

Request for Decision ALR Subdivision Application

File No: P 725 314
Reference No.: 103711
Date: April 29, 2025

Subject: ALR Subdivision (Wardner / Giberson)
Applicant: Darcy and Maureen, Giberson
Location: 5954 Wardner Road, Wardner
Legal: Lot D District Lot 325 Kootenay District Plan NEP85981 (PID: 027-397-181)

Proposal: Proposed 2 lot subdivision within the ALR.

Options:

1. THAT the Agricultural Land Commission be advised the RDEK supports the ALR subdivision application for the Giberson property located at 5954 Wardner Road in Wardner.
2. THAT the ALR subdivision application for the Giberson property at 5954 Wardner Road in Wardner, be refused.

Recommendation: Option 1

The application aligns with the policies and objectives outlined in the Steeples Official Community Plan. As previously identified by the ALC in the 2007 subdivision application decision, the parcel has very limited agricultural capability due to its small size and secondary soil capability ratings.

**Property
Information:**

OCP Objectives and Policies:

- The plan recognizes the opportunity for limited residential subdivision that is compatible with agricultural operations and on land that is not suitable for agricultural use due to topography and other limitations. The intent is to cluster residential growth on land of low agricultural capability and suitability in order to reduce rural sprawl and preserve the agricultural value of larger parcels in the area. ALR subdivision applications will be considered in relation to the following criteria:
 - current agricultural capability and suitability of the parcel;
 - potential impacts of the proposed subdivision on the agricultural capability and suitability of both the parcel proposed for subdivision and on neighbouring parcels; and
 - where applicable, information in the report from a qualified professional as required in section 6.3(2)(g).

Applications for subdivision that will negatively impact present or future agricultural opportunities, or that involve the fragmentation or parcelization of land suitable for agriculture, are not supported.

**Property
Information
cont'd:**

- ALR applications for non-farm use, subdivision, or exclusion should identify opportunities to improve the agricultural capacity and provide a net benefit to agriculture for the lands that remain within the ALR.
- Support for subdivision of lands within the ALR or non-farm use of ALR lands may be provided when it is demonstrated that the development will protect productive agricultural soils.

Zone Designation: RS-4, Residential (Acreage); minimum parcel size is 0.4 ha.

OCF Designation: SH, Small Holdings; supports low density residential development with minimum parcel sizes in the range of 0.2 ha to 2.0 ha.

Parcel Size: 0.71 ha (1.77 ac)

Density: Single family dwelling

Interface Fire Hazard Rating: Moderate and low; subject property does not fall within a fire protection service area.

BC Assessment: Residential; SFD

Water / Sewer Services: Onsite services

Flood Hazard Rating: The land is not identified as being within a special policy area for flooding.

**Agricultural
Capability
Ratings:**

The subject property is identified as Class 5MP land which has limitations (moisture deficiency and stoniness) that restrict the capability to produce perennial forage crops or other specially adapted crops. The subject property has potential to improve the classification from 5MP to 90% 4MP and 10% 3M. Class 4MP land has limitations (moisture deficiency and stoniness) that require special management practices or severely restrict the range of crops; or both, while Class 3M has limitations (moisture deficiency) that requires moderately intensive management practices or moderately restrict the range of crops, or both.

**Agrologist
Report:**

N/A

**Additional
Information:**

- The applicants wish to subdivide the subject property to build a smaller retirement home.
- In 2007, the ALC approved an application for a 5-lot subdivision (ALC Res #128/2007), which enabled creation of the subject property. The ALC determined that the parent parcel had very limited agricultural capability due to its small size and the secondary soil capability ratings. The Commission also recognized that the property was within close proximity to the residential community of Wardner and the proposed lot size would be of similar lot size to the nearby development; therefore, the Commission did not believe that the proposal would impact existing or potential agricultural use of surrounding lands.

Additional Information cont'd:

- If the ALC subdivision application is approved, an approved rezoning application will still be required.

Consultation: **APC Area C:** Support recommended

Documents Attached:

- ALR Boundary and Capability Map
- Location and Land Use Map
- Agricultural Capability Key
- Zoning Designation Map
- OCP Designation Map
- Aerial Map
- Future Proposed Subdivision Plan

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