



Provincial Agricultural Land Commission - Staff Report

Application: 51770

Applicants: David Schindler, Suzanne Bayley
Agent: Jason Shortt
Local Government: Regional District of Central Kootenay

Proposal: The proposal is to subdivide a 38 ha property to create two parcels approximately 1 ha and 37 ha in size to enable each of the two existing houses on the property to have separate title.

BACKGROUND INFORMATION

Proposed lots will be 1.2 ha for old homestead and 36.78 ha for remainder. The purpose of the proposal is to provide two residences on the parcel with separate titles.

PROPERTY INFORMATION

PID: 016-443-560
Legal Description: District Lot 8038, Kootenay District, EXCEPT Part included in Plans 1333, 1436 and NEP82440
Property Area: 39.9 ha
ALR Area: 39.9 ha
Purchase Date: November 17, 2006
Location: Burton
Owners: David Schindler, Suzanne Bayley

LAND USE

Current Land Use:

The subject property is not presently being used for farm purposes and is mainly treed. The previous owner cleared areas and established a field with stony soil between the main house and the proposed subdivision.

Surrounding Land Uses:

North: Vacant field - not used
 East: Unsurveyed Crown Land - forest
 South: Cow pasture
 West: McCormack Road & Forested pastureland

PROPOSAL DETAILS

Subdivision - ALR Area: 39.9 ha

Number of Lots	ALR Area of Lot (ha)
1	1.2
1	38.7

Agricultural Capability:

The majority of the area under application is rated as: Mixed Prime and Secondary

Source: CLI

Mapsheet: 82F/13

RELEVANT APPLICATIONS

RELEVANT APPLICATIONS

Application ID: 43297

Legacy #: 36809

Applicant: Paul Wyatt

Proposal: To subdivide the 16.6 ha property into two 8.3 ha lots.

Decision:

Resolution #	Decision Date	Decision Description
554/2006	September 27, 2006	Allow subdivision as requested - no negative impact on agriculture

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Arrow Lakes OCP

Designation: AG (Agriculture)

OCP Compliance: No

Zoning:

Zoning Bylaw Name: Agricultural 2

Zoning Designation: AG2 and R2

Minimum Lot Size: 8.0 ha

Zoning Compliance: No

Comments and Recommendations:

Board/Council

No comment

Planning Staff

No objection

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

The proposed 1.2 ha subdivision is located in the part of the property with the best soils having a capability rating of Class 2 . This contrasts with the Class 4T rating of the portion of the property to the south that was previously approved by the Commission under Resolution 444/2005, File 36048.

A small 1,2 ha parcel would significantly reduce the agricultural options for the property.

Subdivision would heighten landowner expectations in the surrounding area that similar requests would be routinely permitted. The effects of heightened expectations are speculation, increased farmland prices, and reduced agricultural investment and activity.

A site visit will help to determine whether or not this proposal will have an impact on agriculture.

ATTACHMENTS

51770_sub_plan.pdf

51770_ContextMap20k.pdf

51770_AirphotoMap20k.pdf

51770_AgCapabilityMap.pdf

END OF REPORT

Prepared by: Roger Cheetham, Regional Planner