



Provincial Agricultural Land Commission - Staff Report

Application: 51968

Applicant: Robert & Donna Taylor
Agent: Hango Land Surveys
Local Government: Regional District of Central Kootenay

Proposal: To subdivide the 3.3 ha property into two lots of 1.1 ha and 2.2 ha. The two lots would front onto Airy Creek Road. The western proposed lot would require a panhandle to septic disposal area onto the eastern proposed lot as this is the only suitable location on the property.

BACKGROUND INFORMATION

The property is within an area that was retained in the ALR following an ALR review of the area in view of its agricultural potential.

PROPERTY INFORMATION

PID: 023-633-557
Legal Description: Lot 1 District Lot 12304 Kootenay District Plan NEP23567
Property Area: 3.3 ha
ALR Area: 3.3 ha
Purchase Date: May 1, 2002
Location: Airy Creek Road near Winlaw
Owner: Robert & Donna Taylor

LAND USE

Current Land Use:

Residential use. There is a house, some sheds, carport and shop, and small garden plot, a horse pasture in the southwest portion. Three quarters of the land is covered in dense Cedar stands and swampland.

Surrounding Land Uses:

North: Slokan River
 East: Bush/Residential
 South: Road/Residential
 West: Residential

PROPOSAL DETAILS

Subdivision - ALR Area: 3.3 ha

Number of Lots	ALR Area of Lot (ha)
1	1.1
1	2.2

Agricultural Capability:

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

Source: CLI

Mapsheet: 82F/12

PREVIOUS APPLICATIONS

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Application ID: 3829

Legacy #: 29986

Applicant: John & Elaine Woods

Proposal: To exclude 4.9 ha ALR portion of D.L. 12305 and D. L. 12304 (13.1 ha) Remainder of D.L. 12305 was excluded in the Slocan Valley ALR Review. Applicants plan to retain about 4 ha and build a new home. Present home would be sold.

Decision:

Resolution #	Decision Date	Decision Description
1019/1995	December 7, 1995	Refuse exclusion. Allow subdivision of 4 lots. Owner is eligible for homesite severance. Land has agricultural capability for hobby farm use.

Note: Legacy File: #02-95-29986. The subject property was created from this application.

RELEVANT APPLICATIONS

Application ID: 42529

Legacy #: 36357

Applicant: Linda Louise

Proposal: To exclude the 2 ha subject property from the ALR for the purpose of building an additional dwelling for the owners to live in. There is a mobile home on the property that is currently rented out.

Decision:

Resolution #	Decision Date	Decision Description
285/2006	May 30, 2006	Approved subject to the removal of the mobile home when the present occupant leaves

Note: Legacy File: #02-05-36357, the adjacent property to the west of the subject property.

Application ID: 1957

Legacy #: 28669

Applicant: Provincial Agricultural Land Commission

Proposal: Block Application - ALR review of the Slocan Valley requested exclusion of almost 900 ha of ALR land.

Decision:

Resolution #	Decision Date	Decision Description
89/1994	February 3, 1994	Partial Approval. Commission allowed exclusion of 861.0 ha and refused 32.6 ha subject to inclusion of approximately 100 ha.

Note: Legacy File: #01-93-28669. A review of the ALR in the Slocan Valley.

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:

Board/Council

Referred to the Area Director. A Regional Board resolution was not made.

Planning Staff

There is no regulatory land use bylaw, nor OCP, for Area H South.

ALC STAFF COMMENTS

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Staff would like the Commission to note the following:

- The subject property was created by a previous application (#29986) as one of the four lots approved for subdivision. A fifth lot (Lot A) was created upon reconsideration of this application.
- The proposed subdivision requires a panhandle to a septic disposal area situated in the middle of the proposed Remainder lot. It has been determined that this is the only area of the land where septic fields will fit between ponds, creeks, and other water features during high water.

ATTACHMENTS

51968_ContextMap50k.pdf
51968_AgCapabilityMap.pdf
51968_AirphotoMap10k.pdf
51968locreport.pdf

END OF REPORT

Prepared by: Ron Wallace, November 4, 2010