



# Provincial Agricultural Land Commission - Staff Report

## Application: 52700

**Applicant:** 0918680 BC Ltd  
**Agent:** A.F. Hoefsloot  
**Local Government:** Kootenay-Boundary EA

**Proposal:** SUBDIVISION - Subdivision of a 33.3 ha parcel (22.4 ha in the ALR) into one approximately 16 ha parcel (6.1 ha in the ALR) and a 17.3 ha remainder (16.3 ha in the ALR). The applicant is proposing to include an approximately 1 ha area of non-ALR land so that the entire remainder is within the ALR.

### BACKGROUND INFORMATION

The subject property is an irregularly shaped parcel that is the result, in part, of previously approved ALR subdivisions. The ALR boundary on the property is also irregular, reflecting the varying agricultural capability in the area. Both Boundary Creek and the Trans-Canada Trail traverse the property in a generally north-south direction.

The applicants seek to divide the northern portion of the property, which contains about 6.1 ha of ALR land, from the 17.3 ha remainder. The remainder is entirely within the ALR, with the exception of a one hectare triangular piece of land that the applicant proposes to include in conjunction with subdivision approval.

### PROPERTY INFORMATION

**PID:** 027-311-406  
**Legal Description:** Lot 1 Sections 29 and 32 Township 70 Similkameen Division Yale District Plan KAP85369  
**Property Area:** 33.2 ha  
**ALR Area:** 22.4 ha  
**Purchase Date:** August 30, 2011  
**Location:** Highway 3, south of Greenwood  
**Owner:** 0918680 BC Ltd

**Total ALR Area:**

### LAND USE

#### Current Land Use:

Agricultural (hayfield); barn and sheds; undeveloped.

#### Surrounding Land Uses:

North: Residential (mobile home park)  
East: Residential / Undeveloped  
South: Agricultural (hayfield)  
West: Undeveloped (Crown Land)

## PROPOSAL DETAILS

Subdivision - ALR Area: 22.4 ha

Number of Lots	ALR Area of Lot (ha)
1	16.3
1	6.1

### Agricultural Capability:

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

Source: BCLI

Mapsheet: 82E/2

## PREVIOUS APPLICATIONS

Application ID: 28407

Legacy #: 17515

Applicant: Geo & Susan Smith

Decision:

Resolution #	Decision Date	Decision Description
235/1984	March 7, 1984	Allowed.

Note: This subdivision created the property currently under application.

## RELEVANT APPLICATIONS

Application ID: 28946

Legacy #: 01433

Applicant: DC Hill

Decision:

Resolution #	Decision Date	Decision Description
2054/1975	July 31, 1975	Allowed.

Note: The subject property is a parent parcel of the property currently under application; however, the approved subdivision was located on the opposite side of Highway 3.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

Bylaw Name: None

Designation: None

### Zoning:

Zoning Bylaw Name: None

Zoning Designation: None

### Comments and Recommendations:

#### Advisory Planning Committee

On March 8, 2012, the Advisory Planning Commission for Electoral Area "E" made the following comments: "We approve this request. It has very little ALR value. We foresee more value in this becoming part of the trailer site next to it."

#### Board/Council

On March 30, 2012, the Regional District of Kootenay Boundary Board adopted Resolution 143-12 to forward the application to the ALC without a resolution.

#### Planning Staff

In its February 12, 2012 staff report, RDKB planning staff made the following comments: "If the application is supported by the ALC, the applicant will then need to submit a subdivision application to the Ministry of Transportation and Infrastructure. At that time, access issues will be addressed. It should be noted that the applicant has not disclosed their intent on future development of the property. At his time, the Planning and Development office has not received any information that indicates the applicant's intention to develop a mobile home site. On the specific issue of ALR subdivision, there are no OCP or zoning bylaws in this portion of Area "E," which establish policies on ALR subdivision. Accordingly, ALR subdivision applications are generally referred to the ALC without a recommendation."

## **ALC STAFF COMMENTS**

-- As shown on British Columbia Land Inventory (BCLI) Map 82E/2, the improved ratings for the ALR portion of the property are primarily Class 4 with limitations due to moisture deficiency. BCLI Map 82E/2 shows the boundary of Class 4 land considerably west of Boundary Creek, consistent with the ALR boundary.

--In contrast, the agricultural capability map submitted by the Regional District of Kootenay Boundary (RDKB), which is based on a study by Herb Luttmerding, P.Ag., indicates that much of the ALR land on the proposed northern parcel is rated Class 6 with limitations due to topography and bedrock near the surface. The eastern boundary of this rating coincides with the foot of the mountain located just west of Boundary Creek, and is consistent with observations made during the site inspection. The amount of flat, Class 4 ALR land on the northern parcel thus appears to be an approximately 1 ha area located between Boundary Creek and the Trans-Canada Trail.

## **END OF REPORT**

**Prepared by:** Lily Ford, September 6, 2012