



# BOARD REPORT

**TO:** Chair and Directors

**SUBJECT:** Electoral Area A: Agricultural Land Commission (ALC) Application  
Section 20(2) – Non-Farm Use LC2607A

**DESCRIPTION:** Report from Jan Thingsted, Planner III, dated April 2, 2024.  
872 McBeath Road, Nicholson

**RECOMMENDATION:** THAT: Application No. LC2607A, Section 20(2) Non-Farm Use in the ALR, for; Parcel A (Sketch Plan 50551), 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, this 18<sup>th</sup> day of April, 2024.  
*Corporate Vote Unweighted Majority*

## SUMMARY:

The subject property is located at 872 McBeath Road in the Nicholson area of Electoral Area A. The entire 157.2 ha property is in the Agricultural Land Reserve (ALR). The applicant has submitted a Non-Farm use application to upgrade the existing campground that was initially approved by the Agricultural Land Commission (ALC) in 2004. The proposed upgrade includes converting 6 non-serviced camping sites into electricity only sites, introducing 12 new tent sites, add 4 portable toilets, and repurposing the existing RV locations as an overflow parking area.

## BACKGROUND:

ELECTORAL AREA:  
A

LEGAL DESCRIPTION:  
Parcel A (Sketch Plan 50551), Section 30, Township 26, Range 21, West of the Fifth Meridian, Kootenay District, Except Plans NEP65016 and NEP66542.

PID:  
016-533-097

CIVIC ADDRESS:  
872 McBeath Road, Nicholson.

SURROUNDING LAND USE PATTERN  
North = Columbia River, Habart Residential area  
South = Canyon Creek Residential Area  
East = Columbia River, Nicholson Residential Area  
West = Rural Residential/Agricultural

CURRENT USE:

Golden Riverfront Campground – the 6 ha campground: includes 97 serviced and non-serviced site, 3 yurts, cabin(s), office/garage, staff housing, washhouse, pavilion, 3 pit toilets. 15 ha of the subject property is leased for grazing cattle and hay crop.

See: "LC2607A \_Maps\_Plans\_Photos.pdf" for further details.

#### PROPOSED USE:

The property owner would like to convert 6 non-serviced camping sites into electricity only sites, introduce 12 new tent sites, add 4 portable toilets, and repurpose the existing RV locations as an overflow parking area.

#### CURRENT PARCEL SIZE:

157.23 Ha

#### OFFICIAL COMMUNITY PLAN (OCP) DESIGNATION:

N/A

#### ZONE:

N/A

#### AGRICULTURAL LAND RESERVE (ALR):

100% in the ALR

#### SOIL CAPABILITY:

The Canada Land Inventory agricultural capability rating of the soils of the southern portion of subject property is 6:2X 4:4P:

60% Class 2 - Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

40% Class 4 (stoniness as the limiting factor) - Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

See "LC2607A \_Maps\_Plans\_Photos.pdf"

#### HISTORY

See attached corresponding ALR map included in "LC2607A \_Maps\_Plans\_Photos.pdf"

- ALC file #: LC2455A (2020) - ALC approved non-farm use application on the subject property for 1.8 ha CSRD Park & Boat Launch (Resolution #59/2020).
- ALC file #: H-35391 (2007 & 2004) – ALC granted non-farm use by the ALC for campground use of the subject property (Resolution #417/2004) and further changes on April 10, 2007. The owners developed an eco-ranch (campground, events pavilion, yurts, lagoon, and landing for hang gliders off Mount 7).
- ALC file #: LC2235A (1999) - ALC approved a 116 ha inclusion and subdivision creating a 1.44 ha parcel within the ALR (Resolution #12/1999).
- ALC file #: LC2082A (1991) - ALC refused an application to subdivide 14.69 ha of the subject property into 7 parcels (Resolution #1173/1990)
- ALC file #: LC1602A (1980) - ALC approved a 44.5 ha block exclusion and 5 ha inclusion (Resolution #40/1980).

**SITE COMMENTS:**

The subject property is located on the west side of the Columbia River and is accessed from McBeath Road. The property is flat, with the southern portion cleared and used mainly as grazing land, the central portion treed, and the northern portion located within the river floodplain. The existing campground includes 97 serviced and non-serviced sites, 3 yurts, cabin(s), office/garage, staff housing, washhouse, pavilion, 3 pit toilets.

**BYLAW ENFORCEMENT:**

No

**POLICY:**

Electoral Area A does not have an Official Community Plan Bylaw; and, other than properties located within 300 m of the Trans Canada Highway between Yoho and Glacier National Parks, which are subject to Zoning Bylaw No. 168, properties within Electoral Area A including the subject property are not subject to any zoning or land use regulations.

**FINANCIAL:**

There are no financial implications for the CSRD associated with this application.

**KEY ISSUES/CONCEPTS:**Proposal

The non-farm use application submitted proposes the following land use changes:

- Conversion of 6 existing non-serviced sites into "electricity only" sites for RVs, trailers, motorhomes, or movable cabins.
- Introduction of 12 new non-serviced walk-in "tent" sites with gravel bases covered by wood chips.
- Repurposing the existing RV locations as overflow parking areas.
- Installation of 4 portable toilets beside the entrance loop of the new sites by the forest edge

The proposed land use changes affect a 0.5 ha area of ALR land. The proposal notes that the owners will retain a 15 ha area of ALR land for cattle grazing.

See: "LC2607A\_ALC\_Application\_Proposal\_10-18-2023\_redacted.pdf" for proposal details.

Analysis

There is no OCP for Electoral Area A and Bylaw No. 168 (Highway Planning Area No. 1) zoning regulations does not apply to the subject property. In the absence of OCP policies or zoning regulations to provide guidance for analysis, staff apply general planning principles to provide direction when considering applications in Electoral Area A. Staff consider the potential impacts of non-farm use applications on the existing and potential agricultural activity on the subject property and on adjacent and nearby properties.

The proposal notes that approximately 6 ha are dedicated to current campground uses including RV sites, tent sites, washing facilities, office and support facilities, and access roads. The total area of the proposed upgrades to the existing campground is 0.5 ha which represents 0.3% of the subject property.

The uses proposed do not include the construction of permanent structures, buildings, or impermeable surfaces. The location of the proposed upgrades is on the north side of the existing campground away from grazing and hay areas on the southern part of the property. The location of the existing campground is over 300 m away from neighbouring properties and not anticipated to cause any noise disruptions or negatively impact any agricultural activities on these properties.

The proposed campground upgrades are considered very minor and as such, staff do not anticipate that the proposed non-farm use activities will have a negative impact on the ALR land or surrounding properties.

#### Rationale for recommendation

Staff are recommending that the Board forward ALC Application LC2607A for Non-Farm Use to the Agricultural Land Commission, with a recommendation to approve the application for the following reasons:

- The proposed upgrades affect only 0.3% of the subject property's ALR land and should not negatively impact existing or potential agricultural activity on the subject property or nearby properties.
- No permanent structures, buildings, or impermeable surfaces are being proposed.
- The owners will retain a 15 ha lease area of ALR land for cattle grazing and hay.

#### **IMPLEMENTATION:**

If the ALC approves this application, the property owner will be able to proceed with the proposed campground upgrades.

#### **COMMUNICATIONS:**

The recommendation of the Board, Board report, and supporting documents will be forwarded to the ALC for consideration during its review of the application.

#### **DESIRED OUTCOMES:**

That the Board endorse the staff recommendation.

#### **BOARD'S OPTIONS:**

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

**Report Approval Details**

Document Title:	2024-04-18_Board_DS_LC2607A.docx
Attachments:	- LC2607A_ALC_Application_Proposal_10-18-2023_redacted.pdf - LC2607A_Maps_Plans_Photos.pdf
Final Approval Date:	Apr 9, 2024

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



Corey Paiment



Gerald Christie



Jennifer Sham



John MacLean