



Request for Decision ALR Exclusion Application Private Landowner

File No: P 725 201
Reference: -----
Date: March 4, 2025

Subject: ALR Exclusion (Baynes Lake / Kiely)
Applicant: John Kiely
Agent: Jean Terpsma
Location: Sharpe Road, Baynes Lake
Legal: Lot 1, Block 18, District Lot 132, Plan 1181
(PID: 013-334-565)

Proposal: Application to exclude a 6.85 ha property from the ALR.

- Options:**
1. THAT the Private Landowner ALR Exclusion application request by John Kiely for property located on Sharpe Road in Baynes Lake, as identified in the March 4, 2025 staff report, proceed to a public hearing to gather the views of the public on the proposed exclusion application.
 2. THAT the Private Landowner ALR Exclusion application request by John Kiely for property located on Sharpe Road in Baynes Lake, not proceed.

Recommendation: Option 2

The parcel proposed for exclusion is not consistent with the RDEK Private Landowner ALR Exclusion Application Policy. Exclusion is not supported by either a Boundary Review process or Official Community Plan policies.

An ALR boundary review was completed for Electoral Area B by the Agricultural Land Commission in 2017 and, although the agricultural capability ratings for the property are low, the property was not identified for exclusion. The Baynes Lake OCP policies generally state that properties outside those areas identified on Schedule C are not supported for subdivision or exclusion and the subject property is located outside the area identified.

Property Information: **OCP Designation:** LH, Large Holdings which supports rural residential development and rural resource land uses in the range of 2.0 to 8.0 ha.

OCP Policies:

- Land in the ALR is generally designated and supported for agricultural use.
- This plan recognizes the need to balance protecting agricultural land while providing for future community growth opportunities. Areas suitable for exclusion from the ALR were not identified during the development of the plan. However, in recognition of the increasing

growth pressures and continued fragmentation of the land base, a block exclusion of lands from the ALR should be given consideration when one or more of the following thresholds have been met:

- a) A comprehensive review of the ALR lands has been conducted identifying areas suitable for exclusion;
 - b) At the request from a block of residents or property owners; or
 - c) The Agricultural Land Commission (ALC) has determined that maintaining the plan area in the ALR is no longer meeting the objectives of the Commission.
- To reduce the potential for negative impacts on agriculture and resource-based activities, ALR subdivision and exclusion outside of the areas identified on Schedule C are generally not supported.

Zone Designation: RR-8, Rural Residential (Country) Zone. Permitted uses include: single family dwelling, duplex, farm operation, and grading, washing and screening of sand and gravel resources extracted from the parcel.

ALR Boundary Review: Yes, and the subject property was not identified for consideration or supported for exclusion from the ALR.

Previous ALR Applications: None

Farm Classification: No

Parcel Size: 6.66 ha (16.46 ac)

**Professional
Reports:**

None

**Agricultural
Capability
Ratings:**

The property is considered 70% Class 6 with a limiting subclass of topography and 30% Class 7 with the same limiting subclass. The land is not considered improvable. Class 7 is the lowest class category for agricultural capability.

**Additional
Information:**

Current agricultural use & improvements:

- The application states that there is no current agricultural use of the property. The property is not fenced and the only improvements have been a bit of timber clearing and thinning.

Current non-agricultural uses & improvements:

- The owner only uses the property for recreation.

Applicant's Rationale for Exclusion Request:

- The application states that the property is not large enough for a viable livestock operation and a lack of water for irrigation limits the potential for a market garden or other type of crop production. It states that there are no properties with farm status adjacent to the subject property.

- The owner would like to subdivide to create three parcels for rural residential use. He originally intended to apply for a subdivision of land within the ALR however, his neighbours to the south recently applied for subdivision and were refused by the ALC, therefore he decided to apply for exclusion.

Consultation: **APC Area B:** Supported.

**Documents
Attached:**

- Location Map
- ALR Boundaries Map
- Agricultural Capability Map and Key
- Land Use Map
- Aerial Photo
- OCP Designation Map
- OCP Policies and Part of Schedule C
- Zone Designation Map
- Application Letter
- Photos Provided by Applicant
- Conceptual Subdivision Plan

**RDEK
Contact:**

Tracy Van de Wiel, Planning Technician 2
Phone: 250-489-0311
Email: tvandewiel@rdek.bc.ca