



# Provincial Agricultural Land Commission - Staff Report

## Application: 51973

**Applicant:** Christoph Zarn  
**Agent:** Hoefsloot Land Surveying Ltd.  
**Local Government:** Regional District of Kootenay-Boundary

**Proposal:** The applicant proposes creating four 4-5 ha lots on the east side of the Boundary Creek Road, and leaving the rest of the property west of Boundary Creek Road as a large remainder (110 ha).

### BACKGROUND INFORMATION

The property is in Electoral Area E. There are no zoning or OCP bylaws in Area E. The Interior Health Authority recommends for lots that are not serviced with community water that a minimum parcel area of 1 ha be required. All the lots would meet this size.

### PROPERTY INFORMATION

**PID:** 014-947-706  
**Legal Description:** District Lot 1020 Similkameen Division Yale District  
**Property Area:** 129.4 ha  
**ALR Area:** 120.7 ha  
**Purchase Date:** May 22, 2001  
**Location:** 2725 Boundary Creek Road  
**Owner:** Christoph Zarn

### LAND USE

**Current Land Use:**

The area proposed for subdivision is vacant, undeveloped with no buildings. The lower end is occasionally used for grazing. There is a dwelling and a few outbuildings on the proposed remainder on the west side of Boundary Creek Road. It appears to have some viable agricultural uses.

**Surrounding Land Uses:**

North: Agriculture  
 East: Residential  
 South: Agriculture  
 West: Residential

### PROPOSAL DETAILS

**Subdivision - ALR Area:** 120.7 ha

Number of Lots	ALR Area of Lot (ha)
1	2.0
1	4.0
2	5.0
1	104.7

### RELEVANT APPLICATIONS

## RELEVANT APPLICATIONS

**Application ID:** 2762

**Legacy #:** 29443

**Applicant:** Randy & Tracy Smith

**Proposal:** The agents of the applicant are the applicant's parents who are seeking permission to subdivide a 2 ha parcel on which to live in order to help out on the farm.

**Decision:**

Resolution #	Decision Date	Decision Description
67/1995	January 17, 1995	That the application be allowed. It was felt that the proposal would have no impact on agriculture.

**Note:** Legacy File #21-94-29443, located to the north of the subject property.

## LOCAL GOVERNMENT INFORMATION

**Official Community Plan:**

**Bylaw Name:** N/A

**Designation:** N/A

**Zoning:**

**Zoning Bylaw Name:** N/A

**Zoning Designation:** N/A

**Comments and Recommendations:**

**Advisory Planning Committee**

Recommends approval

**Board/Council**

The RDKB Board of Directors forward the application to the ALC without recommendation.

**Planning Staff**

As there are no OCP or zoning bylaws in this portion of Area E to provide any policy direction on these type of applications, there is no basis on which to provide a recommendation or not.

## ALC STAFF COMMENTS

Staff would like the Commission to note the following:

- The area proposed for subdivision is separated from the remainder of the property by Boundary Creek Road. The area proposed for subdivision is classed as 70% 5 and 30% 6 with topographic, rockiness and moisture limitations.
- While the area proposed for subdivision has some agricultural capability limitations, the creation of rural residential lots could impact agriculture in the area. Any support for subdivision could lead to similar requests in the future from adjacent property owners.
- An on-site inspection will help determine the merits of this application.

## ATTACHMENTS

51973\_ContextMap20k.pdf  
51973\_AirphotoMap10k.pdf  
51973\_AgCapabilityMap.pdf  
51973locgovrep.pdf

## END OF REPORT

**Prepared by:** Ron Wallace, November 3, 2010