



Agricultural Land Commission
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July 17, 2006

Reply to the attention of Ron Wallace

Kathy Koochin
4609 – 17th South
Cranbrook, BC V1C 7A7

Dear Madam:

Re: **Application # L-36541**
Lot 1, District Lot 5447, Kootenay District, Plan 17342

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide two parcels of 2 ha each from the above noted property to provide separate lots for family members. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on June 28, 2006.

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- compliance with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment. The Commission suggests you contact the Regional District of East Kootenay at your earliest convenience.

The decision noted above is recorded as Resolution **#367/2006**.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of East Kootenay (#P-706-301)
William Demchuk, 4610 17th Street, Cranbrook, BC V1C 7A7

RW/lv: 01/36541d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on June 28, 2006 in Cranbrook, B.C.

PRESENT: Monika Marshall Chair
 Carmen Purdy Commissioner

STAFF: Ron Wallace, Land Use Planner

For Consideration

Ron Wallace presented the staff report dated May 11, 2006 regarding application #L-36541, Kathy Koochin. The application is to subdivide two parcels of 2 ha each from the subject property to provide separate lots for family members. The subject property is approximately 7 ha and each of the proposed lots would follow a natural divide within the property.

Site Inspection

A site inspection was conducted on June 28, 2006. Those in attendance were:

- Commissioners: Marshall & Purdy
- Agricultural Land Commission Staff: Ron Wallace, Land Use Planner
- Applicant: Kathy Koochin

The site inspection lasted from 5:15 p.m. to 5:45 p.m.

Commission Discussion

The Commission noted that the proposed subdivision would result in lots of similar size to those lying to the west of the subject property. It was also noted that the property has marginal capability for agricultural development due to a combination of soil factors.

IT WAS

MOVED BY: Commissioner M. Marshall

SECONDED BY: Commissioner C. Purdy

THAT the staff report be received and the application to subdivide two parcels of 2 ha each from the subject property to provide separate lots for family members be approved as proposed.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # L – 36541
Applicant: Kathy Koochin

DATE PREPARED: May 11, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: To subdivide two parcels of 2 ha each from the subject property to provide separate lots for family members. The subject property is approximately 7 ha and each of the proposed lots would follow a natural divide within the property.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

Local Government:

Regional District of East Kootenay

Legal Description of Property:

1. PID: 005-904-293
Lot 1, District Lot 5447, Kootenay District, Plan 17342

Purchase Date (m/d/y):

2021-06-06

Location of Property:

4609 – 17th South, Cranbrook

Size of Property:

±7.0 ha (The entire property is in the ALR).

Present use of the Property:

Rural residential use

Surrounding Land Uses:

WEST: Gold Creek Area Residences
SOUTH: Hay / Cattle Ranch
EAST: Hay / Cattle Ranch
NORTH: Crown land

Agricultural Capability:

Data Source: Agricultural Capability Map #82G/5
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

The property is designated as Agriculture within the Cranbrook Rural Official Settlement Plan

Zoning Bylaw and Designation:

Rural Residential (Hobby Farm) Zone, 4 ha minimum lot size

PREVIOUS APPLICATIONS:

Application #12156-0

Applicant: Hauser, Albert and Harriet
Decision Date: June 11, 1981
Proposal: To subdivide a 12 ha lot from the 21 ha property.
Decision: Refuse as proposed on the grounds of impact on adjoining ranch operation

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional Board

The Regional Board adopted a resolution in support of the application for subdivision within the ALR.

Advisory Planning Commission

The APC for Area C supports the application with a recommendation that the northern boundary of proposed Lot 1 be redrawn straight across from west to east to encompass the required 2 ha.

Agricultural Advisory Committee


The Agricultural Advisory Committee accepted the application as proposed, as there is no impact on agricultural lands.

STAFF COMMENTS:

Staff has the following comments:

- The subject property has Class 4 agricultural capability with limitations due to a combination of soil factors.
- To the west of the subject property, west of 46th Avenue, are 1.4 ha rural residential lots. However, the subject property, to the east of 46th Avenue, is part of a block of typically larger hobby farm properties.
- To the east of the subject property lies a 140 ha farm operation.
- Staff recommends an on-site to determine if agriculture is impacted by the proposed subdivision.

END OF REPORT

Signature 

Date 19 May 2006

AGRICULTURAL LAND RESERVE PLAN EAST KOOTENAY REGIONAL DISTRICT

