



## Agricultural Land Commission Staff Report

**DATE:** June 2, 2010  
**TO:** Vice Chair and Commissioners - Kootenay Panel  
**FROM:** Jennifer Carson

**RE:** Application # 51753  
**PROPOSAL:** Transportation or Utility Corridor Use - Construction of new road over Crown Land

### PROPOSAL INFORMATION

**Background:** x  
**Received Date:** May 20, 2010  
**Applicant:** Pascal Doutaz (PRM Immobilier SA)  
**Agent:** Lime Creek Logging Ltd  
**Local Government:** Regional District of Kootenay-Boundary

### DESCRIPTION OF LAND

**Legal Description:** Unsurveyed portion of Block A, N 1/2 of District Lot 828s, Similkameen Division  
Yale District

**Civic Address:**

**Area:** 34.5 ha  
**ALR Area:** 34.5 ha  
**Purchase Date:**  
**Owner:** Province of British Columbia - Ministry of Crown Lands

**Total Land Area:** 34.5 ha  
**Total ALR Area:** 34.5 ha  
**Current Land Use:** x

### PROPOSAL DETAILS

**Non Farm Use**

Area	Agricultural Capability	Agricultural Capability Source
0.7	Prime	CLI

**Surrounding Land Uses:**

South hay operation

**Official Community Plan**

**Bylaw Name:** n/a

**Designation:**

**OCP Compliance:**

**Zoning**

**Zoning Bylaw Name:** n/a

**Zoning Designation:**

**Minimum Lot Size:**

**Zoning Compliance:**

**PREVIOUS APPLICATIONS**

**Application #:** 36409

**Applicant:** Robert & Sharon McPherson

**Proposal:**

**Decisions:**

Resolution Number	Decision Date	Decision Description
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**Note:** The applicants were requesting to lease the land for hay and pasture purposes. The Commission allowed this application (Resolution #505/85) on the condition that if the leased property is eventually purchased that it must be consolidated with an adjacent property owned by the applicant.

**Committee Recommendations**

Type	Recommendation	Description
Advisory Planning Committee	Approve	that the application be supported and that the discrepancy in the "Roadways Application Management Plan" regarding the width of the proposed road be brought to the attention of ILMB.

**STAFF COMMENTS**

Staff suggests the Commission consider the following:

- The agricultural capability of the subject property is improvable to Class 2 and 3 with the limitation of moisture deficiency.
- The property is currently crown land.
- In a previous application (#19230/36409)) on the subject property, the Commission allowed the applicants to lease the land for the purpose of hay and pasture on the condition that if the leased property is eventually purchased, it must be consolidated with an adjacent property owned by the applicants.
- The applicants have noted that there is currently no grazing on this property and have indicated that the surrounding property owners are aware of this application.
- The proposed road will be 8m in width and will be composed of native soils and gravel. The purpose of the road is to access a home on DL 90S which is private property.
- Staff have asked the agent for clarification on the rationale behind the placement of the proposed road and received the following explanation: "District lot 828s has already been split in two with the south half being owned by Rob McPherson who also owns lot 830 and owned lot 90s which we are trying to access. The other lot 825s is also privately owned. Our proposed road location is along Rob Mcpherson' s fence line on the south boundary of lot 828 n 1/2 so as to disturb as little land as possible. This was discussed with him and he agrees this is the best location. All other locations where explored with ILMB, Deverny Engineering , and private property holders in the area but because of

swampy wetlands, rock bluffs and private property this is the only option to access the lot 90s. Also according to Rob McPherson he used to lease the 828 n1/2 but has let it revert back to crown.”  
- The agent has indicated that they will try to get photographs to us before the meeting, if they are received they will be available within the application file.

## **ATTACHMENTS**

51753\_ContextMap20k.pdf  
51753\_AgCapabilityMap.pdf  
51753\_AirphotoMap20k.pdf  
19230min.pdf

## **END OF REPORT**

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**Signature**

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**Date**