



# Provincial Agricultural Land Commission - Staff Report

## Application: 52094

**Applicant:** Daniel & Amy Friedenberger  
**Local Government:** Village of Nakusp

**Proposal:** To subdivide a 0.4 ha lot from the existing 4 ha parcel for the purpose of establishing a residential lot for family members. The new lot would incorporate the existing deactivated house on the property which is scheduled for demolition.

The applicants have provided an explanation of their proposal (see attached document).

## BACKGROUND INFORMATION

The owners of the property intend to develop ~ 35% of the land into a vineyard in cooperation with the Arrow Lakes Grape Growers Society.

The proposed new lot would be retained by the applicants parents to live and help develop the property as a vineyard.

## PROPERTY INFORMATION

**PID:** 015-823-342  
**Legal Description:** Lot 130 District Lot 397 Kootenay District Plan 980 Except Plans R370 and NEP65450  
**Property Area:** 3.8 ha  
**ALR Area:** 3.8 ha  
**Purchase Date:** October 29, 1999  
**Location:** On the northeastern edge of the Village of Nakusp.  
**Owner:** Daniel & Amy Friedenberger

## LAND USE

### Current Land Use:

There is a new residence (which is inhabited by the applicants) and an older deactivated house on the property. The land is used for hay, pasture. The remainder of the land is wooded.

### Surrounding Land Uses:

North: Residential  
East: Residential / Commercial  
South: Residential  
West: Residential / Agricultural

## PROPOSAL DETAILS

## PROPOSAL DETAILS

Subdivision - ALR Area: 3.8 ha

| Number of Lots | ALR Area of Lot (ha) |
|----------------|----------------------|
| 1              | 3.4                  |
| 1              | 0.4                  |

### Agricultural Capability:

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

Source: CLI

Mapsheet: 82K/4

## RELEVANT APPLICATIONS

Application ID: 44425

Legacy #: 37680

Applicant: Charlie and Jackie Wild

Proposal: To subdivide the 4.0 ha subject property into two (2) equal 2.0 ha parcels.

### Decision:

| Resolution # | Decision Date | Decision Description                  |
|--------------|---------------|---------------------------------------|
| 255/2008     | May 8, 2008   | Refused due to impact on agriculture. |

Note: Legacy File #37680, located to the south of the subject property.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

Bylaw Name: Bylaw No. 612

Designation: Farm Land

OCP Compliance: Yes

### Zoning:

Zoning Bylaw Name: Bylaw 614

Zoning Designation: RU-1

Minimum Lot Size: 10.0 ha

Zoning Compliance: Yes

### Comments and Recommendations:

#### Board/Council

That the Village of Nakusp forward a letter of support for Mr. Judd's application for a family subdivision conditional on it being 1 acre (0.4 ha) to compliment the parcel size in the neighborhood"

## ALC STAFF COMMENTS

Staff has the following comments:

- The proposed subdivision is to provide the applicant's parents with a separate property to live and would encompass the existing deactivated dwelling. Development of the new lot would include building a new home and general up-grade of the land.
- The subject property has prime agricultural capability ratings with class 2 and 3 ratings with undesirable soil structure and topography limitations.
- This application is part of their objective to develop the property into a vineyard, vegetable garden and a small orchard.
- The existing zoning permits two (2) single family homes or duplexes on the property. An option may be to consider the construction of a new dwelling in place of the existing deactivated building.

## ATTACHMENTS

52094\_ContextMap20k.pdf  
52094\_AgCapabilityMap.pdf  
52094\_AirphotoMap10k.pdf  
52094Proposal.pdf

## END OF REPORT

**Prepared by:** Ron Wallace, January 20, 2011