



Agricultural Land Commission Staff Report

DATE: March 5, 2010
TO: Vice Chair and Commissioners - Kootenay Panel
FROM: Martin Collins

RE: Application # 51589
PROPOSAL: Boundary line adjustment between a ~ 0.3 ha lot and a 8.7 ha lot to increase size of smaller lot to 1 ha reduce the larger lot to 8 ha.

PROPOSAL INFORMATION

Background: There is no increase in the number of parcels and no additional dwellings are being proposed
Received Date: February 12, 2010
Applicant: Kevin & Marisa Munday, Jordon & Janine Fraser
Agent: N/A
Local Government: Regional District of Kootenay-Boundary

DESCRIPTION OF LAND

PID: 024-367-842
Legal Description: Lot A, District Lot 757, Similkameen Division of Yale District, Plan KAP63433, Except Plan KAP65864
Civic Address: Kettle Valley South Road, Rock Creek
Area: 8.9 ha
ALR Area: 0 ha
Purchase Date: March 24, 2009
Owner: Kevin & Marisa Munday

PID: 027-064-018
Legal Description: Lot 1 District Lot 757 Similkameen Division Yale District Plan KAP83795
Civic Address: 1585 Edstrom Road, 713 Grand Forks Rural
Area: .3 ha
ALR Area: 0 ha
Purchase Date: November 16, 2007
Owner: Jordon & Janine Fraser

Total Land Area: 9.2 ha
Total ALR Area: 0 ha
Current Land Use: Lot A was partially used for the storage of scrap metal and machinery. The remaining large field area had reverted to weeds. Approximately 1 ha is now

planted to grapes. Sale of the 0.7 ha will help finance agricultural development.

Lot 1 contains a residence with large garden. Expansion to 1 ha would permit small scale farm development.

Currently it is being prepared for agricultural production. No residence on property

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
9.0	Prime	CLI

Number of Lots Lot Size (ha)

1	1.0
1	8.0

Surrounding Land Uses:

North	Non ALR. Unused dolomite plant next to two residential lots
East	In ALR. Rural residences and Rock Creek Elementary School
South	Non ALR. Kettle River; mix of residences and businesses (core of Rock Creek)
West	Non ALR. Kettle River; mix of residences and businesses (core of Rock Creek)

Official Community Plan

Bylaw Name: No OCP exists in this area

Designation: n/a

OCP Compliance: Yes

Zoning

Zoning Bylaw Name: No zoning bylaw exists in this area.

Zoning Designation: n/a

Minimum Lot Size:

Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 41088

Applicant: Paul & Betty Chaput

Proposal: To exclude the 8 ha subject property (known as "Edstrom Field") from the ALR in order to subdivide it into residential lots. If the proposed exclusion is not supported, the applicant would like to subdivide the same property into residential lots within the ALR.

Decisions:

Resolution

Number	Decision Date	Decision Description
385	September 1, 2004	Refuse based on the agricultural potential of the land.

Application #: 10093

Applicant: 6 C's Holdings
Proposal: Exclude "Old Mill Site" portion of property consisting of approximate 5.7 ha. Area to be developed as a mobile home park.

Decisions:

Resolution Number	Decision Date	Decision Description
551	September 22, 1998	Allow exclusion of the "Old Mill Site" portion of property consisting of approximately 5.7 ha.

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	The Board of Directors of the Regional District of Kootenay Boundary forwarded the application with a recommendation of support.

STAFF COMMENTS

Staff suggests that the Commission consider the following:

- 1) No additional new lots are created. Began with two lots, Ended with two lots.
- 2) The expansion of the residential lot is ostensibly for agricultural purposes. The Fraser's (owner's of the 0.3 ha lot) want to expand their agricultural footprint. With the proceeds of the sale of the 0.7 ha the Munday's intend to continue the on-going agricultural development of the 8 ha property for a vineyard and winery.
- 3) The 8 ha parcel has been under substantial pressure to be excluded and subdivided for residential purposes because of the high value associated with riverfront residential properties. The Commission has refused previous applications for exclusion and subdivision of this 8 ha property.

ATTACHMENTS

51589 airphoto.pdf
51589 sketch plan.pdf
51589 ALR map.pdf
51589 applicant's letter.pdf

END OF REPORT

Signature

Date