STAFF REPORT

RE: Agricultural Land Commission Subdivision Referral – Everson
Date: January 31, 2018  File #: E-164s-01981.005
To: Chair Russell and members of the Board of Directors
From: Ken Gobeil, Senior Planner

ISSUE INTRODUCTION
We have received an application for subdivision in the Agricultural Land Reserve (ALR) in Electoral Area ‘E’/ West Boundary (see Attachments).

<table>
<thead>
<tr>
<th>Property Information</th>
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<tbody>
<tr>
<td>Owner(s):</td>
<td>Ronald and Elizabeth Everson</td>
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<tr>
<td>Location:</td>
<td>2105 HWY 33</td>
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<tr>
<td>Electoral Area:</td>
<td>Electoral Area ‘E’ / West Boundary</td>
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<tr>
<td>Legal Description(s):</td>
<td>Lot 1 Plan KAP75252, DL 164s and 2704</td>
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<tr>
<td>Area:</td>
<td>83.7 hectares (206.82 acres)</td>
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<tr>
<td>Other</td>
<td></td>
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<tr>
<td>Land Use Bylaws</td>
<td>NA</td>
</tr>
<tr>
<td>ALR:</td>
<td>Partial</td>
</tr>
<tr>
<td>Soil Capability</td>
<td>Class 5 (limited by topography, aridity and stoniness)</td>
</tr>
<tr>
<td>Waterfront / Floodplain</td>
<td>NA</td>
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HISTORY / BACKGROUND INFORMATION
The subject property is on the west side of Highway 34 approximately 5 km north of Rock Creek. The eastern side of the property (fronting Highway 33) is within the Agricultural Land Reserve (ALR). This property was affected by the 2015 wildfire, and cleanup from fire damage is ongoing. The soil capability with irrigation can be improved to mostly Class 3 lands with a small portion remaining Class 5.
PROPOSAL
The applicants wish to subdivide an 18 hectare portion of the property as a gift to their daughter and her family. It is their intent to start a family farm.

The proposed new parcel line would be parallel to the northerly property boundary, thereby splitting the parcel into a northerly and southern parcel.

IMPLICATIONS
There are no land use bylaws within this portion of Electoral Area ‘E’/West Boundary. There are no policies or documents that can be referenced regarding the proposed land use or parcel size. Parkland dedication is not required for this subdivision.

The ALC legislation and policies are supportive of subdivisions that promote farming.

If the subdivision proposal is approved by the ALC, the owners would then have to apply to the Ministry of Transportation and Infrastructure to complete the subdivision.

ADVISORY PLANNING COMMISSION
The APC did not support the proposed subdivision during their January 7, 2019 meeting for the following reasons:
- The current plan separates the ALR; it should be kept in tact
- Highway access concerns need to be addressed
- The applicants could consider revising the subdivision plan to keep the ALR portion intact

PLANNING AND DEVELOPMENT COMMENTS
The RDKB has no authority to implement any of the recommendations of the APC. Without land-use bylaws in effect, there is no guiding document to reference any comment to the ALC for consideration. This report would be forwarded to the ALC for consideration.

RECOMMENDATION
That the Regional District of Kootenay Boundary Board of Directors direct staff to forward, without recommendation, the application to the Agricultural Land Commission for a proposed subdivision submitted by Ronald and Elizabeth Everson for the property legally described as Lot 1 Plan KAP75252, DL 164s and 2704, Electoral Area ‘E’/West Boundary.

ATTACHMENTS
Site Location Map
Subject Property Map
Applicant Submission
Site Location Map
Lot 1, Plan KAP75252
District Lot 164S 2704
Similkameen Div of Yale Land District

Document Path: P:\PD\EA_E\E-164s-2704-01981.005 Everson\Mapping\2018-12-17_SLM_E-164s-2704-01981.005.mxd
Subject Property Map
Lot 1, Plan KAP75252
District Lot 164S 2704
Similkameen Div of Yale Land District

Date: 12/17/2018
1:10,000

Subject Property
Provincial Agricultural Land Commission - Applicant Submission

Application ID: 57907
Application Status: Under LG Review
Applicant: Ronald Everson, Elizabeth Everson
Local Government: Kootenay Boundary Regional District
Local Government Date of Receipt: 11/22/2018
ALC Date of Receipt: This application has not been submitted to ALC yet.
Proposal Type: Subdivision
Proposal: To segregate a belt of land adjacent to the northern boundary. From the north east corner we measured 200 meters south along Highway 33, the eastern border. The southern line of the new parcel would run parallel to the northern boundary, forming an east west rectangle. The area would be approximately 18 hectares.

If approval is granted we plan to gift this 18 hectare parcel to our daughter, son-in law and their family, an 8 year old son and a 6 year old daughter.

The Rock Creek wildfire of August 13, 2015 severely impacted the entire 83 hectares. The house was damaged, but saved. Sheds, barn/shop, were completely destroyed along with all the fencing. Today the house is totally renovated and outbuildings replaced. Logging the remnants and general cleanup has been and is yet going on. Interior fencing, other than that around the house has not been replaced. There is no livestock on the property at present. Prior to the fire there were no buildings on the proposed subdivision lot. None of the 18 hectare parcel has ever been cultivated. It was utilized for grazing only. No chemical sprays, no fertilizer; organic status, if desired should not be a problem. The bottom or eastern levels are the only areas conducive to cultivation, about 5 hectares. Olivia, [daughter] was raised on this land; she has her own ideas. She grew up around sheep and garlic is a consideration. for cropping.

The pictures proficiently describe the condition of the parcel, basically a burned out hillside. But, it is slowly regenerating and with work life can be restored. It is now fenced on the northern perimeter and along Highway 33.

Initially, as a family we moved onto the property, from Saskatchewan on November 19, 1982. The original State of Title Certificate records official registration at January 21, 1983.

Olivia and Christopher are involved in logging and are general contractors, both in the forest and accompanying infrastructure; roads, bridges, clearing right of ways. Thus the farming operation would not be their only income.

Mailing Address:
Parcel Information

Parcel(s) Under Application

1. Ownership Type: Fee Simple
   Parcel Identifier: 025-883-631
   Legal Description: L 1 DLS 164S & 2704 SIMILKAMEEN DIVISION YALE DISTRICT PL KAP75252
   Parcel Area: 83 ha
   Civic Address: Box 141
   Date of Purchase: 01/21/1983
   Farm Classification: No

Owners

1. Name: Ronald Everson
   Address:
   Box 141
   Rock Creek, BC
   V0H 1Y0
   Canada
   Phone: (250) 446-2592
   Email: roeversonrc@yahoo.ca

2. Name: Elizabeth Everson
   Address:
   2105 Hwy 33
   Rock Creek, BC
   V0H 1Y0
   Canada
   Phone: (250) 446-2592
   Email: roeversonrc@yahoo.ca

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).
   None today.

   This parcel was completely impacted by the wildfire..Aug. 13 2015

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).
   Border fences.. North border
   East border....Highway 33

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

   Clean up from the fire

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: cattle--grazing
East

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Hay

South

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Burned timber--Recovery from fire

West

**Land Use Type:** Unused  
**Specify Activity:** Recovery from fire

Proposal

1. **Enter the total number of lots proposed for your property.**
   - 18 ha
   - 65 ha

2. **What is the purpose of the proposal?**
   *To segregate a belt of land adjacent to the northern boundary. From the north east corner we measured 200 meters south along Highway 33, the eastern border. The southern line of the new parcel would run parallel to the northern boundary, forming an east west rectangle. The area would be approximately 18 hectares.*

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   Olivia and Christopher are involved in logging and are general contractors, both in the forest and accompanying infrastructure; roads, bridges, clearing right of ways. Thus the farming operation would not be their only income.

3. **Why do you believe this parcel is suitable for subdivision?**
   *This is an overlooked or forgotten section of land, especially since the fire. But it fits within the plan of*

**Applicant:** Ronald Everson, Elizabeth Everson
Ronald Everson, Elizabeth Everson

Applicant: Ronald Everson, Elizabeth Everson

There is enough bottom or flat land for cultivation. There are several suitable building sites. The hillside is grazing land but it is space that will eventually be utilized and appreciated. Water is present; a gravity well lies halfway up the hillside. There are also 2 drilled wells just south of the proposed lot. The parcel borders Highway 33; allowing excellent access. This is a relatively straight stretch of road, therefore no entrance or exit problems. The configuration is basic and simple for the topography.

4. Does the proposal support agriculture in the short or long term? Please explain.
They hope to shape their lives on this parcel; to erect buildings and develop the land. There is no short term fix here, this is long term. Agriculture will be the base of this proposal, even for the children. They will grow with this endeavor. 4-H was apart of Olivia’s youth and the clubs are available here. They have the equipment, the tools and the desire to develop this property. They just need the space to work. A new shop sits on Lot 1, for their use. They are not afraid of work.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.
No

6. Describe any economic values you believe are applicable to the application as it applies to s.4.3 of the ALC Act.
Assembly and trades employment during construction. When scheduled, laddered development such as fields, buildings, infrastructure transpires the long term value of the parcel will increase. Tax base for the District will increase. As time passes income from crops and animals will surface. The Kettle River Recreation Area and Kettle River Provincial Park is just across Hwy. 33. A campground of 120 sites is situated within, possibly seasonal employment for the children; not that many years in the future. Employment to the area is present through their company.

7. Describe any cultural values you believe are applicable to the application as it applies to s.4.3 of the ALC Act.
Cultivate the soil, nurture the mind and develop the body. To improve by mental and physical training, this is what exposure to the land allows. Family values; this is an outdoor family. Agriculture is an outdoor process. Plants and animals; this is a solid base for promoting a relatively healthy lifestyle and raising children in a budding environment. A rejuvenating hillside is a fascinating scenario for young minds to absorb. Each year showcases transformation. To have the ability to explore and experience nature rebuilding at the back door is priceless for a young inquisitive mind and possibly relaxing for an adult mind as well.

8. Describe any social values you believe are applicable to the application as it applies to s.4.3 of the ALC Act.
Proximity to schools is an extra plus in the desire to settle on this land. The eastern edge of the property is Highway 33, a direct school bus route of 5 kilometers to school. Their daughter is enrolled in dance, [ballet, contemporary]; again, proximity to the classes. Proximity to a skating rink with artificial ice. Both children are more than beginners on the ski slopes. They have committed parental support. Olivia was a downhill racer. The local hill is closer. Their company sponsored a local baseball team. Chris a classed as a workaholic but he does his share within a community. Olivia has always been involved in school and sport committees.

9. Describe any regional and community planning objectives you believe are applicable to the application as it applies to s.4.3 of the ALC Act.

Applicant: Ronald Everson, Elizabeth Everson
Officially this is no community plan or zoning bylaws to reference in this area.

Applicant Attachments

- Proposal Sketch - 57907
- Site Photo - picture directory
- Certificate of Title - 025-883-631

ALC Attachments

None.

Decisions

None.
11 August 2018

To whom it may concern,

We, Maureen Chepesuik and Brian Godkin have no objections to the proposed Everson subdivision bordering our property in Rock Creek.

Maureen Chepesuik
Brian Godkin

Highway 33, BC
District Lot 1406S, Similkameen Div of Yale Land District
PID: 014-994-046
Rock Creek B.C.

September 14  2018

Proposed subdivision of Lot 1 District Lots 164S and 2704 Similkameen Division
Yale District Plan KAP75252

Regarding easement part on plan A14241 appurtenant to DL. 1406S
Registration number:  P19590

We,  Olivia Elizabeth [Everson] Galley
    Christopher Lawrence Galley

would have no objection to this easement.
Picture Directory

DSCN 7182—Looking toward NE corner on lower level adjacent to HWY.33

DSCN 7183—Looking north—lower level—[bottom level along HWY.33]

DSCN 7185—From HWY.33. Looking NW
DSCN 7189—Lower level—Looking uphill NW

DSCN 7190—Mid level—Looking west uphill along Northern boundary

DSCN 7192---Mid level—Looking east downhill along Northern boundary
DSCN 7196--- Mid level-Looking west uphill—inland from Northern boundary

DSCN 7199---Mid level-Looking east downhill—inland from North boundary

DSCN 7203---East boundary-Looking west from 2nd level-inland
DSCN 7206—Between lower and 2nd level—Looking NE

DSCN 7208---Second level—Looking NW

DSCN 7211---Second level—Looking west along Northern boundary
DSCN 7216—Second level—Looking west uphill

DSCN 7219—Mid level—Looking east- [southern boundary] of parcel

DSCN 7228—App. Southern boundary 2^{nd} level—Looking west
DSCN 7235—Landscape—facing west from HWY. 33

DSCN 7240—NE corner —facing west from HWY.33

DSCN 7144—Olivia- Chris and Family