



# Agricultural Land Commission Staff Report

**DATE:** March 31, 2010  
**TO:** Vice Chair and Commissioners - Kootenay Panel  
**FROM:** Martin Collins

**RE:** Application # 51592  
**PROPOSAL:** To subdivide a 5.3 ha lot from the 48 ha property as divided by Torrent Road.

## PROPOSAL INFORMATION

**Background:** Two previous subdivision applications were refused on the property. See below for details.  
**Received Date:** February 16, 2010  
**Applicant:** Randel & Christine Marsh  
**Agent:** N/A  
**Local Government:** Regional District of East Kootenay

## DESCRIPTION OF LAND

**PID:** 007-444-613  
**Legal Description:** District Lot 6616 Kootenay District EXCEPT 1) Part included in Plan DD8954, 2) Part included in RW Plan 1163, 3) Part included in Plans 17479 & 17885  
**Civic Address:** 4545 Torrent Road  
**Area:** 48.3 ha  
**ALR Area:** 48.3 ha  
**Purchase Date:** March 16, 2006  
**Owner:** Randel & Christine Marsh

**Total Land Area:** 48.3 ha  
**Total ALR Area:** 48.3 ha  
**Current Land Use:** The property has an residence and outbuildings with water and sewage disposal services. The proposed lot is vacant.

## PROPOSAL DETAILS

### Subdivision

Area	Agricultural Capability	Agricultural Capability Source
48.3	Secondary	CLI

Number of Lots	Lot Size (ha)
1	43.0

1

5.3

**Surrounding Land Uses:**

North      Tembec Land / Crown Land  
East        Railroad  
South      Skookumchuk Creek  
West        Private land / Crown Land

**Official Community Plan**

**Bylaw Name:**        No OCP exists

**Designation:**

**OCP Compliance:**

**Zoning**

**Zoning Bylaw Name:** Bylaw #1625

**Zoning Designation:** RR-60

**Minimum Lot Size:**    60.0 ha

**Zoning Compliance:** Yes

**PREVIOUS APPLICATIONS**

**Application #:** 15249

**Applicant:**        Robert Lockwood

**Proposal:**        Proposed to s/d the 111 ha property into 3 lots of 14, 50 and 47 ha respectively.

**Decisions:**

**Resolution**

**Number**

**Decision Date**

**Decision Description**

295

April 25, 1985

Commission refused the subdivision on the grounds that it did not want to see the property subdivided in an area of Crown range units.

**Application #:** 14918

**Applicant:**        Robert Lockwood

**Proposal:**        Propose to subdivide the 40.2 ha property into two lots of 16.2 and 24 ha.

**Decisions:**

**Resolution**

**Number**

**Decision Date**

**Decision Description**

22

January 24, 2000

Refused on the grounds that this is a grazing area and parcelization and the increase of lots and people in the area is not supportive of this use.

**Committee Recommendations**

<b>Type</b>	<b>Recommendation</b>	<b>Description</b>
Planning Staff	Approve	Regional District staff support the application because it is consistent with the bylaw and regulations.
Board/Council	Approve	The Regional District of East Kootenay Board of Directors forwarded the application with a recommendation of support.
Advisory Planning Committee	Approve	APC, Area C - Supports the application
Electoral Area Director	Approve	Electoral Area Director Walter supports the application.
Ministry of Agriculture and Lands	Refuse	The District Agriculturalist does not support the application because ALR and bylaw policies do not support the subdivision.

### **STAFF COMMENTS**

Staff suggests that the Commission undertake a site visit to ascertain the impacts of the single lot subdivision on the agricultural remainder.

### **ATTACHMENTS**

- 51592\_ContextMap20k.pdf
- 51592\_AirphotoMap20k.pdf
- 51592 sketch plan.pdf

### **END OF REPORT**

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Signature

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Date