



# Provincial Agricultural Land Commission - Staff Report

## Application: 52215

**Applicant:** Michael Nasmyth  
**Agent:** Regional District of Central Kootenay  
**Local Government:** Regional District of Central Kootenay

**Proposal:** Subdivision / Non-farm Use - Proposal: to subdivide a 17 ha parcel to create a 2.67 ha Regional District park for public use. Proposed park improvements include a parking area, washrooms, picnic tables, and trail maintenance.

## BACKGROUND INFORMATION

The subject site is a 17 ha parcel located between the Slocan River (to the south and west) and Highway 6 (to the east) in Crescent Valley. The proposed 2.67 ha parcel is located along the southern boundary of the site, and includes approximately 300 linear feet of sandy beach as well as an adjacent lightly wooded upland area that contains remnants of a large sawmill that existed at the site early in the 20th century. The current and former owners have allowed public beach access for many years. The site is heavily used in summer months by beachgoers and is a popular staging area for paddlers and rafters. The owners have entered into a preliminary agreement to transfer the 2.67 ha portion of the site to the Regional District of Central Kootenay, who would manage the site as a Regional District Park.

## PROPERTY INFORMATION

**PID:** 016-412-613  
**Legal Description:** Parcel 2 (See 171411) of District Lot 303 Kootenay District Except (1) Parcel A (Reference Plan 905831), (2) Parcel B (Reference Plan 940801), (3) Parcel C (Reference Plan 1167861) and (4) Part Included in Plan 5697  
**Property Area:** 17.0 ha  
**ALR Area:** 16.7 ha  
**Purchase Date:** October 26, 2009  
**Location:** 1325 Highway 6, Crescent Valley  
**Owner:**

## LAND USE

### Current Land Use:

The majority of the site is open field (uncultivated), and contains several structures that appear to be a residence and outbuildings. A site visit will help clarify current land use in this part of the site. The southern portion of the site contains wooded trails and a beach area that is heavily used by the public.

### Surrounding Land Uses:

North: Commercial & Residential  
East: Highway 6, Commercial & Residential  
South: Slocan River  
West: Slocan River

## PROPOSAL DETAILS

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Subdivision - ALR Area: 17.0 ha

Number of Lots	ALR Area of Lot (ha)
1	14.3
1	2.7

### Agricultural Capability:

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

Source: CLI

Mapsheet: 82F/05

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Non- Farm Use Area: 2.7 ha

Non- Farm Use Type: Recreational: Parks & Playing Fields

### Agricultural Capability:

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

Source: CLI

Mapsheet: 82F/05

## PREVIOUS APPLICATIONS

Application ID: 39541

Legacy #: 18824

Applicant: Pam & Francis NASMYTH

Note: 1. Resolution 92/85 - February 15, 1985  
Approved a 5,000 sq. ft. seasonal fruit stand.  
2. Resolution 693/85 - July 24, 1985 (Reconsideration)  
Approved a 1200 sq. ft. permanent fruit stand/store.

## RELEVANT APPLICATIONS

Application ID: 1957

Legacy #: 28669

Applicant: Provincial Agricultural Land Commission

Proposal: Block Application - ALR review of the Slokan 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: Resolution 89/1994 - February 3, 1994  
Block exclusion application: Allowed exclusion of 861 ha, refused exclusion of 32.6 ha; subject to inclusion of 100 ha. Parcel A of Parcel 2 of DL 303 (immediately north of the Nasmyth property) was excluded.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

Bylaw Name: n/a

Designation: n/a

### Zoning:

Zoning Bylaw Name: n/a

Zoning Designation: n/a

## **ALC STAFF COMMENTS**

- ALC mapping indicates that the total parcel area is 17 ha, with 16.7 ha within ALR boundaries. The submitted application lists the total parcel area as 15.97 ha.
- Use of open park land established by a local government for passive recreation is a permitted use within the ALR, provided that any associated buildings and structures do not exceed 100 sq. meters. The applicant will provide more detailed plans of the proposed improvements.
- Public access to the beach area appears to pre-date the establishment of the ALR.
- A landscape buffer and fencing may be required to prevent conflicts should farming occur on the property in the future.

## **ATTACHMENTS**

52215\_ContextMap20k.pdf  
52215\_AirphotoMap5k.pdf  
52215\_AgCapabilityMap.pdf

## **END OF REPORT**

**Prepared by:** Lily Ford, April 15, 2011