



Agricultural Land Commission Staff Report

DATE: August 12, 2009
TO: Vice Chair and Commissioners - Kootenay Panel
FROM: Martin Collins

RE: Application # 45893

PROPOSAL: To subdivide the 17.4 ha property into three lots; two at 4.9 ha and a 7.6 ha lot. The proposed 7.6 ha lot straddles the Kettle River. The portion lying west of the river does not lie within the ALR.

PROPOSAL INFORMATION

Background: Several previous applications have been considered for the property. See
Received Date: below for details.
Applicant: April 3, 2009
Agent: Pine Plateau Holdings Ltd.
Local Government: N/A
Regional District of Kootenay-Boundary

DESCRIPTION OF LAND

PID: 024-457-817
Legal Description: Lot A, District Lot 797S, Similkameen Division of Yale District, Plan KAP64012
Civic Address: Highway #33 - north of Beaverdell
Area: 17.4 ha
ALR Area: 13 ha
Purchase Date: July 3, 2006
Owner: Pine Plateau Holdings Ltd.

Total Land Area: 17.4 ha
Total ALR Area: 13 ha
Current Land Use: The property is vacant and has been used for pasture. The non ALR portion of the property (approx. 4 ha) is regrowing to forest.

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
13.0	Secondary	CLI

Number of Lots Lot Size (ha)

2	4.9
1	7.6

Surrounding Land Uses:

North	Rural residential lots lying outside the ALR
East	Large ALR hillside parcel
South	ALR parcel used for pasture
West	Kettle River, non ALR land beyond

Official Community Plan**Bylaw Name:** No OCP exists in this area.**Designation:****OCP Compliance:****Zoning****Zoning Bylaw Name:** No zoning bylaw exists in this area**Zoning Designation:****Minimum Lot Size:** ha**Zoning Compliance:****PREVIOUS APPLICATIONS****Application #:** 9146**Applicant:** Highlander Holdings Ltd**Proposal:** Include approximately 16 ha into the ALR.**Decisions:****Resolution**

Number	Decision Date	Decision Description
682	November 17, 1997	Allow inclusion of 16 +/- ha.

Note: A portion of the subject property was included into the ALR as a result of the application.**Application #:** 8926**Applicant:** Highlander Holdings Ltd**Proposal:** Subdivision of subject 120 parcel into 6 lots: two @ 12 ha , 14 ha, 22 ha, 25 ha and 35 ha. Approximately 24 ha of the subject parcel is in the ALR. The applicants also intend to include approximately 9 ha into the ALR.**Decisions:****Resolution**

Number	Decision Date	Decision Description
586	September 22, 1998	Allow as proposed following a site visit and recommendation by D. Taylor.

598 October 20, 1997 Refuse proposal as submitted but an allow alternate subdivision proposal for 5 lots subject to the submission of an application to include 16 ha into the ALR.

Note: The reconsideration decision created the subject property.

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Refuse	RDKB planning staff recommend refusal
Board/Council	Refuse	The Regional District of Kootenay Boundary Board forwarded the application with a recommendation that it be denied.
Advisory Planning Committee	Refuse	The Electoral Area E APC recommended that the application be refused, even though the land is marginal. The property has been used for agriculture in the past and should remain available for agriculture.

STAFF COMMENTS

Staff suggest that the Commission consider the following:

- 1) The land has reasonably good capability for agricultural development. The CLI rating for the property is 5MP (4MP), indicating that with irrigation and stone picking the land could be used for agriculture.
- 2) The local government, APC and planning staff do not support the proposal.
- 3) Generally subdivision reduces the potential for agricultural development, because the range of agricultural options is narrowed, and the land's overall productive capacity decreases, particularly in agricultural areas where climate and soils permit only forage , pasture and hay production.

ATTACHMENTS

38932 (45893) sketch plan.pdf
38932_AirphotoMap.pdf
38932_ContextMap20k.pdf

END OF REPORT

Signature

Date