



Agricultural Land Commission Staff Report

DATE: October 1, 2009
TO: Vice Chair and Commissioners - Kootenay Panel
FROM: Martin Collins

RE: Application # 50201
PROPOSAL: To subdivide the 60 ha lot into a 25 ha lot and a 35 ha lot. No structures occupy the proposed 25 ha lot. which is described as marginal for agriculture due to excessive wetness.

PROPOSAL INFORMATION

Background: One previous application has been considered on the property. See below for details.
Received Date: July 7, 2009
Applicant: Richard & Arleen Fillmore
Agent: N/A
Local Government: Regional District of Kootenay-Boundary

DESCRIPTION OF LAND

PID: 007-256-230
Legal Description: Lot 2 District Lot 1236 Kootenay District Plan 7883 EXCEPT Parts included in Plans 9354 & 17448
Civic Address: Starts 5 km w. of Castlegar on the N side of the Columbia Rr, carries on E

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
60.0	Mixed Prime and Secondary	CLI

Number of Lots Lot Size (ha)

1	25.0
1	35.0

Surrounding Land Uses:

North Mixed forest and hayland in the ALR.
East Highway 3B with small patches of pasture & hay land adjacent. Non ALR forested land beyond ALR highway strip.
South Patchy forest and pasture, smaller parcels sizes in the ALR.
West Crown & private non ALR forest land

over Pass Ck and turns so

Area: 60.1 ha
ALR Area: 0 ha
Purchase Date: July 8, 1997
Owner: Richard & Arleen Fillmore

Total Land Area: 60.1 ha
Total ALR Area: 0 ha
Current Land Use: Horse operation (formerly cattle) with home and farm outbuildings. Hay production on northerly half, pasture/forested land on southerly half .

Official Community Plan

Bylaw Name: n/a
Designation:
OCP Compliance:

Zoning

Zoning Bylaw Name: n/a
Zoning Designation:
Minimum Lot Size: ha
Zoning Compliance:

PREVIOUS APPLICATIONS

Application #: 38843
Applicant: James R Bell
Proposal: To subdivide an 8 ha lot from the 62 ha property.

Decisions:

Resolution

Number	Decision Date	Decision Description
969	June 1, 1989	Refuse as proposed due to erosion of the land base, reconsidered and reconfirmed.

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	The Regional District of Kootenay Boundary forwarded the application with a recommendation of support.
Advisory Planning Committee	Approve	The Electoral Area "A" APC had no concerns with the proposal.

STAFF COMMENTS

Staff suggests that the Commission consider the following:

- 1) The Commission refused a similar previous application for subdivision in 1989.

- 2) The 60 ha parcel has been developed as a single agricultural unit. Smaller lots offer a narrower range of agricultural options, reducing the likelihood of agricultural use and increasing pressure for further subdivision.
- 3) The applicants indicate that the southerly 25 ha of the property is partially forested and suffers from excessive wetness. As a result it can only be used for seasonal pasture
- 4) The Regional Board and APC support the subdivision.

ATTACHMENTS

50201_AirphotoMap.pdf
50201_ContextMap20k.pdf
50201 sketch plan.pdf

END OF REPORT

Signature

Date