



Provincial Agricultural Land Commission - Staff Report

Application: 52185

Applicant: Richard Kemsley
Local Government: Kootenay-Boundary

Proposal: SUBDIVISION - Proposal; to subdivide the existing land into 2 lots, identified as Lot A (remainder of parcel) = approx 1.62 ha and Lot BC (proposed subdivision) - approx. 1.87 ha.

BACKGROUND INFORMATION

In 2004 this property was subject of a previous application. Commission conducted site inspection and observed that the property had steep topography and was not suitable for agriculture. The result was a subdivision into 2 parcels, one of which is the property in question (see previous application).

PROPERTY INFORMATION

PID: 026-464-144
Legal Description: Lot A District Lot 513 Similkameen Division Yale District Plan KAP79426
Property Area: 3.5 ha
ALR Area: 3.5 ha
Purchase Date: June 1, 2006
Location: 3394 Highway 3, Rock Creek
Owner: Richard Kemsley

Total ALR Area:

LAND USE

Current Land Use:

The property currently contains a house, workshop, carport and 2 small outbuildings. The highway frontage is used as horse pasture.

Surrounding Land Uses:

North: Highway 3
East: Hay barns - land not worked
South: Farm land - forage crops
West: Residential

PROPOSAL DETAILS

Subdivision - ALR Area: 3.5 ha

Number of Lots	ALR Area of Lot (ha)
1	1.6
1	1.9

Agricultural Capability:

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

Source: CLI

Mapsheet: 82E/02

PREVIOUS APPLICATIONS

Application ID: 41444

Legacy #: 35565

Applicant: Robert & Sue Marston

Proposal: To subdivide the 7.4 ha property into 2 parcels of approximately 3 ha and 4.4 ha for residential use. Each proposed lot already has an existing house with a good drilled well and septic system.

Decision:

Resolution #	Decision Date	Decision Description
453/2004	October 7, 2004	Allow as requested.

Note: ALC legacy file 35565. Eastern portion of previous subdivision.

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:

Advisory Planning Committee

Recommend subdivision be approved.

Board/Council

RDKB Board forwards application without a recommendation of support.

Planning Staff

Forwarded application without support for subdivision.

ALC STAFF COMMENTS

Staff recommends that the commission consider the following:

- Property has limited ag. capability, as shown on the CLI map and Mr. Luttmerding's report.
- The application was not supported by the APC and regional board.
- Despite the limited capability there are portion of the property that are improvable to 2 and 3 with limited stoniness.
- The Commission may consider the consolidation of Area BC with adjacent property.

ATTACHMENTS

52185_ContextMap10k.pdf

52185_AirphotoMap5k.pdf

52185_AgCapabilityMap.pdf

END OF REPORT

Prepared by: Eamonn Watson, Land Use Planner