



Provincial Agricultural Land Commission - Staff Report

Application: 52699

Applicants: Pamela Grandmaison, Raymond & Teresa Soh

Local Government: Kootenay-Boundary EA

Proposal: Subdivision of a 39.6 ha parcel into eighteen 0.4 ha parcels, one 2.4 ha parcel (for roads and common buildings), and a 30 ha remainder.

BACKGROUND INFORMATION

On March 24, 2010, the Commission refused an application to develop a 109 unit strata RV park on approximately 4 ha of the property, on the basis that the proposal was inconsistent with the objective of the Agricultural Land Commission Act and would negatively impact agricultural land. The Commission did indicate, however, that it would be willing to consider an alternative location for the RV facility, which as proposed was located in a significant grazing area in the most level portion of the property.

PROPERTY INFORMATION

PID: 014-978-661

Legal Description: That Part of District Lot 1144S Similkameen Division Yale District Which lies to the East of the Easterly Limit of Plan H722

Property Area: 39.6 ha

ALR Area: 39.6 ha

Purchase Date: April 30, 2008

Location: 4520 Highway 3, Rock Creek

Owners: Pamela Grandmaison, Raymond & Teresa Soh

Total ALR Area:

LAND USE

Current Land Use:

Residential and agricultural (horse breeding)

Surrounding Land Uses:

North: Large holdings/agricultural

East: Rural residential (non-ALR)

South: Large holdings

West: Large holdings

PROPOSAL DETAILS

Subdivision - ALR Area: 39.6 ha

Number of Lots	ALR Area of Lot (ha)
1	30.0
1	2.4
18	0.4

Agricultural Capability:

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

Source: CLI

Mapsheet: 82E/3

PREVIOUS APPLICATIONS

Application ID: 51127

Applicant: Pamela Grandmaison

Proposal: To subdivide a 109 unit strata for a RV recreation park on a ~4 ha portion of the 41.6 ha property.

Decision:

Resolution #	Decision Date	Decision Description
2316/2010	March 24, 2010	Refuse as proposed

RELEVANT APPLICATIONS

Application ID: 44670

Legacy #: 37872

Applicant: Alain and Jill Cunningham

Proposal: To subdivide the 78.7 ha subject property to create one (1) lot at approximately 2.0 ha and a remainder at 76.7 ha.

Decision:

Resolution #	Decision Date	Decision Description
121/2008	March 25, 2008	Allowed as the Commission believes that the subdivision will not have an impact on agriculture, as the proposed parcel is surrounded by a park, the gravel pit and a river canyon.

Note: This application concerns a property southwest of the site currently under application.

Application ID: 27984

Legacy #: 02782

Applicant: P&R Girard

Note: Resolution #5622/77. Refusal of proposal to subdivide the property on the basis that subdivision would reduce the option for agricultural use of the land. This application concerns a property immediately south of the site currently under application.

Application ID: 27739

Legacy #: 13920

Applicant: Gabriel & Marie Carvalho

Note: Resolution #215/82. Refusal of proposal to subdivide a 237 ha parcel into a 61 ha parcel and 176 ha remainder, on the basis that the Commission is reluctant to allow the parcelization of active farmland in a grazing area. This application concerns a property immediately south of the site currently under application.

Application ID: 8691

Legacy #: 06695

Applicant: William & Vera Peacock

Proposal: Subdivide subject 20.2 ha (50 acres) into five lots of approximate equal size (4+ ha each).

Decision:

Resolution #	Decision Date	Decision Description
9804/1978	September 13, 1978	refuse as submitted but would permit 2 lots of 2 ha on the north end of the property.

Note: This application concerns a property immediately north of the site currently under application.

Application ID: 8690

Legacy #: 01937

Applicant: William & Vera Peacock

Proposal: Reconfigure 2 existing lots totalling 20.8 ha into 2 lots (4.7 and 16.1 ha).

Decision:

Resolution #	Decision Date	Decision Description
4482/1976	August 18, 1976	Allow subject to consolidation.

Note: This application concerns a property immediately north of the site currently under application.

Application ID: 8683

Legacy #: 15646

Applicant: Brian & Donna Scott

Proposal: Subdivision of property into 2 lots along Hillme Creek, 12.2 (partially in ALR) and 31.1 ha respectively

Decision:

Resolution #	Decision Date	Decision Description
2820/1982	December 14, 1982	Refuse subdivision as proposed.

Note: This application concerns a property immediately north of the site currently under application.

Application ID: 2109

Legacy #: 28832

Applicant: STEVE & SYLVIA PRICE

Proposal: Subdivide the 82.8 ha lot into 2 lots (23.5 & 57.5 ha).

Decision:

Resolution #	Decision Date	Decision Description
334/1994	April 26, 1994	Refuse subdivision as proposed.

RELEVANT APPLICATIONS

Note: This application concerns a property immediately north of the site currently under application.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: None

Designation: N/A

Zoning:

Zoning Bylaw Name: None

Zoning Designation: N/A

Comments and Recommendations:

Advisory Planning Committee

On March 8, 2012, the Advisory Planning Commission for Electoral Area "E" concluded: "We do not approve this application. Eight gallons per minute well is not even close to what is necessary for a development of this nature."

Board/Council

On March 30, 2012, the Regional District of Kootenay Boundary Board adopted Resolution 141-12 to forward the application to the Commission without a recommendation.

ALC STAFF COMMENTS

-- As shown in CLI map 82E/3, the agricultural capability rating for the subject property is primarily 4TP, with an area rated 6T in the eastern portion of the property. The proposed 18 residential lots are located in the area of the property rated 4TP.

-- The property is surrounded primarily by large holdings, some of which contain agricultural uses. Smaller lots containing rural residential uses are found to the immediate east, outside of the ALR.

END OF REPORT

Prepared by: Lily Ford, July 9, 2012