



## Agricultural Land Commission Staff Report

**DATE:** January 26, 2010  
**TO:** Vice Chair and Commissioners - Kootenay Panel  
**FROM:** Martin Collins

**RE:** Application # 51000  
**PROPOSAL:** To subdivide a 0.5 ha lot from the 10 ha subject property as per Homesite Severance Policy.

### PROPOSAL INFORMATION

**Background:** The applicants have lived on and worked the property since the early 1960's.  
**Received Date:** November 16, 2009  
**Applicant:** Walter & John Mehma  
**Agent:** Rob Smailes  
**Local Government:** Regional District of Kootenay-Boundary

### DESCRIPTION OF LAND

**PID:** 002-223-198  
**Legal Description:** Parcel B (Plan B6673) of District Lot 351 Similkameen Division Yale District  
**Civic Address:** 750/800 Highway 3, just east of Grand Forks  
**Area:** 10 ha  
**ALR Area:** 10 ha  
**Purchase Date:** August 19, 1961  
**Owner:**

**Total Land Area:** 10 ha  
**Total ALR Area:** 10 ha  
**Current Land Use:** Two Residences, farm buildings, farm equipment storage, forage crops (4.8 ha), & grapes (0.8 ha)

### PROPOSAL DETAILS

## Subdivision

Area	Agricultural Capability	Agricultural Capability Source
10.0	Prime Dominant	CLI

Number of Lots	Lot Size (ha)
1	0.5
1	9.5

## Surrounding Land Uses:

North	Highway 3, then Industrial and Rural outside the ALR
East	Rural and Agriculture in the ALR
South	Large farm parcel also owned by the applicants, then the Kettle River.
West	Rural and Agriculture in the ALR

## Official Community Plan

<b>Bylaw Name:</b>	Bylaw #852
<b>Designation:</b>	Agriculture Resource
<b>OCP Compliance:</b>	Yes

## Zoning

<b>Zoning Bylaw Name:</b>	Bylaw #1299
<b>Zoning Designation:</b>	Agriculture Resource 1
<b>Minimum Lot Size:</b>	10.0 ha
<b>Zoning Compliance:</b>	Yes

## PREVIOUS APPLICATIONS

<b>Application #:</b>	19173
<b>Applicant:</b>	Pope & Talbot Ltd
<b>Proposal:</b>	to deposit miscellaneous sawmill and log yard waste in large trench on site - requested 10 yr term

## Decisions:

Resolution Number	Decision Date	Decision Description
3	January 15, 1990	Allow the deposition of miscellaneous sawmill and log yard waste - 2 year term.

## Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	The Regional District of Kootenay Board of Directors forwarded the application with a recommendation of support.
Advisory Planning Committee	Refuse	The APC for Electoral Area D recommended that the application be refused.

## STAFF COMMENTS

Staff suggest that the Commission consider the following:

- 1) The applicant appears to qualify for consideration under Homesite Severance Policy.
- 2) The remainder is a suitable size from an agricultural perspective.
- 3) The 0.5 ha homesite lot does not occupy any arable land, Also a residence occupies the remainder so that there is no need to construct a new home and alienate any more land for residential structures, yard, septic and access.
- 4) It is not recommended that the homesite area be fenced because the applicant's wife will continue to occupy the residence. Fencing would be unnecessary and costly.

## **ATTACHMENTS**

51000\_ContextMap20k.pdf  
51000\_AirphotoMap10k.pdf  
51000 sketch.pdf

## **END OF REPORT**

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**Signature**

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**Date**