



Agricultural Land Commission Staff Report

DATE: March 4, 2010
TO: Vice Chair and Commissioners - Kootenay Panel
FROM: Martin Collins

RE: Application # 51487

PROPOSAL: Transportation, Utility Use - to dedicate a total of 12.6 ha of ALR for road right of way and construct new road within the right of way. The proposed right of way ranges from 40 meters to 97 meters wide. There are two separate sections; a northerly alignment through DL 7661 affecting 6.2 ha (50 meters wide by 1250 meters long); a southerly alignment affecting 6.4 ha (ranging in width from 40 meters to 97 meters and 1000 meters long). The southerly access is proposed to accommodate four lane divided highway.

PROPOSAL INFORMATION

Background: No previous applications have be considered in this area.
Received Date: February 1, 2010
Applicant: 673989 BC Ltd
Agent: Focus Corporation - Ross Blackwell
Local Government: Regional District of East Kootenay

DESCRIPTION OF LAND

PID: 019-175-281
Legal Description: District Lot 425 Kootenay District Except, (1) Part Included in Plan DD 1403 (2) Parts Included in RW Plans 1555 and 561 (3) Part 10 Acres (See 3069I) and (4) Block A
Civic Address: Isadore Canyon Trail - Corridor 1 to Highway 3/93
Area: 150 ha
ALR Area: 150 ha
Purchase Date: March 21, 2001
Owner: Cranbrook Estates Ltd

Legal Description: DL 7661
Civic Address: Highway 3/93
Area: 64 ha
ALR Area: 64 ha
Purchase Date: January 31, 1990
Owner: Province of British Columbia - Ministry of Crown Lands

Total Land Area: 214 ha
Total ALR Area: 214 ha
Current Land Use: Forested crown land, some cleared areas.

PROPOSAL DETAILS

Non Farm Use

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

Surrounding Land Uses:

North	Forested crown ALR
East	Highway #3
South	Forested crown land in the ALR
West	Mountainous, non ALR forested crown land

Official Community Plan

Bylaw Name: Not provided

Designation:

OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Not provided

Zoning Designation:

Minimum Lot Size:

Zoning Compliance: Yes

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Approve	Road rights of way are permitted in all local government bylaw zones.

STAFF COMMENTS

Staff suggests that the Commission allow the road right of ways as requested because the purpose of the rights of way is to access non ALR residential development. In addition no cultivated or improved agricultural lands are affected.

The reasons why the rights of way are wider than typical is because the southerly right of way is proposed to accommodate a four lane divided highway with a median. Also there is some uncertainty as to the specific location for the road construction due to rough topography.

ATTACHMENTS

51487 Sketch.pdf

51487 ALC map.pdf
51487 airphoto.pdf

END OF REPORT

Signature _____

Date _____