



Provincial Agricultural Land Commission - Staff Report

Application: 52043

Applicant: Tembec Industries Inc
Local Government: Regional District of East Kootenay

Proposal: SUBDIVISION - The proposal is to subdivide a 208 ha property to create 15 additional parcels. The portion of the property located within the ALR is 113.7 ha in extent. Within this portion it is proposed to create 8 additional parcels ranging in size from 2 ha adjacent to St Mary Lake to 8 ha parcels back from the lake. The remainder is 140 ha in extent of which approximately 78 ha is located within the ALR.

BACKGROUND INFORMATION

Background information is provided in the attachments.

PROPERTY INFORMATION

PID: 011-836-539
Legal Description: Sublot 39 District Lot 4592 Kootenay District Plan X30
Property Area: 208.0 ha
ALR Area: 113.7 ha
Purchase Date: September 19, 2002
Location: St. Mary Valley Lake area
Owner: Tembec Industries Inc

LAND USE

Current Land Use:

Land is currently vacant. The portion of the proposed Lot A along Lakefront Rd is used by the public as a recreation day use area. The only structure remaining on the land is a concrete outhouse facility open to the public

Surrounding Land Uses:

North: Bootleg Holdings - Rural residential
 East: Vacant Crown timber land
 South: Vacant Crown timber land
 West: Vacant Crown timber land,

PROPOSAL DETAILS

Subdivision - ALR Area: 113.7 ha

Number of Lots	ALR Area of Lot (ha)
1	8.0
1	6.0
4	2.0
1	7.3
1	77.0
1	6.5

Agricultural Capability:

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

Source: CLI

Mapsheet: 82F.060, 82F.070

PREVIOUS APPLICATIONS

Application ID: 16076

Legacy #: 33428

Applicant: Crestbrook Forest Industries Ltd

Proposal: To develop a forest service type campground that would include a hand pump water well, pump out outhouses and approximately 39 campsites.

Decision:

Resolution #	Decision Date	Decision Description
482/2000	September 28, 2000	Allow as requested.

LOCAL GOVERNMENT INFORMATION

Comments and Recommendations:

Advisory Planning Committee

The Advisory Planning Commission supports the application

Board/Council

The application is supported by the Board

Planning Staff

The recommendation of staff was to support the application

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- The Commission supported the construction of a campground on this property in terms of Resolution Number 482/2000. This camp ground was not successful and was closed in October 2009.
- The property is located at the extremity of an ALR block that predominantly comprises soils with Class 4 improved soil capability ratings. The limitations of the subject property are topography and soil moisture deficiency. These ratings suggest that the area in general, including the subject property, has reasonable agricultural potential. However most of the area is Crown Timber land that does not appear to be used at present for agriculture.
- The proposal is supported by the Board, the APC and the staff of the Regional District. One of the proposed parcels is intended to be dedicated to the Regional District for public use with access to St Mary Lake.
- The development of the property for rural residential properties (to include secondary suites) together with the public use of the property will result in the generation of a significant number of people to the area. This has the potential to impact negatively on future agricultural potential.
- The Kimberley Rural OCP designates the property as Commercial Recreation which is intended to accommodate campgrounds but not the proposed Rural Residential parcels. The Kimberley Rural Zoning and Floodplain Management Bylaw zones the property as Recreation Accommodation within which a recreational vehicle park and a community hall are the only primary permitted uses. A dwelling is permitted as an accessory use. These provisions have been endorsed by the Commission. The proposed uses are thus not permitted in terms of the land use bylaws and they have not been endorsed by the Commission.
- In the event that the Commission is favourably inclined towards the proposal a preferred option might be to exclude the property from the ALR. This would require a new application. While the development is not likely to have any significant impact on existing agricultural operations it has the potential to impact agriculture in the future. There might therefore be benefits from an ALR review of the area to better determine the future agricultural potential of this area.
- A site visit and meeting with the applicant will help to determine whether or not this proposal will have an impact on agriculture.

ATTACHMENTS

52043 sketch plan.pdf
52043 google image.pdf
52043 notes of proposal.pdf
52043_ContextMap50k.pdf
52043_AgCapabilityMap.pdf
52043_AirphotoMap20k.pdf

END OF REPORT

Prepared by: Roger Cheetham, Regional Planner