



# Provincial Agricultural Land Commission - Staff Report

## Application: 51897

**Applicant:** Victoria Hockley  
**Local Government:** Regional District of Central Kootenay

**Proposal:** EXCLUSION - The application is to exclude the 11.8 ha portion of a 16.3 ha property that is located within the ALR in order to subdivide the property to create two 8 ha or four 4 ha parcels.

## BACKGROUND INFORMATION

Approximately the western two thirds of the property is located within the ALR and the eastern one third is outside the ALR, comprising a rocky ridge.

## PROPERTY INFORMATION

**PID:** 013-447-343  
**Legal Description:** Lot 2 District Lot 812 Kootenay District Plan 1494  
**Property Area:** 16.3 ha  
**ALR Area:** 11.8 ha  
**Purchase Date:** November 25, 2008  
**Location:** Canyon Lister Road  
**Owner:** Victoria Hockley

## LAND USE

### Current Land Use:

The property has been used in the past for pasture. A barn houses 6-8 goats. There are two houses on the property.

### Surrounding Land Uses:

North: Rock ridge/trees/bush - used for residential, predominantly outside the ALR  
East: Rock ridge outside the ALR  
South: Rocks/trees/ used for residential. Far south side 3.2 ha of hay within the ALR  
West: Hay fields & residential within the ALR

## PROPOSAL DETAILS

**Exclusion Area:** 11.8 ha

### Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

**Source:** CLI

**Mapsheet:** 82F.008

## RELEVANT APPLICATIONS

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**Application ID:** 12045

**Legacy #:** 23351

**Applicant:** Eric BLOBEL

**Proposal:** Proposed to subdivide the 16.4 ha property into 2 equal lots both of which would be partially outside the ALR.

**Decision:**

Resolution #	Decision Date	Decision Description
664/1989	June 28, 1989	Refused. The Commission had walked the property during the review of the Creston Valley Plan and the Farm Advisor and the D. Ag. were not in favour of the proposal because of the potential impact on farming operations to the west and south.

**Application ID:** 12044

**Legacy #:** 21926

**Applicant:** Eric BLOBEL

**Proposal:** Proposed exclusion of the 12 ha of the 16.3 ha property which are in the ALR.

**Decision:**

Resolution #	Decision Date	Decision Description
258/1989	April 3, 1989	Refused on the grounds that exclusion and s/d would not serve the best interests of agriculture in the area and would set a precedent similar developments thus increasing the rural residential density in a predominantly agricultural area.

## LOCAL GOVERNMENT INFORMATION

**Official Community Plan:**

**Bylaw Name:** Creston Valley OCP No. 1575

**Designation:** Agriculture 2

**Zoning:**

**Zoning Bylaw Name:** RDCK Zoning Bylaw No. 1675, 2004

**Zoning Designation:** Agriculture 2

**Minimum Lot Size:** 8.0 ha

**Comments and Recommendations:**

**Board/Council**

The Board has not made any comment on the application

## ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

The property has been the subject of two applications, one for exclusion and one for subdivision. Both were refused.

The CLI soil capability ratings suggest that the property has good agricultural potential. However, the information provided by the applicant suggests that there may be more limitations on capability than is suggested by the ratings.

The exclusion of the property could set a precedent that would result in pressure for exclusions elsewhere in the ALR.

Approval of subdivision on the subject property could encourage subdivision applications from adjacent property owners in the area, would reduce the agricultural options for the property and would increase the potential for conflicts between rural residents and agriculture.

A site visit will help the Commission to assess the merits of the application.

## **ATTACHMENTS**

51897\_ContextMap20k.pdf  
51897\_AgCapabilityMap.pdf  
51897\_AirphotoMap10k.pdf  
51897sketch of property.pdf

## **END OF REPORT**

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