designation:** A-1, Rural Resource Zone, which has a minimum parcel area requirement of 60 ha. The A-1 zone permits grading, washing, screening, crushing and transporting of sand and gravel resources extracted from the parcel.

**Property Information – cont'd:**

**Parcel Size:** 134 ha (331 ac)  
Area under application: 3.3 ha (8.1 ac)

**Interface Fire Hazard Rating:** Low, Moderate and high, not within a fire protection area

**BC Assessment:** Residential & Farm (Grain & Forage)

**Water / Sewer Services:** n/a

**Flood Hazard Rating:** Forster Creek flows through the property. Any work in or about a stream must comply with local and provincial government regulations.

**Professional Reports:**

A Soil and Agricultural Capability and Suitability Assessment was completed by VAST Resource Solutions for the project dated March 2025. The report concluded that the property has limited suitability for soil-bound agricultural production and non-soil-bound agricultural uses are inappropriate. The proposed development of the sand and gravel pit will not impact the local and/or regional agricultural productive capability of surrounding land uses.

**Agricultural Capability Rating:**

The subject property has four different soil capability ratings. The southwest half of the area under application has a rating of 70% Class 5 with a limiting factor of topography and 20% Class 4 with a limiting factor of stoniness. This is considered improvable to 70% Class 5 and 30% Class 3 with the same limiting factors. The northeastern half of the area under application is 70% Class 6 and 30% Class 7, both with a limiting factor of topography. This is not considered improvable.

**Additional Information:**

- The Mine and Reclamation Plan outlines the development for a 20-year life of operation. Over the life of the operation, approximately 175,000 m<sup>3</sup> of sand and gravel will be removed at an annual rate of 8,750 m<sup>3</sup> per year.
- The resulting total disturbance area will be approximately 3.3 hectares. The disturbance area will consist of one pit, soil salvage stockpiles and a laydown/material processing area.
- Extraction in the proposed pit will occur from the northwest to the southeast in a top-down fashion. Mine development will involve excavators, dozers and loaders to move mined material to screens and crushers for processing. All mining operations will comply with the BC Mines Act and the Health, Safety and Reclamation Code for Mines in BC.
- Operations will occur 12 months of the year, with activities dictated by product demand. The pit is expected to operate between 6 am and 6 pm from Monday to Friday, excluding holidays.
- Highway trucks (tandem axle dumps with full quad pup) will transport material off-site to various customers in the East Kootenay Region, utilizing Westside Road.

**Additional  
Information  
cont'd:**

- There are no watercourses or surface water bodies within the mine site boundary and no evidence of water entering or leaving the site. Surface water management will consist of site grading, ditches and a sedimentation pond. Extraction activities are not expected to interfere with local groundwater flow or quality.
- At closure, reclamation will involve the removal of all site infrastructure and equipment, removal of remaining mined material stockpiles either off-site to buyers or backfilled to the pit, placement of stockpiled soil and overburden material on exposed benches and/or backfilled benches and seeding in accordance with end land use objectives. The long-term objective of the Reclamation Plan is to return the proposed site to a stable, non-eroding series of benched pastures that support agricultural values such as domestic livestock grazing or forage production values equivalent to pre-disturbance capability.

**Consultation:**

**APC Area F&G:** Support recommended

**Documents  
Attached:**

- Location Map
- ALR Boundary Map
- Land Use Map
- Agricultural Capability Map and Key
- Zone Designation Map
- Site Plan
- Mine Plan
- Aerial Map

**RDEK  
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