



# BOARD REPORT

**TO:**

**Chair and Directors**

**File No:** 6140 20 16

**SUBJECT:**

**Electoral Area A – Nicholson Boat Launch: Application to ALC for Non-Farm Use in ALR**

**DESCRIPTION:**

Report from Ryan Nitchie, Team Leader, Community Services, dated May 4, 2018. Nicholson Boat Launch Application to ALC for Non-Farm Use in ALR for owners Columbia View Homes Ltd.

**RECOMMENDATION #1:**

THAT: Application No. 57290 Section 20(3) Non-Farm Use in the Agricultural Land Reserve, for Parcel A (Sketch Plan 5055I), Section 30, Township 26, Range 21, West of the Fifth Meridian, Kootenay District, Except Plans NEP65016 and NEP66542 be forwarded to the Provincial Agricultural Land Commission recommending approval on this 17th day of May, 2018.

## SHORT SUMMARY:

CSR Parks would like to utilize the area of Parcel A (Sketch Plan 5055I), Section 30, Township 26, Range 21, West of the Fifth Meridian, Kootenay District, Except Plans NEP65016 and NEP66542, that is currently delineated in Statutory Right-of-Way CA6757194 and CA6757195, which reserves this area for public use for construction and operation of a day-use area, boat launch and parking. The property lies within the Agricultural Land Reserve (ALR). The proposed use is not permitted in the Agricultural Land Commission (ALC) Act or regulations. The property lies within an area that is not subject to any land use bylaws.

**VOTING:**

Unweighted  
Corporate



LGA Part 14  
(Unweighted)



Weighted  
Corporate



Stakeholder  
(Weighted)



## BACKGROUND:

The subject property is located at 820 Canyon Creek Road, in the Canyon Creek/Nicholson area of Electoral Area A. The subject property is adjacent to the Columbia River. In 2011, the Board supported the same resolution which was eventually approved by the ALC Resolution #376/2011. Following consultation with the land owner, Ministry of Environment, environmental consultants, the Electoral Area A Parks Advisory Committee and the Electoral Area Director, a more suitable site along the Columbia River was selected within the same subject property but is located less than 100 metres from the originally planned boat launch site. As the new location was outside of the existing Statutory Right-of-Way (SROW), the former SROW was released and a new SROW agreement was entered into between the land owner and the CSR. Subsequently, a new application for Non-Farm Use within the ALR to the ALC is required to permit park use on the subject property.

The new SROW utilizes existing driveway roads and will see construction of the boat launch at a previously disturbed site which was used as a log storage yard and log de-watering site. The new SROW encumbers much less land than the previous SROW, which impacts less land within the ALR. The location of the new boat launch site lessens the environmental impact on the riparian area along

the Columbia River as the selected site was used for logging activities. The land owner is not aware of any farming activities having taken place on the subject property.

The remainder of the property is currently used for an eco-ranch commercial development, which was permitted as a non-farm use by the Agricultural Land Commission by Resolution #417/2004, which was further altered April 10, 2007 under File #H-35391.

**POLICY:**

The Board of Directors previously reviewed CSRD Parks plans to utilize the SROW area for a day-use park and boat launch purposes at the July 20, 2011 regular meeting. At that meeting the Board supported the application to the ALC for Non-Farm Use.

**FINANCIAL:**

A \$900.00 application fee will be required.

Funding for the construction of the park project was approved within the Electoral Area A Parks budget utilizing capital reserves and Electoral Area A Community Works Funds. The CSRD also received a Recreation Infrastructure Grant from the Columbia Basin Trust.

**KEY ISSUES/CONCEPTS:**

This project is recommended in the Electoral Area A Parks Plan and is supported by the Electoral Area A Parks Advisory Committee and the Electoral Area A Director. The Non-Farm Use application was previously supported by the Board. The impact to agriculture of this park will be negligible. The ALC has previously supported this Non-Farm Use.

**COMMUNICATIONS:**

A copy of the Board resolution will be provided to the Agricultural Land Commission.

**DESIRED OUTCOMES:**

The Board endorse the resolution to support the Non-Farm Use application to the ALC.

**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:**

**Report Approval Details**

Document Title:	Nicholson Boat Launch ALC Application Non Farm Use - May 2018.docx
Attachments:	- Nicholson ROW Sketch.pdf
Final Approval Date:	May 8, 2018

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

**No Signature - Task assigned to Darcy Mooney was completed by assistant Phaedra Turner**

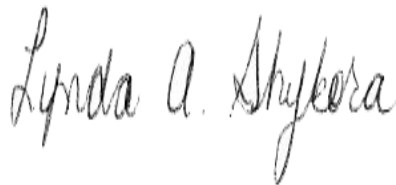
**Darcy Mooney - May 4, 2018 - 4:23 PM**



**Gerald Christie - May 7, 2018 - 8:46 AM**

**No Signature - Task assigned to Jodi Pierce was completed by assistant Sheena Haines**

**Jodi Pierce - May 7, 2018 - 8:55 AM**



**Lynda Shykora - May 8, 2018 - 10:14 AM**

**No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora**

**Charles Hamilton - May 8, 2018 - 10:15 AM**