



Provincial Agricultural Land Commission - Staff Report

Application: 52706

Applicants: Vernon and Sharon Barr, Richard & Joanne Thom

Local Government: East Kootenay EA

Proposal: Subdivision of a 25.2 ha parcel containing an RV resort into one 1 ha parcel and a 24.2 ha remainder.

BACKGROUND INFORMATION

On October 17, 2006, the Commission approved establishment of a RV facility on 11.3 ha of the subject property, subject to construction of fencing and vegetative screening along the southern boundary of the property (Resolution #600/2006). The RV resort is now in place.

PROPERTY INFORMATION

PID: 016-418-077

Legal Description: District Lot 6206 Kootenay District, Except (1) Parcel A (Explanatory Plan 20286I) and (2) Part Included in Plans 2272, 2345, 2465, 2756, 4905, 4981, 8789, 15618 and Plans NEP69200 and NEP91497

Property Area: 25.9 ha

ALR Area: 25.2 ha

Purchase Date: September 2, 1983

Location: 2218 Highway 3/93, Jaffray

Owners: Richard & Joanne Thom, Vernon and Sharon Barr

Total ALR Area:

LAND USE

Current Land Use:

Forty unit RV resort and three residences.

Surrounding Land Uses:

North: Highway 3/95 and large holdings/agriculture beyond.

East: Residential and institutional (church).

South: Railroad and large holdings beyond.

West: Undeveloped/agricultural and residential.

PROPOSAL DETAILS

Subdivision - ALR Area: 25.2 ha

Number of Lots	ALR Area of Lot (ha)
1	1.0
1	24.2

Agricultural Capability:

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

Source: BCLI

Mapsheet: 82G/6

PREVIOUS APPLICATIONS

Application ID: 42651

Legacy #: 36447

Applicant: Vernon & Sharon Barr

Proposal: To develop an R.V. Park on the least productive area of the property. The land proposed for development into this facility, 11.3 ha, is rocky, treed and has only ever been used as pasture land.

Due to the location of the proposed RV Park just off highway 93, the applicants expect all types of recreational vehicles, and they wish to be able to accommodate all lengths and types and newest trends in the growing RV world. We want to be versatile and able to meet all the recreational needs.

Decision:

Resolution #	Decision Date	Decision Description
137/2006	March 21, 2006	Refused the proposed development of an RV park on the 11.3 ha portion of the property as the land has potential for agricultural use.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Jaffray, Tie Lake, Rosen Lake Land Use Bylaw

Designation: RR-60

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: None

Zoning Designation: N/A

Minimum Lot Size: 60.0 ha

Comments and Recommendations:

Advisory Planning Committee

The Advisory Planning Commission for Area B supports the application.

Board/Council

On March 30, 2012, the Regional District of East Kootenay Board adopted Resolution 42976 in support of the proposal.

ALC STAFF COMMENTS

-- As shown in BCLI Map 82G/6, the agricultural capability ratings of the parcel are 6:4M - 4:3X, improvable to 6:3M - 4:2X.

-- A 11.3 ha portion of the site is designated for commercial use (C-3) and contains the 40 unit Disneybrook RV Resort. The remainder of the lot, including the proposed 1 ha parcel, is designated RR-60. Although the proposed 1 ha parcel is inconsistent with this designation, it is consistent with Section 946 of the Local Government Act which allows subdivision for family members.

-- ALC Policy #8 allows placement of one manufactured home, in addition to a permanent residence, for use by an immediate family member. The subject site contains a permanent single family residence and two manufactured homes. The manufactured home nearest the permanent residence appears in 1979 air photos of the area, and may have been in place prior to the effectiveness date of the ALR. The second manufactured home is occupied by the owner's immediate family. The subject application would create a separate 1 ha lot for this manufactured home.

END OF REPORT

Prepared by: Lily Ford, July 9, 2012