



BOARD REPORT

TO: Chair and Directors

File No: LC2548E
PL20170000230

SUBJECT: Electoral Area E: Agricultural Land Commission (ALC) Application
Section 21(2) – Subdivision LC2548E (Milliken)

DESCRIPTION: Report from Candice Benner, Development Services Assistant, dated
January 23, 2018.
Johnson-Howard Road , Malakwa

RECOMMENDATION: THAT: Application No. LC2548E, Section 21(2) Subdivision in the ALR,
for Block B, Section 4, Township 23, Range 6, W6M, KDYD, be forwarded
to the Provincial Agricultural Land Commission recommending refusal on
this 29th day of March, 2018.

SHORT SUMMARY:

The subject parcel is located in Malakwa of Electoral Area E. The applicant is applying to subdivide the parcel into two lots; with the proposed parcel boundaries being Johnson-Howard Road. Forty-six percent of the parcel is in the ALR, with the proposed subdivision boundary partially within the ALR.

This application was originally on the February 15, 2018, Board Agenda but was removed from the agenda at the agent's request. The agent has confirmed they wish the application to be included on the March 29, 2018, agenda for Board consideration.

VOTING:	Unweighted Corporate	<input checked="" type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (<i>Weighted</i>)	<input type="checkbox"/>
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BACKGROUND:

REGISTERED OWNER(S):
Duane Milliken

AGENT:
Browne Johnson Land Surveyors

ELECTORAL AREA:
E

ADDRESS:
N/A

LEGAL DESCRIPTION:
Block B Section 4 Township 23 Range 6 W6M KDYD

PID:

026-203-146

SURROUNDING LAND USE PATTERN:

North = rural, residential

South = rural, residential

East = agriculture, residential

West = rural, Oxbow Frontage Road and Trans-Canada Highway

PARCEL SIZE:

9.92 ha

CURRENT USE:

1. Vacant
2. Access to land locked parcels

PROPOSED USE:

unknown

DESIGNATION:

N/A

ZONE:

N/A

AGRICULTURAL LAND RESERVE:

46%

FARM STATUS:

Yes

SOIL CAPABILITY:

See "Maps_Plans_LC2548E.pdf" attached.

According to the Canada Land Inventory mapping, approximately 85% of the property is 70% Class 4 and 30% Class 7 soils with topography as a limiting factor; soils not improvable.

Approximately 15% of the property is 60% Class 4 and 40% Class 5 with stoniness and moisture as limiting factors; soils not improvable.

HISTORY:

See "Maps_Plans_LC2548E.pdf" attached.

1089 (1973): CSRD initiated exclusion; 30 acres approved, 70 acres remain

1171 (1976): exclusion refused, subdivision approved

1336 (1977): exclusion refused

1515 (1978): exclusion, applicants did not proceed

1812 (1982): 24 ha exclusion approved

SITE COMMENTS: The subject parcel is currently vacant. It is divided into two by Howard-Johnson Road which provides access to parcels further east/southeast of the subject parcel. It appears that the land had been cleared in the past and has flat to moderate slopes. Approximately 46% of the parcel is within the ALR, with the boundary running north/south, perpendicular to the proposed subdivision boundary which runs east/west.

The parcel is located east of Trans-Canada Highway with Malakwa located west of the highway. Surrounding properties include mixed uses of rural, agricultural, and residential. The parcel to the southeast is also owned by the Duanne Milliken, the subject parcel owner.

POLICY:

Electoral Area E does not have an Official Community Plan and the subject parcel is without the benefit of zoning regulation.

FINANCIAL:

There are no financial implications to the CSRD with this application.

KEY ISSUES/CONCEPTS:

The owner has indicated that the subject parcel currently supports grazing. The owner wishes to subdivide the subject parcel into 2 lots with the intention that the proposed lot 1 will be residential and the remainder parcel to be used as pasture. Currently there are no services going to the subject parcel; further information regarding servicing, access, and building sites will be required at the subdivision stage, if the ALC approves this application.

SUMMARY:

Development Services staff is recommending that the Board send a recommendation of refusal for this subdivision application for the following reasons:

- The subject parcel has agricultural capability and currently supports grazing which requires larger land holdings;
- Subdivision may create fragmentation of ALR land; Howard-Johnson Road is considered an undeveloped secondary access and does not pose a significant divider or barrier for agricultural practices for the subject parcel.

IMPLEMENTATION:

If the ALC approves this application, the owners may submit a subdivision application.

COMMUNICATIONS:

The recommendation of the Board will be forwarded to the ALC for consideration during its review of this application.

DESIRED OUTCOMES:

Endorse staff recommendation.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

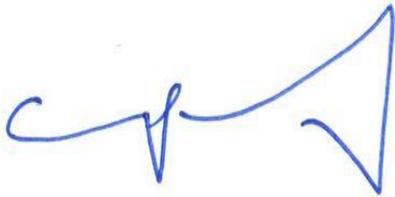
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Agricultural Land Commission Application Package

Report Approval Details

Document Title:	2018-03-29_Board_DS_LC2548E_Milliken.docx
Attachments:	- Maps_Plans_LC2548E.pdf
Final Approval Date:	Mar 16, 2018

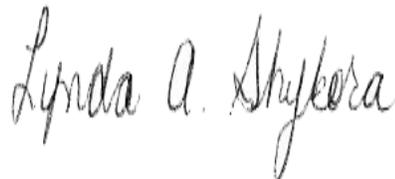
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Mar 13, 2018 - 12:09 PM



Gerald Christie - Mar 15, 2018 - 7:44 AM



Lynda Shykora - Mar 15, 2018 - 9:10 AM



Charles Hamilton - Mar 16, 2018 - 8:18 AM